

Dakota County Board of Commissioners
Monday, January 11, 2021 - 1:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

County Clerk Spencer called the meeting to order at 1:00 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. TABLED ITEMS
 - a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
 - b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*
3. 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.
4. 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 28, 2020
 - b. Board to approve the payroll claims for hours worked December 27, 2020, to January 9, 2021.
 - 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 and Nebraska Public Agency Investment Trust (NPAIT), Lincoln.
 - f. Approval of the date and time of regular Commissioner meetings as bi-weekly starting from today; start time as _____ AM or 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 2021: *

| | |
|--|---|
| Jan. 1, 2021 – New Year’s Day | Nov. 11, 2021 – Veterans Day |
| Jan. 18, 2021 - Martin Luther King Jr. Day | Nov. 25, 2021 - Thanksgiving Day |
| Feb. 15, 2021 - President’s Day | Nov. 26, 2021 – Day after Thanksgiving |
| May 31, 2021 - Memorial Day | Dec 24, 2021 – Christmas Day |
| July 5, 2021 – Independence Day | Dec. 31, 2021 – New Years Day (2022) |
| Sept. 6, 2021 - Labor 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 2021.
 - i. Approval of posting the Board’s agenda on County website www.dakotacountyne.org
 - j. Approval and designation of County Government Day as Wednesday, October 6, 2021.
 - 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
 - Fred Kellogg, Highway Superintendent, License #S-1475, Class A, Calendar Year 2021
 - Deanna Hagberg, Emergency Management Director
 - Natasha Ritchison, Health Department Director
 - Tim Lamprecht, County Surveyor, appoint to a 4-yr term expiring Jan, 2023
 - Matt Roost, part-time Weed Superintendent
5. NEW BUSINESS

- a. 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.
- b. Greg Koinzan, South Sioux City Police Department, requesting approval of Motorola communications equipment purchase for the 911 Dispatch System in the amount of \$255,126.16.
- c. Jacob Acero, Lieutenant Jailer, requesting Board approve and authorize chair to sign Crime Commissioner Grant for JAG Funding.
- d. Board to approve or not approve Resolution 21C-001 to Abandon the platted roads in the Millis Beach area of Wood Avenue between East 1st and West 1st Streets and an approximately 100' portion of West 1st street where it jogs north to Erie Drive. S6, T28N, R9E
- e. Board to decide whether to voluntarily extend the provisions of the emergency paid sick leave or emergency paid family and medical leave in accordance with the Family First Coronavirus Response Act (FFCRA) which expired 12/31/2020.
- f. Board to discuss and approve the procedure to make appointment for the vacancy in the Office of County Treasurer effective January 2021 to December 2022.

6. MISCELLANEOUS

- a. Fred Kellogg, Highway Superintendent - Road Report
- b. Sheriff Kleinberg – Monthly Jail Report.
- c. Stephanie Gatzemeyer, Deputy Treasurer, to present the 2020-21 Fund Balance 6-Month Accumulated Report from July through December, 2020, and request Board approve Chair to sign said report. §23-1605
- e. Approve Resolution 21C-002 authorizing Chair to sign and enter the county into an inter-local Agreement for participation in Region 4 Behavioral Health System.
- f. 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 (by Resolution)
- ❖ 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

- g. Approve Resolution 21C-003 to make the appointment of the County representative to the governing board of the Dakota County Public Safety Services Agency.
- h. Approve Chair to sign Engagement Letter with D. A. Davidson for the purpose of a lease purchase agreement for the payment of the 2021 John Deere motor grader.
- i. County Board shall make quarterly visit to county jail. §47-109

7. COMMISSIONER COMMITTEE REPORTS

8. MAIL AND/OR EMERGENCY BUSINESS

9. ADJOURNMENT

Commissioner Launsby moved, seconded by Commissioner Albenesius, to nominate Janet Gill for Dakota County Board of Commissioner Chairperson. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Gill moved, seconded by Commissioner Albenesius, to nominate Robert Giese for Vice-Chair for the Dakota County Board of Commissioners. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Gill explained the previous changes on wind energy regulations. Planning & Zoning is looking at possible additional changes to the wind energy regulations. No action was taken to remove Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County from the table.

No action was taken to remove from the table the approval of the Midwest Alarm Services Basic Agreement as further information is still needed.

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

Chair Gill removed item # from the consent agenda for discussion of meeting date and time. Discussion was had. Commissioner Love moved, seconded by Commissioner Giese, to approve changing the time of the meeting from 1:00 p.m. to 3:00 p.m. excepting that the January 25 meeting will be 1:00 p.m. (bid opening advertised) and the time of 3:00 p.m. be effective with the February 8 meeting (bi-weekly Monday meetings remain the same). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Chair Gill called for approval of the consent agenda—(a) approval of the December 28, 2020 minutes; (b) approval of payroll claims for hours worked December 27, 2020 to January 9, 2021; (c) approval of accounts payable claims; (d) renewal of 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; Bank First Bank, South Sioux City; Siouxland Bank, South Sioux City and Nebraska Public Agency Investment Trust (NPAIT), Lincoln; (g) approval and establishment of the following dates for County Holidays in 2021: Jan 1- New Year's Day; Jan 18- Martin Luther King Jr. Day; Feb 15- President's Day; May 31- Memorial Day; July 5- Independence Day; September 6- Labor Day; November 11- Veterans Day; November 25- Thanksgiving Day; November 26- Day after Thanksgiving; December 24 – Christmas day; December 31- New Year's Day (2022); 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 2021; (i) approval of posting the Board's agenda on County website www.dakotacountyne.org; (j) approval and designation of County Government Day as Wednesday, October 6, 2021; (k) approval of the Dakota County Burial Policy as revised January 30, 2017; and (l) approval of the following Department Head Appointments: Willard Johnston- Veterans Service Officer, Fred Kellogg- Highway Superintendent, License #S-1475, Class A, Calendar Year 2021; Deanna Hagberg- Emergency Management Director; Natasha Ritchison- Health Department Director; Tim Lamprecht, County Surveyor and Matt Roost- PT Weed Superintendent. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$161,000.04; Net Pay-\$114,752.20; Total Retirement-\$11,201.13; Total FICA-\$11,974.13; Health Plan-\$34,389.00; Dental Plan-\$1,150.50; Life Insurance-\$ 204.65; Larry Albenesius-\$1,133.74; Robert Giese-\$1,133.74; Janet Gill-\$1,179.74; Troy Launsby-\$1,133.74; Scott Love-\$1,133.74; Cherie Conley-\$1,553.31; Leticia Vargas-\$1,321.60; Joan Spencer-\$2,321.53; Kathy Abbe-\$1,186.40; Maria Garcia-\$1,000.00; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$1,048.00; Debera Benton-\$1,160.01; Christy Abts-\$2,321.53; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$ 265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.53; Louvontree Hunter-\$2,850.31; Debra Jensen-\$1,719.61; Kevin Hansen-\$2,043.02; Tammy Dunn Peterson-\$1,250.60; Shaun Bird-\$2,826.08; Sergio Castillo-\$3,626.56; Brian Ellinger-\$2,646.05; Penny Epting-\$3,899.49; Brian Fernau-\$2,585.93; Tyler Fulkerth-\$3,360.01; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,170.54; Richard Hansen-\$2,182.84; Melvin Harrison III-\$2,906.73; Jason James-\$2,369.18; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$ 897.11; Jared Junge-\$2,930.79; Christopher Kleinberg-\$2,532.35; Kevin Rohde-\$3,405.38; Mardi Schnee-\$1,088.80; Ryne Sell-\$ 464.25; Katie Lehmann-\$1,332.00; Sheyanne Lozano-\$1,258.18; Edward Matney-\$1,923.08; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.80; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,670.35; Angelica Antonio-\$1,752.96; Shaelee Barreras-\$ 209.59; Zachery Bickett-\$1,844.26; Rebecca Broer-\$1,687.20; Kacie Brown-\$1,997.78; Alexander DeLeon-\$1,993.08; Elisabet DeRoin-\$1,698.13; Jesse Doelle-\$1,573.18; Jon Enstrom-\$1,533.84; Robert Foster-\$1,358.28; Jonathan Gray-\$2,100.79; Kara Groetken-\$2,057.42; Todd Hammer-\$2,291.85; Alexa Hansen-\$1,358.28; Adam Hough-\$2,214.00; Victor Huerta-\$ 286.56; Brenda Irwin-\$1,661.60; Hunter Jones-\$1,716.48; Brady Mathis-\$1,543.32; Skyler Miner-\$1,634.89; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,752.28; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,352.28; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,259.76; Jennifer Svendsen-\$2,247.81; Taylor Tadlock-\$1,887.36; Danielle Thibodeau-\$2,011.08; Anthony Von Haden-\$1,432.80; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$ 375.00; Matthew Roost-\$ 265.30; Shay Gillaspie-\$1,000.50; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$ 256.96; Natasha Ritchison-\$2,040.00; Kristin Robinette-\$ 198.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-

\$1,287.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$13,342.92; State Tax-\$6,082.72; Soc Sec-\$9,704.49; Medicare-\$2,269.64; Extra Fit-\$ 689.00; Extra Sit-\$ 145.00; Retirement-\$7,624.07; Health Plan-\$2,100.00; Dental Plan-\$ 504.00; Colonial Health-\$ 244.24; Sheriff Union Dues-\$ 390.00; Colonial Life/Disability-\$ 54.00; Deferred Comp-\$ 395.00; Garnishments-\$ 975.22; Flex Plan Medical-\$ 910.42; Flex Plan Dependent Care-\$ 208.33; VSP Vision-\$ 475.88; Legal Shield-\$ 82.21; Liberty Nat'l-\$ 50.70; **Road Fund Employer:** Gross Salaries-\$18,203.82; Net Pay-\$12,927.11; Retirement-\$1,228.79; Total FICA-\$1,367.04; Health Plan-\$4,917.00; Dental Plan-\$ 162.25; Life Insurance-\$ 27.16; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,655.37; Ryan Chambers-\$1,655.37; Robert Hacker-\$1,682.84; 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-\$1,600.43; Matthew Roost-\$1,566.00; **Road Fund Employee:** Federal Tax-\$1,466.88; State Tax-\$ 661.65; FICA-\$1,107.92; Medicare-\$ 259.12; Extra Fit-\$ 150.00; Retirement-\$ 819.15; Health Plan-\$ 200.00; Dental Plan-\$ 63.00; Colonial Health-\$ 65.66; Garnishments-\$ 208.62; Road Union Dues-\$ 175.00; VSP Vision-\$ 46.91; Legal Shield-\$ 46.30; Liberty National-\$ 6.50; **Health Planning Grant Employer:** Gross Salaries-\$1,360.01; Net Pay-\$1,045.57; Retirement-\$ 91.80; Total FICA-\$ 101.28; Health Plan-\$ 447.00; Dental Plan-\$ 14.75; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$1,360.01; **Health Planning Grant Employee:** Federal Tax-\$62.80; State Tax-\$31.03; FICA-\$ 82.08; Medicare-\$19.20; Extra Sit-\$5.00; Retirement-\$ 61.20; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,280.00; Net Pay-\$2,356.04; Retirement-\$ 221.40; Total FICA-\$228.34; Health Plan-\$894.00; Dental Plan-\$ 29.50; Life Insurance-\$ 5.87; Jana Adam-\$1,760.00; Yvette Aldana-\$1,520.00; **Minority Planning Grant Employee:** Federal Tax-\$150.45; State Tax-\$102.41; FICA-\$185.06; Medicare-\$43.28; Retirement-\$ 147.60; 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.

General Fund Accounts Payable: Dakota Co Clerk of Dist. Court- \$10.00.

Pat Wojcik, Siouxland Coalition Against Human Trafficking, thanked the Board for their past support and asked the Board to adopt the Proclamation for Slavery and Human Trafficking Awareness and Prevention Month. Chair Gill moved, seconded by Commissioner Love, to approve the Proclamation for Slavery and Human Trafficking Awareness and Prevention Month. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Greg Koinzan, South Sioux City Police Officer, explained to the Board that the E911 system will have reached its end of life on May 24, 2021, and the manufacturer will no longer support the software. Dakota County law enforcement would be part of the northeast Nebraska Region and Norfolk and South Sioux City would be anchor hubs if installation is done in a timely manner. The new system would be with Motorola Call Works for a cost of \$255,126. The equipment set-aside fund has \$194,000 and Mr. Koinzan recommended \$30,000 be kept in that fund which would require approximately \$95,000 to be paid 50/50 by the County and City of South Sioux City. Mr. Koinzan clarified for Chair Gill that the Motorola Call Works is a state bid so it did not need to be competitively bid again. Sheriff Kleinberg stated each resident pays a 911 \$1 surcharge tax (wired and wireless) which supports the dispatch center. Oscar Gomez, South Sioux City, stated it was important that this be done in a timely manner to insure South Sioux City be a hub and he also explained that the City is trying to coordinate a USDA grant for \$50,000 to \$75,000 to help defray the cost. For an August installation, the project needs to be approved no later than February. There will be a future agreement and future costs to connect all ten counties with fiber. There will also be an extra cost to maintain the Dakota Dispatch Center as a hub. Commissioner Love moved, seconded by Commissioner Giese, to approve the Motorola Call Works project at a cost of \$255,126 with a 50/50 cost share with the City of South Sioux City. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Jacob Acero, Lieutenant Jailer, requested approval of a JAG Crime Commission grant in the amount of \$219,271.70 for a Shooting Simulator. The project would involve area law enforcement agencies and provide training scenarios based on real life incidents with the intention of learning and applying less lethal force in a crisis situation with focus on mental health situations. Mr. Acero is seeking 100% funding for the hardware with the grant match being law enforcement salaries and uniforms. The deadline to submit is January 22nd and final approval by July. Commissioner Love moved, seconded by Commissioner Giese, to approve the shooting simulator project grant in the amount of \$219,272 and for Chair to sign. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Chair Gill, to approve Resolution 21C-001 Abandonment of Platted roads in Millis Beach Area—Wood Avenue & West 1st Street portion—with the right-of-way reverting back to the adjacent landowners, one half to each such landowner. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-001
ABANDONMENT OF PLATTED ROADS IN MILLIS BEACH AREA
Wood Avenue and West 1st Street

BE IT RESOLVED BY THE CHAIRMAN AND COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, that a public hearing was held in the Board of Commissioners Room on the 28th day of December, 2020, at

1:00 p.m., pursuant to notice of public hearing published in the Dakota County Star for three consecutive weeks previous to such hearing.

BE IT FURTHER RESOLVED that at such public hearing persons appeared regarding the vacating and abandonment of said road as hereinafter described, and the Board being fully advised and upon consideration of the matter hereby orders that the following road be vacated and abandoned and that the public right-of-way shall be disposed of in the following manner:

1. Shall revert back to the adjacent landowners, one half to each such landowner. Described as follows:
 - a. Platted as Wood Avenue—portion between East 1st Street to West 1st Street, Crystal Beach aka Millis Beach area, Section 6, Township 28N, Range 9E
 - b. A portion of West 1st Street where Wood Avenue jogs west and the portion to Erie Drive—approximately 100 feet, Crystal Beach aka Millis Beach area, Section 6, Township 28N, Range 9E.

A certified copy of this Resolution shall be filed with the Register of Deeds and indexed against all affected property. Dated at Dakota City, Nebraska this 11th day of January, 2021.

After much discussion, the Board decided to not take any action to extend the provisions of the emergency paid sick leave or emergency paid family and medical leave in accordance with the Family First Coronavirus Response Act (FFCRA) which expired 12/31/2020.

Chair Gill moved, seconded by Commissioner Launsby, to approve the procedure for appointment to fill the vacancy in the Office of County Treasurer as the formation of a committee to interview the top 4 rated applicants per interviews in December and that the persons of Commissioners Love and Launsby and Clerk Spencer conduct the interviews and bring a recommendation to the Board at their January 25th meeting. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

The Road Report for December 27 to January 9 was reviewed: Total road maintenance- 19.5 hours; overtime- 29 hours; tree/debris removal- 13 hours; snow removal- 199 hours; sign repair/barricading- 67.5 hours. Fred Kellogg, Hwy Superintendent, was reached telephonically regarding the status of the Willis, Burcham and Pope bridges.

Sheriff Kleinberg presented the Jail Report for the month of December, 2020.

December (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 76 | 29 | 0 | 105 |

2020 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 61 | 34 | 0.11 | 95 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 67 | 34 | 0.03 | 101 |

Federal Income

| | | | |
|---------------------|--------------|------------------|---------------|
| December Marshal | \$59,460.50 | Fiscal Marshals: | \$416,365.83 |
| December ICE: | 195.00 | Fiscal ICE: | 8,261.83 |
| December OMMS/SDMS: | <u>65.00</u> | Fiscal BIA/OMMS: | <u>325.00</u> |
| December Federal: | \$ 59,720.50 | Fiscal Federal: | \$424,952.66 |

2020 Calendar Federal: \$842,127.13

December County Contracts: \$0.00 2019-20 Fiscal County Contracts: \$4,038.00

October Phone/Commissary Commission: \$11,565.87

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> |
| 99.65 | 88.46 | \$73.25 | 69.66 | 69.33 | 81.69 | 94.08 | 65.94 | 60.62 | 54.62 | 58.30 | 82.18 |

The jail spent \$269,564.97 for the month of December—50% of yearly budget or 0% under fiscal year budget. In December 2019, the jail had spent 49% of yearly budget—\$52,266.47 spent.

December Bookings:

| | | | |
|-------------|----------|----------------|----------|
| DCSO: | 40 | DAKOTA COUNTY: | 33 |
| SSCPD: | 30 | OTHER NE: | 17 |
| NSP: | 16 | SIOUX CITY: | 34 |
| COURT/SELF: | 9 | OTHER IA: | 1 |
| FED: | 0 | OTHER STATES: | 10 |
| OTHER: | <u>0</u> | HOMELESS: | <u>0</u> |
| TOTAL: | 95 | TOTAL: | 95 |

Stephanie Gatzemeyer, Deputy Treasurer, presented the 2020-21 Fund Balance 6-month Accumulated Report for July to December, 2020. Chair Gill moved, seconded by Commissioner Giese, to approve the 2020-21 Treasurer Fund

Balance Report for July – December, 2020. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Chair Gill, to approve Resolution 21C-002 authorizing Chair to sign and enter the county in an inter-local agreement for participation in Region 4 Behavioral Health System. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-002

Whereas, LB302 passed by the 1974 Legislature of the State of Nebraska created the Nebraska Comprehensive Community Mental Health Services Act forming Regional Mental Health authorities.

Whereas Dakota County, Nebraska does participate in said Region 4 Behavioral Health System, the designated regional mental health authority within northeast Nebraska.

Be it therefore resolved that the Chairperson of the Dakota County Board of Commissioners be and hereby is authorized to enter into an agreement for the participation in Region 4 Behavioral Health System under the Interlocal Cooperation Act of the State of Nebraska.

Passed and approved this 11th day of January, 2021.

Chair Gill made appointments for members/employees/public to serve on the following boards and working committees:

Area Agency for Aged Advisory Board (3-yr term to 2022) – Lois Daniels

Area Agency on Aging Governing Board - Giese

County Health Board – Love and Giese

Dakota County Public Safety Services Agency Governing Board - Love

Goldenrod Regional Housing Agency – Joe O’Neill

Northstar - Launsby

Planning & Zoning - Albenesius

RC&D - Gill

Region IV Mental Health Board - Gill

SIMPCO Board of Directors - Albenesius

SIMPCO Transportation MPO Policy Board - Albenesius

Americans with Disabilities Act (ADA) – Kim Watson

Civil Defense (LEPC, PEP) - Love

Dakota County Rural Economic Development - Giese

Emergency Closings – Sheriff Kleinberg, Albenesius, Love

Finance/Budget Gill, Giese

Growing Community Connections - Gill

Highway 35 Committee - Albenesius

KNNB (*Keep Northeast Nebraska Beautiful*) - Love

LEC (*Law Enforcement Center*) – Love, Launsby

LEC *County Rep. on the Joint Law Enforcement Center Board* – Martin Hohenstein

Legislative - Giese

Merit Commission - Launsby

Personnel/Policies – Gill, Love

Press Committee – Gill, Joan Spencer

Property/Space Utilization – Giese, Launsby

Road Committee – Albenesius, Launsby

Safety Committee – Albenesius, Love

Storm Water Advisory Board - Gill

Veterans Oversight Committee – Giese

Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-002 and appoint by resolution the board member to service on the Dakota County Public Safety Services Agency as Scott Love. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-003

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 Commissioner 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 11th day of January, 2021.

Commissioner Giese moved, seconded by Commissioner Launsby, to approve Chair to sign Engagement Letter with D.A Davidson for the purpose of a lease purchase agreement for the payment of the 2021 John Deere motor grader.
ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

The County Board did not make a quarterly visit to the jail per COVID19 restrictions.

Commissioner Committee Reports: Albenesius—Safety Committee approved a new 2021 Safety Manual; Giese and Launsby—reported on the NACO board workshop; Gill—close out with Auditors.

No mail and/or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of January 11, 2021, at 2:54 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary Date

Dakota County Board of Commissioners
Monday, January 25, 2021 - 1:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Gill called the meeting to order at 1:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill, Love, Giese, Albenesius, Launsby. Absent: none. Also present was 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. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table.*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table.*

2. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.

3. CONSENT AGENDA Any *individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- a. Approval of the previous meeting minutes – January 11, 2021
- b. Approval of payroll claims for January 10 to 23, 2021
- c. Approval of accounts payable claims
- d. Approval of Officials Reports- Register of Deeds, County Clerk and Clerk of District Court
- e. Approval of Quarterly Reports- Jail and Sheriff

4. NEW BUSINESS

- a. 1:01 p.m. Board to open bids with option to award or review bids for construction of an abutment repair and bank stabilization at 137th Street between J Ave and I Ave – Jackson High Bridge - #C002210810P – South Sioux City West project.
- b. Kim Bovee, Victims Assistance, requesting approval of Resolution 21C-004 in support of the Victims of Crime Act grant for the period of July 1, 2021 to June 30, 2023.
- c. Board to make appointment for the vacancy in the Office of County Treasurer to complete the term of office ending 12/31/2022.

5. MISCELLANEOUS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Matt Roost, Weed Superintendent – present the Noxious Weed report and request approval for board chair to sign.
- c. Board to approve appointment of Board of Adjustment member to 3-year term.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- Jail Standards Inspection Report
- Jon Cannon, NACO Deputy Director, regarding LB310 Inheritance Tax legislative bill

8. ADJOURNMENT

Commissioner Albenesius stated Planning & Zoning is addressing new wording for the wind energy regulations. No action was taken to remove Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County from the table.

No action was taken to remove from the table the approval of the Midwest Alarm Services Basic Agreement as further information is still needed.

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

Chair Gill called for approval of the consent agenda—(a) approval of the January 11, 2021, minutes; (b) approval of payroll claims for hours worked January 10- 23, 2021; (c) approval of accounts payable claims; (d) Approval of Officials Reports—Register of Deeds, County Clerk and Clerk of District Court and (e) Approval of Quarterly Reports—Jail and

Sheriff. Commissioner Love moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gil- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$152,384.85; Net Pay-\$108,999.47; Total Retirement-\$10,595.69; Makeup Retirement-\$0.00; Total FICA-\$11,315.54; Health Plan-\$34,389.00; Dental Plan-\$1,150.50; Life Insurance-\$202.10; Larry Albenesius-\$1,133.71; Robert Giese-\$1,133.71; Janet Gill-\$1,179.87; Troy Launsby-\$933.71; Scott Love-\$1,133.71; Cherie Conley-\$1,553.31; Leticia Vargas-\$1,321.60; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,186.40; Maria Garcia-\$1,000.00; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; 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-\$480.00; Kevin Hansen-\$2,059.41; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,070.21; Sergio Castillo-\$2,733.09; Brian Ellinger-\$2,716.80; Penny Epting-\$2,687.06; Brian Fernau-\$2,157.31; Tyler Fulkerth-\$2,189.47; Brent Gilster-\$2,543.20; Martin Guerrero-\$2,236.72; Richard Hansen-\$2,542.21; Melvin Harrison III-\$2,685.68; Jason James-\$2,528.90; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$603.30; Jared Junge-\$555.60; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,153.60; Mardi Schnee-\$1,088.80; Katie Lehmann-\$1,332.00; Sheyanne Lozano-\$1,265.50; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,680.24; Angelica Antonio-\$1,862.52; Shaelee Barreras-\$51.75; Zachery Bickett-\$1,862.52; Rebecca Broer-\$1,724.11; Kacie Brown-\$2,175.08; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,759.57; Jesse Doelle-\$1,573.05; Jon Enstrom-\$1,844.26; Robert Foster-\$1,453.80; Jonathan Gray-\$1,971.83; Kara Groetken-\$2,082.95; Todd Hammer-\$2,222.40; Alexa Hansen-\$1,638.84; Adam Hough-\$2,042.88; Victor Huerta-\$0.00; Brenda Irwin-\$1,661.60; Hunter Jones-\$2,078.39; Brady Mathis-\$1,796.28; Skyler Miner-\$1,641.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,123.72; Kimberly Peterson-\$1,906.77; Jorge Reyes-\$1,450.80; Michele Rohde-\$1,383.69; Rebecca Schoep-\$1,628.92; Jennifer Svendsen-\$1,977.09; Taylor Tadlock-\$2,005.32; Danielle Thibodeau-\$1,991.56; Anthony Von Haden-\$1,337.28; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Shay Gillaspie-\$1,058.50; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$100.70; Natasha Ritchison-\$2,040.00; Kristin Robinette-\$0.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,320.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,009.07; State Tax-\$5,641.92; Soc Sec-\$9,170.74; Medicare-\$2,144.80; Extra Fit-\$689.00; Extra Sit-\$145.00; Retirement-\$7,194.48; Makeup Retirement-\$0.00; Health Plan-\$2,100.00; Dental Plan-\$504.00; Colonial Health-\$244.24; Sheriff Union Dues-\$390.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$395.00; Garnishments-\$975.22; Flex Plan Medical-\$910.42; Flex Plan Dependent Care-\$208.33; VSP Vision-\$476.20; Legal Shield-\$82.24; Liberty Nat'l-\$50.72; Liberty Nat'l-\$0.00; **Road Fund Employer:** Gross Salaries-\$18,928.54; Net Pay-\$13,434.14; Retirement-\$1,277.70; Total FICA-\$1,423.17; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,714.15; Robert Hacker-\$1,756.86; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,758.24; Kimon Litras-\$1,796.94; Dean Pallas-\$1,771.67; Tyler Pallas-\$1,714.07; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,551.01; State Tax-\$706.34; FICA-\$1,153.42; Medicare-\$269.75; Extra Fit-\$150.00; Retirement-\$851.77; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; VSP Vision-\$46.97; Legal Shield-\$46.36; Liberty National-\$6.50; **Health Planning Grant Employer:** Gross Salaries-\$1,485.22; Net Pay-\$1,137.74; Retirement-\$100.25; Total FICA-\$110.85; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,485.22; **Health Planning Grant Employee:** Federal Tax-\$74.76; State Tax-\$36.90; FICA-\$89.84; Medicare-\$21.01; Extra Sit-\$5.00; Retirement-\$66.83; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,275.25; Net Pay-\$2,352.68; Retirement-\$221.08; Total FICA-\$227.98; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$5.87; Jana Adam-\$1,760.00; Yvette Aldana-\$1,515.25; **Minority Planning Grant Employee:** Federal Tax-\$149.91; State Tax-\$102.11; FICA-\$184.77; Medicare-\$43.21; Retirement-\$147.39; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$24.18; **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;

General Fund Accounts Payable: Des Moines Stamp Co, stamp-\$73.55; Gretchen Hirschbach, prior years service-\$69.24; One Office Solutions, name plates-\$56.52; Pender Times, publications-\$184.21; Leaf, copier lease-\$302.99; One Office Solutions, office supplies-\$54.18; Theodore Piepho, prior years service-\$92.32; Coast to Coast, toner-\$499.98; DAS State Acct, state software-\$81.00; Robert H Giese, prior years service-\$92.32; Ruth Gillaspie, prior years service-\$69.24; Henjes, Conner & Williams, reconciling-\$338.25; Hilarion Land Holding, interest on certificate-\$1,021.42; MIPS, monthly software-\$2,932.56; Security Shredding, shredding-\$70.00; US Bank, postage-\$17.10; Irene VanLent, prior years service-\$16.00; Mark Dorcey, prior years service-\$46.16; One Office Solutions, supplies-\$39.00; Margie Rahn, prior years service-\$12.00; EWDS Inc, appraisal services-\$416.00; JAG Quality Solutions, Inc., appraisal services-\$2,483.00; Leaf, copier lease-\$138.40; One Office Solutions, supplies-\$85.09; Security Shredding, shredding-\$35.00; Stanard Appraisal Services, rural res reval-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; Scott Bousquet, P&Z meeting-\$16.73; Tim Decker, P&Z meeting-\$26.50; Ron Gill, P&Z meeting-\$39.20; Jeanine Grove, P&Z meeting-\$19.03; Jolene Gubbels, P&Z meeting-\$100.00; Kristen Henjes, P&Z meeting-\$48.40; Paul Ireland, P&Z meeting-\$47.25; Leaf, copier lease-\$103.00; Dick McCabe, P&Z meeting-\$29.95; Harold Moes, P&Z meeting-\$46.10; One Office Solutions, copies-\$10.04; Pender Times, publications-\$26.08; Martin Rohde, P&Z meeting-\$48.40; RTI, monthly support & licenses, payment, computers-\$66,682.69; US Bank, domaine name & domaine fee-\$6.95; AJ Phillips Publishing, labels-\$306.00;

Janet Engel, prior years service-\$34.62; Veronica Grijalba, prior years service-\$34.62; Jackie King-Coughlin, mileage-\$44.85; Leaf, copier lease-\$94.03; MIPS, scanning-\$131.00; One Office Solutions, copier lease-\$127.61; AJ Phillips Publishing, DMV cards-\$200.00; Blue 360 Media, law library-\$162.75; DAS State Acct, supplies-\$137.22; Patrisha Engel, office supplies-\$6.00; Marco, printer contract-\$408.60; Microfilm Imaging, scanning-\$177.00; Nebraska Law Review, subscription-\$70.00; Kerri Wiese, office supplies-\$64.41; US Bank, printer ink-\$151.04; Perla Alarcon-Flory, interpreter fees-\$75.00; Blue 360 Media, law library-\$162.75; Leaf, copier lease-\$65.00; NCDAA, membership dues-\$200.00; One Office Solutions, copier lease & supplies-\$57.79; US Bank, CLE class-\$160.00; Dakota County Court, court costs-\$912.00; Dakota County Sheriff, papers & warrants-\$551.57; Dakota County District Court, court costs-\$348.00; Randy Hisey, crt appt atty fees-\$802.50; Madison County Dist Court, association dues-\$50.00; NE Secretary of State, notary-\$30.00; Pell Reporting Inc, BOE fees-\$142.42; Douglas Roehrich, crt appt atty fees-\$325.10; Stratton, DeLay, Doelle etc, crt appt atty fees-\$1,420.70; Robert Wichser, crt appt atty fees-\$2,009.35; Des Moines Stamp Co, stamp-\$81.55; Ateam Heating & Cooling, boiler repairs-\$5,974.93; City of Dakota City, utilities-\$508.41; Eakes Office Solutions, janitorial supplies-\$370.94; G&R Controls, service call-\$270.00; Gill Hauling Inc., dumpster-\$95.00; Menards, building supp-\$105.40; MidAmerican Energy, utilities-\$1,424.92; Midwest Alarm Company, annual agreement-\$507.50; NPPD, utilities-\$1,350.53; Overhead Door, maintenance-\$351.35; Trembly, pest control-\$55.00; US Bank, Amazon subs, fuel, tools, cylinder lease-\$96.29; Verizon, cell phone-\$41.12; Wilmes Hardware, oil-\$161.77; Angela Abts, mileage-\$17.25; Carol Larvick, mileage & supp-\$65.60; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$73.69; Tammy Peterson, mileage-\$47.15; Papio-Missouri NRD, monthly rent-\$600.00; SSC Chamber of Commerce, chamber dues-\$90.00; Patricia Stingley, prior years service-\$103.86; Arthur J Gallagher, bond-\$100.00; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$136.72; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,565.81; Dakota County Sheriff, notary-\$60.00; First State Bank, 2021 Diesel Chevrolets-\$12,532.27; Fremont Tire, tire repairs-\$1,144.10; Jack's Uniforms, uniforms & equipment-\$612.65; K&S Auto Service, batteries-\$425.90; MOCIC, 2021 membership dues-\$150.00; Siouxland Federal Credit Union, oil & car wash-\$66.77; TransUnion Risk & Alternative, searches-\$110.30; US Bank, office supp, batteries-\$150.08; Verizon, cell phone-\$200.05; James Wagner, prior years service-\$46.16; Wilmes Hardware, tools-\$107.84; AT&T Mobility, cell phones-\$87.51; Blue 360 Media, law library-\$465.75; Douglas County Sheriff, service fees-\$19.60; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$59.58; Nebraska.gov, certified copies-\$7.00; Pender Times, publications-\$116.76; Security Shredding, shredding-\$70.00; Thurston County Sheriff, paper service-\$76.26; City of SSC, LEC Share-\$40,315.96; Advanced Correctional Healthcare, doctor fees & Rx-\$8,621.67; Associated Fire Protection, inspections-\$170.00; AT&T Mobility, phones-\$93.61; Bob Barker, jail supplies-\$550.53; Cash-Wa Distributing, jail supplies-\$109.54; City of SSC, fuel-\$32.89; DAS State Acct, language line-\$2.10; Eakes Office Solutions, supplies-\$1,611.56; Echo, jail supplies-\$347.61; ECOLAB, janitorial supplies-\$986.90; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$844.35; Justice Data Solutions, JAMIN update-\$8,300.00; Long Lines, phones-\$160.00; Marco, copier lease-\$1,557.14; MidAmerican Energy Co, utilities-\$1,711.92; NPPD, utilities-\$2,731.96; R Rohan Electric, electrical repairs-\$399.58; Linda Schovanec, prior years service-\$11.54; Summit Food Service, food & beverage-Jail-\$15,684.68; Trembly, pest control-\$50.00; US Bank, training, fuel, medical, supp-\$790.77; Dodge County Clerk, quarterly fees-3rd-\$13,623.63; City of SSC, fuel-\$28.22; US Bank, Sparklight-\$210.27; NE Assoc of CO Hwy Supt, 2021 dues-\$50.00; Verizon, phones-\$41.12; Availity/Realmed, medical billing-\$125.00; AT&T Mobility, phones-\$92.74; Jan Brown, prior years service-\$23.08; Gloria Dwyer, prior years service-\$11.54; McKesson Moore Medical LLC, immunization supplies-\$396.50; Stericycle, hazardous waste disposal-\$290.80; US Bank, COVID-language line, supp, website-\$693.20; Dr Thomas Wentz, consulting physician fee-\$250.00; Bill Johnston, mileage-\$254.24; One Office Solutions, printer contract-\$22.43; US Bank, law library-\$320.00; Dakota County Register of Deeds filing-\$50.00; Dakota Co Veterans fund, aid-\$4,500.00; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$623.96; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$974.64; Nebraska Loess Hills, 2021 dues-\$350.00; Norm Waitt Sr YMCA, membership-\$143.50; Region IV Behavioral Health, quarterly fees-3rd-\$5,320.25; Siouxland Federal Credit Union, auto parts-\$85.00; US Postal Services, postage-\$3,000.00; **Road Fund:** Atokad Heritage Express, fuel-\$100.01; Blackhills Energy, electricity-\$159.84; Bomgaars, shop supplies-\$325.93; Bosselman Pump & Pantry, fuel-\$2,454.35; Kevin Chambers, mailbox-\$33.63; Daum Tree Service, maintenance-\$975.00; Emerson Heritage Gas, fuel-\$57.60; Fastenal, supplies-\$53.03; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; Hydraulic Sales & Svc, parts-\$680.42; J & J's Pronto, fuel-\$70.26; Bob Jacobsen, prior years service-\$17.00; Jim Hawk Truck Trailers, parts-\$16.92; K & K Hubbard Mini Mart, fuel-\$388.08; Matheson, oxy/acetylene-\$126.10; Richard McNear, prior years service-\$57.70; Medical Enterprises, drug testing-\$40.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies-\$39.67; Midwest Svc & Sales, traffic signs & blades-\$1,641.49; Midwest Wheel, supplies-\$193.35; Marlan Millard, prior years service-\$15.00; Northeast Power, electric-\$412.48; NNTC, telephones-\$171.47; O'Reilly Auto Parts, parts-\$487.49; Overhead Door, repairs-\$147.00; Sapp Bros Petroleum, fuel-\$68.82; Sioux City Ford, parts & labor-\$1,313.18; Stan Houston Equipment Co, shop supplies-\$42.00; US Bank, shop supplies & parts-\$318.97; Verizon, cell phone-\$100.54; Village of Emerson, utilities-\$49.61; Warren Oil, fuel-\$4,962.10; Wilmes Hardware, supplies-\$171.37; Ziegler's, parts & supplies-\$1,839.72; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$12,186.48; **P & M Fund:** MIPS, monthly software-\$411.84; MIS, computer lease-\$245.00; **Health Dept Grant:** US Bank, sparklight-\$160.21; **Minority Health Grant:** US Bank, supplies & MHI conference-\$500.00; Verizon, cell phone-\$106.78; **Juvenile Grant:** Community Monitoring Services, family support-\$450.00; Dakota County Treasurer, SRO Wages reimburse General Fund-\$6,764.17; Language Line Services, interpretation services-\$32.91; Owens Educational Services, tracking-\$3,272.68; **E911 Fund:** City of SSC, quarterly fees-3rd-\$10,944.06; **Public Safety :** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$33,429.63;

Fred Kellogg, Highway Superintendent, opened the following bids for South Sioux City West project #C002210810P for construction of an abutment repair and bank stabilization at 137th Street between J Avenue and I Avenue (Jackson High

bridge): (1) B&B Rogers Excavating, Inc.- \$613,446.90; (2) Theisen Construction, Inc.- \$364,475.54; (3) Nelson & Rock Contracting, Inc.- \$243,123.05; (4) Herbst Construction, Inc. - \$370,618.00. Chair Gill tabled the bids so Engineer and Road Committee can review the bid documents for the project.

Kim Bovee, Victims Assistance, requested approval for the Victims of Crime Act grant for the period of July 1, 2021, to June 30, 2023 in the amount of \$100,483.00 for the first year which includes funds for salary for two personnel and assistance for crime victims. The grant has been in place for over 30 years. Chair Gill moved, seconded by Commissioner Love, to approve Resolution 21C-004 to support and authorize the application for the Victims of Crime Act grant for the Dakota County Victim Assistance program (7/1/21 to 6/30/22). ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-004

RESOLUTION OF SUPPORT FROM DAKOTA COUNTY BOARD OF COMMISSIONERS AUTHORIZING THE APPLICATION FOR THE VICTIMS OF CRIME ACT GRANT UNDER THE DAKOTA COUNTY VICTIM ASSISTANCE PROGRAM (THE "DCVAP")

Grant Period: July 1, 2021 to June 30, 2023

WHEREAS, the DCVAP was established in 1989 to serve crime victims and witnesses in Dakota County, NE; and

WHEREAS, the DCVAP provides a free service offering information, practical assistance, and supportive advocacy to crime victims and witnesses of felony or misdemeanor crimes; and

WHEREAS, the DCVAP has been and presently is funded by the Victims of Crime Act grant through the Nebraska Commission on Law Enforcement and Criminal Justice; and

WHEREAS, the Dakota County Board of Commissioners acknowledges and supports the application for the Victims of Crime Act grant funds to continue services to crime victims and witnesses of crime.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners of Dakota County, NE, authorize the application and submission of the aforementioned Victims of Crime Act grant.

DATED this 25th day of January 2021.

Commissioners Love and Launsby (interview committee) recommended to the Board that Dawn Bousquet be appointed to fill the vacancy in the office of County Treasurer. Commissioner Love moved, seconded by Commissioner Launsby, to appoint Dawn Bousquet to fill the vacancy in the Office of County Treasurer to complete the term of office ending December 31, 2022. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- abstain. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, gave the Road Report for January 10 to 23, 2021. Total road maintenance- 101 hours; overtime- 66 hours; tree/debris removal- 59 hours; garbage pickup- 28.5 hours; snow removal- 149.5 hours; sign repair/barricading- 79 hours. Several road concerns and hours of operation were discussed.

The Noxious Weed Report for 2020 was reviewed. Commissioner Gill moved, seconded by Commissioner Launsby, to approve the Noxious Weed Report for 2020 and approve Chair to sign. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Giese moved, seconded by Commissioner Gill, to appoint Dr. William (Bill) Quinn to a 3-year term on the Dakota County Board of Adjustments. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Love—Dakota County Public Safety Service Agency; Gill—RC&D, Region IV Behavior Health and Growing Community Connections; Albenesius—Planning & Zoning.

Mail: (1) Jail Standards Inspection Report and (2) Inheritance Tax LB310 response were discussed. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of January 25, 2021, at 2:02 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary Date

Dakota County Board of Commissioners
Monday, February 8, 2021, 3:00 p.m.
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. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*
- c. Board to award a bid for the South Sioux City West bridge project #C002210810P for construction of an abutment repair and bank stabilization at 137th Street between J Avenue and I Avenue (Jackson High bridge) [*Motion required to take from the Table*]
 - Nelson & Rock Contracting, Inc., Onawa, Iowa - \$243,123.05
 - Theisen Construction, Inc., Norfolk, Nebraska - \$364,475.54
 - Herbst Construction Inc, Le Mars, Iowa - \$370,618.00
 - B & B Rogers Excavating, Inc., South Sioux City, Nebraska - \$613,446.90

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 – January 25, 2021
- b. Board to approve the payroll claims for January 24 – Feb 6, 2021
- c. Approval of accounts payable claims if applicable
- d. Approval of Quarterly Reports—Veterans Service Officer
- e. Approval of release of additional pledge securities with BankFirst

4. NEW BUSINESS & RESOLUTIONS

- a. **3:02 p.m.** Open and award Bridge Inspection Bid for 2021.
- b. Andrew Forney, D.A. Davidson, requesting approval of Resolution 21C-005 approving, adopting, ratifying and affirming the execution of a lease-purchase agreement with NACO Leasing Corporation for acquisition of property—John Deere Motor Grader.
- c. Matt Wullenwaber, Mid-American Benefits, Inc. and Robert Rapp requesting approval for the Health Insurance Stop Loss Contract Renewal.
- d. Matt Wullenwaber, Mid-American Benefits, Inc., requesting board approve Chair to sign Service Agreement for Section 125 – Cafeteria Plan for Dakota County.
- e. Hunter Jones, Jailer, requesting hearing of grievance with the Board of Commissioners (Step 2) regarding notification procedure for promotional testing.
- f. Board to Approve Resolution 21C-006 honoring NACO Executive Director Emeritus.

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Carol Larvick, Extension Educator, University of Nebraska, presenting to the Board local Extension programming and 2020-21 financial summaries. §2-1606
- c. Carol Larvick, Extension Educator, University of Nebraska, requesting the Board of Commissioners appoint member to the Extension Board. Name submitted: Lynda Cruickshank.
- d. Ron Raynor to update the Board regarding the location for a shooting range.
- e. Board to approve Planning & Zoning membership appointments – one appointment to the following geographical areas: (1) Village of Emerson (2) rural Hubbard and (3) rural Jackson for a 3-year term February 2021 to February 2024.
- f. Approve renewal of the EAP (Employee Assistance Program) contract for services between Dakota County and Mercy Business Health effective March 1, 2021 to March 1, 2022.

- g. Board to approve Chair to sign representation Letter to the Auditor of Public Accounts for the county audit of budget year July 1, 2019 to June 30, 2020.
- 6. COMMISSIONER COMMITTEE REPORTS
- 7. MAIL AND/OR EMERGENCY BUSINESS
- 8. ADJOURNMENT

No action was taken to remove from the table the agenda items for wind energy moratorium or signing of the Midwest Alarm Services Basic Agreement.

Commissioner Love moved, seconded by Chair Gill, to remove the agenda item from the table to take action to award the bid for bridge project #C002210810P. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to accept the engineer and Road Committee's recommendation to award the bid to the low bidder of Nelson & Rock in the amount of \$243,123.05 for construction of an abutment repair and bank stabilization for the South Sioux City west bridge project #C002210810P (Jackson High Bridge). ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

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

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – January 25, 2021; (b) Board to approve the payroll claims for January 24 – Feb 6, 2021; (c) Approval of accounts payable claims if applicable; (d) Approval of Quarterly Reports—Veterans Service Officer and (e) Approval of release of additional pledge securities with BankFirst.

Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items #a - #e and approving payroll claims to show vacation paid out at anniversary date. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$153,865.93; Net Pay-\$109,393.85; Total Retirement-\$10,625.78; Makeup Retirement-\$0.00; Total FICA-\$11,429.07; Health Plan-\$34,032.00; Dental Plan-\$1,135.75; Life Insurance-\$207.20; 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-\$1,000.00; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; 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-\$1,200.00; Kevin Hansen-\$2,053.93; Tammy Dunn Peterson-\$1,850.00; Shaun Bird-\$1,662.40; Russell Briggs-\$0.00; Sergio Castillo-\$2,276.43; Timothy Decker-\$0.00; Brian Ellinger-\$2,292.30; Penny Epting-\$2,293.29; Brian Fernau-\$2,157.31; Tyler Fulkerth-\$1,940.80; Brent Gilster-\$2,168.37; Martin Guerrero-\$2,170.54; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,215.92; Jason James-\$2,169.53; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$744.33; Jared Junge-\$833.40; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,153.60; Mardi Schnee-\$1,088.80; Ryne Sell-\$0.00; Katie Lehmann-\$1,332.00; Sheyanne Lozano-\$1,287.44; Deidra Mossberg-\$360.00; Debra Schmiedt-\$8,485.32; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,641.83; Angelica Antonio-\$1,542.97; Zachery Bickett-\$1,533.84; Rebecca Broer-\$1,687.20; Kacie Brown-\$1,761.77; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,691.26; Jesse Doelle-\$1,573.30; Jon Enstrom-\$1,542.97; Robert Foster-\$1,358.28; Jonathan Gray-\$1,698.48; Kara Groetken-\$1,716.23; Todd Hammer-\$2,250.18; Alexa Hansen-\$1,164.24; Adam Hough-\$1,955.00; Brenda Irwin-\$1,666.79; Hunter Jones-\$1,754.87; Brady Mathis-\$1,533.84; Skyler Miner-\$1,409.57; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,801.38; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,358.28; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,352.28; Jennifer Svendsen-\$2,091.19; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,664.72; Anthony Von Haden-\$1,350.28; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Shay Gillaspie-\$1,015.00; Theresa Grove-\$1,948.80; Melissa Hans-\$292.50; Mohamud Ibrahim-\$107.65; Natasha Ritchison-\$2,040.00; Kristin Robinette-\$297.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,320.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,075.41; State Tax-\$5,613.49; Soc Sec-\$9,262.74; Medicare-\$2,166.33; Extra Fit-\$736.00; Extra Sit-\$145.00; Retirement-\$7,203.51; Health Plan-\$2,100.00; Dental Plan-\$504.00; Colonial Health-\$244.24; Sheriff Union Dues-\$390.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$420.00; Garnishments-\$1,832.61; Flex Plan Medical-\$897.92; Flex Plan Dependent Care-\$208.33; VSP Vision-\$485.59; Legal Shield-\$82.21; Liberty Nat'l-\$50.70; Liberty Nat'l-\$0.00; **Road Fund Employer:** Gross Salaries-\$21,339.54; Net Pay-\$14,976.02; Retirement-\$1,440.43; Total FICA-\$1,605.54; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,625.98; Ryan Chambers-\$1,625.98; Robert Hacker-\$1,653.23; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$5,168.61; David Kneifl-\$1,567.20; Kimon Litras-\$1,751.51; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,586.23; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,975.16; State Tax-\$860.57; FICA-\$1,301.21; Medicare-\$304.33; Extra Fit-\$150.00; Retirement-\$960.27; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; VSP Vision-\$46.91; Legal Shield-\$46.29; Liberty National-\$6.50; **Health Planning Grant Employer:** Gross Salaries-\$1,381.60; Net Pay-\$1,061.47; Retirement-\$93.26; Total FICA-\$102.93; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,381.60; **Health Planning Grant Employee:** Federal Tax-\$64.86; State Tax-\$32.04; FICA-\$83.42;

Medicare-\$19.51; Extra Sit-\$5.00; Retirement-\$62.17; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,280.00; Net Pay-\$2,356.04; Retirement-\$221.40; Total FICA-\$228.34; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$5.87; Jana Adam-\$1,760.00; Yvette Aldana-\$1,520.00; **Minority Planning Grant Employee:** Federal Tax-\$150.45; State Tax-\$102.41; FICA-\$185.06; Medicare-\$43.28; Extra Sit-\$0.00; Retirement-\$147.60; 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;

Fred Kellogg, Highway Superintendent, opened the bids for bridge inspections in 2021: 1. Mainelli Wagner & Associates, Inc.- total for all bridges \$10,315.00 [\$175 for one (1) routine inspection and \$1690 for six (6) truss bridges]. Commissioner Giese moved, seconded by Commissioner Albenesius, to accept and award the bid to Mainelli Wagner for the 2021 inspection of county bridges (1 regular; 6 fracture critical) in the amount of \$10,315.00. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Andrew Forney, D.A. Davidson, was reached by telephone and explained the lease purchase documents for acquisition of a motor grader. Chair Gill moved, seconded by Commissioner Launsby, to approve Resolution 21C-005 adopting, ratifying and affirming the execution of a lease-purchase agreement with NACO Leasing Corporation for the purchase of county motor grader. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

THE COUNTY OF DAKOTA, NEBRASKA

RESOLUTION NO. 21C-005

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of The County of Dakota, Nebraska (the "County"), that this Board hereby approves and authorizes the acquisition of a motor grader by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principal Amount: \$315,969.39
2. Interest Rate: 1.125%
3. Payment Amount: Not to exceed \$32,551.31
4. Term: February 16, 2021 through January 15, 2026
5. Payment Frequency: semiannually on July 15 and January 15, beginning July 15, 2021

Settlement and closing of the Lease-Purchase Agreement shall be on or about February 16, 2021. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chair or Vice Chair of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents; and

BE IT FURTHER RESOLVED, that the Tax-Exempt Financing Compliance Procedure presented to the Board is hereby adopted and approved.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed. This Resolution may be executed by electronic transmission and shall be regarded as an original.

PASSED: February 8, 2021, at Dakota City, Dakota County, Nebraska.

Matt Wullenwaber, Mid-American Benefits, Inc. explained the health insurance stop loss contract renewal to the Board at length. The annual maximum cost increase was less than 1%. Commissioner Giese moved, seconded by Commissioner Love, to approve the renewal Alt #2 (Column H) with the Annual Expected Cost of \$1,001,932.51. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Matt Wullenwaber, Mid-American Benefits, Inc., requested the Board approve Chair to sign the Service Agreement for Section 125 – Cafeteria Plan for Dakota County. Commissioner Love moved, seconded by Commissioner Giese, to approve Chair to sign the Service Agreement with Mid-American Benefits, Inc. for the Dakota County Section 125 Cafeteria Plan. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Hunter Jones, Jailer, explained the Grievance he filed. He cited Section 8.2 of Article 8: Promotions of the Dakota County Sheriff's Merit Commission Rules and Regulations had not been followed. Section 8.2 states the posted notice of examination shall be posted and remain posted until the examinations have been completed—on January 18 he documented the notice was no longer posted and Mr. Jones was unable to verify the date and time of the scheduled exam. Mr. Jones also cited the Sheriff's Rules and Regulations 1-14-09 Promotional Testing Notification had not been

followed. It states: "The dates and times of promotional testing, application deadline and the eligibility requirements will be posted on the employee bulletin board. In addition, all Correctional Officers will receive an internal e-mail notice of same." He documented that the email received from Captain Nelson did not state the date and time of the examination. Sheriff Kleinberg also cited #1-14-09 Promotional Testing Notification in his disposition of the grievance stating that Hunter Jones signed to test on the posted Notice of Examination (dates and times were on said notice) and failed to show for the testing. It was concluded that both parties were at fault: (1) Hunter Jones failed to read or document what he read when he signed the posted notice to take the examination for promotion; (2) the email sent to all Correctional Officers failed to state the date and time of the examination and (3) the posted notice was removed in an untimely manner. Exams were held January 19 at 8:00 a.m. without sufficient applicants to fill the open positions and Sheriff will set another date and time for Exam promotional testing.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-006 honoring NACO Executive Director Emeritus. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

BOARD OF COUNTY COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 21C-006
RESOLUTION DECLARING SEPTEMBER 13, 2021, AS
"LARRY DIX DAY"

WHEREAS, Larry Dix serves as the Executive Director of the Nebraska Association of County Officials (NACO) and is formally retiring February 1, 2021; and

WHEREAS, Larry Dix worked tirelessly to improve and advocate for county government for over 20 years; and

WHEREAS, the Dakota County Board of Commissioners would like to honor Larry Dix for his dedication to county government going above and beyond to give back to Nebraska county officials.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners of Dakota County, Nebraska, declare September 13, 2021, as "Larry Dix Day."

DATED this 8th day of February, 2021. Signed by all board members.

Fred Kellogg, Highway Superintendent, gave the road report for January 24 to Feb 6, 2021. Total road maintenance- 4.5 hours; overtime- 26.5 hours; tree/debris removal- 33.5 hours; garbage pickup- 2 hours; snow removal- 384.5 hours; sign repair/barricading- 22.5 hours. Several road concerns were discussed.

Carol Larvick, Extension Educator, University of Nebraska, presented a handout to each Commissioner including 1) summary of 2019-20 budget expenditures; 2) current fiscal year 2020-21 budget; 3) county impact report; 4) brief program summary for each educator and assistant/associate; and 5) samples of 4-H newsletters, Extension newsletters, major program brochures and other products that represent 2020 programming. The Board thanked the Extension for being so pro-active during the coronavirus epidemic.

Carol Larvick asked the Board to appoint a new member to the Extension Board. Chair Gill moved, seconded by Commissioner Giese, to appoint Lynda Cruickshank to the Dakota County Extension Board. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Ron Raynor updated the Board regarding the location for a shooting range. Research in the Register of Deeds Office showed Road No. 175 approved by the Board of Commissioners on October 15, 1904. A search for a recorded vacation of said road in Section 16, Township 28, Range 8, was not found. Mr. Raynor will take the steps to abandon the road and locate his shooting range on parcel #220075204 with permission of the surrounding landowners. Mr. Raynor stated the range would not be open to the public and the main use of the range would be to teach hunter safety to kids.

Commissioner Love moved, seconded by Chair Gill, to approve the reappointment of the following Planning & Zoning Board members for a 3-year term of February 2021 to February 2024: (1) Richard McCabe- representing the geographical area of the Village of Emerson; (2) Scott Bousquet- representing the geographical area of rural Hubbard; (3) Timothy Decker- representing the geographical area of rural Jackson. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese, to approve the renewal of the Employee Assistance Program (EAP) contract for services between Dakota County and Mercy Business Health for the term of March 1, 2021 to March 1, 2022. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese, to approve chair to sign the representation letter to the Auditor of Public Accounts for the county audit of budget year July 1, 2019 to June 30, 2020. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Launsby & Giese- Health Department meeting and Launsby- Merit Commission meeting; Gill- budget meeting.

Mail: (1) Land owned for lease by the Board of Educational Lands and Funds of the State of Nebraska has no current lessee and (2) current wind energy regulations were put in the new board member packets for their reference. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of February 8, 2021, at 5:05 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair Date signed

Joan Spencer, County Clerk/Secretary Date

Dakota County Board of Commissioners
Monday, February 22, 2021, 3:00 p.m.
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 (arrived at 3:01 p.m.), 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. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*

2. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.

3. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- a. Approval of the previous meeting minutes – February 8, 2021
- b. Approval of payroll claims for February 7 – 20, 2021
- c. Approval of accounts payable claims

4. NEW BUSINESS

- a. 3:05 p.m. Board to award bid for bridge repair project – Waterbury South (Burcham bridge) #C002200125 located 4 mi S US 20 Dixon Co line. S10, T28N, R6E
- b. Sarah Deck, Juvenile Diversion Coordinator, requesting board approval for the 2021 – 2025 Dakota County Juvenile Service Comprehensive Community Plan. The Plan allows the County to be eligible to apply for community-based aid grant dollars to continue our process for referring youth to diversion.

5. MISCELLANEOUS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Sheriff Kleinberg – January Jail Report
- c. Jacob Acero, Lieutenant Jailer, requesting the Board set date and time to open negotiations with the Correctional Officers' Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49.
- d. Kathy Wiltgen, Clerk of District Court, to make the Board aware of LB102 and request a letter of support from the Board in opposition to LB102 which seeks to eliminate the office of Clerk of the District Court if said office becomes vacant or an incumbent clerk does not file for reelection.
- e. Verizon Connect GPS tool discussion and/or approval for a 12-month contract for county equipment.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

No action was taken to remove from the table the agenda items for wind energy moratorium or signing of the Midwest Alarm Services Basic Agreement.

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

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – February 8, 2021; (b) Board to approve the payroll claims for February 7 - 20, 2021; (c) Approval of accounts payable claims. Regarding accounts payable claims, discussion was had referencing the need to work with Department Heads to eliminate paying sales tax when possible; funeral flowers must be paid from the Pop Association Fund; clothing is not an approved expenditure; itemization of the retriever repair claim (front hitch mount repair). It was noted there is a payroll increase for employee whose scope of work/job duties have been increased and a time sheet adjustment for using comp time vs. personal time. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items with

adjustments to accounts payable and payroll claims as discussed. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Accounts Payable: General Fund: NACO, Giese-training-\$300.00; Pender Times, publications-\$302.99; Leaf, copier lease-\$120.77; NE Neb Assoc of Clerks, Deeds, Election, dues-\$75.00; One Office Solutions, office supplies-\$8.78; Pender Times, publications-\$55.24; DAS State Acct, state software-\$81.00; Des Moines Stamp Co, stamps-\$319.45; Dawn Bousquet, mileage, office supp, meals-\$209.94; MIPS, monthly software-\$919.91; Pender Times, publications-\$280.50; US Bank, office supplies-\$784.78; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; EWDS Inc, appraisal services-\$432.00; Innovative Appraisal Services, appraisal services-\$1,542.50; JAG Quality Solutions, Inc., appraisal services-\$2,212.00; Courtney Lane, mileage-\$143.75; Leaf, copier lease-\$25.90; One Office Solutions, supplies-\$212.50; Stanard Appraisal Services, rural res reval-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; Dugan Business Forms, envelopes-\$496.50; US Bank, dolly cart-\$75.00; NACO Planning & Zoning, 2021 dues-\$40.00; Joe O'Neill, mileage-\$260.40; Pender Times, publications-\$16.36; Staples, office supplies-\$27.27; US Bank, postage-\$20.85; RTI, monthly support & licenses-\$4,130.75; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$131.00; One Office Solutions, copier lease-\$3.10; US Bank, notary fees & off supp-\$117.24; AJ Phillips Publishing, letterhead-\$365.00; DAS State Acct, supplies-\$286.60; Microfilm Imaging, scanning-\$177.00; Security Shredding, shredding-\$35.00; US Bank, printer ink-\$136.75; Perla Alarcon-Flory, interpreter fees-\$100.00; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$72.63; US Bank, supreme court renewal-\$98.00; Maggie Cook, court trascript-\$8,647.50; Dakota County Court, court costs-\$1,620.88; Dakota County Sheriff, papers & warrants-\$503.94; Dakota County District Court, court costs-\$519.00; Randy Hisey, crt appt atty fees-\$615.00; Douglas Roehrich, crt appt atty fees-\$1,577.70; Security Shredding, shredding-\$35.00; Stratton, DeLay, Doele ect, crt appt atty fees-\$2,375.45; Robert Wichser, crt appt atty fees-\$6,954.10; Woodbury Co Sheriff, service fees-\$50.00; Ateam Heating & Cooling, boiler repairs-\$2,021.11; City of Dakota City, utilities-\$173.66; Eakes Office Solutions, janitorial supp-\$221.65; Engineered Controls Inc, service call-\$472.50; G&R Controls, service call-\$1,181.65; Gill Hauling Inc., dumpster-\$95.00; Menards, building supp-\$240.94; MidAmerican Energy, utilities-\$1,275.04; NPPD, utilities-\$1,542.63; Overhead Door, maintenance-\$2,018.00; R Rohan Electric, service call-\$600.67; Trembly, pest control-\$55.00; US Bank, Amazon subs, fuel, tools-\$330.65; Verizon, cell phone-\$41.12; Wilmes Hardware, oil-\$81.07; Angela Abts, mileage-\$40.25; Dakota County Extension, Bank First copy fees-\$4.00; Carol Larvick, mileage & supp-\$47.04; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$158.41; Papio-Missouri NRD, monthly rent-\$600.00; US Bank, postage-\$15.75; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$531.56; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$3,845.56; Farmers Bank & Trust, 8th installment 2018 Vehicles-\$4,007.42; Fremont Tire, tire repairs-\$570.82; Jack's Uniforms, uniforms & equipment-\$911.25; K&S Auto Service, alternator-\$649.63; Prime Performance Auto Repair, exhaust repairs-\$450.00; Siouxland Federal Credit Union, misc-\$18.53; TransUnion Risk & Alternative, searches-\$110.00; US Bank, Fuel, car wash, notary stamp-\$1,270.16; Verizon, cell phone-\$200.05; AJ Phillips Publishing, letterhead-\$250.00; Spirit Grey Bull, expert witness-\$300.00; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$59.58; Pender Times, publications-\$59.08; US Bank, office supplies-\$169.98; City of SSC, LEC Share-\$40,315.96; Digital Ally Inc, camera-\$3,500.00; Jack's Uniforms, safety equipment-\$591.95; Advanced Correctional Healthcare, doctor fees & Rx-\$10,736.89; Ameri-Tech Industsrial Inc, washing machine repairs-\$518.00; AT&T Mobility, phones-\$94.00; Bob Barker, jail supplies-\$1,006.81; City of SSC, fuel-\$84.06; CW Suter Services, no heat repairs-\$780.42; DAS State Acct, language line-\$28.00; Eakes Office Solutions, supplies-\$2,023.66; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Imperial Fastener Co, replace shower curtains-\$2,115.00; Jack's Uniforms, uniforms-\$53.55; Long Lines, phones-\$160.00; Marco, copier lease-\$682.02; MidAmerican Energy Co, utilities-\$1,662.58; NPPD, utilities-\$2,341.07; Sioux City Journal, subscription-\$158.39; Security Shredding, shredding-\$70.00; Summit Food Service, food & bevearge-Jail-\$19,787.35; Trembly, pest control-\$50.00; US Bank, fuel, medical, supp-\$1,769.45; Wilmes Hardware, tool-\$41.19; City of SSC, fuel-\$36.29; US Bank, Sparklight & computer supp-\$213.76; Leaf, copier lease-\$103.00; One Office Solutions, copier lease-\$16.62; Sam's Club, office supplies-\$76.34; Verizon, phones-\$41.12; Civil Engineers & Const, survey-\$3,030.00; US Bank, pritrner ink-\$89.82; Availity/Realmed, medical billing-\$125.00; Iheart Media, Spanish Radio-\$115.00; Marco Technologies, copier lease-\$1,003.80; McKesson Moore Medical LLC, immunization supplies-\$142.49; RTI, computer-Covid-\$1,476.83; US Bank, COVID-language line, supp, website-\$3,409.99; Dr Thomas Went, consulting physician fee-\$250.00; Bill Johnston, mileage-\$288.40; One Office Solutions, printer contract-\$23.57; US Bank, law library-\$320.00; Applied Concepts Inc, 2 radar units-\$1,603.00; DAS State Acct, payroll/acct payable-\$41.60; Digital Ally Inc, camera-\$3,120.00; F & M Bank, service charges-\$42.03; Fibercomm, phone-\$612.85; Kustom Signals Inc., radar-\$1,642.00; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$613.98; NACo, 2021 dues-\$450.00; Norm Waitt Sr YMCA, membership-\$164.00; One Office Solutions, copy paper & MICR toner-\$1,963.50; Quadient Leasing USA, postage machine lease-\$782.61; Tri-State Communications, installations-\$5,536.00; US Postal Services, postage-\$3,000.00; US Bank, postage machine ink-\$160.00; US Bank, new vehicle equipment-\$1,357.53; Pender Times, publications-\$118.08; **Road Fund:** Advance Auto, parts-\$103.47; Blackhills Energy, electricity-\$190.50; Blackstrap Inc., chemical salt-\$3,662.18; Bomgaars, shop supplies-\$280.13; Bosselman Pump & Pantry, fuel-\$1,675.09; City of So Sioux City, chemical salt-\$968.80; Emerson Heritage Gas, fuel-\$63.60; F&M Bank, grader payment-\$26,757.48; Fremont Tire, tires-\$169.95; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; Hydraulic Sales & Svc, parts-\$325.31; Industrial Tools & Machine, shop supp & tools-\$135.65; J & J's Pronto, fuel-\$183.95; Bob Jacobsen, prior years service-\$17.00; K&S Auto Service, parts-\$165.78; Lawson Products, shop tools-\$87.74; Lechner Lumber Co, misc-\$41.08; LG Everist Inc, gravel-\$988.34; Matheson, oxy/acetylene-\$126.10; Medical Enterprises, drug testing-\$60.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies-\$155.76; Midwest Svc & Sales, traffic signs & blades-\$472.50; Midwest Wheel, supplies-\$23.26; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$46.74; NNCTC, telephones-\$177.80; Northeast Power, electric-\$350.18; Nutrien Ag Solutions, chemicals-

\$85.12; Retriever LLC, repairs-\$7,000.00; Sapp Bros Petroleum, fuel-\$895.00; Select Fire & Safety, annual inspection-\$183.50; Sooland Bobcat, shop supplies-\$253.47; US Bank, shop supplies & parts-\$284.05; Verizon, cell phone-\$100.54; Village of Emerson, utilities-\$81.48; Warren Oil, fuel-\$4,347.60; Wilmes Hardware, supplies-\$75.44; Ziegler's, parts & supplies-\$424.69; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$7,086.50; **P & M Fund:** MIPS, monthly software-\$411.84; MIS, computer lease-\$245.00; **Health Dept Grant:** US Bank, sparklight-\$160.21; **Minority Health Grant:** Verizon, cell phone-\$96.78; **Juvenile Grant Fund:** Owens Educational Services, tracking-\$278.00; US Bank, program materials-\$1,315.00; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$37,114.69;

Payroll: General Fund Employer: Gross Salaries-\$156,924.89; Net Pay-\$112,340.62; Total Retirement-\$10,889.76; Total FICA-\$11,659.85; Health Plan-\$35,313.00; Dental Plan-\$1,209.54; 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-\$1,325.73; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,186.40; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,000.00; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; 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-\$1,125.00; Kevin Hansen-\$2,149.56; Tammy Dunn Peterson-\$1,239.50; Shaun Bird-\$1,953.32; Sergio Castillo-\$2,931.64; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,688.50; Penny Epting-\$2,583.44; Brian Fernau-\$2,210.25; Tyler Fulkerth-\$2,365.35; Brent Gilster-\$2,543.20; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,209.46; Melvin Harrison III-\$2,671.87; Jason James-\$2,528.90; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$669.89; Jared Junge-\$2,583.54; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,153.60; Mardi Schnee-\$1,088.80; Katie Lehmann-\$1,332.00; Deidra Mossberg-\$1,155.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,641.83; Angelica Antonio-\$1,862.52; Zachery Bickett-\$1,863.02; Rebecca Broer-\$1,697.75; Kacie Brown-\$2,149.47; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,690.76; Jesse Doelle-\$1,573.30; Jon Enstrom-\$1,570.36; Robert Foster-\$1,453.80; Jonathan Gray-\$2,042.22; Kara Groetken-\$2,077.80; Todd Hammer-\$2,291.85; Adam Hough-\$2,021.78; Victor Huerta-\$382.08; Brenda Irwin-\$1,661.60; Hunter Jones-\$1,770.38; Skyler Miner-\$1,880.52; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,128.91; Kimberly Peterson-\$1,703.66; Jorge Reyes-\$1,321.44; Michele Rohde-\$1,375.17; Rebecca Schoep-\$1,352.28; Jennifer Svendsen-\$2,008.94; Taylor Tadlock-\$2,005.32; Danielle Thibodeau-\$1,991.56; 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; Shay Gillaspie-\$1,091.13; Theresa Grove-\$1,948.80; Melissa Hans-\$324.00; Mohamud Ibrahim-\$0.00; Natasha Ritchison-\$2,040.00; Kristin Robinette-\$252.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,320.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,165.59; State Tax-\$5,754.73; Soc Sec-\$9,449.77; Medicare-\$2,210.08; Extra Fit-\$776.00; Extra Sit-\$140.00; Retirement-\$7,404.50; Makeup Retirement-\$0.00; Health Plan-\$2,100.00; Dental Plan-\$546.00; Colonial Health-\$244.24; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$1,074.24; Flex Plan Medical-\$897.92; Flex Plan Dependent Care-\$208.33; VSP Vision-\$485.91; Legal Shield-\$82.24; Liberty Nat'l-\$50.72; Liberty Nat'l-\$0.00; **Road Fund Employer:** Gross Salaries-\$17,960.07; Net Pay-\$12,762.10; Retirement-\$1,212.34; Total FICA-\$1,347.04; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,596.59; Kimon Litras-\$1,706.07; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,436.73; State Tax-\$643.93; FICA-\$1,091.70; Medicare-\$255.34; Extra Fit-\$150.00; Retirement-\$808.17; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; VSP Vision-\$46.97; Legal Shield-\$46.35; Liberty National-\$6.50; Liberty National-\$0.00; **Health Planning Grant Employer:** Gross Salaries-\$1,407.51; Net Pay-\$1,080.53; Retirement-\$95.01; Total FICA-\$104.90; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,407.51; **Health Planning Grant Employee:** Federal Tax-\$67.34; State Tax-\$33.26; FICA-\$85.02; Medicare-\$19.88; Extra Sit-\$5.00; Retirement-\$63.34; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,353.75; Net Pay-\$2,410.80; Retirement-\$226.38; Total FICA-\$233.98; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$5.87; Jana Adam-\$1,848.00; Yvette Aldana-\$1,505.75; **Minority Planning Grant Employee:** Federal Tax-\$157.23; State Tax-\$105.64; FICA-\$189.63; Medicare-\$44.35; Extra Sit-\$0.00; Retirement-\$150.92; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$24.18; **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;

Fred Kellogg, Highway Superintendent, opened the following bids for the Waterbury South bridge repair project: (1) Nelson & Rock Contracting, Inc., Onawa, Iowa- \$270,096.00, start date 6/1/2021; (2) Lincoln-Midwest Infrastructure, Inc, Lincoln, Nebraska- \$288,220.54, start date 3/29/2021; (3) Theisen Construction, Inc., Norfolk, Nebraska- \$275,993.98, start date 7/26/2021. Commissioner Albenesius moved, seconded by Commissioner Launsby, to award the Waterbury South bridge repair bid to the lowest bidder—Nelson & Rock Contracting, Inc., in the amount of \$270,096 (start date 6/1/21) contingent upon the accuracy of the figures as reviewed by Brian McDonald, JEO Engineer for the project. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- no. MOTION CARRIED.

Sarah Deck, Juvenile Diversion Coordinator, reviewed the Dakota County Comprehensive Juvenile Services Community Plan for July 1, 2021 to June 30, 2025. The Plan contains data summary taken from the Dakota County

Needs Assessment at the Youth Level, Family Level, Community Level, Policy, Legal and System Level and Community Team Level. The Plan contains a Comprehensive List of Services for prevention programs, diversion services, alternatives to detention for pre-adjudicated youth and known gaps in services. The Plan contains worksheets for Community Analysis and Response as well as Gaps to be filled. The Plan contains a list of team members. Each county that applies for community-based grant dollars from the Nebraska Crime Commission is required to have a Community Plan to be eligible for grant dollars to continue the process for referring youth to diversion. Chair Gill moved, seconded by Commissioner Love, to approve the 2021 – 2025 Dakota County Juvenile Service Comprehensive Community Plan for Dakota County. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, presented the road report for February 7 - 20, 2021. Total road maintenance- 0 hours; overtime- 5.5 hours; snow removal- 292.5 hours; sign repair/barricading- 25 hours. No road concerns.

Sheriff Kleinberg presented the Jail Report for the month of January, 2021.

January (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 76 | 26 | 0 | 102 |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 76 | 26 | 0 | 102 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 68 | 33 | 0.03 | 101 |

Federal Income

| | | | |
|--------------------|--------------|------------------|--------------|
| January Marshal | \$55,052.24 | Fiscal Marshals: | \$471,418.07 |
| January ICE: | .00 | Fiscal ICE: | 8,261.83 |
| January OMMS/SDMS: | 130.00 | Fiscal BIA/OMMS: | 455.00 |
| January Federal: | \$ 55,182.24 | Fiscal Federal: | \$480,134.90 |

2021 Calendar Federal: \$55,182.24

January County Contracts: \$.00 2019-20 Fiscal County Contracts: \$4,038.00
 October Phone/Commissary Commission: \$10,844.93

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 | | | | | | | | | | | |

The jail spent \$195,190.73 for the month of January—57% of yearly budget or 1% under fiscal year budget. In January 2020, the jail had spent 60% of yearly budget. The Jail spent \$22,107.77 less than was allotted for January 2021 budget or 10% under budget for the month.

January Bookings:

| | | | |
|-------------|----|----------------|----|
| DCSO: | 42 | DAKOTA COUNTY: | 32 |
| SSCPD: | 32 | OTHER NE: | 20 |
| NSP: | 7 | SIOUX CITY: | 26 |
| COURT/SELF: | 3 | OTHER IA: | 6 |
| FED: | 3 | OTHER STATES: | 1 |
| OTHER: | 1 | HOMELESS: | 2 |
| TOTAL: | 87 | TOTAL: | 87 |

Chair Gill asked what inmate capacity was—Sheriff Kleinberg stated 136 capacity w/ work release.

Jacob Acero, Lieutenant Jailer, notified the Board of Commissioners that the Correctional Officers Fraternal Order of Police, Dakota County Lodge #49 is ready to open negotiations on their Master Agreement union contract.

Kathy Wiltgen, Clerk of District Court, explained her opposition to LB102 which provides elimination of the Office of the Clerk of the District Court if the office becomes vacant or incumbent clerk does not file for reelection, and also asked the Board for a Letter of Support in opposing the legislative bill. Commissioner Love moved, seconded by Chair Gill, to approve the Board send a Letter stating our opposition to LB102. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the use of Verizon Connect GPS tool for county equipment. Fred Kellogg stated a similar program was used in the past and was dropped—he did not feel this tool was needed. Sheriff Kleinberg stated the law enforcement vehicles already have similar equipment installed. Commissioner Launsby moved, seconded by Commissioner Albenesius, to approve a 12-month contract with Verizon Connect on the Road Department equipment (4 semi-trucks; 10 pickups; 7 motor graders) for a cost of \$376.95 per month. ROLL CALL VOTE: Gill- yes, Love- no, Giese- yes, Albenesius- yes, Launsby- yes. MOTION CARRIED.

Chair Gill recessed the Board of Commissioner meeting at 3:59 p.m. Chair Gill reconvened the Board of Commissioner meeting at 4:23 p.m.

Commissioner Committee Reports: Albenesius-Planning & Zoning committee meeting. He stated the Farmsteads committee and residents have reached a fence agreement. Several conditional use permits and zoning regulation changes will be coming to the Commissioners.

Mail: (1) Natasha Ritchison, Health Department Director, submitted her letter of resignation effective March 12, 2021, and (2) Nebraska Department of Agriculture notified the Board that the weed superintendent was short certification hours in 2020 due to classes being cancelled per COVID19 restrictions. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of February 22, 2021, at 4:29 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary Date

Dakota County Board of Commissioners
Monday, March 8, 2021, 3:00 p.m.
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 Cherie Conley, Deputy 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.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*

2. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.

3. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- a. Approval of the previous meeting minutes – February 22, 2021
- b. Board to approve the payroll claims for February 21 – March 6, 2021
- c. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court (February)
- d. Approval of Accounts Payable NE NACO Spring Workshop claims
- e. Approval of Treasurer's Office Journal Entries to correct (1) double payment/SSA Finder's Fee and (2) correctly apply Highway Supt. Incentive Payment.
- f. Approval of F&M Bank Irrevocable Letter of Credit No. 68790

4. NEW BUSINESS and RESOLUTIONS

- a. **3:01 p.m Public Hearing** to give citizens the opportunity to offer their support, opposition or neutral comments regarding the proposal to amend Zoning Regulation Section 202. Definitions to add the definition of Consanguinity.
- b. **3:02 p.m Public Hearing** to give citizens the opportunity to offer their support, opposition or neutral comments regarding the proposal to amend Zoning Ordinance Section 640.5 Recreational Vehicle Parks – Occupancy.
- c. Board to approve or not approve amendment of the Zoning Regulation Sections 202. Definitions to add the definition of Consanguinity. Amendment comes with a recommendation of approval from Planning and Zoning.
- d. Board to approve or not approve amendment of the Zoning Ordinance Section 640.5 Recreational Vehicle Parks – Occupancy. Amendment comes with a recommendation of approval from Planning and Zoning.
- e. Jeremy Stewart, Blyburg Road, rural Homer, to address the Board regarding the condition of the county roads.
- f. Dale Barclay, Blyburg Road, rural Homer, to address the Board regarding the condition of the county roads.
- g. Scott Skow, M Avenue, rural Hubbard, to address the Board regarding the condition of the county roads.
- h. Board to approve Resolution 21C-007 Signing of Project Program Agreement BL2113 with the Nebraska Department of Transportation regarding the County Bridge Match Program STWD-CBMP(5) Omaha Creek South on 265th Street Bridge No. C002213410P project.

5. MISCELLANEOUS and OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Sheriff Kleinberg to present the February Jail Report.
- c. Sergeant Todd Hammer, Deputy Sheriff, requesting the Board set date and time to open negotiations with the Sheriff's Deputies Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49.
- d. Kevin Hansen, Building & Grounds Supervisor, requesting Board approval for purchase of a used scissors lift.
- e. Board to set date and time for county road tour.

- f. Board to approve the contract terms with Verizon Connect for installation of GPS tracking program on road department fleet vehicles.
 - g. Board to approve Contract for Dakota County, South Sioux City West, Bridge #C002210810P (Jackson High Bridge) Project—Nelson & Rock Contracting \$243,123.05.
 - h. Board to approve Chair to sign Midlands Choice Agreements: (1) Group Agreement (2) Addendum to the Midlands Choice Group Agreement; (3) Premier Payer to Amendment to Midlands Choice Group Agreement; (4) Network Access Fee – Appendix A; (5) Business Associate Agreement; (6) Business Associate Agreement Mid-American Benefits, LLC and Dakota County and (7) Designated Privacy Personnel Certificate of Authority & Notice of Confidentiality.
6. COMMISSIONER COMMITTEE REPORTS
 7. MAIL AND/OR EMERGENCY BUSINESS
 - a. The Nebraska Public Employees Local 251 is requesting the Board to set a date and time to open contract negotiations with the Road Department Local 251 union.
 8. ADJOURNMENT

No action was taken to remove from the table the agenda items for wind energy moratorium or signing of the Midwest Alarm Services Basic Agreement.

Chair Gill called for Public Comment about any item not on the agenda.

Diana Hauck – Bus driver for Homer School District, provided the Board with several road safety issues and concerns. The buses have 4 routes that she feels are dangerous because of washboards, soft spots, water sitting and bad culverts. South Bluff Road, Likuwana turn around, Blyburg Road, Wigle Creek Road, Fiddler Creek Road, I Avenue, K Avenue, L Avenue, Jewel Avenue and corner of 260th & M. She requested grading and gravel.

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – February 22, 2021; (b) Board to approve the payroll claims for February 21 – March 6, 2021; (c) Approval of Officials Reports for February from County Clerk, Register of Deeds, and Clerk of District Court; (d) Approval of accounts payable claims; (e) Approval of Treasurer's Office journal entries to correct 1) double payment/SSA Finder's fee and 2) correctly apply Highway Supt Incentive Payment; and (f) Approval of F&M Bank Irrevocable Letter of Credit No. 68790. Commissioner Love moved, seconded by Commissioner Launsby, to approve the consent agenda items as presented. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Accounts Payable: General Fund: NE NACO, Spring workshop fees, \$82.00.

Payroll: General Fund Employer: Gross Salaries-\$155,360.50; Net Pay-\$111,164.86; Total Retirement-\$10,733.46; Makeup Retirement-\$0.00; Total FICA-\$11,511.47; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; 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-\$878.13; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$1,061.10; Debera Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$2,084.00; Tammy Dunn Peterson-\$1,206.20; Shaun Bird-\$1,771.50; Sergio Castillo-\$2,872.07; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,286.38; Brian Fernau-\$2,249.95; Tyler Fulkerth-\$2,719.37; Brent Gilster-\$2,241.99; Martin Guerrero-\$2,170.54; Richard Hansen-\$2,209.46; Melvin Harrison III-\$2,436.97; Jason James-\$2,129.60; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$481.85; Jared Junge-\$2,222.40; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,382.42; Mardi Schnee-\$1,088.80; Ryne Sell-\$268.19; Shantel Krull-\$960.00; Katie Lehmann-\$1,394.45; Deidra Mossberg-\$401.25; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,686.81; Angelica Antonio-\$1,679.92; Zachery Bickett-\$1,552.35; Rebecca Broer-\$1,697.75; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,545.34; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,662.24; Jesse Doelle-\$1,573.18; Jon Enstrom-\$1,533.84; Robert Foster-\$1,545.34; Jonathan Gray-\$1,698.48; Kara Groetken-\$1,716.23; Todd Hammer-\$2,236.29; Adam Hough-\$1,765.10; Brenda Irwin-\$1,682.37; Hunter Jones-\$1,746.81; Skyler Miner-\$1,700.92; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,747.08; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,489.10; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,467.73; Jennifer Svendsen-\$1,921.35; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,659.84; Estrella Vazquez-\$387.08; Anthony Von Haden-\$1,364.55; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Shay Gillaspie-\$491.50; Theresa Grove-\$1,948.80; Melissa Hans-\$459.00; Mohamud Ibrahim-\$236.13; Natasha Ritchison-\$4,080.00; Kristin Robinette-\$423.00; Yesica Saldana Cisneros-\$1,470.01; Jacqueline Traum-\$1,320.00; Willard Johnston-\$2,016.66; **General Fund Employee**: Federal Tax-\$11,760.90; State Tax-\$5,625.07; Soc Sec-\$9,329.53; Medicare-\$2,181.94; Extra Fit-\$891.00; Extra Sit-\$140.00; Retirement-\$7,295.77; Makeup Retirement-\$0.00; Health Plan-\$2,350.00; Dental Plan-\$504.00; Colonial Health-\$244.24; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$417.91; Legal Shield-\$99.16; Liberty Nat'l Pretax-\$88.37; Liberty Nat'l-\$0.00; VSP Vision Base-\$77.70; **Road Fund Employer**: Gross Salaries-\$18,995.44; Net Pay-\$13,488.18; Retirement-\$1,282.23; Total FICA-\$1,427.14; 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-\$1,802.32; Robert Hacker-\$1,816.08; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,772.93; Kimon

Litras-\$1,872.67; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,787.63; **Road Fund Employee:** Federal Tax-\$1,555.69; State Tax-\$707.69; FICA-\$1,156.63; Medicare-\$270.51; Extra Fit-\$150.00; Retirement-\$854.76; Health Plan-\$200.00; Dental Plan-\$63.00; 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-\$1,515.25; Net Pay-\$1,159.63; Retirement-\$102.28; Total FICA-\$113.15; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,515.25; **Health Planning Grant Employee:** Federal Tax-\$77.84; State Tax-\$38.31; FICA-\$91.70; Medicare-\$21.45; Extra Sit-\$5.00; Retirement-\$68.19; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,280.00; Net Pay-\$2,356.04; Retirement-\$221.40; Total FICA-\$228.34; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$5.87; Jana Adam-\$1,760.00; Yvette Aldana-\$1,520.00; **Minority Planning Grant Employee:** Federal Tax-\$150.45; State Tax-\$102.41; FICA-\$185.06; Medicare-\$43.28; Extra Sit-\$0.00; Retirement-\$147.60; 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;

Chair Gill opened the Public Hearing at 3:12 p.m to give citizens the opportunity to offer their support, opposition or neutral comments regarding the proposal to amend Zoning Regulation Section 202. Definitions to add the definition of Consanguinity. There were no comments made and Chair Gill closed the public hearing at 3:14 p.m.

Chair Gill opened the Public Hearing at 3:14 p.m to give citizens the opportunity to offer their support, opposition or neutral comments regarding the proposal to amend Zoning Ordinance Section 640.5 Recreational Vehicle Parks – Occupancy. There were no comments made and Chair Gill closed the public hearing at 3:16 p.m.

Commissioner Gill moved, seconded by Commissioner Love, to approve the proposal to amend Zoning Regulation Section 202. Definitions to add the definition of Consanguinity. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Revision of Section 202. Definitions

Consanguinity: Relationship by Descent from a common ancestor; close relationship or connection.

Commissioner Giese moved, seconded by Commissioner Love to approve the proposal to amend Zoning Ordinance Section 640.5 Recreational Vehicle Parks – Occupancy. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Revision of Section 640.5 Recreational Vehicle Parks - Occupancy

Occupancy of each site is limited to one (1) recreational vehicle, two (2) automobiles or truck, and one (1) miscellaneous recreational vehicle including but not limited to boats and all-terrain vehicles, accommodating one camping party. Recreational vehicle parks shall be allowed to operate from April through October in a calendar year, being closed for the remainder of the year. Private recreational vehicle parks may establish their own times of operation, but they must fall between the months of April through October each year. Recreational vehicle parks must close ~~and all vehicles must be removed from the grounds~~ by October 31 of each year and shall open no earlier than April 1 of each year. No permanent or year around occupancy is allowed in recreational vehicle parks and all vehicles must be licensed and road worthy.

Tent camping shall be allowed in recreational vehicle parks. No more than two (2) tents shall be allowed on each lot. Tent camping shall be allowed under the same date guidelines stated above for recreational vehicles.

Portable storage sheds are permitted in recreational vehicle parks. All sheds shall be constructed of wood products, painted and have asphalt shingled roofs. Sheds shall not exceed one hundred twenty (120) total square feet. Sheds must be portable. ~~and removed under the same guidelines for removal as recreational vehicles.~~

Jeremy Stewart, 2680 Blyburg Road, rural Homer, expressed his concerns regarding the roads stating he feels they are unsafe and there are culverts that need replaced or repaired. Informed that the Homer school bus will not pick up or drop off at his place if the road is bad and that isn't acceptable.

Dale Barclay, 2524 Blyburg Road, rural Homer, stated the grader on his road only grades a mile then sits, drives 3 miles, grades a mile then sits and wonders why he doesn't grade the entire road. Stated there are culverts that are washed out and too small and the drainage ditch is silted in and needs cleaned out.

Scott Skow, 2045 M Avenue, rural Hubbard, stated cemetery hill (M Avenue) is really bad with washboards and believes an accident is inevitable. Would like paving to be looked at again.

Chair Gill and Commissioner Love informed the concerned residents that a road tour is being scheduled and all the concerns would be addressed.

Commissioner Love moved, seconded by Commissioner Giese to approve Resolution 21C-007 Signing of Project Program Agreement BL2113 with the Nebraska Department of Transportation regarding the County Bridge Match

Program STWD-CBMP(5) Omaha Creek South on 265th Street Bridge No. C002213410P project. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, presented the road report for February 21 – March 6, 2021. Total road maintenance- 364 hours; overtime- 78 hours; garbage pick up – 4 hours, snow removal- 121.5 hours; gravel hauling – 156 hours. Tons of gravel hauled – 2436.05, sign repair – 2 hours. Road Concerns: S Bluff Rd, Millis Beach, Blyburg.

Sheriff Kleinberg presented the Jail Report for the month of February, 2021.

January (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 77 | 23 | | 100 |
| | | 0.36 | |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 76 | 25 | | 101 |
| | | 0.16 | |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 69 | 32 | | 101 |
| | | 0.06 | |

Federal Income

| | | | |
|---------------------|--------------|------------------|--------------|
| February Marshal | \$43,193.12 | Fiscal Marshals: | \$514,611.19 |
| February ICE: | .00 | Fiscal ICE: | 8,261.83 |
| February OMMS/SDMS: | .00 | Fiscal BIA/OMMS: | 455.00 |
| February Federal: | \$ 43,193.12 | Fiscal Federal: | \$523,328.02 |

2021 Calendar Federal: \$98,375.36

February County Contracts: \$0.00 2019-20 Fiscal County Contracts: \$4,038.00
December Phone/Commissary Commission: \$10,058.55

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 | | | | | | | | | | |

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

January Bookings:

| | | | |
|-------------|----|----------------|----|
| DCSO: | 41 | DAKOTA COUNTY: | 30 |
| SSCPD: | 22 | OTHER NE: | 16 |
| NSP: | 3 | SIOUX CITY: | 19 |
| COURT/SELF: | 6 | OTHER IA: | 4 |
| FED: | 2 | OTHER STATES: | 6 |
| OTHER: | 1 | HOMELESS: | 0 |
| TOTAL: | 75 | TOTAL: | 75 |

Sergeant Todd Hammer, notified the Board of Commissioners that the Sheriff's Deputies Fraternal Order of Police, Dakota County Lodge #49 is ready to open negotiations on their Master Agreement union contract and will coordinate a date sometime in April.

Kevin Hansen, Building and Grounds Supervisor requested the purchase of a used Genie lift and a list of projects it would be used for. Commissioner Love moved, seconded by Commissioner Gill to approve the purchase of the Genie lift after Commissioner Launsby and Kevin Hansen do an inspection of it and believe it is a good investment. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Road Tour is set for March 22, 2021, leaving the courthouse at 10:00 a.m. Diana Hauck – Bus driver for Homer School District, volunteered to drive a bus for the tour.

Commissioner Gill moved, seconded by Commissioner Launsby, to approve the contract terms with Verizon Connect for installation of GPS tracking program on road department fleet vehicles at \$376.95/month. [Jolene Gubbles designated as the on-line coordinator.] ROLL CALL VOTE: Love- No, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby to approve the Contract for Dakota County, South Sioux City West, Bridge #C002210810P (Jackson High Bridge) Project—Nelson & Rock Contracting \$243,123.05. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Love to approve the signing of the Midlands Choice Agreements: (1) Group Agreement (2) Addendum to the Midlands Choice Group Agreement; (3) Premier Payer to Amendment to Midlands Choice Group Agreement; (4) Network Access Fee – Appendix A; (5) Business Associate Agreement; (6) Business Associate Agreement Mid-American Benefits, LLC and Dakota County and (7) Designated

Privacy Personnel Certificate of Authority & Notice of Confidentiality. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: None. Mail: The Board acknowledged the Nebraska Public Employees Local 251 is requesting the Board to set a date and time to open contract negotiations with the Road Department Local 251 union. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of March 8, 2021, at 4:10 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Cherie Conley, Deputy County Clerk/Secretary Date

Dakota County Board of Commissioners
Monday, March 22, 2021
10:00 a.m. – County Board Road Tour
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 10:00 a.m. with the Pledge of Allegiance. Present at Roll Call: Gill, Love, Giese, Albenesius, Launsby. Absent: none. Also present was Joan Spencer, County Clerk, acting as Board Secretary. The Board departed for the road tour on a Homer school bus. The following roads were driven on the tour: 220th Street, Elma Road, Blyburg Road, Omaha Avenue, Wigle Creek, 260th Street, M Avenue, Fiddler Creek, L Avenue, 215th Street, K Avenue, Jewel Avenue, South Bluff Road, 225th Street, G Avenue and Lik-u-wanta Drive. Issues noted were (1) road caving near culverts, (2) farming in the ROW/no ditch, (3) ditches need to be dug out to facilitate water drainage and (4) possible soft spots after rain. Chair Gill recessed the board tour at 11:50 a.m.

Chair Gill reconvened the board meeting at 3:00 p.m. All present at Roll Call. 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.

10:00 a.m. The Board will conduct a county road tour.

3:00 p.m. Regular Scheduled Business Meeting

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*

2. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.

3. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- a. Approval of the previous meeting minutes – March 8, 2021
- b. Approval of payroll claims for March 7 – 20, 2021
- c. Approval of accounts payable claims
- d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court

4. NEW BUSINESS & RESOLUTIONS

- a. Closed Session – Strategy Session with respect to Collective Bargaining.
- b. Approve chair to sign Waterbury South (Burcham) bridge project (1) Notice to Proceed, (2) Agreement for Construction Contract and (3) Purchasing Agent Appointment Form 17.
- c. Approve Resolution 21C-008 to appropriate transfer of funds for the over-expended function of LE (Law Enforcement) Grants in the General Fund in the amount of \$26,000.

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 of the Voices for Food program.
- c. Sarah Deck, Juvenile Diversion Coordinator, requesting approval of the 2021 Community-based Juvenile Services Aid Program through the Nebraska Crime Commission.
- d. Dawn Bousquet, Treasurer, requesting Board approve the March 2021 Tax Sale Report
- e. Jacob Acero, Lieutenant Jailer, requesting board approval for additional state coronavirus funding

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- a. American Rescue Plan Act

8. ADJOURNMENT

No action was taken to remove the tabled items from the agenda - (1) wind energy moratorium and (2) signing of the Midwest Alarm Services Basic Agreement.

Chair Gill called for Public Comment about any item not on the agenda. Bill Rohde, 2312 Dakota Bluff Drive, Homer: (1) praised the Dakota County Health Department for the awesome job they are doing getting the vaccines out to Dakota County residents and their coordination with the fire department, emergency manager and national guard; and (2) thanked the road department for the good roads and urged them not to cut back on gravel. Discussion was had regarding bridges, ditches and mowing.

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – March 8, 2021; (b) approval of the payroll claims for March 7 – 20, 2021; (c) approval of accounts payable claims; (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Giese moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$149,363.98; Net Pay-\$106,724.07; Total Retirement-\$10,317.08; Total FICA-\$11,054.62; Health Plan-\$34,419.00; Dental Plan-\$1,135.75; 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; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; 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-\$1,200.00; Kevin Hansen-\$1,944.68; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$1,662.40; Sergio Castillo-\$2,653.67; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,224.22; Brian Fernau-\$2,144.07; Tyler Fulkerth-\$2,008.00; Brent Gilster-\$2,221.92; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,215.92; Jason James-\$2,129.60; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$532.78; Jared Junge-\$3,222.48; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,153.60; Mardi Schnee-\$1,088.80; Ryne Sell-\$206.30; Shantel Krull-\$960.00; Katie Lehmann-\$1,406.94; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,667.41; Angelica Antonio-\$1,538.47; Zachery Bickett-\$1,533.84; Rebecca Broer-\$1,718.84; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,358.28; Alexander DeLeon-\$1,674.78; Elisabet DeRoin-\$1,734.13; Jesse Doelle-\$1,572.93; Jon Enstrom-\$1,533.84; Robert Foster-\$1,164.24; Jonathan Gray-\$1,703.60; Kara Groetken-\$1,711.08; Todd Hammer-\$2,222.40; Adam Hough-\$1,921.96; Brenda Irwin-\$1,671.99; Hunter Jones-\$1,810.41; Skyler Miner-\$1,551.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,757.46; Kimberly Peterson-\$1,794.44; Jorge Reyes-\$1,355.28; Michele Rohde-\$1,370.92; Rebecca Schoep-\$1,386.58; Jennifer Svendsen-\$2,152.26; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,656.84; Estrella Vazquez-\$853.99; Anthony Von Haden-\$1,350.20; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Theresa Grove-\$1,948.80; Melissa Hans-\$288.00; Mohamud Ibrahim-\$62.51; Natasha Ritchison-\$1,020.00; Kristin Robinette-\$342.00; Yesica Saldana Cisneros-\$1,465.63; Jacqueline Traum-\$1,440.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,259.40; State Tax-\$5,367.34; Soc Sec-\$8,959.25; Medicare-\$2,095.37; Extra Fit-\$856.00; Extra Sit-\$140.00; Retirement-\$7,015.22; Health Plan-\$2,350.00; Dental Plan-\$504.00; Colonial Health-\$244.24; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$393.64; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$88.40; VSP Vision Base-\$77.81; **Road Fund Employer:** Gross Salaries-\$17,839.82; Net Pay-\$12,672.46; Retirement-\$1,204.23; Total FICA-\$1,338.98; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,424.92; State Tax-\$638.60; FICA-\$1,085.17; Medicare-\$253.81; Extra Fit-\$150.00; Retirement-\$802.75; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$46.36; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,520.00; Net Pay-\$1,163.02; Retirement-\$102.60; Total FICA-\$113.52; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,520.00; **Health Planning Grant Employee:** Federal Tax-\$78.39; State Tax-\$38.53; FICA-\$92.00; Medicare-\$21.52; Extra Sit-\$5.00; Retirement-\$68.40; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,280.00; Net Pay-\$2,356.02; Retirement-\$221.40; Total FICA-\$228.34; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$2.55; Jana Adam-\$1,760.00; Yvette Aldana-\$1,520.00; **Minority Planning Grant Employee:** Federal Tax-\$150.45; State Tax-\$102.41; FICA-\$185.06; Medicare-\$43.28; Retirement-\$147.60; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$24.18; **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.

Accounts Payable: General Fund: Janet Gill, budget workshop-\$50.00; NACO, budget workshop-\$50.00; Pender Times, publications-\$285.79; US Bank, Google Chromecast-\$31.94; Des Moines Stamp Co, ink pads \$16.00; Leaf, copier lease-\$157.45; NACO, budget workshop-\$50.00; One Office Solutions, office supplies-\$12.15; Pender Times, publications-\$7.16; Security Shredding, shredding-\$35.00; DAS State Acct, state software-\$81.00; H2O4U, water-\$45.00; MIPS, monthly software-\$919.91; NACT, dues & book-\$265.00; Pender Times, publications-\$2,117.10; Siouxland Lock & Key, combination change-\$100.00; Irene VanLent, prior years service-\$16.00; Des Moines Stamp Co, stamps-\$53.40; Margie Rahn, prior years service-\$12.00; Bralda, Inc., appraisal services-\$280.00; EWDS Inc, appraisal services-\$168.00; IAAO, membership dues x 2-\$300.00; JAG Quality Solutions, Inc., appraisal services-\$977.00; One Office Solutions, supplies-\$287.50; Madelyn Thorsland, prior years service-\$10.00; Leaf, copier lease-\$103.00; One Office Solutions, copier lease-\$18.14; US Bank, postage-\$78.80; RTI, monthly support & licenses-\$5,199.82; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$762.10; One Office Solutions, copier lease-\$73.68; Dakota County Court, check order-\$50.00; DAS State Acct, supplies-\$112.26; Des Moines Stamp Co, stamps-\$129.85; Marco, copier leases-\$727.79; Microfilm Imaging, scanning-\$177.00; Security Shredding, shredding-\$35.00; US Bank, Staples-office supplies-\$41.15; Perla Alarcon-Flory, interpreter fees-\$62.50; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$150.58; US Bank, supreme court renewal-\$210.00; Dakota County Court, court costs-\$1,584.42; Dakota County Sheriff, papers & warrants-\$873.08; Dakota County District Court, court costs-\$387.00; Douglas Roehrich, crt appt atty fees-\$1,166.50; Robert Wichser, crt appt atty fees-\$5,316.55; US Bank, supplies-\$29.43; City of Dakota City, utilities-\$170.41; Curry Floors, Health Dept Carpet-\$2,408.00; Drain Busters, scan sewer pipes old jail-\$250.00; Eakes Office Solutions, janitorial supp-\$51.16; G & R Controls, service fees-\$270.00; Gill Hauling Inc., dumpster-\$95.00; Menards, building supp-\$173.85; MidAmerican Energy, utilities-\$1,662.34; NPPD, utilities-\$1,244.18; O'Keefe Elevator, maintenance-\$463.12; Roto-Rooter, old jail service-\$185.00; Trembly, pest control-\$55.00; US Bank, Amazon subs, fuel, tools, LED lights-\$2,108.83; Verizon, cell phone-\$41.12; Wilmes Hardware, tools & supplies-\$118.71; Angela Abts, lodging & mileage-\$266.12; Carol Larvick, mileage-\$116.15; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$102.18; Papio-Missouri NRD, monthly rent-\$600.00; Staples, shelf-\$30.42; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$43.15; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,564.63; CMI Inc, intoxilyzer gas-\$214.95; First State Bank, 3rd installment 2020 vehicles-\$10,488.57; Fremont Tire, tire repairs-\$66.00; Jack's Uniforms, uniforms & equipment-\$1,341.05; K&S Auto Service, alternator-\$5,970.59; Law Enforcement Systems, labels-\$134.00; Shane's Towing, vehicle tows-\$125.00; Siouxland Federal Credit Union, misc-\$20.26; TransUnion Risk & Alternative, searches-\$118.00; US Bank, fuel, meals, LE equip-\$1,169.64; Verizon, cell phone-\$200.05; Willis Animal Clinic, autopsy-\$154.50; Wilmes Hardware, part-\$5.99; AT&T Mobility, cell phones-\$174.98; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$152.88; Pender Times, publications-\$53.45; Secretary of State, certified copy-\$20.00; Security Shredding, shredding-\$35.00; US Bank, driver records & legal ad-\$95.15; Melinda Wicks, mileage-\$169.12; City of SSC, LEC Share-\$40,315.96; Jack's Uniforms, safety equipment-\$591.95; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; Ameri-Tech Industrial Inc, washing machine repairs-\$711.25; Associated Fire Protection, inspections-\$922.50; AT&T Mobility, phones-\$94.00; AutoZone, battery-\$162.39; Bob Barker, jail supplies-\$515.39; Bunkers Feed & Supply Inc, salt and repairs-\$174.16; Cash-Wa Distributing, kitchen supplies-\$57.15; City of SSC, fuel-\$55.30; CW Suter Services, no heat repairs-\$1,956.25; DAS State Acct, language line-\$13.30; Eakes Office Solutions, supplies-\$1,730.01; Echo, light bulbs-\$370.52; Echolab, kitchen supplies-\$1,096.44; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Hobart Sales & Service, repairs-\$218.44; Jack's Uniforms, uniforms-\$923.55; Long Lines, phones-\$160.00; Marco, copier lease-\$682.02; MidAmerican Energy Co, utilities-\$2,297.59; NPPD, utilities-\$2,577.21; Sams Club, membership-\$45.00; Security Shredding, shredding-\$52.50; Star Printing/Studio B Graphics, forms-\$166.00; Summit Food Service, food & beverage-Jail-\$16,664.54; Trembly, pest control-\$50.00; US Bank, fuel, medical, supp-\$459.43; City of SSC, fuel-\$35.80; US Bank, Sparklight-\$160.27; NE Assoc of Co Eng/Hwy Supt, Summer meeting fees-\$220.00; US Bank, office supplies-\$74.58; Verizon, phones-\$41.12; Jana Adam, supplies-\$30.59; Availability/Realmed, medical billing-\$125.00; AT&T Mobility, phones-\$185.48; NALHD, dues-\$1,575.00; Stericycle, hazardous waste disposal-\$581.60; US Bank, COVID-language line, supp, website-\$4,803.65; Dr Thomas Wente, consulting physician fee-\$250.00; CVSOAN, 2021 dues-\$60.00; Bill Johnston, mileage-\$293.44; One Office Solutions, printer contract-\$23.19; US Bank, Flags & Grave Markers-\$2,319.80; US Bank, law library-\$320.00; Becker-Hunt Funeral Home, county burial-\$1,800.00; ChargePoint Inc, electric car charge software updates-\$1,398.00; DAS State Acct, payroll/acct payable-\$41.60; F & M Bank, deposit slips-\$35.00; Fibercomm, phone-\$660.55; Groves Emergency Lighting Install, 2 intallations-\$5,000.00; Jack's Uniforms, light bar-\$754.75; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$613.98; Nebraska Auditor of Public Accts, annual audit-\$21,174.22; Nebraska DHHS-Beatrice, quarterly safekeeping-\$270.00; Nebraska DHHS-Lincoln, quarterly safekeeping-\$270.00; Norm Waitt Sr YMCA, monthly fees-\$123.00; Region 4 Behavioral Health, 4th quarter fees-\$10,360.00; One Office Solutions, MICR toner-\$257.13; US Postal Services, postage-\$3,000.00; Manelli Wagner, engineering-\$10,012.50; **Road Fund:** Agrivision, parts & shop supplies-\$116.57; Atokad Heritage Express, fuel-\$47.91; Blackhills Energy, electricity-\$288.43; Bomgaars, shop supplies-\$107.88; Bosselman Pump & Pantry, fuel-\$3,104.11; Emerson Heritage Gas, fuel-\$71.49; Fastenal, parts & shop supplies-\$92.46; Fremont Tire, tires-\$171.00; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; Hydraulic Sales & Svc, parts-\$230.79; Interstate All Battery, parts-\$130.95; J & J's Pronto, fuel-\$425.53; Bob Jacobsen, prior years service-\$17.00; K&K Hubbard Mini Mart, fuel-\$76.50; K&S Service, parts & labor-\$385.92; LG Everist Inc, gravel-\$80,291.76; Matheson, oxy/acetylene-\$115.15; Medical Enterprises, drug testing-\$75.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies-\$296.68; Midwest Svc & Sales, traffic signs & blades-\$4,512.99; Midwest Wheel, supplies-\$687.98; Marlan Millard, prior years service-\$15.00; Motion Industries, parts-\$84.76; Motor Parts Central, parts-\$19.77; NPPD, electric-\$48.53; NNTC, telephones-\$180.49; Northeast Power, electric-\$351.54; Northside Glass, parts-

\$125.00; Power Plan/Murphy, parts & shop supplies-\$646.30; Sapp Bros Petroleum, fuel-\$1,083.76; Stephan Welding, parts & labor-\$326.50; Verizon, cell phone-\$100.54; Village of Emerson, utilities-\$79.71; Warren Oil, fuel-\$2,130.60; Wilmes Hardware, supplies-\$71.40; Ziegler's, parts & supplies-\$834.63; **Bridge Buyback Fund:** JEO, Burcham Bridge Engineering-\$855.00; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$11,274.64; **P & M Fund:** MIPS, monthly software-\$411.84; MIS, computer lease-\$275.00; **CESF Grant fund:** Dakota County General Fund, reimbursement-\$26,000.00; Cornerstone Detention Products, 2 thermal cameras-\$43,915.00; Echo, Cat6 for New Cameras-\$293.59; R Rohan Electric, outlet for new cameras-\$606.39; **Health Dept Grant:** US Bank, sparklight-\$330.11; **Minority Health Grant:** Verizon, cell phone-\$96.78; **Juvenile Grant Fund:** Sara Deck, mileage-\$57.12; Community Monitoring Services, family support-\$1,012.35; Owens Educational Services, electronic monitoring-\$20.00; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$26,498.64.

Commissioner Love moved, seconded by Chair Gill, to go into closed session for the purpose of a strategy session with respect to collective bargaining. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED at 3:10 p.m. Chair Gill restated the purpose of the closed session.

Commissioner Love moved, seconded by Commissioner Launsby, to reconvene in open session. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED at 3:55 p.m.

Commissioner Giese moved, seconded by Chair Gill, to proceed with hiring Jerry Pigsley, Wood & Aitken, (to assist the Board in effectively bargaining with the county employees represented by union contracts). ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Albenesius moved, seconded by Commissioner Giese, to approve the Chair to sign the (1) Notice to Proceed, (2) Agreement for Construction Contract and (3) Purchasing Agent Appointment Form 17 documents for the Waterbury South (Burcham) bridge project. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-008 to appropriate transfer of funds for the over-expended function of LE (Law Enforcement) Grants in the General Fund in the amount of \$26,000. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-008
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the Law Enforcement Grant function in the General Fund will exceed its budget with the March payment of accounts payable claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the General Fund Miscellaneous budget will have un-appropriated monies left.

BE IT THEREFORE RESOLVED that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous budget of the General Fund to be utilized for the payment of the over expended budget of Law Enforcement Grant of the General Fund and that said budget be increased by \$26,000.00 to \$76,000 for fiscal year 2020-2021.

BE IT FURTHER RESOLVED, that the Miscellaneous budget be reduced by \$26,000.00 to \$1,189,272.50 for fiscal year 2020-2021.

Passed and adopted this 22nd day of March, 2021.

Commissioner Love read the Road Report for March 7- 20, 2021. Total road maintenance- 249.5 hours; tree/debris removal- 13 hours; garbage pickup – 12 hours, snow removal- 6 hours; gravel hauling – 134.5 hours; tons of gravel hauled – 2055.7, sign repair – 7 hours. Road Concerns for grading and gravel: Knox Blvd and M Avenue.

Brenda Sale, NEP Assistant, Nebraska Extension, was not in attendance.

Sarah Deck, Juvenile Diversion Coordinator, presented the 2021 Community-based Juvenile Services Aid Program information regarding juvenile alternatives to detention using electronic monitoring, tracking and family support and asked for the formula grant in the amount of \$87,115 to be approved. Commissioner Love moved, seconded by Commissioner Launsby, to approve the 2021 Community-based Juvenile Services Aid Program grant with the Nebraska Crime Commission in the amount of \$87,115. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Dawn Bousquet, Treasurer, and Stephanie Gatzemeyer, Deputy Treasurer, presented the Tax Sale Report for March 2019 (unpaid after 3 years) sold on March 1, 2021: 316 Parcels advertised- \$1,115,352.60; 162 Parcels sold- \$224,574.02; 43 Parcels with taxes remaining- \$695,907.86; and Investors present- 142. Commissioner Giese moved, seconded by Commissioner Albenesius, to accept the March Tax Sale Report. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Jacob Acero, Lieutenant Jailer, stated coronavirus funding has re-opened with additional funding. The Sheriff's Office and Jail would like approval to apply for a crime scene mapping tool (\$13,000) and a body scanner in the jail booking area which would eliminate a pat-down and/or strip search (\$119,000). The less exposure to the virus, the safer it would be for everyone. Commissioner Love moved, seconded by Commissioner Giese, to approve a grant application for additional coronavirus funding in the amount of \$132,000. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: LEC-Commissioners Love and Launsby; P&Z- Commissioner Albenesius; DCHD-Commissioners Launsby and Giese; Stormwater- Commissioner Gill and NE NACO Spring Gathering- Commissioners Launsby and Gill.

Mail: The Board discussed the American Rescue Plan Act passed by the US Congress designating local coronavirus fiscal recovery funds and the allowable uses for the estimated \$3,883,919 for Dakota County. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of March 22, 2021, at 4:36 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

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

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

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – *Excused Absence*

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - *Motion required to take from the Table*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *Motion required to take from the Table*

2. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.

3. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- a. Approval of the previous meeting minutes – March 22, 2021
- b. Board to approve the payroll claims for March 21 – April 3, 2021
- c. Approval of accounts payable claims if applicable

4. NEW BUSINESS & RESOLUTIONS

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

5. MISCELLANEOUS & OLD BUSINESS

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

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

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

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

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

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

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

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

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

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

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

RESOLUTION 21C-009

RESOLUTION TO DECLARE PERSONAL PROPERTY AS SURPLUS PROPERTY

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

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

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

DATED this 5th day of April, 2021.

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

RESOLUTION 21C-010

RESOLUTION TO DECLARE MOBILE EQUIPMENT AS SURPLUS PROPERTY

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

WHEREAS, said mobile equipment consists of the following property:

1. 2006 Chevrolet Crew Cab 4WD

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

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

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

DATED this 5th day of April, 2021.

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

RESOLUTION 21C-011

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

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

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

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

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

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

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

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

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

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

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

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

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

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, April 19, 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 3:01 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill, Love, Giese, Albenesius, Launsby. Absent: none. Also present was Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – *Excused Absence*

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.

- *Motion required to take from the Table*

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 5, 2021
b. Approval of payroll claims for April 4 - 17, 2021, per Handbook and Master Agreements
c. Approval of accounts payable claims
d. Approval of Treasurer Journal Entry to transfer and correctly deposit collections into Fund 1150
e. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
f. Approval of Quarterly Reports—Sheriff and Jail for Jan-Mar 2021

4. NEW BUSINESS & RESOLUTIONS

- a. Approval of Resolution 21C-012 supporting the Second Amendment and the right to bear arms.
b. Approval of Resolution 21C-013 to authorize the Highway Superintendent to sell surplus mobile equipment pursuant to §23-3115 and to declare such mobile equipment as unusable by the County.

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
b. Sheriff Kleinberg - Jail Report
c. Dawn Bousquet, Treasurer, requesting Board approval to set up Fund 2580 COVID American Rescue Plan for the purpose of receiving Federal American Rescue Plan Act monies.
d. Board to appoint a member to the Planning & Zoning Commission to complete the term of Jean Grove (resigned) for the geographical area of Village of Hubbard for the remaining term of April 20, 2021, to February 21, 2023.
e. County Board shall make quarterly visit to county jail. §47-109

4. COMMISSIONER COMMITTEE REPORTS

5. MAIL AND/OR EMERGENCY BUSINESS

6. 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. There was none.

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – April 5, 2021; (b) approval of the payroll claims for April 4-17, 2021; (c) approval of accounts payable claims; (d) approval of Treasurer journal entry to transfer and correctly deposit collections into Fund 1150; (e) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court; (f) approval of Quarterly Reports—Sheriff and Jail for Jan-Mar 2021. Commissioner Love moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$154,535.47; Net Pay-\$110,051.09; Total Retirement-\$10,678.59; Total FICA-\$11,433.27; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$202.10; Larry Albenesius-\$1,133.71; Robert Giese-\$1,133.71; Janet Gill-\$1,179.87; Troy Launsby-\$933.71; Scott Love-\$1,133.71; Cherie Conley-\$1,553.31; Leticia Vargas-\$1,321.60; Joan Spencer-\$2,321.49; Kathy Abbe-\$2,528.52; Dawn Bousquet-\$2,321.49;

Stephanie Gatzemeyer-\$3,667.25; Jalissa Hattig-\$1,186.41; Brenda Landaverde-\$1,106.95; Samantha Mitchell-\$1,067.65; 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-\$2,452.48; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$2,075.80; Tammy Dunn Peterson-\$1,250.60; Shaun Bird-\$1,704.40; Sergio Castillo-\$2,633.81; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,479.82; Brian Fernau-\$2,197.01; Tyler Fulkert-\$2,108.40; Brent Gilster-\$2,342.39; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,102.98; Melvin Harrison III-\$2,533.67; Jason James-\$2,182.84; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$611.13; Jared Junge-\$2,361.30; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,153.60; Mardi Schnee-\$1,088.80; Shantel Krull-\$960.00; Katie Lehmann-\$1,332.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,683.18; Angelica Antonio-\$1,533.84; Zachery Bickett-\$1,533.84; Rebecca Broer-\$1,739.93; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,358.28; Alexander DeLeon-\$1,332.72; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,572.80; Jon Enstrom-\$1,529.28; Robert Foster-\$1,358.28; Jonathan Gray-\$1,703.60; Kara Groetken-\$1,716.23; Todd Hammer-\$2,264.07; Adam Hough-\$1,765.10; Brenda Irwin-\$1,661.60; Hunter Jones-\$1,749.06; Skyler Miner-\$1,554.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,793.63; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,358.28; Michele Rohde-\$1,375.17; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,250.44; Taylor Tadlock-\$1,680.93; Danielle Thibodeau-\$1,672.44; Estrella Vazquez-\$674.64; 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 Blossch-\$1,923.07; Theresa Grove-\$1,948.80; Melissa Hans-\$225.00; Mohamud Ibrahim-\$83.34; Kristin Robinette-\$360.00; Yesica Saldana Cisneros-\$1,577.20; Jacqueline Traum-\$1,440.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,943.46; State Tax-\$5,697.56; Soc Sec-\$9,266.13; Medicare-\$2,167.14; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,255.76; Health Plan-\$2,550.00; Dental Plan-\$525.00; Colonial Health-\$244.24; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$393.64; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$88.40; Liberty Nat'l-\$0.00; VSP Vision Base-\$77.81; **Road Fund Employer:** Gross Salaries-\$17,839.81; Net Pay-\$12,605.23; Retirement-\$1,204.23; Total FICA-\$1,333.23; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,417.49; State Tax-\$635.00; FICA-\$1,080.52; Medicare-\$252.71; Extra Fit-\$150.00; Retirement-\$802.72; Health Plan-\$200.00; Dental Plan-\$147.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$46.36; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,603.13; Net Pay-\$1,222.63; Retirement-\$108.21; Total FICA-\$119.87; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,603.13; **Health Planning Grant Employee:** Federal Tax-\$87.92; State Tax-\$42.43; FICA-\$97.15; Medicare-\$22.72; Extra Sit-\$5.00; Retirement-\$72.14; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,623.88; Net Pay-\$2,604.56; Retirement-\$244.62; Total FICA-\$254.64; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$4.21; Jana Adam-\$1,982.75; Yvette Aldana-\$1,641.13; **Minority Planning Grant Employee:** Federal Tax-\$185.61; State Tax-\$120.82; FICA-\$206.38; Medicare-\$48.26; Extra Sit-\$0.00; Retirement-\$163.07; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$24.18; **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.

Accounts Payable: General Fund: NACO, member orientation-\$25.00; Pender Times, publications-\$313.84; Leaf, copier lease-\$78.02; DAS State Acct, state software-\$81.00; MIPS, monthly software-\$919.91; NACT, Cont Ed & workshop-\$100.00; Record Printing, envelopes-\$358.00; US Bank, deposit slips-\$173.29; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; Bralda, Inc., appraisal services-\$801.50; Counsel, printer repair-\$326.00; Eagleview, contract-bldg outline creation-\$18,731.28; EWDS Inc, appraisal services-\$722.50; JAG Quality Solutions, Inc., appraisal services-\$3,491.00; Leaf, copier lease-\$86.60; One Office Solutions, copies-\$25.65; Stanard Appraisal Serv, appraisal services-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; Secretary of State, confirmation cards-\$20.00; Scott Bousquet, P&Z Meeting-\$33.36; Tim Decker, P&Z Meeting-\$78.60; Ron Gill, P&Z Meeting-\$56.76; Jeanine Grove, P&Z Meeting-\$18.92; Jolene Gubbels, P&Z Meeting-\$150.00; Kristen Henjes, P&Z Meeting-\$47.92; Paul Ireland, P&Z Meeting-\$18.36; Dick McCabe, P&Z Meeting-\$59.12; Harold Moes, P&Z Meeting-\$68.52; Pender Times, publications-\$59.31; Martin Rohde, P&Z Meeting-\$71.88; US Bank, postage-\$51.40; RTI, monthly support & licenses-\$5,142.82; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$131.00; One Office Solutions, copier lease-\$81.38; Kathy Wiltgen, Mileage-\$77.28; DAS State Acct, supplies-\$69.04; Marco, copier leases-\$429.03; Microfilm Imaging, scanning-\$177.00; Nebraska Law Review, subscription-\$70.00; US Bank, H2O4U-water-\$15.85; Perla Alarcon-Flory, interpreter fees-\$100.00; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$152.25; Thomson Reuters West, law books-\$768.00; Dakota County Court, court costs-\$1,441.58; Dakota County Sheriff, papers & warrants-\$1,370.59; Dakota County District Court, court costs-\$624.00; Dalton Gabel, witness fees-\$36.80; Enrique Galvez, witness fees-\$20.00; Abdosh I Hamid, witness fees-\$25.60; Randy Hisey, crt appt atty fees-\$982.50; Lancaster County Sheriff, paper service-\$18.59; Michele Melo, witness fees-\$28.96; Alex Valdovinos, witness fees-\$20.00; Soraya Valdovinos, witness fees-\$20.00; Robert Wichser, crt appt atty fees-\$3,520.30; City of Dakota City, utilities-\$167.16; Eakes Office Solutions, janitorial supp-\$339.02; G & R Controls, service fees-\$135.00; Gill Hauling Inc., dumpster-\$95.00; JC Roofing & Insulating, roof repair-\$1,344.00; Frank Martinez,

replaced carpet-\$1,000.00; Menards, building supp-\$331.08; MidAmerican Energy, utilities-\$1,124.62; Midwest Alarm Co, service call-\$78.75; NPPD, utilities-\$1,419.16; Trembly, pest control-\$55.00; US Bank, membership fees, rental, supp-\$363.09; Verizon, cell phone-\$41.13; Wilmes Hardware, tools & supplies-\$166.81; Angela Abts, lodging & mileage-\$441.72; Dakota County Star, subscription-\$43.00; Carol Larvick, mileage-\$175.60; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$89.15; Papio-Missouri NRD, monthly rent-\$600.00; Staples, shelf-\$62.99; WalMart, supplies-\$15.54; AT & T Mobility, cell phones-\$247.40; Autozone, parts, brakes & oil-\$190.60; Billion GMC, fuel pump-\$639.37; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$5,860.10; First State Bank, 2021 diesel chevys 2nd install-\$12,532.27; Jack's Uniforms, uniforms & equipment-\$34.00; Nebraska Public Health Environment, lab work-\$105.00; Shane's Towing, vehicle tows-\$130.00; Siouxland Federal Credit Union, misc-\$14.76; TransUnion Risk & Alternative, searches-\$110.00; US Bank, fuel, meals, LE equip-\$606.88; Verizon, cell phone-\$200.05; Tucker's Glass Shop, repairs-\$544.00; Wilmes Hardware, washer fluid-\$35.66; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$12.00; City of SSC, LEC Share-\$40,315.96; Ace/Refrigeration Eng, freezer repair-\$190.50; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; AT&T Mobility, phones-\$47.00; AutoZone, battery-\$7.43; Bunkers Feed & Supply Inc, salt and repairs-\$8.00; City of SSC, fuel-\$41.06; Com-Tec/Cornerstone, law enforcement camera-\$10,587.68; DAS State Acct, language line-\$18.90; Eakes Office Solutions, supplies-\$2,491.27; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$312.10; JC Roofing & Insulating, jail roof repair-\$195.00; Long Lines, phones-\$160.00; Marco, copier lease-\$1,446.54; MidAmerican Energy Co, utilities-\$1,164.02; NPPD, utilities-\$2,811.42; Summit Food Service, food & beverage-Jail-\$12,095.60; Thurston County Sheriff, board of prisonres-\$2,600.00; Trembly, pest control-\$50.00; Tri-State Communications, 6 radios & repairs-\$2,572.76; US Bank, fuel, medical, supp-\$756.51; Wilmes Hardware, misc supp & tools-\$105.98; Dodge County Clerk, quarterly fees-\$13,623.63; City of SSC, fuel-\$51.60; US Bank, Sparklight-\$519.07; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$16.47; Verizon, phones-\$41.13; US Bank, pesticide training-\$80.00; Availity/Realmed, medical billing-\$125.00; City of Dakota City, Covid-19-Gas Reimbursement-\$400.00; iHeart Media, Spanish radio-\$50.00; NACCHO, membership-\$240.00; US Bank, COVID-language line, supp, website-\$3,500.28; Dr Thomas Wentz, consulting physician fee-\$250.00; Bill Johnston, mileage-\$305.76; One Office Solutions, printer contract-\$23.57; US Bank, law library-\$329.60; Charge Point, 5 year agreement-\$5,133.00; City of Sioux City IA, hazmat agreement-\$1,131.93; Dakota County Treasurer, taxes Elk/Pigion creek & Omadi-\$9,675.00; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$625.94; William Johnston, batteries-\$9.74; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$913.98; Norm Waitt Sr YMCA, monthly fees-\$143.50; Region 4 Behavioral Health, 4th quarter fees-\$5,320.25; Siouxland Federal Credit Union, parts-\$13.95; US Postal Services, postage-\$4,500.00; US Bank, signals & printer ink-\$152.41; US Bank, presort annual fee-\$245.00; **Road Fund:** Agrivision, parts & shop supplies-\$228.90; Blackhills Energy, electricity-\$122.35; Bomgaars, shop supplies-\$62.90; Bosselman Pump & Pantry, fuel-\$6,497.65; Eakes Office Solutions, janitorial supp-\$21.38; Emerson Heritage Gas, fuel-\$79.25; Fremont Tire, tires-\$2,365.70; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; I States Truck Center, parts-\$20.81; J & J's Pronto, fuel-\$292.76; Bob Jacobsen, prior years service-\$17.00; K&K Hubbard Mini Mart, fuel-\$238.79; LG Everist Inc, gravel-\$83,569.32; Matheson, oxy/acetylene-\$126.10; Medical Enterprises, drug testing-\$40.00; Arnie Mellick, prior years service-\$13.00; Midwest Svc & Sales, traffic signs & blades-\$291.16; Midwest Wheel, supplies-\$279.84; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$48.40; NNTC, telephones-\$164.52; Northeast Power, electric-\$346.57; O'Reilly Auto Parts, parts & tools-\$130.89; Pinkelman Truck & Trailer, parts & labor-\$1,120.04; Power Plan/Murphy, parts & shop supplies-\$312.37; Sapp Bros Petroleum, fuel-\$3,259.50; Select Parts Inc, parts-\$204.89; Sioux City Ford, filters-\$15.10; Sioux City Truck Sales, shop supplies-\$440.42; Siouxland Hydraulics, parts-\$425.10; Tri-State Communications, new radio & labor-\$227.00; Verizon, cell phone-\$100.67; Village of Emerson, utilities-\$71.18; Warren Oil, fuel-\$8,540.55; Wilmes Hardware, supplies-\$19.76; Ziegler's, parts & supplies-\$4,025.99; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$10,289.54; **P & M Fund:** MIPS, monthly software-\$411.84; MIS, computer lease-\$245.00; **Health Dept Grant:** US Bank, Sparklight & Firespring-\$350.37; **Minority Health Grant:** Verizon, cell phone-\$96.90; **Juvenile Grant:** Community Monitoring Services, family support-\$342.30; Owens Educational Services, electronic monitoring-\$120.00; **E911 Fees:** City of SSC, 3rd quarter 911 moneys-\$8,686.39; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$28,603.12.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-012 supporting the Second Amendment and the right to bear arms. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill-yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-012 RESOLUTION AFFIRMING THE RIGHT TO BEAR ARMS

WHEREAS, the Second Amendment to the United States Constitution provides that it is the right of the people to keep and bear arms, and that right shall not be infringed; and,

WHEREAS, Article I, Section 1-1 of the Nebraska Constitution also provides the right to keep and bear arms, specifically "for security or defense or self, family, home and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes," and also provides that such right shall not be infringed; and,

WHEREAS, the United States Supreme Court in the *District of Columbia v. Heller*, 554 U.S. 570 (2008) affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditional lawful purposes, such as self-defense within the home; and

WHEREAS, it is the desire of the Dakota County Board of Commissioners to declare its support of the Second Amendment to the United States Constitution and Article I, Section 1-1 of the Nebraska Constitution; and,

WHEREAS, the members of the Dakota County Board of Commissioners took an oath to support and defend

the United States and Nebraska Constitutions.

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners hereby declare that we support the rights and liberties of all County citizens guaranteed by the United States and Nebraska Constitutions.

BE IT FURTHER RESOLVED that this Board affirms its support for the duly elected Sheriff of Dakota County, Nebraska, and his continuing efforts to uphold the United States and Nebraska Constitutions.

PASSED AND APPROVED this 19th day of April, 2021

Commissioner Gill moved, seconded by Commissioner Launsby, to approve Resolution 21C-013 to authorize the Highway Superintendent to sell surplus mobile equipment pursuant to §23-3315 and to declare such equipment as unusable by the County. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-013
RESOLUTION TO DECLARE
MOBILE EQUIPMENT AS SURPLUS PROPERTY

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

WHEREAS, said mobile equipment consists of the following property:

1. 1978 John Deere Scraper #T002125
2. 1982 John Deere Scraper #JD762A3836T
3. 1977 Heavy Haul LF35CB Lowboy trailer #7241

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

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

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

DATED this 19th day of April, 2021.

Fred Kellogg, Highway Superintendent, presented the Road Report for April 4-17, 2021. Total road maintenance- 308.5 hours; tree/debris removal- 4 hours; gravel hauling – 162.5 hours; tons of gravel hauled – 2248.76, sign repair – 26.5 hours. Road Concerns for grading on 220th and gravel on Likuwanta, Nodaway Road and 152nd. The extra work on Blyburg Road was discussed.

Sheriff Kleinberg presented the Jail Report for the month of March, 2021.

March (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 78 | 22 | 0.35 | 100 |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 77 | 24 | 0.23 | 101 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 70 | 31 | 0.1 | 101 |

Federal Income

| | | | |
|------------------|--------------|------------------|--------------|
| March Marshal | \$45,402.20 | Fiscal Marshals: | \$560,030.89 |
| March ICE: | .00 | Fiscal ICE: | 8,261.83 |
| March OMMS/SDMS: | .00 | Fiscal BIA/OMMS: | 455.00 |
| March Federal: | \$ 43,193.12 | Fiscal Federal: | \$568,747.72 |

2021 Calendar Federal: \$143,795.06

March County Contracts: \$.00 2020-21 Fiscal County Contracts: \$4,038.00

March Phone/Commissary Commission: \$9,165.01

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 | | | | | | | | | |

The jail spent \$181,162.90 for the month of March—71% of yearly budget or 4% under fiscal year budget. In March 2020, the jail had spent 78% of yearly budget. The Jail spent \$36,135.60 less than was allotted for March 2021 budget or 16,6% under budget for the month.

March Bookings:

| | | | |
|-------------|----|----------------|----|
| DCSO: | 44 | DAKOTA COUNTY: | 45 |
| SSCPD: | 30 | OTHER NE: | 12 |
| NSP: | 8 | SIOUX CITY: | 30 |
| COURT/SELF: | 8 | OTHER IA: | 4 |
| FED: | 4 | OTHER STATES: | 4 |

OTHER: $\frac{1}{95}$
TOTAL:

HOMELESS: $\frac{0}{95}$
TOTAL:

Dawn Bousquet, County Treasurer, requested the Board approve setting up a Fund for the purpose of receiving the Federal American Rescue Plan Act monies. Commissioner Love moved, seconded by Commissioner Giese, to approve County Treasurer Bousquet to set up Fund 2580 COVID American Rescue Plan for anticipated federal monies. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Giese moved, seconded by Chair Gill, to appoint Gordon Hegge as a member of the Planning & Zoning Commission to complete the term of Jean Grove per resignation for the geographical area of Village of Hubbard for the remaining term of April 20, 2021, to February 21, 2023. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Salary-Chair Gill. No mail or emergency business.

Chair Gill recessed the meeting at 3:32 p.m. Chair Gill reconvened the meeting for the quarterly tour of the County Jail at 4:25 p.m. Chair Gill adjourned the Board of Commissioners meeting of April 19, 2021, at 4:38 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

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

Dakota County Board of Commissioners
Monday, May 17, 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, 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.

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 – May 3, 2021
- b. Approval of payroll claims for May 2 – 15, 2021
- c. Approval of accounts payable claims
- d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
- e. Approval of Quarterly Reports—Veterans Service Officer (Jan – Mar, 2021)

4. NEW BUSINESS & RESOLUTIONS

- a. 3:01 p.m. Open and read sealed bids for patching, leveling and 3” asphalt overlay on Fiddler Creek Road. Award bid or reserve the right to reject any or all bids and to waive any or all technicalities and irregularities.
- b. Approve SIMPCO to conduct or not conduct the Blight & Substandard Determination Study for area just north of Int129 and G Street and just south of Int129 and east and west of rural C Avenue.
- c. Approve Resolution 21C-015 opposing the Federal Government’s “30x30” Land Preservation Goal.
- d. Approve Resolution 21C-016 for approval of Pledged Securities

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Sheriff Kleinberg - Jail Report
- c. Sarah Deck, Juvenile Diversion Coordinator, requesting Board approval of Chair to sign the Acknowledgment of Grant Requirements for 2021 Community-based Juvenile Services Aid program.
- d. Time clock discussion and approval of implementation schedule.
- e. Approval of Board Surplus Sale Report §23-3115(3)

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- a. South Sioux City 2020 Annual Tax Increment Financing (TIF) Report

8. ADJOURNMENT

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

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. Roger Bartels (late arrival) spoke regarding closing the road to his field off Highway 35 for the purpose of a shooting range. Mr. Bartels was opposed and stated there is no other access. Clerk Spencer stated that Mr. Raynor contacted her that he is aware of Mr. Bartels opposition and will look at another location for his shooting range.

Chair Gill asked to remove consent agenda item #b- approval of the payroll claims for May 2-15, 2021 from the consent agenda for further discussion and called for approval of the other consent agenda items—(a) approval of the previous meeting minutes – May 3, 2021; (c) approval of accounts payable claims; (d) approval of Officials Reports for Clerk, Register of Deeds and Clerk of District Court; (e) Approval of Veterans Service Officer Quarterly Report for Jan-Mar, 2021. Commissioner Giese moved, seconded by Commissioner Launsby, to approve the consent agenda items #a, c, d,

and e. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Accounts Payable: Des Moines Stamp Co, signature stamp-\$38.40; NACO, Workshop-Launsby-\$35.00; Pender Times, publications-\$449.07; US Bank, NACO online training-\$120.00; Bear Graphics Inc, certified paper-\$322.39; Leaf, copier lease-\$199.82; Nextoner LLC, toner - \$61.14; One Office Solutions, office supp-\$9.29; DAS State Acct, state software-\$81.00; H2O4U, water-\$63.58; MIPS, monthly software-\$919.91; One Office Solutions, office supplies-\$141.18; US Bank, NACO workshop-\$50.00; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; Aumentum Technologies, Ts T1 Assessor Support-\$14,327.00; Bralda, Inc., appraisal services-\$1,566.50; EWDS Inc, appraisal services-\$1,610.00; GIS Workshop, website-\$13,620.00; Innovative Appraisal Services, appraisal services-\$1,008.00; Leaf, copier lease-\$293.29; One Office Solutions, copies-\$607.93; Stanard Appraisal Serv, appraisal services-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, valuation services-\$1,134.15; Jolene Gubbels, P&Z Meeting-\$100.00; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$11.17; Pender Times, publications-\$11.25; RTI, monthly support & licenses-\$9,500.95; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$127.26; MIPS, scanning-\$131.00; One Office Solutions, copier lease-\$138.69; DAS State Acct, supplies-\$591.85; Microfilm Imaging, scanning-\$177.00; Kerri Wiese, office supplies-\$14.31; US Bank, H2O4U-water, kleenex-\$25.91; Perla Alarcon-Flory, interpreter fees-\$50.00; Lou Hunter, mileage-\$62.16; Debbie Jensen, notary fee-\$30.00; Leaf, copier lease-\$48.65; One Office Solutions, copier lease & supplies-\$95.91; US Bank, notary renewal-\$83.46; Crary Huff Ringgenberg, mental health-\$161.50; Dakota County Court, court costs-\$1,061.41; Dakota County Sheriff, papers & warrants-\$860.23; Dakota County District Court, court costs-\$702.00; Dakota County District Court, deposit slips-\$64.59; M & M Court Reporting, deposition reporting-\$297.75; Randy Hisey, crt appt atty fees-\$3,107.00; Douglas Roehrich, crt appt atty fees-\$4,719.70; Richard Thrumer, crt appt atty fees-\$14,676.25; Robert Wichser, crt appt atty fees-\$7,706.20; Maximus, 2nd half child support recovery fee-\$1,165.00; City of Dakota City, utilities-\$167.16; Eakes Office Solutions, janitorial supp-\$822.43; Gill Hauling Inc., dumpster-\$95.00; JC Roofing & Insulating, roof repair-\$830.00; JF Ahern Co, sprinkler inspections-\$308.00; Menards, building supp & tools-\$347.59; MidAmerican Energy, utilities-\$844.66; NPPD, utilities-\$1,410.47; Stephan Welding, bench brackets-\$78.00; Trembly, pest control-\$55.00; US Bank, fuel, keys-\$44.24; Verizon, cell phone-\$41.13; Wilmes Hardware, tools & supplies-\$641.25; Angela Abts, lodging & mileage-\$25.76; Carol Larvick, mileage-\$173.18; Leaf, copier lease-\$98.82; NACEB, dues-\$100.00; One Office Solutions, supplies-\$81.99; Papio-Missouri NRD, monthly rent-\$600.00; Tammy Peterson, Mileage-\$116.73; University of Nebraska, computer-\$1,788.62; US Bank, supplies-\$111.94; WalMart, supplies-\$7.94; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$62.20; Billion GMC, fuel pump-\$55.69; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,661.45; Farmers Bank & Trust, 2018 Vehicles-\$4,007.42; Groves Emergency Lighting Install, vehicle repairs-\$225.00; Jack's Uniforms, uniforms & equipment-\$622.60; Siouxland Federal Credit Union, misc-\$26.17; Sunset Law Enforcement, ammunition-\$1,807.50; TransUnion Risk & Alternative, searches-\$110.00; Tucker's Glass Shop, windshield-\$250.00; US Bank, LE equip, training, tri-pod, bulbs, medical-\$370.58; Verizon, cell phone-\$200.07; Wilmes Hardware, batteries-\$29.98; Woodhouse, oil change-\$61.13; AT&T Mobility, cell phones-\$87.69; Marco, copier lease-\$297.32; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$7.00; Nebraska County Atty Assoc, Association dues-\$2,296.00; Pender Times, publications-\$59.08; Kim Watson, notary-\$31.03; City of SSC, LEC Share & Set-aside equipment-\$54,715.96; Digital Ally Inc, camera-\$3,500.00; Ace/Refrigeration Eng, freezer repair-\$106.00; Advanced Correctional Healthcare, doctor fees & Rx-\$8,769.63; Ameri-Tech Industrial Inc, washer repairs-\$676.15; Associated Fire Protection, smoke detector-\$284.75; AT&T Mobility, phones-\$94.04; Bob Barker, inmate supplies-\$1,921.88; City of SSC, fuel-\$138.19; CW Suter Services, AC repairs-\$3,075.00; Eakes Office Solutions, supplies-\$1,900.94; Ecolab, cleaners-\$1,377.68; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$706.50; Long Lines, phones-\$160.00; Marco, copier lease-\$682.02; MidAmerican Energy Co, utilities-\$962.75; NPPD, utilities-\$2,810.97; R Rohan Electric, repairs to freezer-\$398.99; Sioux City Journal, renewal-\$158.39; Summit Food Service, food & beverage-Jail-\$19,718.54; Sunset Law Enforcement, ammunition-\$212.50; Thurston County Sheriff, board of prisoners-\$2,800.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$994.45; Wilmes Hardware, misc supp & tools-\$43.80; Woodbury Co Juv Det, juvenile housing-\$3,150.00; City of SSC, fuel-\$53.76; US Bank, Sparklight-\$319.98; Verizon, phones-\$41.13; Civil Engineers & Const, surveying services-\$160.00; US Bank, pesticide training-\$90.00; Absolute Screen Art, covid volunteer t-shirts-\$272.00; Jennifer Ankerstjerne, covid volunteer gifts-\$60.00; AT&T Mobility, phones-\$92.78; Availity/Realmed, medical billing-\$125.00; Dakota City Fire & Rescue, Covid-19 Reimbursement-\$47.13; iHeart Media, Spanish radio-\$100.00; Little Red Embroidery Co, Employee Covid shirts-\$119.85; Marco Technologies, copier lease & copies-\$1,590.60; One Office Solutions, office chair-\$375.00; Sioux City Journal, publications-\$444.00; Stericycle, disposal-\$4,933.28; Todd Traum, mileage-\$163.52; US Bank, COVID-language line, supp, software, business cards-\$470.42; Verizon, cell phone-\$96.90; Dr Thomas Wenthe, consulting physician fee-\$250.00; Comfort Inn, lodging-\$237.00; Bill Johnston, mileage-\$358.40; One Office Solutions, copy fees-\$26.64; US Bank, meals-\$27.48; US Bank, law library-\$329.60; Dakota County Treasurer, NSF checks reimbursements-\$1,536.61; Dakota County Veterans Aid, Aid-\$4,500.00; DAS State Acct, payroll/acct payable-\$41.60; Digital Ally Inc, camera-\$1,159.00; Fibercomm, phone-\$618.19; Kustom Signals Inc, Eagle 3 Radar-\$2,542.00; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$613.98; Mohr Becker-Hunt, 3 county burials-\$5,400.00; NACO, 1st half dues-\$1,872.29; Norm Waitt Sr YMCA, monthly fees-\$143.50; Omaha Valley Cemetery Assoc, burial fees-\$600.00; One Office Solutions, copy paper-\$1,640.30; Quadient Leasing, postage machine-\$782.61; US Bank, tire-\$136.91; Woods & Aitken, legal counsel-unions-\$2,629.59; BOKF, 2019 Flood Bond payent-\$103,022.50; Mainelli Wagner & Assoc, Engineering-\$3,321.80; **Road Fund:** Bomgaars, shop supplies-\$26.97; Bosselman Pump & Pantry, fuel-\$6,583.74; Fastenal, shop supplies-\$98.50; Fram Aligners Inc, parts & labor-\$503.47; Fremont Tire, tires-\$2,254.94; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; Interstate All Battery, parts-\$215.90; Bob Jacobsen, prior years service-\$17.00; J&J's Pronto, fuel-\$666.96; Jim Hawk Truck Trailers, parts-

\$116.39; K&K Hubbard Mini Mart, fuel-\$434.14; LG Everist Inc, gravel-\$93,876.29; Langenfeld Contracting, gravel-\$14,945.41; Lux Bros Trucking, culverts-\$4,816.17; Matheson, oxy/acetylene-\$237.35; Medical Enterprises, drug testing-\$70.00; Arnie Mellick, prior years service-\$13.00; Midwest Wheel, supplies-\$123.67; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$48.40; NNTC, telephones-\$167.41; Northeast Power, electric-\$279.68; Pender Times, publications-\$72.89; Power Plan/Murphy, parts-\$895.82; Productivity Plus, parts-\$48.50; Robertson Implement, parts & shop supplies-\$77.88; Sapp Bros Petroleum, fuel-\$2,594.12; Siouxland Hydraulics, parts-\$90.74; Thermo King Christensen, shop supplies-\$153.61; Tri-County Aggregates, gravel-\$904.20; US Bank, parts-\$144.90; Verizon, cell phone-\$100.70; Village of Emerson, utilities-\$46.71; Warren Oil, fuel-\$5,576.55; Wilmes Hardware, supplies-\$92.57; **Hwy Bridge Buyback:** JEO, Dakota Co Share Burcham bridge-\$956.25; **Road Improvement:** Veenstra & Kimm, N Bluff Rd Phase 2 engineering-\$965.16; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$17,956.16; **P & M Fund:** MIPS, monthly software-\$584.70; MIS, computer lease-\$245.00; **Juvenile Grant:** Sarah Deck, mileage-\$288.96; Language Line Services, interpretation services-\$20.81; US Bank, conference registration & meal-\$148.53; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$22,681.20.

Chair Gill called for discussion on consent agenda item #b. Payroll with regards to 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. Chair Gill stated the request at the last board meeting was not approved as a wage study was being done with the Handbook Committee and that meeting is scheduled this Friday. Commissioner Giese stated he respects the staff and work done by the County Attorney's Office; however, he felt this was a timing issue and gave the example that a \$5,000 pay increase not budgeted and next year that wage budget would be increased regardless of if the money is there for the next year's budget. Chair Gill stated she attended a budget workshop where budget lids were discussed, and this request is 6 weeks from new fiscal budget year. Ms. Watson stated that she is not asking for an increase in her budget. The County has received an endowment from Mr. Matney to more than cover this and wondered if the Board plans to return the money since it was specifically earmarked. She further stated that as an elected official, the Board does not have the authority to micro-manage her office (cannot hire or fire her employees) and this is already in her budget, so unless this request is unreasonable, arbitrary or capricious, she feels the Board lacks the authority to disapprove the request. Chair Gill cited §23-1114 which states that the salaries of all deputies of elected officials shall be set by the county board. Ms. Watson felt this meant initially set when the position was started/created. Chair Gill stated the salary committee is working on salary levels for years of experience. Commissioner Giese stated that one of the employees of the two requested increases has already, in this budget cycle, received a 10% raise and he was unaware any other employee receiving a 10% increase. He understood there being money in the budget because an attorney position has not been filled. There was some discussion on how long that position has been open. Commissioner Albenesius asked why unable to fill the position? Ms. Watson felt they moved on because they did not catch on to what their office does. Commissioner Albenesius thought the increase should possibly be applied to the open position to attract applicants. Ms. Watson stated the cost for the increase in wages did not come from the 4th attorney position being unfilled, but from the donation. Commissioner Albenesius asked how the cost would be covered next year and Ms. Watson stated if the cost was not in her budget, she would make a personal donation because that is how much her employees mean to her. Chair Gill stated Dakota attorney wages are pretty comparable to other Nebraska Counties such as Madison County and because we have less value, and the lid restriction is a challenge. Commissioner Giese reiterated his stance on the increase having to be absorbed in next year's budget and his thought that this year's budget can sustain that cost due the 4th attorney position being unfilled. Ms. Watson asked Commissioner Giese if her request was unreasonable, and Commissioner Giese said no. Chair Gill reiterated that the salaries are in line with what seems the norm. Ms. Watson stated that the Board can budget a 2% pay increase but it is up to the official to decide. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve payroll claims 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-\$151,224.20; Net Pay-\$107,891.03; Total Retirement-\$10,485.53; Total FICA-\$11,153.50; Health Plan-\$34,923.64; Dental Plan-\$1,150.50; Life Insurance-\$201.21; 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-\$1,046.88; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,203.09; Brenda Landaverde-\$1,077.48; Samantha Mitchell-\$1,057.83; Debra Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$1,748.00; Tammy Dunn Peterson-\$1,195.10; Shaun Bird-\$1,729.60; Sergio Castillo-\$2,117.60; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,224.22; Brian Fernau-\$2,210.25; Tyler Fulkerth-\$2,058.20; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,215.92; Jason James-\$2,129.60; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$893.19; Jared Junge-\$2,236.29; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,180.52; Mardi Schnee-\$1,095.61; 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-\$1,698.37; Angelica Antonio-\$1,551.84; Zachery Bickett-\$1,314.72; Rebecca Broer-\$1,708.29; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,631.92; Alexander DeLeon-\$1,759.92; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,572.80; Jon Enstrom-\$1,732.83; Robert Foster-\$764.16; Jonathan Gray-\$1,713.84; Kimberly Greco-\$1,164.24; Kara Groetken-\$1,716.23; Todd Hammer-\$2,277.96; Adam Hough-\$1,830.66; Brenda Irwin-\$1,765.45; Skyler Miner-\$1,554.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,757.46; Kimberly Peterson-\$1,734.13; Jorge Reyes-\$582.12; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,446.88; Taylor Tadlock-\$1,656.42; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$525.36; Randall Walsh-

\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Jana Adam-\$1,760.00; Yvette Aldana-\$1,529.50; Kevin Blosch-\$1,923.07; Theresa Grove-\$1,948.80; Melissa Hans-\$157.50; Yesica Saldana Cisneros-\$1,439.38; Jacqueline Traum-\$1,584.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,180.12; State Tax-\$5,374.67; Soc Sec-\$9,039.43; Medicare-\$2,114.07; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,122.39; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$460.90; Legal Shield-\$99.19; Liberty Nat'l-\$88.40; VSP Vision Base-\$67.47; **Road Fund Employer:** Gross Salaries-\$17,855.81; Net Pay-\$12,666.70; Retirement-\$1,205.31; Total FICA-\$1,338.82; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,675.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,424.97; State Tax-\$638.74; FICA-\$1,085.05; Medicare-\$253.77; Extra Fit-\$150.00; Retirement-\$803.47; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$46.36; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,349.00; Net Pay-\$1,037.45; Retirement-\$91.06; Total FICA-\$100.43; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,349.00; **Health Planning Grant Employee:** Federal Tax-\$61.75; State Tax-\$30.52; FICA-\$81.39; Medicare-\$19.04; Extra Sit-\$5.00; Retirement-\$60.71; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,288.32; Net Pay-\$732.59; Retirement-\$86.96; Total FICA-\$70.17; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,288.32; **Juvenile Services Aid Employee:** Federal Tax-\$39.01; State Tax-\$17.58; FICA-\$56.87; Medicare-\$13.30; Retirement-\$57.97; Health Plan-\$350.00; Dental Plan-\$21.00;

The following sealed bids were opened for the project of patching, leveling and 3" asphalt overly on Fiddler Creek Road: (1) Barclay Asphalt Inc.- \$128,900.00 and (2) Knife River Midwest, LLC- 115,207.40. Commissioner Giese moved, seconded by Chair Gill, to award the Fiddler Creek overlay bid to Knife River for the bid of \$115,270.40. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had and map looked at regarding the area of the blight study. Chair Gill moved, seconded by Commissioner Giese, to approve the Blight & Substandard Determination Study by SIMPCO for the area just north of Interstate 129/east & west of G Avenue and just south of Interstate 129/east & west of C Avenue. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Chair Gill moved, seconded by Commissioner Launsby, to approve Resolution 21C-015 opposing the Federal Government's "30x30" Land Preservation Goal. ROLL CALL VOTE: Giese- no; Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. MOTION CARRIED.

RESOLUTION 21C-015
RESOLUTION OPPOSING THE FEDERAL GOVERNMENT'S
"30 X 30" LAND PRESERVATION GOAL

WHEREAS, Dakota County is a legal and political subdivision of the State of Nebraska for which the Board of County Commissioners ("Board") is authorized to act; and

WHEREAS, Dakota County, containing about 165,120 acres of land situated in the extreme northeast corner with the Missouri River flowing on the north and east borders and 264 square miles is land and 3.2 square miles is water; and

WHEREAS, the federal government currently owns 0.0% of the land within Dakota County; there are no perpetual conservation easements on private land; there are no designated federal parks, wilderness or refuges; and

WHEREAS, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled *Tackling the Climate Crisis at Home and Abroad* (86 Fed. Reg. 7,619); and

WHEREAS, in Section 216 of Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve at least 30 percent of the lands and waters in the United States by 2030, which is called the "30 x 30" program; and

WHEREAS, under the 30 x 30 program, some 680 million acres of our Nation's lands would be set aside and permanently preserved in its natural state, preventing the productive use of these lands and their resources; and

WHEREAS, there is no constitutional or statutory authority for the President, the Department of the Interior, the Department of Agriculture or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United States, and no such authority is referenced in Executive Order 14008; and

WHEREAS, the 30 x 30 program, if implemented, is likely to cause significant harm to the economy of Dakota County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Dakota County, Nebraska, as follows:

1. The Board opposes the 30 x 30 program, including its objective of permanently preserving 30 percent of the Nation's lands in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands.
2. The Board supports maintaining and enhancing public access to public lands and national forests and opposes road closures, road decommissioning, moratoria on road construction and other limitations on public access for the purpose of fulfilling the 30 x 30 program's objectives.
3. The Board recognizes and supports the State of Nebraska's water rights system, including the doctrine of prior appropriation and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and uses authorized under Nebraska law.
4. The Board supports reasonable national, regional and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective and do not unnecessarily single out specific industries or activities; but opposes the use of global climate change as an excuse to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program's objectives.
5. The Board maintains that the designation of public lands or conservation land to fulfill the 30 x 30 program's objectives may lawfully occur, if at all, only through the planning process mandated by the Federal Land Management and Policy Act including public notice and an opportunity to comment, analysis and disclosure of the impacts of such land acquisitions on the well-being, health, safety, welfare, economy and culture of Dakota County, its businesses, and its citizens, and careful coordination with Dakota County to ensure consistency with County land use plans and land management policies.
6. The Board also maintains that any non-federal lands or other rights that are acquired to fulfill the 30 x 30 program's objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy and culture of Dakota County, its businesses and its citizens.
7. The Board shall send a copy of Resolution to the Department of Interior, Department of Agriculture and all other relevant Federal and State agencies.

Passed and adopted this 17th day of May 2021.

Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-016 to approve pledged securities at BankFirst (for property tax influx and first part of American Rescue Plan). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-016

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 (requested for property tax influx & first part of American Rescue Plan)

Pledge Cusp #606072LE4

Amount \$4,800,000.00

Expiration date 1/25/2061

APPROVED AND ADOPTED this 17th day of May 2021.

The Road Report for May 2-15, 2021, was read by Commissioner Launsby. Total road maintenance- 400 hours; tree/debris removal- 11 hours; garbage pickup- 1 hr.; magnet- 5 hrs.; gravel hauling – 164 hours; tons of gravel hauled – 2577.13, sign repair – 5 hours. Commissioner Launsby also acknowledged the GPS Fleet Summary data report for Road Department vehicle usage for May 5-15, 2021.

Sheriff Kleinberg presented the Jail Report for the month of April.

April (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 73 | 22 | 0 | 95 |

2021 Calendar (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 76 | 23 | 0.17 | 99 |

2020-2021 Fiscal (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 71 | 30 | 0.09 | 101 |

Dakota County Board of Commissioners
Monday, June 1, 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 Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – *Excused Absence*

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.

- *Motion required to take from the Table*

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 – May 17, 2021
- b. Approval of payroll claims for May 16 - 29, 2021
- c. Approval of accounts payable claims – Dawson County (time clocks)
- d. Approval of Treasurer to release and surrender pledge security receipt #6983 with Union Bank & Trust

4. NEW BUSINESS & RESOLUTIONS

- a. Jerad Reimers, District Coordinator | Communications Assistant, bringing updates from House Representative Adrian Smith's office. [Conference Call]
- b. Dakota-Thurston County Fair board members requesting approval for a Special Designated Liquor (SDL) license during the County Fair scheduled for August 5 to 8, 2021, at the following events: Tractor Pull, ATV Rodeo, Ranch Rodeo, Comedian Show, Mud Volleyball and Extreme Bull Riding.
- c. Dakota-Thurston County Fair board members requesting approval to close a portion of Stable Drive for safety reasons starting Wednesday, August 4 and ending Sunday, August 8 and permission to use the Road Closed signs from the Road Department if available.

5. MISCELLANEOUS & OLD BUSINESS

- a. Dakota County Road Report for May 17 to 27, 2021
- b. Discussion and approval of county policy regarding the mowing of the county right-of-way. §39-1811
- c. Discussion and approval of changing the Road Director position from one position to two positions: (1) Road Foreman and (2) Administrative Assistant/Highway Superintendent(paperwork only) vs. Road Department Director (Highway Superintendent/Road Foreman).
- d. Approval of appointing a full time Highway Superintendent/Administrative Assistant or an interim Dakota County Highway Superintendent due to the retirement of Fred Kellogg (License Number S-1475, Class A) §39-2302 and §39-2501 to 39-2505
 - ❖ Jolene Gubbels – Hwy Supt License Number S-1698 / Class B
- e. Janet Gill, Board Chair, to correct appointment of board members serving on the Dakota County Board of Health per §71-1630(1).
- f. Approval of Dakota County Handbook and Resolution 21C-017 Joint Resolution and Agreement adopting a joint employee handbook that provides employment practices and policies to all offices and departments.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- a. South Sioux City Planning Commission Notice of Public Hearing to make Amendment to the General Redevelopment Plan for the Northeast Redevelopment Area

8. ADJOURNMENT

Jerad Reimers, representative in the 3rd district for the office of Congressman Adrian Smith attended the meeting via telephone conference call. Mr. Reimers stated his office in Grand Island handles case work for Representative Smith. Any resident needing help with a broad range of federal issues such as a letter of support for a grant or a passport expedited should feel free to contact the Congressman. Mr. Reimers stated Representative Smith sits on the Ways & Means Committee with a primary voice regarding taxes, trade policy, supporting resolutions supporting farmers,

producers, and packers. He co-chairs and is an advocate for the ethanol industry—one of the greatest exports of Nebraska outside of livestock. Mr. Reimers stated that Representative Smith is one of the co-sponsors of legislation opposing the 30x30 program proposed by President Biden. Commissioner Giese asked Mr. Reimers to explain Congressman Smith's position on the 1/6 Commission vote and he replied Congressmen Smith felt the Commission had the potential to be used as a political weapon for election purposes versus viewing the facts and that a select committee option would be much more efficient and accomplish the same goals. No other questions were asked.

No action was taken to remove the tabled item from the agenda regarding the wind energy moratorium—a public hearing will be held at the June 14th meeting regarding wind energy regulation changes.

Chair Gill called for Public Comment about any item not on the agenda. Arlan Kuehn, South Sioux City, stated he was concerned with what he is hearing regarding the Sheriff's Department. He stated he was a member of area businessmen who helped build the jail when everyone said it could not be done. He feels the Department has low pay and is losing employees and the Board does not need someone in Lincoln telling us how to run the county. The Board needs to think what would happen if the Sheriff would quit or move staff back to the LEC or turn the Jail back to the board and lose the income from housing federal prisoners. Dakota County is a great place to live and the deputies do a great job. Mr. Kuehn stated we need to spend the extra government money wisely. Mr. Kuehn stated he serves on the Merit Commission that is now trying to hire people and now Sioux City is building a new jail and will be hiring more people also. He stated he is not mad, just very concerned.

Marci Broyhill, Dakota City, stated she supports Congressman Smith and Governor Ricketts opposition of the 30x30 program and shared that the Governor's website can give you more information and the schedule of his town hall meetings.

Chair Gill moved to the consent agenda. Dawn Bousquet, Treasurer, stated the extra pledge is no longer needed. Chair Gill stated the accounts payable claim is for time clocks being purchased from Dawson County and that payroll included the two wages increases from the County Attorney's Office and she would like to see those postponed until the board hears back on research and asked for discussion. There was none. Chair Gill moved, seconded by Commissioner Giese, to approve the consent agenda items except for the two wage increases requested by the County Attorney's Office as we have not heard back on the research being done. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Accounts Payable: Dawson County Treasurer, time clocks - \$2000.00;

Payroll: General Fund Employer: Gross Salaries-\$155,943.28; Net Pay-\$110,464.64; Total Retirement-\$10,897.69; Total FICA-\$11,515.01; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$201.21; 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-\$1,032.81; Stephanie Gatzemeyer-\$1,626.77; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,062.74; Samantha Mitchell-\$1,077.48; Debera Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$2,075.80; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$1,729.60; Russell Briggs-\$0.00; Sergio Castillo-\$2,891.93; Timothy Decker-\$2,991.67; Brian Ellinger-\$2,264.00; Penny Epting-\$2,224.22; Brian Fernau-\$2,183.78; Tyler Fulkerth-\$2,120.95; Brent Gilster-\$2,221.91; Martin Guerrero-\$2,355.85; Richard Hansen-\$2,102.98; Melvin Harrison III-\$2,298.81; Jason James-\$2,169.53; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$654.22; Jared Junge-\$2,597.43; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,207.44; Mardi Schnee-\$1,088.80; 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-\$960.00; Jacob Acero-\$1,686.60; Angelica Antonio-\$1,554.59; Shaelee Barreras-\$59.51; Zachery Bickett-\$1,639.92; Rebecca Broer-\$1,697.75; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,358.28; Alexander DeLeon-\$1,719.48; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,578.80; Jon Enstrom-\$1,533.84; Jonathan Gray-\$1,698.48; Kimberly Greco-\$1,358.28; Sara Gritten-\$388.08; Kara Groetken-\$1,716.23; Todd Hammer-\$2,222.40; Adam Hough-\$1,770.32; Brenda Irwin-\$1,666.79; Skyler Miner-\$1,545.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,752.28; Kimberly Peterson-\$1,664.29; Michele Rohde-\$1,362.40; Jonathan Romo-Rodriguez-\$764.16; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,401.73; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$1,164.24; Randall Walsh-\$5,798.28; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$312.50; Matthew Roost-\$265.30; Jana Adam-\$737.00; Yvette Aldana-\$1,472.50; Kevin Blosch-\$961.53; Theresa Grove-\$1,948.80; Kristin Robinette-\$72.00; Yesica Saldana Cisneros-\$1,430.63; Jacqueline Traum-\$1,422.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,914.10; State Tax-\$5,615.75; Soc Sec-\$9,332.42; Medicare-\$2,182.59; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,415.93; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$791.07; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$475.52; Legal Shield-\$86.21; Liberty Nat'l-\$71.04; VSP Vision Base-\$77.70; **Road Fund Employer:** Gross Salaries-\$24,577.14; Net Pay-\$16,852.59; Retirement-\$1,658.99; Total FICA-\$1,852.54; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,665.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.21; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$8,799.13; 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-\$2,707.42; State Tax-\$1,075.68; FICA-\$1,501.40; Medicare-\$351.14; Extra Fit-\$150.00; Retirement-\$1,105.93; 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-\$1,501.00; Net Pay-\$1,149.35; Retirement-\$101.32; Total FICA-\$112.06; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,501.00; **Health Planning Grant Employee:** Federal Tax-\$76.27; State Tax-\$37.64; FICA-\$90.82; Medicare-

\$21.24; Extra Sit-\$5.00; Retirement-\$67.55; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **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;

Cherie Conley, Dakota-Thurston County Fair Board Member, requested approval for Special Designated Liquor licenses for Fair dates of August 5 to 8 and for the events of (1) Tractor Pull, (2) ATV Rodeo and Comedian Show, (3) Ranch Rodeo, Extreme Bull Riding and Barrel Racing, (4) Mud Volleyball. Commissioner Love moved, seconded by Chair Gill, to approve the Special Designated Liquor licenses for the Dakota County Fair Events held August 5 to 8. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Cherie Conley, Dakota-Thurston County Fair Board Member, requested approval to close a portion of Stable Drive for safety reasons starting at 1:00 p.m. on August 4th through 6:00 p.m. on August 8th and permission to use county road department signage if available. She has not heard any complaints from Stable Drive residents about the road being closed during the County Fair. Commissioner Love moved, seconded by Commissioner Albenesius, to approve the Fair Board to close a portion of Stable Drive for safety reasons for the dates of August 4 to 8 and to use county signage. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels gave the Road Report for May 16-29, 2021. Total road maintenance- 217 hours; tree/debris removal- 25.5 hours; culverts/road projects- 20 hours—Willis bridge; garbage pickup- 5.5 hr.; gravel hauling – 102 hours; tons of gravel hauled – 1507.59, weed spraying/inspections- 9 hours; sign repair – 49 hours. Requests for gravel on I Avenue, R Avenue, 185th Street.

Discussion was had regarding mowing the road right-of-way on county roads. The county is currently mowing hard surface roads (18 miles) and unpaved roads are being mowed by the landowner. Chair Gill read a portion of §39-1811 “(1) It shall be the duty of the landowners in this state to mow all weeds of all public roads and drainage ditches running along their lands at least twice each year, namely, sometime in July for the first time and sometime in September for the second time.” Chair Gill contacted several other counties who do require the landowner to mow and one county assessed \$400 per ½ mile penalty against the landowner’s annual tax statement if the county had to mow the right-of-way for the landowner. Commissioner Giese asked Jolene Gubbels if the county has had problems with landowners mowing—she said most owners comply after receiving a written letter or phone call. Notification to landowners on hard surface roads that the county will no longer be mowing the right-of-way was discussed. Fee assessment research will be done. Commissioner Love thought there would be no problems with landowners mowing the road right-of-way except for Veterans Drive. NIRMA suggested an inter-local agreement with the City of South Sioux City and he thought the cost would be \$15,000 for the season. Chair Gill moved, seconded by Commissioner Launsby, to put a notice in the Dakota County Star regarding the responsibility and enforcement of mowing per Statute 39-1811. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding changing the job description for the road department director position from one position with the duties of both highway superintendent and road foreman or splitting the job to combine the paperwork portion of the highway superintendent position with the administrative assistant position and hands-on road management highway superintendent duties with a Road Foreman position. Commissioner Giese thought two positions were a good idea. Commissioner Launsby would like to advertise one position to see what the county would get for an applicant pool. Commissioner Love thought Ms. Gubbels was very capable of doing the job. Commissioner Love moved, seconded by Chair Gill, to make 2 positions (1) Administrative Assistant/Highway Superintendent paperwork and (2) Road Foreman/Highway Superintendent road plan and road employee project supervision duties. ROLL CALL VOTE: Gill- no; Love- yes, Giese- yes, Larry- yes, Launsby- no. MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese, to appoint Jolene Gubbels as the full time Highway Superintendent/Administrative Assistant. (License Number S-1698 / Class B). ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- no, Gill- no. MOTION CARRIED.

Chair Gill appointed Commissioner Scott Love to serve on the Health Board and Commissioners Launsby and Giese will no longer serve.

Commissioner Launsby moved, seconded by Commissioner Giese, to approve the updated Handbook and Resolution 21C-017 adopting a joint employee handbook. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Gill- Region IV and RC&D. Giese- Health Department. Mail: Commissioner Love will attend the South Sioux City Public Hearing regarding the Amendment to the General Redevelopment Plan for the Northeast Redevelopment Area. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of June 1, 2021, at 4:32 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, May 17, 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, 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.

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 – May 3, 2021
- b. Approval of payroll claims for May 2 – 15, 2021
- c. Approval of accounts payable claims
- d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
- e. Approval of Quarterly Reports—Veterans Service Officer (Jan – Mar, 2021)

4. NEW BUSINESS & RESOLUTIONS

- a. 3:01 p.m. Open and read sealed bids for patching, leveling and 3” asphalt overlay on Fiddler Creek Road. Award bid or reserve the right to reject any or all bids and to waive any or all technicalities and irregularities.
- b. Approve SIMPCO to conduct or not conduct the Blight & Substandard Determination Study for area just north of Int129 and G Street and just south of Int129 and east and west of rural C Avenue.
- c. Approve Resolution 21C-015 opposing the Federal Government’s “30x30” Land Preservation Goal.
- d. Approve Resolution 21C-016 for approval of Pledged Securities

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Sheriff Kleinberg - Jail Report
- c. Sarah Deck, Juvenile Diversion Coordinator, requesting Board approval of Chair to sign the Acknowledgment of Grant Requirements for 2021 Community-based Juvenile Services Aid program.
- d. Time clock discussion and approval of implementation schedule.
- e. Approval of Board Surplus Sale Report §23-3115(3)

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- a. South Sioux City 2020 Annual Tax Increment Financing (TIF) Report

8. ADJOURNMENT

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

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. Roger Bartels (late arrival) spoke regarding closing the road to his field off Highway 35 for the purpose of a shooting range. Mr. Bartels was opposed and stated there is no other access. Clerk Spencer stated that Mr. Raynor contacted her that he is aware of Mr. Bartels opposition and will look at another location for his shooting range.

Chair Gill asked to remove consent agenda item #b- approval of the payroll claims for May 2-15, 2021 from the consent agenda for further discussion and called for approval of the other consent agenda items—(a) approval of the previous meeting minutes – May 3, 2021; (c) approval of accounts payable claims; (d) approval of Officials Reports for Clerk, Register of Deeds and Clerk of District Court; (e) Approval of Veterans Service Officer Quarterly Report for Jan-Mar, 2021. Commissioner Giese moved, seconded by Commissioner Launsby, to approve the consent agenda items #a, c, d,

and e. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Accounts Payable: Des Moines Stamp Co, signature stamp-\$38.40; NACO, Workshop-Launsby-\$35.00; Pender Times, publications-\$449.07; US Bank, NACO online training-\$120.00; Bear Graphics Inc, certified paper-\$322.39; Leaf, copier lease-\$199.82; Nextoner LLC, toner - \$61.14; One Office Solutions, office supp-\$9.29; DAS State Acct, state software-\$81.00; H2O4U, water-\$63.58; MIPS, monthly software-\$919.91; One Office Solutions, office supplies-\$141.18; US Bank, NACO workshop-\$50.00; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; Aumentum Technologies, Ts T1 Assessor Support-\$14,327.00; Bralda, Inc., appraisal services-\$1,566.50; EWDS Inc, appraisal services-\$1,610.00; GIS Workshop, website-\$13,620.00; Innovative Appraisal Services, appraisal services-\$1,008.00; Leaf, copier lease-\$293.29; One Office Solutions, copies-\$607.93; Stanard Appraisal Serv, appraisal services-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, valuation services-\$1,134.15; Jolene Gubbels, P&Z Meeting-\$100.00; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$11.17; Pender Times, publications-\$11.25; RTI, monthly support & licenses-\$9,500.95; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$127.26; MIPS, scanning-\$131.00; One Office Solutions, copier lease-\$138.69; DAS State Acct, supplies-\$591.85; Microfilm Imaging, scanning-\$177.00; Kerri Wiese, office supplies-\$14.31; US Bank, H2O4U-water, kleenex-\$25.91; Perla Alarcon-Flory, interpreter fees-\$50.00; Lou Hunter, mileage-\$62.16; Debbie Jensen, notary fee-\$30.00; Leaf, copier lease-\$48.65; One Office Solutions, copier lease & supplies-\$95.91; US Bank, notary renewal-\$83.46; Crary Huff Ringgenberg, mental health-\$161.50; Dakota County Court, court costs-\$1,061.41; Dakota County Sheriff, papers & warrants-\$860.23; Dakota County District Court, court costs-\$702.00; Dakota County District Court, deposit slips-\$64.59; M & M Court Reporting, deposition reporting-\$297.75; Randy Hisey, crt appt atty fees-\$3,107.00; Douglas Roehrich, crt appt atty fees-\$4,719.70; Richard Thrumer, crt appt atty fees-\$14,676.25; Robert Wichser, crt appt atty fees-\$7,706.20; Maximus, 2nd half child support recovery fee-\$1,165.00; City of Dakota City, utilities-\$167.16; Eakes Office Solutions, janitorial supp-\$822.43; Gill Hauling Inc., dumpster-\$95.00; JC Roofing & Insulating, roof repair-\$830.00; JF Ahern Co, sprinkler inspections-\$308.00; Menards, building supp & tools-\$347.59; MidAmerican Energy, utilities-\$844.66; NPPD, utilities-\$1,410.47; Stephan Welding, bench brackets-\$78.00; Trembly, pest control-\$55.00; US Bank, fuel, keys-\$44.24; Verizon, cell phone-\$41.13; Wilmes Hardware, tools & supplies-\$641.25; Angela Abts, lodging & mileage-\$25.76; Carol Larvick, mileage-\$173.18; Leaf, copier lease-\$98.82; NACEB, dues-\$100.00; One Office Solutions, supplies-\$81.99; Papio-Missouri NRD, monthly rent-\$600.00; Tammy Peterson, Mileage-\$116.73; University of Nebraska, computer-\$1,788.62; US Bank, supplies-\$111.94; WalMart, supplies-\$7.94; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$62.20; Billion GMC, fuel pump-\$55.69; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,661.45; Farmers Bank & Trust, 2018 Vehicles-\$4,007.42; Groves Emergency Lighting Install, vehicle repairs-\$225.00; Jack's Uniforms, uniforms & equipment-\$622.60; Siouxland Federal Credit Union, misc-\$26.17; Sunset Law Enforcement, ammunition-\$1,807.50; TransUnion Risk & Alternative, searches-\$110.00; Tucker's Glass Shop, windshield-\$250.00; US Bank, LE equip, training, tri-pod, bulbs, medical-\$370.58; Verizon, cell phone-\$200.07; Wilmes Hardware, batteries-\$29.98; Woodhouse, oil change-\$61.13; AT&T Mobility, cell phones-\$87.69; Marco, copier lease-\$297.32; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$7.00; Nebraska County Atty Assoc, Association dues-\$2,296.00; Pender Times, publications-\$59.08; Kim Watson, notary-\$31.03; City of SSC, LEC Share & Set-aside equipment-\$54,715.96; Digital Ally Inc, camera-\$3,500.00; Ace/Refrigeration Eng, freezer repair-\$106.00; Advanced Correctional Healthcare, doctor fees & Rx-\$8,769.63; Ameri-Tech Industrial Inc, washer repairs-\$676.15; Associated Fire Protection, smoke detector-\$284.75; AT&T Mobility, phones-\$94.04; Bob Barker, inmate supplies-\$1,921.88; City of SSC, fuel-\$138.19; CW Suter Services, AC repairs-\$3,075.00; Eakes Office Solutions, supplies-\$1,900.94; Ecolab, cleaners-\$1,377.68; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$706.50; Long Lines, phones-\$160.00; Marco, copier lease-\$682.02; MidAmerican Energy Co, utilities-\$962.75; NPPD, utilities-\$2,810.97; R Rohan Electric, repairs to freezer-\$398.99; Sioux City Journal, renewal-\$158.39; Summit Food Service, food & beverage-Jail-\$19,718.54; Sunset Law Enforcement, ammunition-\$212.50; Thurston County Sheriff, board of prisoners-\$2,800.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$994.45; Wilmes Hardware, misc supp & tools-\$43.80; Woodbury Co Juv Det, juvenile housing-\$3,150.00; City of SSC, fuel-\$53.76; US Bank, Sparklight-\$319.98; Verizon, phones-\$41.13; Civil Engineers & Const, surveying services-\$160.00; US Bank, pesticide training-\$90.00; Absolute Screen Art, covid volunteer t-shirts-\$272.00; Jennifer Ankerstjerne, covid volunteer gifts-\$60.00; AT&T Mobility, phones-\$92.78; Availity/Realmed, medical billing-\$125.00; Dakota City Fire & Rescue, Covid-19 Reimbursement-\$47.13; iHeart Media, Spanish radio-\$100.00; Little Red Embroidery Co, Employee Covid shirts-\$119.85; Marco Technologies, copier lease & copies-\$1,590.60; One Office Solutions, office chair-\$375.00; Sioux City Journal, publications-\$444.00; Stericycle, disposal-\$4,933.28; Todd Traum, mileage-\$163.52; US Bank, COVID-language line, supp, software, business cards-\$470.42; Verizon, cell phone-\$96.90; Dr Thomas Wenthe, consulting physician fee-\$250.00; Comfort Inn, lodging-\$237.00; Bill Johnston, mileage-\$358.40; One Office Solutions, copy fees-\$26.64; US Bank, meals-\$27.48; US Bank, law library-\$329.60; Dakota County Treasurer, NSF checks reimbursements-\$1,536.61; Dakota County Veterans Aid, Aid-\$4,500.00; DAS State Acct, payroll/acct payable-\$41.60; Digital Ally Inc, camera-\$1,159.00; Fibercomm, phone-\$618.19; Kustom Signals Inc, Eagle 3 Radar-\$2,542.00; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$613.98; Mohr Becker-Hunt, 3 county burials-\$5,400.00; NACO, 1st half dues-\$1,872.29; Norm Waitt Sr YMCA, monthly fees-\$143.50; Omaha Valley Cemetery Assoc, burial fees-\$600.00; One Office Solutions, copy paper-\$1,640.30; Quadient Leasing, postage machine-\$782.61; US Bank, tire-\$136.91; Woods & Aitken, legal counsel-unions-\$2,629.59; BOKF, 2019 Flood Bond payent-\$103,022.50; Mainelli Wagner & Assoc, Engineering-\$3,321.80; **Road Fund:** Bomgaars, shop supplies-\$26.97; Bosselman Pump & Pantry, fuel-\$6,583.74; Fastenal, shop supplies-\$98.50; Fram Aligners Inc, parts & labor-\$503.47; Fremont Tire, tires-\$2,254.94; Gill Hauling Inc., dumpster-\$70.50; H2O4U, water-\$44.50; Interstate All Battery, parts-\$215.90; Bob Jacobsen, prior years service-\$17.00; J&J's Pronto, fuel-\$666.96; Jim Hawk Truck Trailers, parts-

\$116.39; K&K Hubbard Mini Mart, fuel-\$434.14; LG Everist Inc, gravel-\$93,876.29; Langenfeld Contracting, gravel-\$14,945.41; Lux Bros Trucking, culverts-\$4,816.17; Matheson, oxy/acetylene-\$237.35; Medical Enterprises, drug testing-\$70.00; Arnie Mellick, prior years service-\$13.00; Midwest Wheel, supplies-\$123.67; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$48.40; NNTC, telephones-\$167.41; Northeast Power, electric-\$279.68; Pender Times, publications-\$72.89; Power Plan/Murphy, parts-\$895.82; Productivity Plus, parts-\$48.50; Robertson Implement, parts & shop supplies-\$77.88; Sapp Bros Petroleum, fuel-\$2,594.12; Siouxland Hydraulics, parts-\$90.74; Thermo King Christensen, shop supplies-\$153.61; Tri-County Aggregates, gravel-\$904.20; US Bank, parts-\$144.90; Verizon, cell phone-\$100.70; Village of Emerson, utilities-\$46.71; Warren Oil, fuel-\$5,576.55; Wilmes Hardware, supplies-\$92.57; **Hwy Bridge Buyback:** JEO, Dakota Co Share Burcham bridge-\$956.25; **Road Improvement:** Veenstra & Kimm, N Bluff Rd Phase 2 engineering-\$965.16; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$17,956.16; **P & M Fund:** MIPS, monthly software-\$584.70; MIS, computer lease-\$245.00; **Juvenile Grant:** Sarah Deck, mileage-\$288.96; Language Line Services, interpretation services-\$20.81; US Bank, conference registration & meal-\$148.53; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$22,681.20.

Chair Gill called for discussion on consent agenda item #b. Payroll with regards to 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. Chair Gill stated the request at the last board meeting was not approved as a wage study was being done with the Handbook Committee and that meeting is scheduled this Friday. Commissioner Giese stated he respects the staff and work done by the County Attorney's Office; however, he felt this was a timing issue and gave the example that a \$5,000 pay increase not budgeted and next year that wage budget would be increased regardless of if the money is there for the next year's budget. Chair Gill stated she attended a budget workshop where budget lids were discussed, and this request is 6 weeks from new fiscal budget year. Ms. Watson stated that she is not asking for an increase in her budget. The County has received an endowment from Mr. Matney to more than cover this and wondered if the Board plans to return the money since it was specifically earmarked. She further stated that as an elected official, the Board does not have the authority to micro-manage her office (cannot hire or fire her employees) and this is already in her budget, so unless this request is unreasonable, arbitrary or capricious, she feels the Board lacks the authority to disapprove the request. Chair Gill cited §23-1114 which states that the salaries of all deputies of elected officials shall be set by the county board. Ms. Watson felt this meant initially set when the position was started/created. Chair Gill stated the salary committee is working on salary levels for years of experience. Commissioner Giese stated that one of the employees of the two requested increases has already, in this budget cycle, received a 10% raise and he was unaware any other employee receiving a 10% increase. He understood there being money in the budget because an attorney position has not been filled. There was some discussion on how long that position has been open. Commissioner Albenesius asked why unable to fill the position? Ms. Watson felt they moved on because they did not catch on to what their office does. Commissioner Albenesius thought the increase should possibly be applied to the open position to attract applicants. Ms. Watson stated the cost for the increase in wages did not come from the 4th attorney position being unfilled, but from the donation. Commissioner Albenesius asked how the cost would be covered next year and Ms. Watson stated if the cost was not in her budget, she would make a personal donation because that is how much her employees mean to her. Chair Gill stated Dakota attorney wages are pretty comparable to other Nebraska Counties such as Madison County and because we have less value, and the lid restriction is a challenge. Commissioner Giese reiterated his stance on the increase having to be absorbed in next year's budget and his thought that this year's budget can sustain that cost due the 4th attorney position being unfilled. Ms. Watson asked Commissioner Giese if her request was unreasonable, and Commissioner Giese said no. Chair Gill reiterated that the salaries are in line with what seems the norm. Ms. Watson stated that the Board can budget a 2% pay increase but it is up to the official to decide. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve payroll claims 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-\$151,224.20; Net Pay-\$107,891.03; Total Retirement-\$10,485.53; Total FICA-\$11,153.50; Health Plan-\$34,923.64; Dental Plan-\$1,150.50; Life Insurance-\$201.21; 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-\$1,046.88; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,203.09; Brenda Landaverde-\$1,077.48; Samantha Mitchell-\$1,057.83; Debra Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$1,748.00; Tammy Dunn Peterson-\$1,195.10; Shaun Bird-\$1,729.60; Sergio Castillo-\$2,117.60; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,224.22; Brian Fernau-\$2,210.25; Tyler Fulkerth-\$2,058.20; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,215.92; Jason James-\$2,129.60; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$893.19; Jared Junge-\$2,236.29; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,180.52; Mardi Schnee-\$1,095.61; 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-\$1,698.37; Angelica Antonio-\$1,551.84; Zachery Bickett-\$1,314.72; Rebecca Broer-\$1,708.29; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,631.92; Alexander DeLeon-\$1,759.92; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,572.80; Jon Enstrom-\$1,732.83; Robert Foster-\$764.16; Jonathan Gray-\$1,713.84; Kimberly Greco-\$1,164.24; Kara Groetken-\$1,716.23; Todd Hammer-\$2,277.96; Adam Hough-\$1,830.66; Brenda Irwin-\$1,765.45; Skyler Miner-\$1,554.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,757.46; Kimberly Peterson-\$1,734.13; Jorge Reyes-\$582.12; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,446.88; Taylor Tadlock-\$1,656.42; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$525.36; Randall Walsh-

\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Jana Adam-\$1,760.00; Yvette Aldana-\$1,529.50; Kevin Blosch-\$1,923.07; Theresa Grove-\$1,948.80; Melissa Hans-\$157.50; Yesica Saldana Cisneros-\$1,439.38; Jacqueline Traum-\$1,584.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,180.12; State Tax-\$5,374.67; Soc Sec-\$9,039.43; Medicare-\$2,114.07; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,122.39; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$460.90; Legal Shield-\$99.19; Liberty Nat'l-\$88.40; VSP Vision Base-\$67.47; **Road Fund Employer:** Gross Salaries-\$17,855.81; Net Pay-\$12,666.70; Retirement-\$1,205.31; Total FICA-\$1,338.82; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,675.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,424.97; State Tax-\$638.74; FICA-\$1,085.05; Medicare-\$253.77; Extra Fit-\$150.00; Retirement-\$803.47; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$46.36; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,349.00; Net Pay-\$1,037.45; Retirement-\$91.06; Total FICA-\$100.43; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,349.00; **Health Planning Grant Employee:** Federal Tax-\$61.75; State Tax-\$30.52; FICA-\$81.39; Medicare-\$19.04; Extra Sit-\$5.00; Retirement-\$60.71; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,288.32; Net Pay-\$732.59; Retirement-\$86.96; Total FICA-\$70.17; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,288.32; **Juvenile Services Aid Employee:** Federal Tax-\$39.01; State Tax-\$17.58; FICA-\$56.87; Medicare-\$13.30; Retirement-\$57.97; Health Plan-\$350.00; Dental Plan-\$21.00;

The following sealed bids were opened for the project of patching, leveling and 3" asphalt overly on Fiddler Creek Road: (1) Barclay Asphalt Inc.- \$128,900.00 and (2) Knife River Midwest, LLC- 115,207.40. Commissioner Giese moved, seconded by Chair Gill, to award the Fiddler Creek overlay bid to Knife River for the bid of \$115,270.40. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had and map looked at regarding the area of the blight study. Chair Gill moved, seconded by Commissioner Giese, to approve the Blight & Substandard Determination Study by SIMPCO for the area just north of Interstate 129/east & west of G Avenue and just south of Interstate 129/east & west of C Avenue. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Chair Gill moved, seconded by Commissioner Launsby, to approve Resolution 21C-015 opposing the Federal Government's "30x30" Land Preservation Goal. ROLL CALL VOTE: Giese- no; Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. MOTION CARRIED.

RESOLUTION 21C-015
RESOLUTION OPPOSING THE FEDERAL GOVERNMENT'S
"30 X 30" LAND PRESERVATION GOAL

WHEREAS, Dakota County is a legal and political subdivision of the State of Nebraska for which the Board of County Commissioners ("Board") is authorized to act; and

WHEREAS, Dakota County, containing about 165,120 acres of land situated in the extreme northeast corner with the Missouri River flowing on the north and east borders and 264 square miles is land and 3.2 square miles is water; and

WHEREAS, the federal government currently owns 0.0% of the land within Dakota County; there are no perpetual conservation easements on private land; there are no designated federal parks, wilderness or refuges; and

WHEREAS, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled *Tackling the Climate Crisis at Home and Abroad* (86 Fed. Reg. 7,619); and

WHEREAS, in Section 216 of Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve at least 30 percent of the lands and waters in the United States by 2030, which is called the "30 x 30" program; and

WHEREAS, under the 30 x 30 program, some 680 million acres of our Nation's lands would be set aside and permanently preserved in its natural state, preventing the productive use of these lands and their resources; and

WHEREAS, there is no constitutional or statutory authority for the President, the Department of the Interior, the Department of Agriculture or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United States, and no such authority is referenced in Executive Order 14008; and

WHEREAS, the 30 x 30 program, if implemented, is likely to cause significant harm to the economy of Dakota County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Dakota County, Nebraska, as follows:

1. The Board opposes the 30 x 30 program, including its objective of permanently preserving 30 percent of the Nation's lands in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands.
2. The Board supports maintaining and enhancing public access to public lands and national forests and opposes road closures, road decommissioning, moratoria on road construction and other limitations on public access for the purpose of fulfilling the 30 x 30 program's objectives.
3. The Board recognizes and supports the State of Nebraska's water rights system, including the doctrine of prior appropriation and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and uses authorized under Nebraska law.
4. The Board supports reasonable national, regional and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective and do not unnecessarily single out specific industries or activities; but opposes the use of global climate change as an excuse to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program's objectives.
5. The Board maintains that the designation of public lands or conservation land to fulfill the 30 x 30 program's objectives may lawfully occur, if at all, only through the planning process mandated by the Federal Land Management and Policy Act including public notice and an opportunity to comment, analysis and disclosure of the impacts of such land acquisitions on the well-being, health, safety, welfare, economy and culture of Dakota County, its businesses, and its citizens, and careful coordination with Dakota County to ensure consistency with County land use plans and land management policies.
6. The Board also maintains that any non-federal lands or other rights that are acquired to fulfill the 30 x 30 program's objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy and culture of Dakota County, its businesses and its citizens.
7. The Board shall send a copy of Resolution to the Department of Interior, Department of Agriculture and all other relevant Federal and State agencies.

Passed and adopted this 17th day of May 2021.

Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-016 to approve pledged securities at BankFirst (for property tax influx and first part of American Rescue Plan). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-016

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 (requested for property tax influx & first part of American Rescue Plan)

Pledge Cusp #606072LE4

Amount \$4,800,000.00

Expiration date 1/25/2061

APPROVED AND ADOPTED this 17th day of May 2021.

The Road Report for May 2-15, 2021, was read by Commissioner Launsby. Total road maintenance- 400 hours; tree/debris removal- 11 hours; garbage pickup- 1 hr.; magnet- 5 hrs.; gravel hauling – 164 hours; tons of gravel hauled – 2577.13, sign repair – 5 hours. Commissioner Launsby also acknowledged the GPS Fleet Summary data report for Road Department vehicle usage for May 5-15, 2021.

Sheriff Kleinberg presented the Jail Report for the month of April.

April (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 73 | 22 | 0 | 95 |

2021 Calendar (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 76 | 23 | 0.17 | 99 |

2020-2021 Fiscal (Average per day):

| County Inmates | Federal Inmates | Juveniles | Total-In-House |
|----------------|-----------------|-----------|----------------|
| 71 | 30 | 0.09 | 101 |

| | | | |
|-----------------------|---------------|------------------|---------------|
| <u>Federal Income</u> | | | |
| April Marshal | \$44,120.82 | Fiscal Marshals: | \$604,151.71 |
| April ICE: | .00 | Fiscal ICE: | 8,261.83 |
| April OMMS/SDMS: | <u>130.00</u> | Fiscal BIA/OMMS: | <u>585.00</u> |
| April Federal: | \$ 44,250.82 | Fiscal Federal: | \$612,998.54 |

2021 Calendar Federal: \$188,045.88

April County Contracts: \$0.00 2020-21 Fiscal County Contracts: \$4,038.00
February Phone/Commissary Commission: \$8,315.61

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 | | | | | | | | |

The jail spent \$181,162.90 for the month of April—71% of yearly budget or 4% under fiscal year budget. In April 2020, the jail had spent 78% of yearly budget. The Jail spent \$36,135.60 less than was allotted for April 2021 budget or 16,6% under budget for the month.

| | | | |
|------------------------|----------|----------------|----------|
| <u>April Bookings:</u> | | | |
| DCSO: | 47 | DAKOTA COUNTY: | 38 |
| SSCPD: | 26 | OTHER NE: | 20 |
| NSP: | 6 | SIOUX CITY: | 24 |
| COURT/SELF: | 8 | OTHER IA: | 8 |
| FED: | 5 | OTHER STATES: | 3 |
| OTHER: | <u>1</u> | HOMELESS: | <u>0</u> |
| TOTAL: | 93 | TOTAL: | 93 |

Chair Gill moved, seconded by Commissioner Giese, to approve Chair to sign the Acknowledgment of Grant Requirements for 2021 Community-based Juvenile Services Aid program for juvenile diversion. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding purchase and implementation of finger tech time clocks and MIPS Time and Attendance software. Dawson County has time clocks and fingerprint reader on surplus and the Board discussed cost to purchase. Cell phones will be used versus time clocks where internet access is unavailable (county road shops) and a stipend of \$10/month was suggested. Chair Gill moved, seconded by Commissioner Launsby, to approve the purchase of time clocks/fingerprint machine equipment for \$2,000 (Dawson County surplus) and move forward with the MIPS Time and Attendance package with a cost of \$2,016 annually. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Launsby moved, seconded by Commissioner Giese, to approve the Board Surplus Report with receipts of \$85.00. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Gill-NACO budget workshop and M Avenue park access road. Mail: South Sioux City 2020 Annual Tax Increment Financing (TIF) Report. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of May 17, 2021, at 4:16 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair Date signed

Joan Spencer, County Clerk/Secretary Date

**Dakota County Board of Equalization
Emergency Meeting**

Friday, June 25, 2021 at 8:00 a.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Launsby called the emergency meeting to order at 8:08 a.m. with the Pledge of Allegiance. Present were Launsby, Gill, Love, Giese and Albenesius. Absent: none. Also present was Christy Abts, Assessor, Kim Watson, County Attorney, and Cherie Conley, Deputy County Clerk as Board Secretary. The Open Meetings Act location was noted for all citizens present.

The agenda for this 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.

1. EMERGENCY BUSINESS
 - a. VSL TERC Case. Board to review tax exempt status for 2019, 2020 and 2021.
2. ADJOURNMENT

County Attorney Kim Watson informed the Board that in preparing for the upcoming TERC hearing scheduled for Monday, June 28, 2021, she and Jeff Curry, prior County Assessor, found it would be in the best interest of the County to approve the Tax Exempt status for VSL Emerson LLC (Heritage of Emerson) for the years of 2019, 2020 and 2021 as VSL Emerson LLC has provided sufficient information to support the exemption.

Board Member Giese moved, seconded by Board Member Love, to approve the Tax Exempt Status application for VSL Emerson LLC (Heritage of Emerson) for years 2019, 2020, and 2021 as VSL Emerson LLC has provided sufficient information to support the exemption. ROLL CALL VOTE: Launsby – yes, Gill – yes, Love – yes, Giese – yes and Albenesius- yes. UNANIMOUS MOTION CARRIED.

Chair Launsby adjourned the June 25, 2021, Emergency Board of Equalization meeting at 8:10 a.m.

County Board of Equalization

Troy Launsby, Chair

Date signed

Cherie Conley, Deputy County Clerk

Date

Dakota County Board of Commissioners
Monday, June 28, 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, Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. 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 – June 14, 2021
 - b. Approval of payroll claims for June 13 - 26, 2021
 - c. Approval of accounts payable claims if applicable
 - d. Approval of a late collection for an insufficient funds check that was written off by the Office of County Treasurer.
3. NEW BUSINESS & RESOLUTIONS
 - a. Rodney Reisdorph requesting permission to close Stable Drive during “Scene of the Crash” car show being held at the Dakota-Thurston County fairgrounds July 16th & 17th.
 - b. Approve Resolution 21C-020 to appropriate transfer of funds for the over-expended budget of Veteran’s Service Office.
 - c. Approve Resolution 21C-021 adopting the 2021 Papio-Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update.
 - d. Jolene Gubbels, Highway Superintendent, to present her findings and recommendation for the vacation of public road described as a minimum maintenance portion of approximately 1,000 feet of Lynch Avenue.
 - e. Approve Resolution 21C-022 to set date and time for public hearing to vacate or abandon a public road – Lynch Avenue portion, Jackson.
 - f. Andrew Forney, D.A. Davidson, requesting approval of Resolution 21C-023 approving, adopting, ratifying and affirming the execution of a lease-purchase agreement with NACO Leasing Corporation for acquisition of property—Sheriff law enforcement vehicles.
 - g. Approve the following Mid-American Benefits, Inc. plan documents: (1) Administrative Services Agreement (ASA) (Self-Funded); (2) COBRA Service Agreement; (3) Service Agreement between Dakota County and Hines & Associates, Inc. for utilization case management review services.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Jolene Gubbels, Highway Superintendent, requesting approval of Big Iron Equipment Surplus Sale report.
 - c. Approve Chair to sign the award and conditions for the Community-based Juvenile Services Aid Program Grant 22-CB-507 from the Crime Commission for the period of July 2021 to June 2022 in the amount of \$87,115
 - d. Discussion regarding a County Policy as provided in §13-2203 Additional expenditures; governing body; powers; procedures.
 - e. Closed Session to discuss pending litigation Kimberly M. Watson, Dakota County Attorney, v. The County of Dakota(County Board of Commissioners) Case No. CI21-0195
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment. There was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of June 14, 2021; (b) approval of payroll claims for June 13-26, 2021; (c) no accounts payable; (d) approval of a late collection for an insufficient funds check that was written off by the Office of County Treasurer. Chair Gill moved, seconded by Commissioner Love, to

approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$151,528.37; Net Pay-\$107,263.25; Total Retirement-\$10,506.65; Total FICA-\$11,175.32; Health Plan-\$36,207.00; Dental Plan-\$1,194.75; Life Insurance-\$208.86; 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-\$993.75; Stephanie Gatzemeyer-\$1,576.23; Jalissa Hattig-\$1,197.53; Brenda Landaverde-\$1,052.91; Samantha Mitchell-\$1,057.84; Debera Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$1,911.90; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$1,989.05; Russell Briggs-\$0.00; Sergio Castillo-\$2,117.60; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,334.75; Penny Epting-\$2,210.40; Brian Fernau-\$2,534.55; Tyler Fulkerth-\$2,020.55; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,144.07; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,215.92; Jason James-\$2,142.91; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$454.43; Jared Junge-\$2,402.97; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,173.79; Mardi Schnee-\$1,088.80; 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-\$1,763.13; Shaelee Barreras-\$15.53; Zachery Bickett-\$1,729.59; Rebecca Broer-\$1,697.75; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,498.21; Lacey Clark-\$781.75; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,719.15; Jesse Doelle-\$1,584.80; Jon Enstrom-\$1,533.84; Jonathan Gray-\$1,982.81; Kimberly Greco-\$1,546.47; Sara Gritten-\$1,498.21; Kara Groetken-\$1,716.23; Todd Hammer-\$2,305.74; Adam Hough-\$1,770.32; Brenda Irwin-\$1,679.74; Skyler Miner-\$1,554.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,762.64; Kimberly Peterson-\$1,664.04; Michele Rohde-\$1,362.40; Jonathan Romo-Rodriguez-\$1,526.47; Rebecca Schoep-\$1,551.84; Jennifer Svendsen-\$2,409.69; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$1,358.28; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,763.00; Matthew Roost-\$265.30; Jana Adam-\$1,754.50; Yvette Aldana-\$1,453.50; Theresa Grove-\$1,948.80; Yesica Saldana Cisneros-\$1,408.75; Jacqueline Traum-\$1,440.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,196.56; State Tax-\$5,380.62; Soc Sec-\$9,057.08; Medicare-\$2,118.24; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,139.20; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$475.52; Legal Shield-\$99.16; Liberty Nat'l-\$71.04; VSP Vision Base-\$82.86; **Road Fund Employer:** Gross Salaries-\$15,878.02; Net Pay-\$11,224.44; Retirement-\$1,071.80; Total FICA-\$1,189.62; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,765.22; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; 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-\$1,261.77; State Tax-\$562.64; FICA-\$964.13; Medicare-\$225.49; Extra Fit-\$150.00; Retirement-\$714.47; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$36.82; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.91; **Health Planning Grant Employer:** Gross Salaries-\$1,634.00; Net Pay-\$1,244.78; Retirement-\$110.30; Total FICA-\$122.23; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,634.00; **Health Planning Grant Employee:** Federal Tax-\$91.45; State Tax-\$43.88; FICA-\$99.06; Medicare-\$23.17; Extra Sit-\$5.00; Retirement-\$73.53; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **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;

Rodney Reisdorph requested permission to close Stable Drive during the *Scene of the Crash* car show event at the county fairgrounds July 16th and 17th. Chair Gill moved, seconded by Commissioner Launsby, to approve closing Stable Drive during the *Scene of the Crash* car show event at the county fairgrounds July 16th and 17th. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-020 to appropriate transfer of funds for the over-expended budget of Veteran's Service Office. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-020
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the Veteran's Service Office in the General Fund will exceed its budget with the June payment of accounts payable claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the General Fund Miscellaneous budget will have un-appropriated monies left.

BE IT THEREFORE RESOLVED that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous budget of the General Fund to be utilized for the payment of the over expended budget of the Veteran's Service Office of the General Fund and that said budget be increased by \$100.00 to \$81,558.76 for fiscal year 2020-2021.

BE IT FURTHER RESOLVED, that the Miscellaneous budget be reduced by \$100.00 to \$1,084,272.50 for fiscal year 2020-2021.

Commissioner Giese moved, seconded by Commissioner Love, to approve Resolution 21C-021 adopting the 2021 Papio-Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-021

ADOPTION OF THE 2021 PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by the Papio-Missouri River Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, Nebraska.

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Papio-Missouri River Natural Resources District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the Dakota County Board of Commissioners in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the Dakota County Board of Commissioners does herewith adopt the 2021 Papio-Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety.

Jolene Gubbels, Highway Superintendent, presented her findings and recommendations for the vacation of public road described as a minimum maintenance portion of approximately 1,000 feet of Lynch Avenue: (1) said road is not used by the public and is of no value to the public and therefore serves no purpose to remain open; (2) county's liability will be reduced; (3) no landowners will be landlocked. Ms. Gubbels written findings were to vacate the road and relinquish the right-of-way back to adjacent landowners as long as all landowners are in agreement.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-022 to Set Date and Time for Public Hearing to Vacate or Abandon a Public Road (Lynch Avenue between parcels 220059462 and 220059713 Davidson property). ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-022

A RESOLUTION TO SET DATE AND TIME FOR PUBLIC HEARING
TO VACATE OR ABANDON A PUBLIC ROADS

WHEREAS, Sec. 39-1722 Nebr. R.R.S., 1943, makes provisions for a county Board of Commissioners as to the vacation or abandonment of public roads in its county; and

WHEREAS, a clear and unambiguous description of the roads to be relocated, vacated or abandoned, is as follows, to-wit:

Starting at north end of Lynch Avenue going south between parcels 220059462 and 220059713 (Davidson) approximately 1,000 feet. Section 26, Township 29N, Range 7E. Dakota County, Nebraska.

WHEREAS, by action of the Dakota County Board of Commissioners on June 14, 2021, Dakota County Highway Superintendent Jolene Gubbels was directed to perform a study and report to the Board as provided by the laws of the State of Nebraska; and,

WHEREAS on June 15, 2021, Ms. Gubbels submitted a written report with the following findings and recommends to vacate the road and relinquish the right-of-way back to the adjacent landowners as long as all land owners are in agreement.

1. The portion of road that the County desires to vacate is a minimum maintenance road that ends and becomes field and pasture. Said public road is not used by the public and is of no value to the public, and it therefore serves no purpose for it to remain open to the public.
2. By vacating the aforementioned road, liability can and will be reduced for the County.
3. It does not appear that vacating said road will land lock any landowners in the section.

NOW THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners, that the matter of vacation or abandonment of said road shall be advertised for three consecutive weeks and set for public hearing on July 26, 2021, at 3:01 p.m. in the Dakota County Commissioners Board meeting room, Dakota City, Nebraska.

Sheriff Kleinberg requested the board approve the lease purchase of three new law enforcement vehicles ordered on state bid. Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-023 approving, adopting, ratifying and affirming the execution of a lease-purchase agreement with NACO Leasing Corporation for acquisition of law enforcement vehicles (principal amount \$109,971.96). ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

THE COUNTY OF DAKOTA, NEBRASKA
RESOLUTION NO. 21C-023

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of The County of Dakota, Nebraska (the "County"), that this Board hereby approves and authorizes the acquisition of sheriff vehicles by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principal Amount: \$109,971.96
2. Interest Rate: 1.250%
3. Payment Amount: \$8,663.84
4. Term: July 14, 2021 through December 15, 2024
5. Payment Frequency: quarterly on March 15, June 15, September 15 and December 15, beginning December 15, 2021

Settlement and closing of the Lease-Purchase Agreement shall be on or about July 14, 2021. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chair or Vice Chair of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents; and

BE IT FURTHER RESOLVED, that the Tax-Exempt Financing Compliance Procedure presented to the Board is hereby adopted and approved.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed. This Resolution may be executed by electronic transmission and shall be regarded as an original.

Chair Gill moved, seconded by Commissioner Love, to approve Mid-American Benefits, Inc. plan documents (1) Administrative Services Agreement (self-funded); (2) COBRA Service Agreement and (3) Service Agreements with Hines & Associates for case management review of services. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for June 13-26, 2021. Total road maintenance- 295 hours; overtime- 3 hours; tree/debris removal- 37.5 hours; culvert projects on Blyburg Road- 27.5 hours and Perry Avenue- 21 hours; garbage pickup- 7 hours; gravel hauling – 82 hours; tons of gravel hauled – 1388.55; weed spraying/inspections- 5 hours; sign repair/barricading – 41 hours. Road Concerns for grading and gravel: Golf Road, G Avenue, Likuwanta Drive, and Lincoln Way.

Jolene Gubbels, Highway Superintendent, presented the Big Iron Equipment Surplus Report for approval. Chair Gill moved, seconded by Commissioner Launsby, to approve the Surplus Report in the amount of \$15,657.70. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

| ITEM | Purchased by: | | Paid |
|--|-----------------|----------------|------------------|
| | Name | Address | |
| John Deere 762A Elevating Scraper | Wesley Andersen | Kennard, NE | 3,382.00 |
| 1977 Heavy Haul 40' Low Boy Flatbed Trlr | Mark Zieser | Rowley, IA | 7,540.00 |
| Fuel & Oil Liquid Containment Tanks | Kevin Heppner | Norfolk, NE | 9.75 |
| 2006 Chevrolet Silverado K1500 4WD Pickup | Dennis Adams | Dannebrog, NE | 2,411.95 |
| John Deere 762 Elevating Scraper for parts | Bo Rebman | Repub City, NE | 2,314.00 |
| TOTAL | | | 15,657.70 |

Commissioner Love moved, seconded by Commissioner Giese, to approve Chair to sign the awards and conditions for the Community-based Juvenile Services Aid Program Grant 22-CB-507 from the Crime Commission for July 2021 to June 2022 in the amount of \$87,115. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

The Board briefly discussed creating a policy as provided in §13-2203 for the purchase of plaques, certificates of achievement, etc. It was noted a recognition dinner was had each year with the Pop Association monies. Chair Gill will research doing a resolution for approved or not approved office expenditures using public funds.

Commissioner Giese moved, seconded by Commissioner Love, to convene in closed session for the purpose of discussing pending litigation of Kimberly M. Watson, Attorney vs County of Dakota Board of Commissioners Case #CI21-0195. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED at 3:39 p.m. Chair Gill re-stated the purpose of the closed session.

Commissioner Love moved, seconded by Commissioner Albenesius, to reconvene in open session. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED at 3:56 p.m.

Commissioner Committee Reports: Love- Health Department is having a special meeting to discuss hiring new department director, setting up interviews and discussion of member terms. Mr. Love hoped to have a new health department director for approval at the July 12th board meeting.

No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of June 28, 2021, at 4:05 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, July 12, 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 3:01 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, Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – *Excused Absence*

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. 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 – June 28, 2021
 - b. Approval of payroll claims for June 27 – July 10, 2021
 - c. Approval of accounts payable claims if applicable
3. NEW BUSINESS & RESOLUTIONS
 - a. Wayne Rock, Nelson & Rock Contracting, to address the Board regarding the bridge projects (1) Jackson High bridge C002210810P and (2) K Burcham bridge C002200125.
 - b. Cherie Conley, Dakota-Thurston County Fair/Ag Society, requesting mag water be applied to a portion of Stable Drive for County Fair week of August 1 – 8.
 - c. Approve Letter of Understanding with the Nebraska Auditor of Public Accounts for fiscal year ending June 30, 2021
 - d. Approve applicant for hire for the position of Road Department Foreman.
 - e. Appoint Theresa Grove as Interim Director of the Health Department.
 - f. Dakota County Board of Health – establish current membership and terms.
 - g. Discussion and/or approval of Resolution 21C-025 General Expenditure Policy §13-2203
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Sheriff Kleinberg – Monthly Jail Report
 - c. Sheriff Kleinberg requesting Board approve Chair to sign an Intergovernmental Agreement for Adult Detention Services with Thurston County, Nebraska.
 - d. Dawn Bousquet, Treasurer, request chair signature on Semi-annual statement for January 1 to June 30, 2021, showing amount and source of money collected since last settlement, vouchers, amount of taxes due and unpaid and money on hand. §23-1605, §77-1745
 - e. County Board shall make quarterly visit to county jail. §47-109
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment. Dawn Bousquet, Treasurer, updated the Board regarding the progress on cleaning up issues found in the last audit; the mentor program that has helped, especially bringing a more efficient new daily balancing system; and advised she has three employees that will be out of the office in August and September for birth of new child. No other public comments.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of June 28, 2021; (b) approval of payroll claims for June 27 to July 20, 2021; (c) an accounts payable claim. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$157,699.71; Net Pay-\$111,252.25; Total Retirement-\$10,941.25 Total FICA-\$11,647.47; Health Plan-\$36,207.00; Dental Plan-\$1,194.75; Life Insurance-\$208.86; 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-\$1,201.23; Dawn Bousquet-\$2,321.49; Maria Garcia-\$853.13; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,190.11; Brenda Landaverde-\$1,062.75; Samantha Mitchell-\$977.95; Debera Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-

\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,654.95; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$1,966.52; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,226.86; Sergio Castillo-\$2,832.36; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,646.05; Penny Epting-\$2,521.24; Brian Fernau-\$2,527.92; Tyler Fulkerth-\$2,183.70; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,329.37; Richard Hansen-\$2,129.60; Melvin Harrison III-\$2,713.31; Jason James-\$2,555.52; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$493.61; Jared Junge-\$2,597.43; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,665.08; Mardi Schnee-\$1,088.80; Ryne Sell-\$247.56; Shantel Krull-\$937.50; Katie Lehmann-\$2,530.80; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,080.00; Jacob Acero-\$1,660.41; Shaelee Barreras-\$75.04; Zachery Bickett-\$2,085.97; Rebecca Broer-\$1,739.93; Kacie Brown-\$2,089.61; Ricardo Chavez-\$1,453.80; Lacey Clark-\$999.54; Alexander DeLeon-\$1,883.52; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,584.80; Jon Enstrom-\$1,533.84; Jonathan Gray-\$2,080.32; Kimberly Greco-\$1,390.12; Sara Gritten-\$1,461.51; Kara Groetken-\$1,721.40; Todd Hammer-\$2,222.40; Adam Hough-\$1,491.30; Brenda Irwin-\$1,671.99; Skyler Miner-\$1,971.82; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,246.74; Kimberly Peterson-\$1,664.04; Michele Rohde-\$1,362.40; Jonathan Romo-Rodriguez-\$1,422.91; Rebecca Schoep-\$1,560.97; Jennifer Svendsen-\$2,311.45; Taylor Tadlock-\$2,111.05; Danielle Thibodeau-\$2,118.50; Estrella Vazquez-\$1,437.88; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$265.30; Jana Adam-\$929.50; Yvette Aldana-\$1,472.50; Theresa Grove-\$1,948.80; Yesica Saldana Cisneros-\$1,413.13; Jacqueline Traum-\$1,440.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,212.38; State Tax-\$5,772.57; Soc Sec-\$9,439.75; Medicare-\$2,207.72; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,441.19; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$475.78; Legal Shield-\$99.19; Liberty Nat'l Pretax-; Liberty Nat'l-\$71.06; VSP Vision Base-\$82.98; **Road Fund Employer:** Gross Salaries-\$16,473.34; Net Pay-\$11,461.76; Retirement-\$1,111.98; Total FICA-\$1,234.71; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,671.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,987.74; David Kneifl-\$1,567.20; Kimon Litras-\$1,630.35; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,751.95; Matthew Roost-\$1,572.10; **Road Fund Employee:** Federal Tax-\$1,323.80; State Tax-\$594.30; FICA-\$1,000.68; Medicare-\$234.03; Extra Fit-\$150.00; Retirement-\$741.28; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.88; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,534.25; Net Pay-\$1,173.25; Retirement-\$103.56; Total FICA-\$114.60; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,534.25; **Health Planning Grant Employee:** Federal Tax-\$80.02; State Tax-\$39.20; FICA-\$92.88; Medicare-\$21.72; Extra Sit-\$5.00; Retirement-\$69.04; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **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;

Accounts Payable: General: IRS Dept of Treasury- PICORI fees – \$278.27

Wayne Rock, Nelson & Rock Contracting, addressed the Board regarding two bridge projects he is working on: (1) He is waiting for approval from FEMA regarding extra time to drive sheet piling due to hard sand and needing to bring additional equipment (water jetty) on site for the Jackson High bridge (#C002210810P) project. He stated he successfully drove 6 and needs to drive 28 more sheet pilings and thought with the jetty it could be completed in 5 days. Commissioner Albenesius clarified there was no additional cost to the County. Mr. Rock hoped to have the project completed by July 30. (2) Mr. Rock stated work began last Friday on the Waterbury (Burcham #C002200125) bridge which needs new piling in front of the old bridge abutment with beam across. This bridge has a "run-around" and not blocking traffic. Mr. Rock stated he is keeping the engineering firms informed of his work schedule.

Cherie Conley, Dakota-Thurston County Fair/Ag Society, requesting dust control be applied to a portion of Stable Drive for the week of August 1 – 8. Chair Gill asked if the Ag Society should not budget this cost in their levy? The cost is approximately \$1,962. Commissioner Love moved, seconded by Commissioner Giese, to approve the county to apply dust control (mag water) on Stable Drive during county Fair week of August 1 – 8. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Gill moved, seconded by Commissioner Launsby, to approve the Letter of Engagement with the Nebraska Auditor of Public Accounts for the audit of fiscal year ending June 30, 2021. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

The County received one applicant for the Road Foreman position—Brent Byroad was interviewed by Chair Gill and Commissioner Launsby on July 9th. Discussion was had—the interview went well but the board felt a bigger pool of applicants should be had and asked the job to be advertised with the Sioux City Journal and brought back to the August 9th board meeting. Commissioner Launsby said the department is one man down and would like to offer overtime to complete projects. Commissioner Love moved, seconded by Commissioner Albenesius, to not approve filling the position of Road Department Foreman and to extend the applicant deadline until the August 9th meeting. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Theresa Grove is willing to be interim director for the Health Department. Commissioner Launsby moved, seconded by Commissioner Love, to appoint Theresa Grove as the interim director for the Health Department subject to State DHHS approval. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding current membership terms on the Dakota County Board of Health. Residence of the current list of public-spirited men or women was checked. Current membership: Becky Mathis, President/October 2021; Dr. Matt Aitken/Vice-President; Dr. Thomas Wente/VFC Physician; Scott Love/Commissioner; Doug Janssen/October 2021. Commissioner Love moved, seconded by Commissioner Launsby, to approve appointing the following public-spirited persons to the Dakota County Board of Health: Randy Groetken to replace Alma Villicana, Jean Hedquist to replace Pam Everett, Kristin Robinette and Mary Wiltgen to fill the open positions. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love read the Road Report for June 27-July 10, 2021. Total road maintenance- 346 hours; overtime- .5 hours; tree/debris removal- 13.5 hours; culvert projects on Blyburg Road- 32 hours; garbage pickup- 3 hours; gravel hauling – 70 hours; tons of gravel hauled – 1073.39; weed spraying/inspections- 0 hours; sign repair/barricading – 21.5 hours. Road Concerns for gravel and pot holes: Jackson access Rd, Oakdale, Old Hwy 20 edge, N Bluff Rd edge. Commissioner Love expressed concern with excess gravel being spilled by Knife River on Old Sawmill Road— Commissioner Launsby will follow through with Brent.

Discussion was had regarding a general expenditure policy. Chair Gill stated she researched several such policies, and the key is that purchases should be to the benefit of to the residents of Dakota County residents and not personal benefits to employees. Office bottled water and/or water coolers is an expense in many offices. Commissioner Giese suggested the Pop Association moneys be used to buy office bottled water by the pallet. The Pop Agreement would have to be amended. Commissioner Launsby suggested the water fountain be reinstalled on the second floor. Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-025 to establish a general expenditure policy for the County and amend draft resolution to remove 'office bottled water and/or water coolers' from the unauthorized expenditures paragraph. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-025
GENERAL EXPENDITURE POLICY

WHEREAS, Nebraska Revised Statute §13-2203 establishes additional expenditures each governing body may approve in addition to other expenditures authorized by law; and

WHEREAS, when Offices and Departments spend County funds allocated to them, the funds should only be used to purchase items that are needed to fulfill their obligation to the residents of Dakota County. There should be direct or indirect benefits to the residents of Dakota County and not personal benefits to employees.

WHEREAS, Offices and Departments have budget authority to expend public funds for payment or reimbursement of actual and necessary expenses incurred at educational workshops, conferences, training programs, official functions, hearings or meetings for participation or attendance at the events which may include registration costs, tuition costs, fees or charges; mileage rate as established each year; meals at such events and at applicable rates established in the Handbook and lodging at such events at a rate not to exceed the applicable federal rate; and

WHEREAS, nonalcoholic beverages may be provided to individuals attending public meetings of the governing body; and nonalcoholic beverages and meals may be provided for any individual while performing or immediately after performing relief, assistance or support activities in emergency situations, including, but not limited to, tornado, severe storm, fire or accident; and nonalcoholic beverages and meals may be provided for any volunteers during or immediately following their participation in any activity approved by the governing body, including, but not limited to, picking up litter, removing graffiti, etc.; and

WHEREAS, the Pop Fund is authorized to spend up to \$50 for funeral flowers or memorial (recipient defined) and sponsor an employee recognition dinner; and

WHEREAS, the Dakota County Board of Commissioners wish to establish a policy for unauthorized expenses, including, but not limited to:

- Plaques, certificates of achievement or items of value awarded to elected or appointed officials, employees, volunteers or those serving on local government boards
- Office Clothing that can be worn or adaptable to general use as ordinary clothing
- Paper products (paper towels, facial tissues, paper plates, cups, napkins, cutlery, etc.) for office employee use
- Coffee (creamer/sugar) and nonalcoholic beverages for office employee use
- ~~Office Bottled water and/or water coolers~~
- Office Refrigerators
- Office Microwave ovens
- Office Coffee pots
- Office Holiday decorations
- Office Lunches

THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners hereby approves said general expenditure policy.

Approved this 12th day of July, 2021.

Commissioner Love read the Jail Report for the month of June, 2021:

June (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 77 | 23 | 0 | 100 |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 76 | 23 | 0.11 | 99 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 71 | 29 | 0.07 | 100 |

Federal Income

| | | | |
|----------------|-----------------|------------------|-----------------|
| June Marshal | \$43,503.42 | Fiscal Marshals: | \$689,406.67 |
| June ICE: | .00 | Fiscal ICE: | 8,261.83 |
| June OMMS/SDMS | <u>1,690.00</u> | Fiscal BIA/OMMS: | <u>2,275.00</u> |
| June Federal: | \$45,193.42 | Fiscal Federal: | \$699,943.50 |

2021 Calendar Federal: \$274,990.84

June County Contracts: \$0.00 2020-21 Fiscal County Contracts: \$4,038.00

April Phone/Commissary Commission: \$12,918.49

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 | | | | | | |

The jail spent \$193,761.88 for the month of June—93% of yearly budget or 7% under fiscal year budget. In June, 2020, the jail had spent 98% of yearly budget. The Jail spent \$23,536.62 less than was allotted for June 2021 budget or 11% under budget for the month.

June Bookings:

| | | | |
|-------------|----------|----------------|----------|
| DCSO: | 43 | DAKOTA COUNTY: | 38 |
| SSCPD: | 36 | OTHER NE: | 17 |
| NSP: | 10 | SIOUX CITY: | 36 |
| COURT/SELF: | 4 | OTHER IA: | 3 |
| FED: | 8 | OTHER STATES: | 7 |
| OTHER: | <u>0</u> | HOMELESS: | <u>0</u> |
| TOTAL: | 101 | TOTAL: | 101 |

Chair Gill moved, seconded by Commissioner Love, to approve the Intergovernmental Agreement for Adult Detention Services with Thurston County, Nebraska. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Dawn Bousquet, Treasurer, requested board to approve chair to sign the 6 Month Semi-annual Report. Ms. Bousquet stated the report has no negative accounts. There were no questions. Chair Gill moved, seconded by Commissioner Love, to approve signing the semi-annual statement for January 1 to June 30, 2021, showing amount and source of money collected since last settlement, vouchers, amount of taxes dues and unpaid and money on hand in compliance with statutes 23-1605 and 77-1745. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

The county board jail tour will be postponed to the next meeting.

Commissioner Committee Reports: Love- Safety Committee postponed to July 26th(no quorum); Launsby- picked up the title for the flatbed trailer (sell on surplus); Albenesius- shared a list of projects to be completed/finished at the road department:

1. Blyburg Road – install culvert extensions
2. Fiddler Creek Road – shoulder work and pavement markings
3. Sawmill Road – pavement markings and road signage.
4. Discussion was had to add pavement markings on Elgin, Old Hwy 20 and all hard surface in need of payment markings.
5. North Bluff Road – shoulder work; paint markings; grade ditches to drain; clean out culvert by Berkley's; cut shoulders to water can get off road both sides of bridge by Dorcey's.
6. Rowen Ave – remove broken concrete from end of culverts
7. Nodaway Road – clean out ditches; elevate road from M Ave west .7 mile
8. 260th and drive to 1005 – remove and replace or clean culvert and grade ditch to drain
9. 180th & O Ave – remove and replace or clean out culvert; clean out ditches and elevate O Avenue.
10. Likuwanta Drive – build school bus turn around on the east end before school starts (fill south ditch, remove trees, 20' of Mari field)

Discussion was had regarding road project priorities, workload, personnel, part-time weed sprayer/sign person possibly combined or combined with zoning or partner with another county.

Mail- interest was expressed by First National Capital Markets to do a 5-year call on 2016 bond (Veterans Drive). No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of July 12, 2021, at 4:46 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, August 23, 2021
2:00 p.m. NEMA Commissioner Presentation
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Vice-Chair Giese called the meeting to order at 2:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill (arrived at 2:38 p.m.), Giese, Albenesius (arrived at 2:14 p.m.), Launsby. Absent: Love. Also present was Kim Watson, County Attorney (3:00 p.m. Regular Business meeting), 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.

2:00 p.m. Nebraska Emergency Management Agency (NEMA) Commissioner Presentation

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 – August 9, 2021
 - b. Approval of payroll claims for August 8 - 21, 2021
 - c. Approval of accounts payable claims
 - Jackson High bridge contractor request for payment #1 - \$97,385.11
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
3. NEW BUSINESS & RESOLUTIONS
 - a. Kristin Robinette, President, Dakota County Health Board, presenting applicant/s which were interviewed for the position of Health Department Director and their recommendation and requesting the Board to appoint a Health Department Director.
 - b. Sheriff Kleinberg – update on Federal Marshals housing agreement and approval to move forward in planning for Phase 2.
 - Approval for chair to sign Agreement with Architect for construction of Jail Phase 2
 - c. Approve Resolution 21C-035 to approve final allocation of levy authority for Dakota County Ag Society
 - d. Approve Resolution 21C-036 to approve final allocation of levy authority for Dakota County Historical Society
 - e. Approve Resolution 21C-037 to approve final allocation of levy authority for Dakota-Covington Rural Fire Protection District
 - f. Approve Resolution 21C-038 to approve final allocation of levy authority for Emerson Rural Fire Protection District
 - g. Approve Resolution 21C-039 to approve final allocation of levy authority for Fire Protection District #1, Homer
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Earl Imler, Preparedness and Operations Section Manager, Nebraska Emergency Management Agency (NEMA), gave a brief overview of the state statutes that govern the Nebraska Emergency Management Act and the requirements and duties under the Act. Deanna Hagberg, Dakota County Emergency Manager, was also in attendance and discussion was had regarding her role as first responder on call 24/7. The duties of the Chair in declaring a disaster and the coordinating state and federal government's roles were also discussed. It was noted that cyber security threats are an ongoing concern.

Vice-Chair Giese declared a 15-minute break at 2:45 p.m. Chair Gill reconvened the regular session at 3:00 p.m. with Roll Call and stating the Open Meetings Act posting location.

Chair Gill called for Public Comment and there was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of August 9, 2021; (b) approval of payroll claims for August 8 - 21, 2021; (c) accounts payable claims (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve the consent agenda items. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love-absent. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$159,496.79; Net Pay-\$112,211.30; Total Retirement-\$11,066.33; Total FICA-\$11,788.41; Health Plan-\$34,419.00; Dental Plan-\$1,135.75; Life Insurance-\$198.66; 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-\$1,193.81; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,056.25; Stephanie Gatzemeyer-\$1,633.99; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,041.46; 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-\$1,662.13; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$1,802.63; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,014.87; Sergio Castillo-\$2,776.55; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,954.27; Penny Epting-\$2,699.76; Brian Fernau-\$2,438.52; Tyler Fulkerth-\$2,368.03; Brent Gilster-\$2,375.83; Martin Guerrero-\$2,706.18; Melvin Harrison III-\$2,523.43; Jason James-\$2,428.99; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$571.96; Jared Junge-\$2,626.53; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,423.85; Mardi Schnee-\$1,085.40; Ryne Sell-\$390.00; Shantel Krull-\$960.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$2,126.05; Rebecca Broer-\$2,016.85; Kacie Brown-\$2,094.83; Ricardo Chavez-\$2,158.75; Lacey Clark-\$2,002.84; Leonardo Davalos-\$664.20; Alexander DeLeon-\$1,685.64; Elisabet DeRoin-\$2,023.01; Jesse Doelle-\$1,877.84; Jonathan Gray-\$1,988.15; Kimberly Greco-\$2,087.33; Sara Gritten-\$2,156.53; Kara Groetken-\$2,010.77; Todd Hammer-\$2,496.29; Adam Hough-\$2,087.72; Brenda Irwin-\$2,154.63; Skyler Miner-\$1,722.50; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,071.06; Kimberly Peterson-\$1,972.92; Michele Rohde-\$1,370.92; Jonathan Romo-Rodriguez-\$2,414.73; Rebecca Schoep-\$1,849.62; Jennifer Svendsen-\$2,375.21; Taylor Tadlock-\$1,979.57; Danielle Thibodeau-\$1,988.86; Estrella Vazquez-\$2,222.08; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$265.30; Jana Adam-\$1,897.50; Yvette Aldana-\$1,448.75; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$159.74; Yesica Saldana Cisneros-\$1,382.50; Jacqueline Traum-\$1,296.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,626.38; State Tax-\$5,977.19; Soc Sec-\$9,553.95; Medicare-\$2,234.46; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$7,520.13; Makeup Retirement-; Health Plan-\$2,800.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$480.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$466.48; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$71.06; VSP Vision Base-\$77.81; **Road Fund Employer:** Gross Salaries-\$16,525.72; Net Pay-\$11,483.44; Retirement-\$1,115.50; Total FICA-\$1,239.11; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,995.32; Kevin Chambers-\$1,613.60; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneifl-\$1,613.60; Kimon Litras-\$1,661.60; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,340.49; State Tax-\$601.55; FICA-\$1,004.26; Medicare-\$234.85; Extra Fit-\$150.00; Retirement-\$743.64; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.88; Liberty National PreTax-\$ 6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,527.13; Net Pay-\$1,168.13; Retirement-\$103.08; Total FICA-\$114.06; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$1,527.13; **Health Planning Grant Employee:** Federal Tax-\$79.21; State Tax-\$38.87; FICA-\$92.44; Medicare-\$21.62; Extra Sit-\$ 5.00; Retirement-\$68.72; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **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.

Accounts Payable: General: Robert Giese, mileage-\$80.08; NACO, Annual Conference-\$300.00; Pender Times, publications-\$529.29; Leaf, copier lease-\$187.49; NACO, fall meeting-\$25.00; One Office Solutions, tape & calendar-\$25.25; US Bank, Annual Conference-\$150.00; DAS State Acct, state software-\$253.50; Dakota County Treasurer, bank fees-\$80.00; Holiday Inn Express, lodging-\$192.00; MIPS, monthly software-\$940.91; One Office Solutions, ink cartridge-\$209.99; Pender Times, publications-\$264.00; Irene VanLent, prior years service-\$16.00; NE Assoc of Clerks, Deeds, Elections fall meeting-\$50.00; Margie Rahn, prior years service-\$12.00; Christy Abts, office supplies-\$15.41; Bralda, Inc., appraisal services-\$578.00; EWDS Inc, appraisal services-\$382.50; Leaf, copier lease-\$147.82; One Office Solutions, copies-\$158.36; Stanard Appraisal Serv, appraisal services-\$10,287.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, postage & workshop-\$283.20; Stephan Welding Inc, ballot box repairs-\$175.00; Pender Times, publications-\$9.20; RTI, monthly support & licenses-\$12,074.21; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$90.86; DAS State Acct, supplies-\$20.28; Microfilm Imaging, scanning-\$177.00; US Bank, H2O4U-\$19.50; Leaf, copier lease-\$130.00; One Office Solutions, copier lease & supplies-\$161.03; Damian Almaraz, witness fees-\$25.60; Jesus Almaraz, witness fees-\$20.00; Jose Almaraz, witness fees-\$20.00; Autry Reporting, depositions-\$1,481.75; Dakota County Court, court costs-\$1,798.72; Dakota County Sheriff, papers & warrants-\$760.48; Dakota County District Court, court costs-\$750.00; Douglas County Sheriff, paper service-\$24.13; Erika Herrera Perez, witness fees-\$20.00; Randy Hisey, crt appt atty fees-\$420.00; Stuart Mills, crt appt atty fees-\$883.75; Douglas Roehrich, crt appt atty fees-\$1,861.10; Richard Thrumer, crt appt atty fees-\$1,443.75; Robert Wichser, crt appt atty fees-\$8,097.25; City of Dakota City, utilities-\$160.66; Eakes Office Solutions, janitorial supplies-\$552.54; Gill Hauling Inc., dumpster-\$101.65; Menards, LED bulbs, paint, electrical supp-\$319.52; MidAmerican Energy, utilities-

\$1,008.96; NPPD, utilities-\$2,085.51; R Rohan Electric, electrical work-\$300.59; Share Corp, chemicals & sprayer-\$313.98; Trembly, pest control-\$55.00; US Bank, bldg supp & membership-\$66.57; Verizon, cell phone-\$41.12; Wilmes Hardware, tools & supplies-\$86.19; Carol Larvick, mileage-\$78.96; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$229.54; Papio-Missouri NRD, monthly rent-\$600.00; Staples, office supplies-\$155.43; WalMart, supplies-\$29.03; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$50.54; Axon Enterprises Inc, taser payment-\$3,432.00; Bekins Fire & Safety Services, 18 fire extinguishers-\$1,426.86; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,816.58; Dakota County Star, publications-\$59.32; Electronic Engineering, radio repair-\$170.57; Farmers Bank & Trust, 2018 vehicle payment-\$4,007.42; Jack's Uniforms, uniforms & equipment-\$335.80; K & S Service, sheriff car repairs-\$20.00; Prime Performance, sheriff car repairs-\$130.66; Siouxland Lock & Key, file cabinet locks-\$100.00; TransUnion Risk & Alternative, searches-\$120.00; US Bank, lodging, training, supplies, fuel-\$2,006.87; Verizon, cell phone-\$200.05; Wilmes Hardware, fuses-\$3.39; AT&T Mobility, cell phones-\$87.10; Marco, copier lease-\$149.24; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$33.00; City of SSC, LEC Share & Set-aside equipment-\$40,315.96; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; AT&T Mobility, phones-\$93.96; Bob Barker, inmate supplies-\$1,048.99; City of Dakota City, water-\$2,892.30; C W Suter Services, AC units repaired-\$506.25; DAS State Acct, language line-\$34.50; Eakes Office Solutions, supplies-\$2,666.03; Foulk Brothers Plumbing & Heating, installed sink-\$735.86; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$189.40; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$292.24; NPPD, utilities-\$4,508.69; Overhead Door Co, door repairs-\$225.00; Roto Rooter, pump pit-\$450.00; Summit Food Service, food & beverage-Jail-\$17,516.90; Thurston County Sheriff, boarding prisoners-\$3,600.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$1,209.45; Wells Fargo Financial Leasing, copier lease-\$541.16; US Bank, Sparklight & office supplies-\$196.12; Leaf, copier lease-\$103.00; NACO, fall workshop-\$25.00; One Office Solutions, copier lease-\$15.88; Verizon, phones-\$41.12; NACO, Annual Conference-\$150.00; Jana Adam, mileage-\$61.60; AT&T Mobility, phones-\$92.72; Availity/Realmed, medical billing-\$125.00; Little Red Embroidery Co, Covid 19 resources-\$86.65; Marco Technologies, copier lease-\$8.09; Marco Technologies, copier lease-\$237.90; Medical Device Depot, 2 refrigerators-\$5,365.00; NALHD, membership dues-\$1,003.12; US Bank, meals, gifts, supplies, remodel-\$1,863.60; Verizon, cell phone-\$95.36; Dr Thomas Wentz, consulting physician fee-\$250.00; CVSOAN, workshop-\$60.00; Bill Johnston, mileage-\$311.36; One Office Solutions, copy fees-\$30.96; Quill, Ink & toner-\$81.98; US Bank, law library-\$659.20; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$609.13; Innovative Appraisal Services, BOE-\$2,850.00; MercyOne Siouxland, Monthly EAP-\$1,815.50; MIPS, HR software-\$1,025.62; Norm Waitt Sr YMCA, monthly fees-\$205.00; Priority Communicatoins, 4 phones-\$687.50; Quadiant Leasing, postage machine-\$782.61; Stanard Appraisal Serv, protests 2021-\$3,862.50; US Bank, supplies-\$61.99; US Postal Service-Quadiant, postage-\$2,000.00; Woods & Aitken, legal counsel-unions-\$7,720.39; , -; Nelson & Rock Contracting Inc, Jackson High Bridge-\$97,385.11; Road Improvement Fund, budget transfer-engineering-\$45,541.60; **Road Fund:** American Underground Supply, shop supply-\$920.64; Bomgaars, shop supplies, tools, chemicals-\$126.57; Bosselman Pump & Pantry, fuel-\$3,261.47; Equipment Blades, grader blades-\$3,083.62; F & M Bank, grader payment-\$26,757.48; Fastenal, shop supply-\$314.14; Fremont Tire, tires-\$740.00; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$44.50; J&J's Pronto, fuel-\$663.12; Bob Jacobsen, prior years service-\$17.00; Jim Hawk Truck Trailers, parts-\$465.23; K&K Hubbard Mini Mart, fuel-\$420.58; K & S Service, parts & labor-\$1,454.85; Lawson Products, shop supply-\$44.76; LG Everist Inc, gravel-\$44,979.90; Marx Dust Control, dust control-\$654.00; Marx Truck/Trailer, parts-\$117.83; Matheson, oxy/acetylene-\$126.10; Arnie Mellick, prior years service-\$13.00; Midwest Svc & Sales, signs & blades-\$12,910.60; Midwest Wheel, supplies-\$392.08; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$48.40; NNTC, telephones-\$178.84; Northeast Power, electric-\$285.15; Northside Glass, labor-\$175.00; O'Reilly Auto Parts, parts-\$71.47; Power Plan/Murphy, parts-\$576.17; Robertson Implement, parts-\$27.50; Sapp Bros Petroleum, fuel-\$1,288.00; Sioux City Journal, help wanted-\$510.50; Sioux City Truck Sales, parts-\$442.09; Skildril Industries LLC, parts-\$61.00; Stan Houston Equip, shop supplies-\$80.00; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.58; Village of Emerson, utilities-\$39.27; Warren Oil, fuel-\$9,643.70; Wilmes Hardware, supplies-\$92.98; Ziegler's, parts, supplies, labor, blades-\$1,129.42; **Road Improvement Fund:** JEO, engineering-\$1,973.75; Nelson & Rock Contracting Inc, K Burcham bridge-\$43,567.85; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$25,234.02; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$420.00; **Health Grant Fund:** Jennifer Ankerstjerne, mileage-\$87.36; US Bank, Sparklight-\$181.20; **Juvenile Grant Fund:** Community Monitoring Services, family support-\$220.05; Language Line, interpretation-\$43.12; **Public Safety Fund:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$27,186.16;

Kristin Robinette, President of the Dakota County Health Board, stated the Board conducted three interviews for the open position of Health Department Director and the Board is recommending for hire to the Commissioners applicant Theresa Grove for the Director position at a salary of \$59,000. Commissioner Giese moved, seconded by Chair Gill, to take the recommendation of the Dakota County Health Board and hire Theresa Grove as the Dakota County Health Department Director at the recommended salary of \$59,000. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

Sheriff Kleinberg, Brandon Johnson and Chris Barther, United States Marshal Service, and Architects Steve Davis and Ron Hinds, Shive-Hattery, Inc., updated the Board regarding the plans for construction of Phase 2 of the Jail. Sheriff Kleinberg stated the Jail was built with an option for Phase 2—pods for an additional 112 – 120 beds and estimated an additional 15 – 20 employees and 1 nurse would need to be hired. Sheriff would very much like to have the space to separate county from federal inmates. Sheriff would like room to set up video arraignments. Sheriff has visited with our current food service regarding providing additional meals and they have no issues and the City of Dakota City regarding

an 8" water line is no issue. He stated since the expansion project location to the west of the jail is the site of current staff parking, additional parking space would need to be addressed. The federal marshals have proposed to pay an inmate per diem rate increase from \$65 to \$80 effective upon the signing of the Detention Services Agreement. They have also agreed to pay a \$150 inmate per diem rate for 85 beds for 30 months (or less if county loan requirements have been satisfied) upon completion of the Expansion Project. Sheriff explained that the federal marshals will pay the \$150 per diem rate for all beds used during the 30-month period. The increased per diem revenue for federal inmates will cover the cost of the construction. Medical costs for federal inmates outside the facility will be paid for by the Federal Marshals Service. Guard Transportation services will be reimbursed at an hourly rate of \$25. The Dakota County Jail will guarantee 85 beds to USMS for the next 10 years. The Architects will work with Nebraska Jail Standards to meet their current requirements and address code changes—structural and MEP engineering updates from the original designs and investigate the HVAC system, mechanical and electrical systems. They hope to bid the project this winter and start construction in the spring with a completion date of one year. Andrew Forney, D.A. Davidson & Co., and Craig Jones and Austin Partridge, First National Capital Markets, each presented multiple options for financing.

Commissioner Giese moved, seconded by Commissioner Albenesius, to move forward with the planning for the Jail Expansion Project. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

After more discussion regarding what will be clarified in the design stage, Commissioner Giese moved, seconded by Chair Gill, to approve chair to sign the Agreement with the Architect for construction of Jail Phase 2. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for August 8 - 21, 2021. Total road maintenance- 257.5 hours; overtime- 2 hours; tree/debris removal- 8 hours; Culvert Projects: Blyburg Road- 47.5 hours; G Ave (185th-190th)- 61.5 hours; Likuwanta Dr- 12.5 hours; 180th/O Ave- 10.5 hours; Rowan Ave- 5.5 hours; 190th St- 12.5 hours; Wagle Creek/250th- 4 hours; garbage pickup- 4 hours; gravel hauling – 55 hours; tons of gravel hauled – 573.18; sign repair/barricading – 77 hours. Grading concerns for F Avenue and 230th Street. Commissioner Albenesius thought we should start the bid process for 265th Street bridge. Commissioner Launsby asked that we place the advertisement for the open position in the Road Department.

Discussion was had regarding the subdivision levies. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve Resolution 21C-035 approving final allocation of levy authority for Dakota County Ag Society; Resolution 21C-036 approving final allocation of levy authority for Dakota County Historical Society; Resolution 21C-037 approving final allocation of levy authority for Dakota-Covington Rural Fire Protection District; Resolution 21C-038 approving final allocation of levy authority for Emerson Rural Fire Protection District and Resolution 21C-039 approving final allocation of levy authority for Fire Protection District #1, Homer. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-035

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------|-------------------------|----------------------------|-----------------|
| Dakota Co Ag Society | | | |
| General | \$95,000.00 | \$95,000.00 | 0.004785 |
| Capital Improvement | <u>45,000.00</u> | <u>45,000.00</u> | <u>0.002266</u> |
| TOTAL | 140,000.00 | \$140,000.00 | 0.007051 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-036

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------------------|-------------------------|----------------------------|----------|
| Dakota County Historical Society | | | |
| Total | \$36,475.20 | \$36,475.20 | 0.001837 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-037

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|---|-------------------------|----------------------------|-----------------|
| Dakota-Covington Rural Fire Protection District | | | |
| General Fund | \$61,222.00 | \$61,222.00 | 0.012310 |
| Sinking Fund | <u>\$70,000.00</u> | <u>\$70,000.00</u> | <u>0.014074</u> |
| TOTAL | \$131,222.00 | \$131,222.00 | 0.026384 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-038

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|--|-------------------------|----------------------------|-----------------|
| Emerson Rural Fire Protection District | | | |
| General Fund | \$108,805.07 | \$108,805.07 | 0.030000 |
| Bond Fund | <u>\$56,225.00</u> | <u>\$56,225.00</u> | <u>0.015502</u> |
| TOTAL | \$165,030.07 | \$165,030.07 | 0.045502 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-039

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|--------------------------------------|-------------------------|----------------------------|-----------------|
| Homer Rural Fire Protection District | | | |
| General Fund | \$45,413.09 | \$45,413.09 | 0.017996 |
| Sinking Fund | <u>\$ 5,608.98</u> | <u>\$ 5,608.98</u> | <u>0.002223</u> |
| TOTAL | \$51,022.07 | \$51,022.07 | 0.020219 |

*Levy Allocation is the rate per \$100 valuation.

Commissioner Committee Reports: Launsby-rode with Brent Byroad on project updates. Mail: (1) Bob Giese will attend the NACO Legislative Conference; (2) the Board will review the budget figures for next Monday's hearing. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of August 23, 2021, at 4:58 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, July 26, 2021
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

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

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – *Excused Absence*

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. 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 – July 12, 2021
 - b. Approval of payroll claims for July 11 - 24, 2021
 - c. Approval of accounts payable claims
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
 - e. Approval of Sheriff and Jail Quarterly Reports – April – June, 2021
 - f. Approval of Chair to sign Grant Award and Special Conditions for FY2021 Nebraska Law Enforcement E-citation Equipment grant funded in the amount of \$5,353.26 from the Crime Commission to the Dakota County Sheriff Office.
3. NEW BUSINESS & RESOLUTIONS
 - a. **3:01 p.m. Public Hearing** to give citizens the opportunity to offer their support, opposition or neutral comments regarding the abandonment of road described as ‘starting at the north end of Lynch Avenue, going south approximately 1000 feet between parcels 220059462 and 220059713 (Davidson), Section 26, Township 29N, Range 7E, Dakota County, Nebraska.’
 - §39-1725 After the public hearing the county board shall by resolution at its next meeting or as soon thereafter as may be practicable vacate or abandon or refuse vacation or abandonment, as in the judgment of the board the public good may require.
 - b. Austin Partridge, First National Capital Markets, Inc., requesting approval of Resolution 21C-026 authorizing the calling for early redemption of the County’s outstanding Highway Allocation Fund Pledge Bonds, Series 2016, date of original issue – June 30, 2016, in the principal amount of \$445,000.
 - c. Austin Partridge, First National Capital Markets, Inc., requesting approval of Resolution 21C-027 authorizing the issuance by the County of not to exceed \$475,000 aggregate principal amount of Highway Allocation Fund Pledge Refunding Bonds, Series 2021, for the purpose of refunding the County’s outstanding Highway Allocation Fund Pledge Bonds, Series 2016, date of original issue – June 30, 23016.
 - d. Wat Buddharam of Siouxland, Inc., requesting approval of a Special Designated Liquor License for a Fundraising Event held September 5, 2021, from 1:00 to 10:00 p.m. at 500 142nd Street, South Sioux City, Nebraska.
 - e. Approve Resolution 21C-028 to approve road equipment as surplus property—2004 Utility Trailer
 - f. Approve Resolution 21C-024 for the purpose of adopting the amended Planning & Zoning regulation changes in Resolution form for Section 202 Definitions, Section 640.5 Recreational Vehicle Parks and Section 900.2 Wind Energy Installation.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Board to appoint member to the Planning & Zoning Board for the term expiring February, 2022, for the geographical location of the Village of Hubbard.
 - c. County Board shall make quarterly visit to county jail. §47-109
1. COMMISSIONER COMMITTEE REPORTS
2. MAIL AND/OR EMERGENCY BUSINESS
3. ADJOURNMENT

Chair Gill called for Public Comment—there was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of July 12, 2021; (b) approval of payroll claims for July 11-24, 2021; (c) accounts payable claims (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court; (e) approval of Sheriff and Jail Quarterly Reports – April – June, 2021; (f) approval of Chair to sign Grant Award and Special Conditions for FY2021 Nebraska Law Enforcement E-citation Equipment grant funded in the amount of \$5,353.26 from the Crime Commission to the Dakota County Sheriff Office. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$153,417.77; Net Pay-\$112,487.55; Total Retirement-\$10,703.16; Total FICA-\$11,737.42; Larry Albenesius-\$933.71; Robert Giese-\$933.71; Janet Gill-\$979.87; Troy Launsby-\$933.71; Scott Love-\$933.71; 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-\$993.75; Stephanie Gatzemeyer-\$1,569.01; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$943.20; 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-\$1,755.54; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$1,999.30; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$1,729.60; Sergio Castillo-\$2,157.31; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,265.66; Brian Fernau-\$2,210.25; Tyler Fulkerth-\$2,393.91; Brent Gilster-\$2,195.14; Martin Guerrero-\$2,435.26; Richard Hansen-\$1,570.58; Melvin Harrison III-\$2,395.52; Jason James-\$2,169.53; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$399.59; Jared Junge-\$2,222.40; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$3,203.48; Mardi Schnee-\$1,088.80; Shantel Krull-\$960.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$5,000.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$1,685.74; Zachery Bickett-\$2,426.40; Rebecca Broer-\$1,729.38; Kacie Brown-\$1,782.26; Ricardo Chavez-\$1,337.28; Lacey Clark-\$1,024.38; Alexander DeLeon-\$1,533.84; Elisabet DeRoin-\$1,806.39; Jesse Doelle-\$1,584.80; Jon Enstrom-\$1,551.84; Jonathan Gray-\$1,746.81; Kimberly Greco-\$1,358.28; Sara Gritten-\$1,423.35; Kara Groetken-\$1,731.70; Todd Hammer-\$2,222.40; Adam Hough-\$1,986.60; Brenda Irwin-\$1,739.49; Skyler Miner-\$1,586.80; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,736.72; Kimberly Peterson-\$1,664.04; Michele Rohde-\$1,379.43; Jonathan Romo-Rodriguez-\$1,727.88; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,616.72; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$1,358.28; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$265.30; Jana Adam-\$1,562.00; Yvette Aldana-\$1,496.25; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$277.80; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,296.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$1,269.28; State Tax-\$5,888.87; Soc Sec-\$9,512.68; Medicare-\$2,224.74; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,272.12; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; **Road Fund Employer:** Gross Salaries-\$15,784.01; Net Pay-\$11,442.92; Retirement-\$1,065.46; Total FICA-\$1,442.05; Brent Byroad-\$1,671.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.21; **Road Fund Employee:** Federal Tax-\$1,292.05; State Tax-\$578.59; FICA-\$980.10; Medicare-\$229.20; Extra Fit-\$150.00; Retirement-\$710.24; Health Plan-\$0.00; Dental Plan-\$0.00; Colonial Health-\$0.00; Garnishments-\$400.91; Road **Health Planning Grant Employer:** Gross Salaries-\$1,520.00; Net Pay-\$1,207.28; Retirement-\$102.60; Total FICA-\$82.73; Jennifer Ankerstjerne-\$1,520.00; **Health Planning Grant Employee:** Federal Tax-\$82.73; State Tax-\$40.31; FICA-\$94.24; Medicare-\$22.04; Extra Sit-\$5.00; Retirement-\$68.40; **Juvenile Services Aid Employer:** Gross Salaries-\$1,207.80; Net Pay-\$963.27; Retirement-\$81.53; Total FICA-\$68.42; Sarah Anderson Deck-\$1,207.80; **Juvenile Services Aid Employee:** Federal Tax-\$68.42; State Tax-\$29.37; FICA-\$74.88; Medicare-\$17.51; Retirement-\$54.35;

Accounts Payable: General: Robert Giese, mileage, lodging, meals-\$599.78; Pender Times, publications-\$149.22; US Bank, NACO online training-\$265.20; Bear Graphics Inc, marriage book-\$172.44; Leaf, copier lease-\$78.02; Security Shredding, shredding-\$15.00; US Bank, meal-conference-\$12.23; DAS State Acct, state software-\$81.00; Loffler, copier toner-\$77.13; MIPS, monthly software-\$940.91; US Bank, office supplies-\$192.11; Irene VanLent, prior years service-\$16.00; Loffler, copier contract-\$574.61; One Office Solutions, office supplies-\$83.22; Margie Rahn, prior years service-\$12.00; Bralda, Inc., appraisal services-\$1,119.00; Dakota County Star, publications-\$61.36; EWDS Inc, appraisal services-\$952.00; Leaf, copier lease-\$147.82; One Office Solutions, copies-\$107.85; Stanard Appraisal Serv, appraisal services-\$19,938.00; Madelyn Thorsland, prior years service-\$10.00; Secretary of State, voter ID cards-\$30.00; Scott Bousquet, P & Z meeting-\$33.36; Tim Decker, P & Z meeting-\$78.60; Ron Gill, P & Z meeting-\$58.44; Jolene Gubbels, P & Z meeting-\$200.00; Gordon Hegge, P & Z meeting-\$67.68; Paul Ireland, P & Z meeting-\$36.72; Leaf, copier lease-\$103.00; Dick McCabe, P & Z meeting-\$88.68; Harold Moes, P & Z meeting-\$68.52; Joe O'Neill, mileage-\$388.08; One Office Solutions, copies-\$21.98; Pender Times, publications-\$21.48; Martin Rohde, P & Z meeting-\$71.88; US Bank, postage-\$50.65; RTI, monthly support & licenses-\$4,130.75; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$103.50; Bear Graphics Inc, binders-\$591.94; DAS State Acct, supplies-\$176.10; Marco, copier lease-\$468.60; Microfilm Imaging, scanning-\$177.00; Security Shredding, shredding-\$35.00; US Bank, office furniture & office remodel-\$369.79; Perla Alarcon-Glory, interpretation services-\$100.00; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$119.58; Crary Huff Ringgenberg, crt appt atty fees-\$855.00; Dakota County Court, court costs-\$1,359.04; Dakota County Sheriff, papers & warrants-\$763.88; Dakota County District Court, court costs-\$846.00; Randy Hisey, crt appt atty fees-\$3,225.00; Chad Kratky, witness fees-\$20.56; Stuart Mills, crt appt atty fees-\$4,816.00; Douglas Roehrich, crt appt atty fees-\$1,417.50; Security Shredding, shredding-\$35.00; Richard Thrumer, crt appt atty fees-\$965.75; Thurston County Sheriff, papers & warrants-\$80.96; US Bank, NACO dues-\$150.00; Washington County Sheriff, papers & warrants-\$86.00; Robert Wichser, crt appt atty fees-\$6,338.40; A-Team Heating & Cooling, AC units-\$251.50; City of Dakota City, utilities-\$173.66; Foulk

Brothers Plumbing & Heating, backflows-\$310.00; G & R Controls, heating/ac controls-\$3,248.75; Gill Hauling Inc., dumpster-\$101.65; Kevin Hansen, fuel-\$12.69; Menards, LED bulbs-\$29.99; MidAmerican Energy, utilities-\$1,011.83; MidWest Alarm, Sprinkler inspections-\$581.04; NPPD, utilities-\$1,272.27; Robertson Implement, tractor repair-\$554.74; TK Elevator Corp, elevator maintenance-\$231.56; Trembly, pest control-\$55.00; US Bank, fuel & dues-\$92.41; Verizon, cell phone-\$41.12; Veterans Memorial Fund, 2 American flags-\$120.90; Wilmes Hardware, tools & supplies-\$69.92; Angela Abts, mileage-\$100.80; Carol Larvick, mileage-\$215.86; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$166.12; Papio-Missouri NRD, monthly rent-\$600.00; US Bank, postage and subscription-\$141.79; WalMart, supplies-\$10.62; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$189.13; Billion GMC, new motor-\$890.11; Bort Auto Body, sheriff car repairs-\$3,410.95; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,989.40; Dakota County Treasurer, title-Tahoe-\$15.00; First State Bank, 2021 vehicle payment-\$12,532.27; Fremont Tire, tire repairs-\$526.00; Jack's Uniforms, uniforms & equipment-\$955.65; K & S Service, sheriff car repairs-\$2,985.96; Leads Online, software-\$2,192.00; TransUnion Risk & Alternative, searches-\$121.00; US Bank, lodging, training, supplies, fuel-\$1,206.49; Verizon, cell phone-\$200.05; WIT Community College, training courses-\$404.00; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$7.00; Thurston County Sheriff, papers & warrants-\$67.56; US Bank, notary fees-\$83.46; Kim Watson, notary fees-\$31.30; Melinda Wicks, certified copy-\$11.30; City of SSC, LEC Share & Set-aside equipment-\$40,315.96; Bizco Technologies, computer-\$5,353.26; Advanced Correctional Healthcare, doctor fees & Rx-\$2,227.55; Associated Fire Protection, inspections-\$922.50; AT&T Mobility, phones-\$94.04; Bob Barker, inmate supplies-\$1,303.70; Bunkers Feed & Supply, softner salt-\$59.63; Cash-Wa Distributing, kitchen supp-\$44.81; City of Dakota City, water-\$265.30; City of SSC, fuel-\$210.58; Com-Tec/Cornerstone, camera repairs-\$3,512.00; C W Suter Services, AC units repaired-\$1,739.53; Dakota City Volunteer Fire Dept, transport inmates-\$2,000.00; Eakes Office Solutions, supplies-\$3,356.08; Ecolab, cleaners-\$1,065.32; Foulk Brothers Plumbing & Heating, installed sink-\$998.52; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$28.50; Johnstone Supply, filters-\$546.96; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$477.44; NPPD, utilities-\$5,380.78; Redwood Toxicology Lab, drug test kits-\$80.70; Security Shredding, shredding-\$35.00; Summit Food Service, food & beverage-Jail-\$24,607.72; Thompson Electric Co, troubleshooting-\$100.00; Thurston County Sheriff, boarding prisoners-\$1,800.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$2,165.19; Wells Fargo Financial Leasing, copier lease-\$375.03; Wigman Company, shower/toilet/water heater repairs-\$5,897.44; WIT Community College, training courses-\$384.00; Dodge County Clerk, quarterly progation fees-\$13,623.63; City of SSC, fuel-\$44.63; US Bank, Sparklight & office supplies-\$170.22; Jolene Gubbels, mileage-\$301.28; NACO, conference-Gubbels-\$150.00; US Bank, lodging-\$192.00; Verizon, phones-\$41.12; Civil Engineers & Const, survey work-\$160.00; Nebraska Weed Control Assoc, 2021 dues-\$125.00; US Bank, sprayer parts-\$298.84; Jana Adam, mileage-\$31.92; AT&T Mobility, phones-\$185.56; Availity/Realmed, medical billing-\$125.00; Little Red Embroidery Co, Covid 19 resources-\$354.65; Marco, copier lease-\$486.18; NALHD, software renewal-\$6,840.63; Jacqueline Traum, cleaning supplies-\$5.87; US Bank, meals, gifts, supplies, remodel-\$2,471.41; Verizon, cell phone-\$95.36; Dr Thomas Wentz, consulting physician fee-\$250.00; Bill Johnston, mileage-\$252.56; One Office Solutions, copy fees-\$29.24; Cherie Conley, meals-\$38.97; Dakota County Treasurer, wire fees-\$220.00; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$601.24; Innovative Appraisal Services, BOE-\$11,193.75; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$631.44; Neb DHHS-Lincoln annual rent payment-\$6,800.00; NIBC, repair pepsi machine-\$123.12; NE Neb Area Agency on Aging, county share fiscal yr 2022-\$8,652.00; Norm Waitt Sr YMCA, monthly fees-\$164.00; One Office Solutions, copy paper-\$1,620.00; Region 4, mental health & substance abuse-\$5,320.25; SIMPCO, annual dues-\$3,565.00; US Bank, juv serv supplies-\$4.26; US Postal Service-Quadiant, postage-\$2,500.00; Woods & Aitken, legal counsel-unions-\$12,602.28; Mainelli Wagner & Assoc, engineering-\$581.58; MRJ Engineering, engineering-\$25,550.00; Road Improvement Fund, budget transfer-engineering-\$5,367.25; **Road Fund:** American Underground Supply, shop supply-\$100.27; Agrivision, shop supply-\$358.44; Barkley Asphalt, asphalt-\$200.85; Bosselman Pump & Pantry, fuel-\$3,226.00; Emerson Manufacturing, parts-\$30.17; Fremont Tire, tires-\$847.00; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$50.50; Heavy Metal Repair, parts & labor-\$1,468.10; J&J's Pronto, fuel-\$636.32; Bob Jacobsen, prior years service-\$17.00; K&K Hubbard Mini Mart, fuel-\$154.49; K & S Service, parts & labor-\$560.19; LG Everist Inc, gravel-\$75,175.44; Marx Dust Control, dust control-\$3,242.75; Matheson, oxy/acetylene-\$122.45; Medical Enterprises, drug testing-\$5.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supp/Asphalt/oil/tires-\$560.40; Midwest Svc & Sales, signs & blades-\$2,926.58; Midwest Wheel, supplies-\$210.22; Marlan Millard, prior years service-\$15.00; Neb Dept of Motor Vehicles, driving records-\$82.50; NPPD, electric-\$48.40; NNTC, telephones-\$192.40; Northeast Power, electric-\$290.44; Northside Glass, parts-\$455.00; O'Reilly Auto Parts, parts-\$214.88; Power Plan/Murphy, parts-\$2,083.33; Robertson Implement, parts-\$51.00; Sapp Bros Petroleum, fuel-\$1,428.63; Sioux City Truck Sales, parts-\$3,406.78; Sooland Bobcat, shop supply-\$84.84; TNT Sales & Service, parts & labor-\$305.18; US Bank, tools-\$55.12; Verizon Connect, GPS trackers-\$362.39; Verizon, cell phone-\$100.58; Village of Emerson, utilities-\$40.29; Warren Oil, fuel-\$5,652.15; Wilmes Hardware, supplies-\$64.62; Ziegler's, parts, supplies, labor, blades-\$6,110.85; **Road Improvement:** JEO, engineering-\$486.25; Midwest Svc & Sales, engineering-\$4,881.00; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$18,088.62; **P & M Fund:** MIPS, monthly software-\$591.44; **Health Grant Fund:** US Bank, Sparklight-\$181.20; **Health Dept Program Grants:** Jacqueline Traum, mileage-\$31.36; US Bank, Sparklight-\$16.50; **Juvenile Grant:** Community Monitoring Services, family support-\$317.85; **E911 Fund:** City of SSC, 911 monies-\$9,379.01; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$30,933.33;

Chair Gill opened the Public Hearing at 3:03 p.m. for the purpose of giving citizens the opportunity to offer their support, opposition or neutral comments regarding the abandonment of road described as 'starting at the north end of Lynch Avenue, going south approximately 1000 feet between parcels 220059462 and 220059713 (Davidson), Section 26,

Township 29N, Range 7E, Dakota County, Nebraska.’ Chair Gill called for public comment in support of the abandonment of a portion of Lynch Avenue near Jackson—there was none. Chair Gill called for public comment in opposition to the abandonment of a portion of Lynch Avenue—there was none. Chair Gill called for anyone wishing to make neutral comments regarding the abandonment of Lynch Avenue—there was none. Chair Gill closed the Public Hearing at 3:04 p.m. Chair Gill stated there will be a resolution at the next meeting for abandonment of Lynch Avenue.

Austin Partridge, First National Capital Markets, Inc., introduced himself and did a brief explanation of the low interest rates in the bond market. He passed out a projection sheet regarding the 2016 Highway Allocation Bond and noted that there would be a net savings of \$14,772. The commissioners had several questions regarding fees, amount and maturity date. Commissioner Love moved, seconded by Commissioner Gill, to approve Resolution 21C-026 authorizing the calling for early redemption of the County’s outstanding Highway Allocation Fund Pledge Bonds, Series 2016, date of original issue – June 30, 2016, in the principal amount of \$445,000. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 21C-026

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA, AS FOLLOWS:

Section 1. That the following bonds (herein the “Called Bonds”) issued by the County of Dakota, Nebraska are hereby called for redemption at par plus accrued interest on such date as set forth in the Designation of Call Date (as defined below):

Highway Allocation Fund Pledge Bonds, Series 2016, dated June 30, 2016, in the outstanding principal amount of \$445,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

| <u>Principal Amount</u> | <u>Maturity Date</u> | <u>CUSIP No.</u> |
|-------------------------|----------------------|------------------|
| \$ 85,000 | July 15, 2022 | 234199 DX2 |
| 85,000 | July 15, 2023 | 234199 DY0 |
| 90,000 | July 15, 2024 | 234199 DZ7 |
| 90,000 | July 15, 2025 | 234199 EA1 |
| 95,000 | July 15, 2026 | 234199 EB9 |

Section 2. The Called Bonds are payable at the office of the County Treasurer, Paying Agent and Registrar, at the offices of said Paying Agent and Registrar in Dakota City, Nebraska.

Section 3. The Chairperson of the County Board of Commissioners or the County Clerk of the County (each, an “Authorized Officer”) are hereby authorized at any time on or after the date of this resolution to determine the call date for the Called Bonds on behalf of the County and such determination, when made in writing (the “Designation of Call Date”), shall constitute the action of the County without further action of the Chairperson and Board. The Call Date shall be set for any time on or after August 1, 2021, provided, however, that on and after December 31, 2021, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Chairperson and Board of the County and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the County Treasurer, in Dakota City, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the resolution authorizing said bonds and in accordance with the Designation of Call Date.

Passed and Approved this 26th day of July, 2021.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-027 authorizing the issuance by the County of not to exceed \$475,000 aggregate principal amount of Highway Allocation Fund Pledge Refunding Bonds, Series 2021, for the purpose of refunding the County’s outstanding Highway Allocation Fund Pledge Bonds, Series 2016, date of original issue – June 30, 2016. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 21C-027

A RESOLUTION AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS, SERIES 2021, OF THE COUNTY OF DAKOTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$475,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE COUNTY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE COUNTY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE RESOLUTION PUBLISHED IN PAMPHLET FORM.

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA:

Section 1. The Chairperson of the County Board (the “Chairperson”) and the Board of Commissioners (the “Board”) of the County of Dakota, Nebraska (the “County”), hereby find and determine:

(a) That the County has heretofore issued its Highway Allocation Fund Pledge Bonds, Series 2016, dated June 30, 2016, in the outstanding principal amount of \$445,000, maturing July 15, 2022 through July 15, 2026 (the “Outstanding Bonds”);

(b) That by taking up and paying off such Outstanding Bonds by an issue of Highway Allocation Fund Pledge Refunding Bonds of the County, a substantial savings in the amount of yearly running interest will be made to the County and the Outstanding Bonds have been authorized to be called for redemption;

(c) That by issuing its refunding bonds in the amount of not to exceed \$475,000, in pursuance of Section 10-142, R.R.S. Nebraska 2012, the Outstanding Bonds can be paid off on a date designated as set forth herein;

(d) That based upon current receipts by the County for its road funds from funds which are attributable to the State of Nebraska Highway Allocation Fund, the County anticipates receipts in future years which will exceed the payments due on the refunding bonds herein authorized and the County's other outstanding Highway Allocation Fund Pledge Bonds; and

(e) That all conditions exist for the issuance of refunding bonds in the amount of not to exceed \$475,000 pursuant to Sections 10-142, R.R.S. Nebraska 2012 and 66-4,101, R.R.S. Nebraska 2018.

Section 2. For purposes as set out in Section 1 hereof, there shall be and there are hereby ordered issued bonds to be designated "Highway Allocation Fund Pledge Refunding Bonds, Series 2021," (the "Bonds") in the principal amount of not to exceed \$475,000, which shall be in denominations of \$5,000 each or any integral multiple thereof as determined by the County Treasurer prior to delivery, are hereby authorized to be issued. The Bonds shall be dated as of their date of delivery and shall mature on the dates, be issued in the principal amount and shall bear interest at the rates per annum all as determined in the Bond Purchase Agreement (the "Agreement") signed by the Chairperson or County Clerk (each an "Authorized Officer", and together, the "Authorized Officers") on behalf of the County and agreed to by First National Capital Markets, Inc. (the "Underwriter"), which Agreement may also set the pricing terms and the terms pursuant to which the Bonds may be redeemed prior to maturity, all within the following limitations:

(a) the aggregate principal amount of the Bonds shall not exceed \$475,000;

(b) the total interest cost (TIC) of the Bonds shall not exceed 2.00%;

(c) the underwriter's discount shall not exceed 1.50%; and

(d) the longest maturity of the Bonds shall mature no later than December 31, 2026.

The Authorized Officers are authorized to establish the final terms for the Bonds and arrange for issuance of the Bonds without further action by the Board, provided, however, that the authority of the Authorized Officers to act without further action by the Board shall lapse if not exercised on or before December 31, 2021. The Bonds shall be issued in the denomination of \$5,000 or any integral multiple thereof and shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchasers thereof. Interest on the Bonds shall be computed on the basis of a three hundred sixty-day year consisting of twelve thirty-day months. Interest on the Bonds shall be payable semiannually on the dates designated by the Authorized Officers in the Agreement (each such date, an "Interest Payment Date"). The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day (whether or not a business day) immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 3 hereof. Payment of interest due on the Bonds prior to maturity or redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the applicable Record Date, to such owner's registered address as shown on the books of registration, as required to be maintained in Section 3 hereof. Payment of principal due at maturity or at any date fixed for redemption, together with any accrued interest then due, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. In the event that Bonds of this issue are held in the nominee name of a national clearinghouse or depository, payment of principal or interest shall be made by wire transfer of funds in accordance with any applicable regulations governing "Depository Eligible Securities". The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid. If any Bond is not paid upon presentation of the Bond at maturity or any interest installment is not paid when due, the delinquent Bond or delinquent interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska, 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature.

Section 3. The County Treasurer is hereby appointed to serve as Paying Agent and Registrar under the terms of this resolution (the "Resolution"), provided, however that the Chairperson may, in his or her discretion, appoint a bank with trust powers or trust company to serve as Paying Agent and Registrar from time to time. If the Paying Agent and Registrar is not the County Treasurer, said Paying Agent and Registrar shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the County and said Paying Agent and Registrar, which the Chairperson is authorized to sign on behalf of the County. The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at the office of the Paying Agent and Registrar or the office of any duly appointed successor, as applicable. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar upon surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to such Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and

Registrar will register such transfer upon said registration books and deliver to the transferee registered owner or owners (or send by registered mail to the transferee owner or owners at such owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond or Bonds shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all benefits and protection of this Resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and the Paying Agent and Registrar shall not be required to transfer Bonds during any period from any Record Date until its immediately following interest payment date. In the event that payments of interest due on the Bonds on an interest payment date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such interest payment date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 4. Bonds maturing more than five (5) years after their date of issue shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of delivery of such Bonds at a redemption price equal to 100% of the par amount thereof plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may select the Bonds to be redeemed from such optional redemption in its sole discretion, but Bonds shall be redeemed only in the amount of \$5,000 or any integral multiples thereof. Any Bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given at the direction of the Chairperson and Board by the Paying Agent and Registrar by mail not less than thirty days prior to the date fixed for redemption, first-class postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by number and maturity, the date of original issue, the date fixed for redemption and state that such Bond or Bonds are to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the Chairperson and Board designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the Chairperson and Board shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be executed on behalf of the County by being signed by the Chairperson and the County Clerk, both of which signatures may be facsimile signatures, and shall have the County seal impressed on each Bond, which may be a facsimile seal. The County Clerk shall make and certify a transcript of proceedings had and done precedent to the issuance of said Bonds which shall be delivered to the purchaser of said Bonds. After being executed by the Chairperson and County Clerk, said Bonds shall be delivered to the Treasurer of the County who shall be responsible therefor under his/her official Bond. Such Treasurer shall maintain a record of information with respect to said Bonds in accordance with the requirements of Section 10-140, R.R.S. Nebraska 2012, as amended, and shall cause the same to be filed with the office of the Auditor of Public Accounts of the State of Nebraska. The Paying Agent and Registrar shall register each Bond in the name of its initial registered owner as designated by the initial purchaser. Each Bond shall be authenticated on behalf of the County by the Paying Agent and Registrar. The Bonds shall be issued initially as "book-entry only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten Bond per maturity being issued to the Depository. In such connection said officers of the County are authorized to execute and deliver a letter of representations and inducement (the "Letter of Representations") in the form required by the Depository (which may include any "blanket" letter previously executed and delivered), for and on behalf of the County, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each a "Beneficial Owner") with respect to the following:

- (i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds;
- (ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or
- (iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations

with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable to or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the ultimate Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

- (i) any successor securities depository or its nominee;
- (ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement (if any).

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the County of book-entry-only form, the County shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
 STATE OF NEBRASKA
 COUNTY OF DAKOTA
 HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BOND
 SERIES 2021

No. _____ \$ _____
Interest Rate Maturity Date Date of Original Issue CUSIP No.
 %

Registered Owner: _____
 Principal Amount: _____

KNOW ALL PERSONS BY THESE PRESENTS: That the County of Dakota in the State of Nebraska (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above the principal amount specified above in lawful money of the United States of America on the maturity date specified above, with interest thereon from date of original issue specified above or most recent interest payment date to which interest has been paid or provided for, whichever is later, to maturity (or earlier redemption) at the rate per annum specified above. Interest shall be payable semiannually on the _____ day of _____ and _____ in each year, starting _____, 202__. Interest shall be computed on the basis of a three hundred sixty-day year consisting of twelve thirty-day months. If this bond is not paid upon presentation at maturity or any interest installment hereon is not paid when due, the bond or interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature. The interest hereon due prior to maturity shall be paid on each interest payment date by the Paying Agent and Registrar for the County by wire transfer (but only in accordance with the limited terms of the authorizing resolution), check or draft mailed to the registered owner hereof, as shown on

the records of the Paying Agent and Registrar as of the close of business on the fifteenth day (whether or not a business day) immediately preceding the interest payment date, at such owner's registered address as it appears on the books of registration of the County. The principal of this bond and the interest due at maturity are payable on presentation and surrender to the Paying Agent and Registrar at the office of the Paying Agent and Registrar in Lincoln, Nebraska or the principal corporate trust office of any duly appointed successor, as applicable. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, principal and interest as the same become due, the County hereby pledges all receipts by the County which are attributable to the Highway Allocation Fund of the State of Nebraska. In the event such receipts for the Highway Allocation Fund are insufficient to meet the payments of principal and interest, the full faith, credit and resources of said County are hereby irrevocably pledged.

The County, however, reserves the right and option of paying bonds of this issue maturing on or after _____, 202__, in whole or in part, on the fifth anniversary of the date of issue or at any time thereafter. Any bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new bond evidencing the unredeemed principal thereof. Notice of any such redemption shall be given by mail, sent to the registered owner of any bond to be redeemed at said registered owner's address in the manner provided in the resolution authorizing said bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof.

This bond is one of an issue of fully registered bonds of the total principal amount of \$ _____, of like tenor herewith except as to date of maturity and rate of interest, issued by said County for the purpose of paying the outstanding Highway Allocation Fund Pledge Bonds, Series 2016, dated June 30, 2016, in the outstanding principal amount of \$445,000, and is issued pursuant to Sections 10-142, R.R.S. Nebraska 2012 and 66-4,101, R.R.S. Nebraska, 2018. This bond and the others of said issue have been duly authorized by a resolution duly passed and adopted by the Chairperson and Board of said County.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the resolution authorizing said issue of bonds, subject to the limitations therein prescribed. The County, its Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law. This bond and the interest accruing hereon shall be payable from funds received by the County from the Highway Allocation Fund of the State of Nebraska which have been pledged to the payment of such principal and interest or from ad valorem taxes levied by the County, within applicable statutory limitations, as provided in Section 66-4,101, R.R.S. Nebraska, 2018. The County has reserved the right to issue additional bonds payable from receipts from the Highway Allocation Fund of the State of Nebraska, without limitation.

IN WITNESS WHEREOF, the Chairperson and Board of the County of Dakota, Nebraska, have caused this bond to be executed on behalf of the County by being signed by the Chairperson and Clerk of the County, both of which signatures may be facsimile signatures, and by causing the official seal of the County to be affixed hereto all as of the date of original issue shown above.

COUNTY OF DAKOTA, NEBRASKA – Chairperson

ATTEST: County Clerk (S E A L)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by a resolution passed and approved by the Chairperson and Board of Commissioners of the County of Dakota, Nebraska as described in said bonds.

By County Treasurer, as Paying Agent and Registrar
(FORM OF ASSIGNMENT)

For value received _____ hereby sells, assigns and transfers unto _____ the within bond and hereby irrevocably constitutes and appoints _____, Attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: _____

Registered Owner

SIGNATURE GUARANTEED

By: Authorized Officer

Note: The signature(s) of this assignment MUST CORRESPOND with the name as written on the face of the within bond in every particular without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Chicago or other stock exchange.

Section 8. Said Bonds are hereby sold to First National Capital Markets, Inc. upon the terms set forth in the Agreement approved by the Authorized Officers within the parameters set forth in Section 2 above and the City Treasurer is authorized to deliver the Bonds to said purchaser upon receipt of the said amount plus accrued interest to the date of payment. Said Bonds are sold to the purchaser subject to the opinion of independent bond counsel that said Bonds are lawfully issued; that said Bonds constitute a valid obligation of the City; and that under existing laws and regulations the interest on said Bonds is exempt from both Nebraska state and federal income taxes. The proceeds of the Bonds herein authorized shall be used to refund the Outstanding Bonds as set out in Section 1. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. For the payment of the Bonds, principal and interest as the same fall due, there are hereby pledged all receipts by the County which are attributable to the Highway Allocation Fund of the State of Nebraska. So long as the County has in each year made adequate provision for the payments of principal and interest due on the Bonds falling due in such year, monies received by the County attributable to the Highway Allocation Fund may be applied for any other permitted purpose. The County reserves the right to issue additional bonds pursuant to Section 66-4,101, R.R.S. Nebraska, 2018, which shall also be secured equally and ratably with the Bonds by a pledge of funds to be received by the County attributable to the Highway Allocation Fund without limitation. The County hereby agrees that, in the event that receipts by the County in any year attributable to the Highway Allocation Fund are insufficient to meet the payments of principal and interest falling due on the Bonds, the County shall levy ad valorem taxes upon all taxable property in the County, at such rate or rates, within applicable statutory limitations, as will provide funds which, together with receipts from the Highway Allocation Fund, will be sufficient to pay principal and interest on the Bonds as they severally mature. The County reserves the right to issue additional bonds pursuant to Section 66-4,101, R.R.S. Nebraska, 2018.

Section 10. The County hereby covenants to the purchasers and holders of the Bonds hereby authorized that it will make no use of the proceeds of said bond issue, including monies held in any sinking fund for the payment of said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and further covenants to comply with said Sections 103 and 148 and all applicable regulations thereunder throughout the term of said bond issue. The County hereby covenants and agrees to take all actions necessary under the Code to maintain the tax-exempt status of interest payable on the Bonds with respect to taxpayers generally but not including insurance companies. The County Treasurer is hereby authorized to make allocations of Bonds and Bond proceeds with respect to said issue in accordance with the Regulations of the United States Treasury under Section 148 of the Code. The County hereby designates the bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not anticipate issuing tax-exempt obligations in calendar 2021 in an amount in excess of \$10,000,000 (taking into account the exclusion for refunding issues deemed designated as qualified tax-exempt obligations) provided, however, that the amount of Bonds designated hereunder shall be reduced as and to the extent Bonds are "deemed designated" under Section 265(d) of the Code.

Section 11. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 12. This Resolution shall be published in pamphlet form and take effect as provided by law.
PASSED AND APPROVED this 26th day of July, 2021.

Representatives from the temple Wat Buddharam of Siouxland, requested approval of a Special Designated Liquor License for a fundraising event. Commissioner Love moved, seconded by Commissioner Albenesius, to approve a Special Designated Liquor License for a fundraising event at 500 142nd Street, South Sioux City on September 5th from 1:00 to 10:00 p.m. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-028 approving road equipment be sold as surplus property. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-028
RESOLUTION TO DECLARE
MOBILE EQUIPMENT AS SURPLUS PROPERTY

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

WHEREAS, said mobile equipment consists of the following property:

1. 2004 Utility Trailer; VIN: 1UYFS24844A213101

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

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

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

DATED this 26th day of July, 2021.

Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-024 for the purpose of adopting the amended Planning & Zoning regulations in resolution form—Section 202 Definitions (consanguinity); Section 640.5 Recreational Vehicle Parks and Section 900.2 Wind Energy Installation. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-024
RESOLUTION ADOPTING AMENDED DAKOTA COUNTY ZONING REGULATIONS

WHEREAS, the County Board of Commissioners has the authority to amend zoning resolutions which shall have the force and effect of law pursuant to Section 508 of the Zoning Ordinances of Dakota County, Nebraska; and

WHEREAS, the County Board of Commissioners established the Dakota County Planning Commission pursuant to Regulation as set for by Neb. Rev. Stat. §23-114 to 23-114.05, 23-168.04, 23-172 to 23-174, 23-174.02, 23-373 and 23-376; and,

WHEREAS, the Commission has determined it reasonable and necessary to amend Section 202 – Definitions to add the definition of Consanguinity; and

WHEREAS, the Commission has determined it reasonable and necessary to amend Section 640.5 Recreational Vehicle Parks – Occupancy; and

WHEREAS, the Commission has determined it reasonable and necessary to amend Section 900.2 Wind Energy Installation; and

WHEREAS, it is the intent of the County Board to enact the proposed text amendments to Sections 202 Definitions, 640.5 Recreational Vehicle Parks and 900.2 Wind Energy Installations.

NOW, THEREFORE, BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS that this Board makes the following findings of fact:

- I. A public hearing regarding the adoption of certain proposed amendments and revisions to the Dakota County Zoning Regulations for Section 200 and Section 640.5 were held on February 16, 2021 and Section 900.2 was held on May 18, 2021 before the Dakota County Planning Commission as required by the State of Nebraska. The Planning Commission provided its recommendation of approval as noted in the Planning Department Report.
- II. A public hearing regarding the adoption of the proposed amendments and revisions to the Dakota County Zoning Regulations, was held by this Board as required by §23-114.01(2).
- III. Notice of each of the Public Hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Dakota County Clerk.
- IV. Notice of the time and place of each hearing was also given in writing to the clerks of the local governments which have jurisdiction over land within three (3) miles of the property affected by such action as required by Neb. Rev. Stat. §23-164.
- V. The proposed amendments to be approved by this Resolution are within Section 202, Section 640.5 and Section 900.2 of the Dakota County Zoning Regulations. Further the Planning Department report is attached hereto and includes a red-line version in legislative format showing the proposed changes for Section 202, Section 640.5 and Section 900.2, along with all attachments to said Planning Department Report, all as attached hereto and known as Exhibit "A".

VI. The proposed amendments to the Dakota County Zoning Regulations are consistent with the Dakota County Comprehensive Development Plan and are designed to promote the health, safety and welfare of the present and future inhabitants of Dakota County.

Dakota County Board of Commissioners
Monday, August 8, 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, Love, Giese, Albenesius, Launsby. Absent: None. Also present was Kim Watson, County Attorney, and Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. 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 – July 26, 2021
 - b. Approval of payroll claims for July 25 – August 7, 2021
 - c. Approval of accounts payable claim – Bizco Technologies/grant match
 - d. Approval of Chair to sign Annual Certification Form regarding the allocation and expenditure of the Highway Street and Bridge Buyback Programs.
 - e. Approval of the Veterans Service Officer Quarterly Report for April – June, 2021.
3. NEW BUSINESS & RESOLUTIONS
 - a. Approve Resolution 21C-029 for Road Abandonment or Vacation and Disposition of Right-of-Way regarding portion of Lynch Avenue, Jackson, Nebraska.
 - b. Approve Resolution 21C-030 regarding assessing the landowner/tenant for road damage from pivot irrigation.
 - c. Approve Resolution 21C-031 for the signing of the County Annual Certification of the Road Program Compliance for 2021.
 - d. Closed Session to discuss union contract negotiations for Sheriff Deputy Lodge 49, Correctional Officer Lodge 49 and Road Local 251.
 - e. Approve Resolution 21C-032 to take action on Sheriff Union Contract.
 - f. Approve Resolution 21C-033 to take action on Jail Union Contract
 - g. Approve Resolution 21C-034 to take action on Road Union Contract
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Wayne Rock, Nelson & Rock, submitted a written request for an extension of time for the Waterbury South Bridge repair project.
 - c. Approval of Contractor's Application for Payment No. 1 for project Waterbury South (Burcham Bridge #C002200125).
 - d. Approve hiring applicant for the position of Road Department Foreman.
 - e. Sheriff Kleinberg – Monthly Jail Report
 - f. Sheriff's Office to present Distress Warrants Report showing the total amount collected on current distress warrants and the amount remaining uncollected \$77-1719.01. Board to approve Report and authorize the Assessor to remove from the property tax rolls said properties recommended on Sheriff's Distress Warrants Report to be stricken and deleted by correction.
 - g. Sarah Deck, Juvenile Diversion Officer, requesting approval of contract between Dakota County and Community-Based Services for Community Youth Coaching under Grant #22-CB-507.
 - h. Approve the Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 Standards.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment - Jean Broyhill, Dakota City, spoke questioning the process of notification, documentation and/or verification of undocumented persons coming into our community from the border. No other public comment.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of July 26, 2021; (b) approval of payroll claims for July 25 – August 7, 2021; (c) accounts payable claim (d) approval for chair to sign Annual Certification Form regarding the allocation and expenditure of the Highway Street and Bridge Buyback Programs; (e) approval of the Veterans Service Officer Quarterly Report for April – June, 2021. Chair Gill moved, seconded by Commissioner Love, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$149,090.34; Net Pay-\$105,307.61; Total Retirement-\$10,364.14; Total FICA-\$10,992.90; Health Plan-\$34,419.00; Dental Plan-\$1,135.75; Life Insurance-\$198.66; 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-\$1,014.06; Stephanie Gatzemeyer-\$1,590.67; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,041.45; Samantha Mitchell-\$835.13; 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-\$1,748.35; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$1,922.81; Tammy Dunn Peterson-\$1,761.20; Shaun Bird-\$1,772.84; Russell Briggs-\$0.00; Sergio Castillo-\$2,408.79; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,479.81; Brian Fernau-\$2,197.01; Tyler Fulkerth-\$2,271.55; Brent Gilster-\$2,262.07; Martin Guerrero-\$2,197.01; Melvin Harrison III-\$2,381.70; Jason James-\$2,182.84; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$889.27; Jared Junge-\$2,486.31; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,261.28; Mardi Schnee-\$1,088.80; Ryne Sell-\$0.00; Shantel Krull-\$960.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$1,798.94; Shaelee Barreras-\$126.79; Rebecca Broer-\$1,750.60; Kacie Brown-\$1,769.90; Ricardo Chavez-\$1,428.95; Lacey Clark-\$1,199.02; Alexander DeLeon-\$1,533.84; Elisabet DeRoin-\$1,972.10; Jesse Doelle-\$1,584.80; Jon Enstrom-\$986.04; Jonathan Gray-\$1,800.83; Kimberly Greco-\$1,921.48; Sara Gritten-\$1,494.68; Kara Groetken-\$1,716.23; Todd Hammer-\$2,222.40; Adam Hough-\$1,744.21; Brenda Irwin-\$1,677.18; Skyler Miner-\$1,764.05; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,752.28; Kimberly Peterson-\$1,664.04; Michele Rohde-\$1,362.40; Jonathan Romo-Rodriguez-\$1,697.59; Rebecca Schoep-\$1,545.84; Jennifer Svendsen-\$2,507.89; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,830.13; Estrella Vazquez-\$1,369.12; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$265.30; Jana Adam-\$1,916.75; Yvette Aldana-\$1,529.50; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$125.01; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,296.00; Willard Johnston-\$2,016.66; General Fund Employee;; Federal Tax-\$11,144.52; State Tax-\$5,323.04; Soc Sec-\$8,909.24; Medicare-\$2,083.66; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$7,039.30; Health Plan-\$2,800.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$390.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$466.23; Legal Shield-\$99.16; Liberty Nat'l Pretax-\$71.04; Liberty Nat'l-\$0.00; VSP Vision Base-\$77.70; Road Fund Employer;; Gross Salaries-\$17,289.28; Net Pay-\$12,028.48; Retirement-\$1,167.04; Total FICA-\$1,297.57; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,889.63; Kevin Chambers-\$1,689.00; Ryan Chambers-\$1,850.36; Robert Hacker-\$1,701.00; Lance Jacobsen-\$1,677.00; David Kneifl-\$1,689.00; Kimon Litras-\$1,737.00; Dean Pallas-\$1,701.00; Tyler Pallas-\$1,666.28; Matthew Roost-\$1,689.01; **Road Fund Employee:** Federal Tax-\$1,420.48; State Tax-\$647.33; FICA-\$1,051.63; Medicare-\$245.94; Extra Fit-\$150.00; Retirement-\$778.05; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.82; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.91; **Health Planning Grant Employer:** Gross Salaries-\$1,520.00; Net Pay-\$1,163.03; Retirement-\$102.60; Total FICA-\$113.52; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,520.00; Health Planning Grant Employee;; Federal Tax-\$78.39; State Tax-\$38.53; FICA-\$92.00; Medicare-\$21.52; Extra Sit-\$5.00; Retirement-\$68.40; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **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;

Accounts Payable: General: Bizco Technologies, Panasonic Toughbook - \$553.25

Commissioner Love moved, seconded by Commissioner Albenesius, to approve Resolution 21C-029 for Road Abandonment or Vacation and Disposition of Right-of-Way regarding portion of Lynch Avenue, Jackson, Nebraska. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-029

ROAD ABANDONMENT OR VACATION
AND DISPOSITION OF RIGHT-OF-WAY

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, that a public hearing was held in the Board of Commissioners Room on the 26th day of July, 2021, at 3:03 p.m., pursuant to notice of public hearing published in the Dakota County Star for three consecutive weeks previous to such hearing and certified letters sent to surrounding landowners.

BE IT FURTHER RESOLVED that at such public hearing no persons appeared regarding the vacating and abandonment of said road as hereinafter described, and the Board being fully advised and upon consideration of the matter hereby orders that the following road be vacated and abandoned and that the public right-of-way shall be disposed of in the following manner:

1. Shall revert back to the adjacent landowners, one half to each such landowner. Described as follows: Minimum Maintenance portion of Lynch Avenue approximately 1,000' between Davidson parcels 220059462 and 220059713. Section 26, Township 29N, Range 7E, Dakota County, Nebraska.

A certified copy of this Resolution shall be filed with the Register of Deeds and indexed against all affected property.

Discussion was had regarding irrigation water being run on the county roads resulting in areas of roads becoming muddy and impassable. Letters were sent to landowners. Commissioner Love moved, seconded by Chair Gill, to approve Resolution 21C-030 Billing Landowners/Tenant for Road Damage from Pivot. ROLL CALL VOTE: Albenesius-yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-030
BILLING LANDOWNER/TENANT
FOR ROAD DAMAGE FROM PIVOT

WHEREAS, Section 39-301 of the Nebraska Revised Statutes prohibits anyone from injuring or obstructing a public road as specified in that section; and,

WHEREAS, diverting water onto or across a public road which saturates, washes, or impairs the maintenance, construction, or passability of such public road is prohibited by law; and,

WHEREAS, no criminal penalties may be applied when damages to a road has been caused by the mechanical malfunction of any irrigation equipment when a sprinkler system had been set so that under normal weather conditions no water would have been placed upon the right-of-way of any road; and,

WHEREAS, criminal penalties may, however, be imposed if damage to a public road has been caused by a mechanical malfunction or irrigation equipment more than two times in one calendar year; and,

WHEREAS, Neb. Rev. Stat. §39-302 provides that any sprinkler system which, due to location or design, diverts, or is capable of diverting, water onto or across a public road so as to saturate, wash, or impair the maintenance, construction, or passability of such road, or allows water to accumulate on the roadway or traveled surface shall be equipped with a device to automatically shut off the end gun of the irrigation system; and,

WHEREAS, it is the determination of the Board of Commissioners of Dakota County, Nebraska that any person who damages a road with irrigation water shall be liable to the county for the cost of repair, re-graveling, and/or additional reasonably necessary maintenance required to be performed to return the public road to its original condition; and,

WHEREAS, the owner of record of the land upon which the irrigation system is located that caused the damage should be required to reimburse the county for said damages.

NOW THEREFORE, BE IT RESOLVED by the County of Dakota that the owner of record of land upon which is located any irrigation system which damages a public road in Dakota County, Nebraska shall be liable for the cost of repair, re-graveling, and any additional reasonably necessary maintenance, caused by said irrigation system diverting irrigation water onto or across a public road which saturates, washes, or impairs the maintenance, construction, or passability of such road.

BE IT FURTHER RESOLVED that the Dakota County Road Department is authorized to forthwith repair, re-gravel and maintain all such damaged roads and bill the cost thereof to the owner of record of the land upon which is located said irrigation system. The sum of any unpaid bills may be recovered by the county in a civil action or as otherwise authorized by existing law.

Commissioner Love moved, seconded by Commissioner Giese, to convene in closed session for the purpose of union contract negotiations for Sheriff Deputy Lodge 49, Correctional Officer Lodge 49 and Road Local 251. Chair re-stated the reason for the closed session at 3:15 p.m.

Commissioner Love moved, seconded by Chair Gill, to reconvene from closed session. ROLL CALL VOTE: Launsby-yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED at 3:37 p.m.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-032 regarding union contract negotiation impasse and implementation of Commissioner's final offer for the Sheriff Deputy Fraternal Order of Police Lodge 49 (July 1, 2021 to June 30, 2025). ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 21C-032
SHERIFF DEPUTY FRATERNAL ORDER OF POLICE LODGE 49
MASTER COMPREHENSIVE AGREEMENT

WHEREAS, the Dakota County Board of Commissioners, hereinafter referred to as "County," has engaged in good faith negotiations with the Fraternal Order of Police, Lodge #49, hereinafter referred to as "Union," in an attempt to establish by agreement wages, benefits, terms and conditions of employment for employees represented by the Union in the Dakota County Sheriff's Office for the period of July 1, 2021, to June 30, 2025; and

WHEREAS, the Union has not approved by the August 4, 2021, deadline the County's July 21, 2021, "Final Offer" for the period of July 1, 2021, through June 30, 2025; and

WHEREAS, the Dakota County Board of Commissioners believes said final offer to be a true reflection of comparability of wages, benefits, terms and conditions of employment; and

WHEREAS, the Dakota County Board of Commissioners has rejected the Union's July 29, 2021, counteroffer; and

WHEREAS, the Dakota County Board of Commissioners is implementing its final offer for the period after June 30, 2021, which is not subject to any wage proceeding currently in the Nebraska Commission of Industrial Relations.

NOW, THEREFORE, BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS that an impasse be hereby declared in negotiations between the County and the Union.

BE IT FURTHER RESOLVED, that retroactive to July 1, 2021, the County's final offer, a copy of which is attached hereto and incorporated herein by reference, be hereby imposed as terms and conditions of employment for all bargaining unit employees represented by the Union employed in the Dakota County Sheriff's Office.

Passed and adopted this 9th day of August, 2021.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-033 regarding union contract negotiation impasse and implementation of Commissioner's final offer for the Correctional Officers Fraternal Order of Police Lodge 49 (July 1, 2021 to June 30, 2024). ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 21C-033
CORRECTIONAL OFFICERS FRATERNAL ORDER OF POLICE
LODGE 49 MASTER COMPREHENSIVE AGREEMENT

WHEREAS, the Dakota County Board of Commissioners, hereinafter referred to as "County," has engaged in good faith negotiations with the Fraternal Order of Police, Lodge #49, hereinafter referred to as "Union," in an attempt to establish by agreement wages, benefits, terms and conditions of employment for certain County employees in the Correctional Facility represented by the Union for the period of July 1, 2021, to June 30, 2024; and

WHEREAS, the Union on or before August 2, 2021, voted to reject the County's July 21, 2021 "Final Offer" for the period of July 1, 2021, through June 30, 2024; and

WHEREAS, the Dakota County Board of Commissioners believes said final offer to be a true reflection of comparability of wages, benefits, terms and conditions of employment; and

WHEREAS, the Dakota County Board of Commissioners has rejected the Union's August 2, 2021, counteroffer; and

WHEREAS, the Dakota County Board of Commissioners is implementing its final offer for the period after June 30, 2021, which is not subject to any wage proceeding currently in the Nebraska Commission of Industrial Relations.

NOW, THEREFORE, BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS that an impasse be hereby declared in negotiations between the County and the Union.

BE IT FURTHER RESOLVED, that retroactive to July 1, 2021, the County's final offer, a copy of which is attached hereto and incorporated herein by reference, be hereby imposed as terms and conditions of employment for all bargaining unit employees represented by the Union employed in the County Correctional Facility.

Passed and adopted this 9th day of August, 2021

Commissioner Launsby moved, seconded by Chair Gill, to approve Resolution 21C-034 authorizing Chair to sign the Comprehensive Master Agreement between County of Dakota and Road Department Nebraska Public Employees Local 251 AFSCME. (July 1, 2021 to June 30, 2022). ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-034
ROAD DEPARTMENT LOCAL 251 MASTER COMPREHENSIVE AGREEMENT

WHEREAS, the Dakota County Board of Commissioners recognizes Nebraska Public Employees, AFSCME Local Union 251, as the sole and exclusive bargaining agent for the purpose of collective bargaining for the employees of the Road Department; and

WHEREAS, members of the Dakota County Board of Commissioners met and negotiated with Local Union 251 AFSCME to bargain and have reached a one-year mutual agreement for the term of July 1, 2021, to June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners of Dakota County, Nebraska, approve the Comprehensive Master Agreement between County of Dakota County, Nebraska, and Nebraska Public Employees, Local 251 AFSCME (Road Department) and authorize Chair to sign said Agreement.

DATED this 9th day of August, 2021.

Jolene Gubbels, Highway Superintendent, presented the Road Report for July 25 to August 7, 2021. Total road maintenance- 214 hours; overtime- 4 hours; Culvert Projects: Blyburg Road- 99 hours; Fiddler Creek Road- 7.5 hours; L Avenue- 60 hours; Old Hwy 20 curve- 12.5 hours; 240th Street- 68 hours; garbage pickup- 3 hours; gravel hauling – 64 hours; tons of gravel hauled – 983.73; sign repair/barricading – 21.5 hours. Commissioner Albenesius requested Nodaway Road shoulders be pulled up and road elevated yet this fall.

The written request from Wayne Rock, Nelson & Rock, for an extension of time for the Waterbury South Bridge repair project was discussed. Chair Gill moved, seconded by Commissioner Launsby, to approve extending the deadline for the completion of the Waterbury South bridge repair project to October 1, 2021. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- no. MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Contractor's Application for Payment #1 for Waterbury South Bridge #C002200125 project. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding hiring for the position of a working Road Foreman. Commissioner Albenesius felt the County should not be in a hurry and wait for a "truly qualified" candidate. Chair Gill moved, seconded by Commissioner Love, to approve hiring Brent Byroad for the Road Foreman position. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- no, Launsby- yes. MOTION CARRIED.

Commissioner Love read the Jail Report for the month of July, 2021.

July (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 92 | 20 | 0.06 | 112 |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 78 | 22 | 0.11 | 100 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 92 | 20 | 0.06 | 112 |

Federal Income

| | | | |
|----------------|-------------|------------------|--------------------|
| July Marshal | \$42,152.40 | Fiscal Marshals: | \$42,152.40 |
| July ICE: | .00 | Fiscal ICE: | 0.00 |
| July OMMS/SDMS | <u>0.00</u> | Fiscal BIA/OMMS: | |
| July Federal: | \$42,152.40 | Fiscal Federal: | <u>\$42,152.40</u> |

2021 Calendar Federal: \$317,143.24

July County Contracts: \$0.00 2020-21 Fiscal County Contracts: \$0.00

April Phone/Commissary Commission: \$11,781.38

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 | | | | | |

July 2021: The jail spent \$257,040.45 or 9% of yearly estimated budget or 1% over estimated fiscal year budget.

July, 2020: the jail spent 9% of yearly budget. The Jail spent \$37,506.60 more than was allotted for July budget or 14.5% over budget for the month.

July Bookings:

| | | | |
|-------------|----------|----------------|----------|
| DCSO: | 35 | DAKOTA COUNTY: | 44 |
| SSCPD: | 45 | OTHER NE: | 15 |
| NSP: | 10 | SIOUX CITY: | 23 |
| COURT/SELF: | 2 | OTHER IA: | 4 |
| FED: | 2 | OTHER STATES: | 7 |
| OTHER: | <u>0</u> | HOMELESS: | <u>1</u> |
| TOTAL: | 94 | TOTAL: | 94 |

Randy Walsh, Captain, Office of County Sheriff, presented the Distress Warrants Report. Mr. Walsh stated there were 173 distress warrants printed with a total amount due of \$29,080.09. 164 warrants were satisfied and collected by the Sheriff's Office; 4 warrants were paid to the Treasurer; 5 warrants come with a recommendation to be stricken and they are properties #220122997, #220189536, #220143102, #220133972, #220201455. No Sheriff's Sale was needed this year. With additional interest collected, the total collected was \$30,739.63. Chair Gill moved, seconded by Commissioner Giese, to approve the Report and authorize the Assessor to remove from the property tax rolls the properties recommended to be stricken. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Sarah Deck, Juvenile Diversion Coordinator, requested approval of a community youth coaching contract that falls under the Juvenile Diversion Grant. Chair Gill moved, seconded by Commissioner Giese, to approve a contract between Dakota County and Community-Based Services for youth coaching under Grant #22-CB-507. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the Midwest Alarm Services Basic Agreement. County Attorney Kim Watson recommended the Board not approve the contract—she stated the County would assume liability for everything, late payment penalties and no options to withdraw from the contract. No action was taken. Chair Gill thought an alternate provider should be looked for.

Commissioner Committee Reports: Love- Health Board will conduct interviews August 16th for DCHD Director and hope to have their recommendation at the next board meeting; Gill, Giese and Launsby attended the NIRMA Employment Practices seminar; Giese- the Veteran's groups fundraisers were mostly prevented because of COVID19 and would like to apply for assistance. No mail or emergency business

Chair Gill adjourned the Board of Commissioners meeting of August 9, 2021, at 4:22 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, August 23, 2021
2:00 p.m. NEMA Commissioner Presentation
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Vice-Chair Giese called the meeting to order at 2:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill (arrived at 2:38 p.m.), Giese, Albenesius (arrived at 2:14 p.m.), Launsby. Absent: Love. Also present was Kim Watson, County Attorney (3:00 p.m. Regular Business meeting), 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.

2:00 p.m. Nebraska Emergency Management Agency (NEMA) Commissioner Presentation

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 – August 9, 2021
 - b. Approval of payroll claims for August 8 - 21, 2021
 - c. Approval of accounts payable claims
 - Jackson High bridge contractor request for payment #1 - \$97,385.11
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
3. NEW BUSINESS & RESOLUTIONS
 - a. Kristin Robinette, President, Dakota County Health Board, presenting applicant/s which were interviewed for the position of Health Department Director and their recommendation and requesting the Board to appoint a Health Department Director.
 - b. Sheriff Kleinberg – update on Federal Marshals housing agreement and approval to move forward in planning for Phase 2.
 - Approval for chair to sign Agreement with Architect for construction of Jail Phase 2
 - c. Approve Resolution 21C-035 to approve final allocation of levy authority for Dakota County Ag Society
 - d. Approve Resolution 21C-036 to approve final allocation of levy authority for Dakota County Historical Society
 - e. Approve Resolution 21C-037 to approve final allocation of levy authority for Dakota-Covington Rural Fire Protection District
 - f. Approve Resolution 21C-038 to approve final allocation of levy authority for Emerson Rural Fire Protection District
 - g. Approve Resolution 21C-039 to approve final allocation of levy authority for Fire Protection District #1, Homer
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Earl Imler, Preparedness and Operations Section Manager, Nebraska Emergency Management Agency (NEMA), gave a brief overview of the state statutes that govern the Nebraska Emergency Management Act and the requirements and duties under the Act. Deanna Hagberg, Dakota County Emergency Manager, was also in attendance and discussion was had regarding her role as first responder on call 24/7. The duties of the Chair in declaring a disaster and the coordinating state and federal government's roles were also discussed. It was noted that cyber security threats are an ongoing concern.

Vice-Chair Giese declared a 15-minute break at 2:45 p.m. Chair Gill reconvened the regular session at 3:00 p.m. with Roll Call and stating the Open Meetings Act posting location.

Chair Gill called for Public Comment and there was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of August 9, 2021; (b) approval of payroll claims for August 8 - 21, 2021; (c) accounts payable claims (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve the consent agenda items. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love-absent. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$159,496.79; Net Pay-\$112,211.30; Total Retirement-\$11,066.33; Total FICA-\$11,788.41; Health Plan-\$34,419.00; Dental Plan-\$1,135.75; Life Insurance-\$198.66; 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-\$1,193.81; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,056.25; Stephanie Gatzemeyer-\$1,633.99; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,041.46; 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-\$1,662.13; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$1,802.63; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,014.87; Sergio Castillo-\$2,776.55; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,954.27; Penny Epting-\$2,699.76; Brian Fernau-\$2,438.52; Tyler Fulkerth-\$2,368.03; Brent Gilster-\$2,375.83; Martin Guerrero-\$2,706.18; Melvin Harrison III-\$2,523.43; Jason James-\$2,428.99; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$571.96; Jared Junge-\$2,626.53; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,423.85; Mardi Schnee-\$1,085.40; Ryne Sell-\$390.00; Shantel Krull-\$960.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$2,126.05; Rebecca Broer-\$2,016.85; Kacie Brown-\$2,094.83; Ricardo Chavez-\$2,158.75; Lacey Clark-\$2,002.84; Leonardo Davalos-\$664.20; Alexander DeLeon-\$1,685.64; Elisabet DeRoin-\$2,023.01; Jesse Doelle-\$1,877.84; Jonathan Gray-\$1,988.15; Kimberly Greco-\$2,087.33; Sara Gritten-\$2,156.53; Kara Groetken-\$2,010.77; Todd Hammer-\$2,496.29; Adam Hough-\$2,087.72; Brenda Irwin-\$2,154.63; Skyler Miner-\$1,722.50; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,071.06; Kimberly Peterson-\$1,972.92; Michele Rohde-\$1,370.92; Jonathan Romo-Rodriguez-\$2,414.73; Rebecca Schoep-\$1,849.62; Jennifer Svendsen-\$2,375.21; Taylor Tadlock-\$1,979.57; Danielle Thibodeau-\$1,988.86; Estrella Vazquez-\$2,222.08; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$265.30; Jana Adam-\$1,897.50; Yvette Aldana-\$1,448.75; Theresa Grove-\$1,948.80; Mohamud Ibrahim-\$159.74; Yesica Saldana Cisneros-\$1,382.50; Jacqueline Traum-\$1,296.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,626.38; State Tax-\$5,977.19; Soc Sec-\$9,553.95; Medicare-\$2,234.46; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$7,520.13; Makeup Retirement-; Health Plan-\$2,800.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$480.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$466.48; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$71.06; VSP Vision Base-\$77.81; **Road Fund Employer:** Gross Salaries-\$16,525.72; Net Pay-\$11,483.44; Retirement-\$1,115.50; Total FICA-\$1,239.11; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,995.32; Kevin Chambers-\$1,613.60; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneifl-\$1,613.60; Kimon Litras-\$1,661.60; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,340.49; State Tax-\$601.55; FICA-\$1,004.26; Medicare-\$234.85; Extra Fit-\$150.00; Retirement-\$743.64; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.88; Liberty National PreTax-\$ 6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,527.13; Net Pay-\$1,168.13; Retirement-\$103.08; Total FICA-\$114.06; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$1,527.13; **Health Planning Grant Employee:** Federal Tax-\$79.21; State Tax-\$38.87; FICA-\$92.44; Medicare-\$21.62; Extra Sit-\$ 5.00; Retirement-\$68.72; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **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.

Accounts Payable: General: Robert Giese, mileage-\$80.08; NACO, Annual Conference-\$300.00; Pender Times, publications-\$529.29; Leaf, copier lease-\$187.49; NACO, fall meeting-\$25.00; One Office Solutions, tape & calendar-\$25.25; US Bank, Annual Conference-\$150.00; DAS State Acct, state software-\$253.50; Dakota County Treasurer, bank fees-\$80.00; Holiday Inn Express, lodging-\$192.00; MIPS, monthly software-\$940.91; One Office Solutions, ink cartridge-\$209.99; Pender Times, publications-\$264.00; Irene VanLent, prior years service-\$16.00; NE Assoc of Clerks, Deeds, Elections fall meeting-\$50.00; Margie Rahn, prior years service-\$12.00; Christy Abts, office supplies-\$15.41; Bralda, Inc., appraisal services-\$578.00; EWDS Inc, appraisal services-\$382.50; Leaf, copier lease-\$147.82; One Office Solutions, copies-\$158.36; Stanard Appraisal Serv, appraisal services-\$10,287.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, postage & workshop-\$283.20; Stephan Welding Inc, ballot box repairs-\$175.00; Pender Times, publications-\$9.20; RTI, monthly support & licenses-\$12,074.21; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$90.86; DAS State Acct, supplies-\$20.28; Microfilm Imaging, scanning-\$177.00; US Bank, H2O4U-\$19.50; Leaf, copier lease-\$130.00; One Office Solutions, copier lease & supplies-\$161.03; Damian Almaraz, witness fees-\$25.60; Jesus Almaraz, witness fees-\$20.00; Jose Almaraz, witness fees-\$20.00; Autry Reporting, depositions-\$1,481.75; Dakota County Court, court costs-\$1,798.72; Dakota County Sheriff, papers & warrants-\$760.48; Dakota County District Court, court costs-\$750.00; Douglas County Sheriff, paper service-\$24.13; Erika Herrera Perez, witness fees-\$20.00; Randy Hisey, crt appt atty fees-\$420.00; Stuart Mills, crt appt atty fees-\$883.75; Douglas Roehrich, crt appt atty fees-\$1,861.10; Richard Thrumer, crt appt atty fees-\$1,443.75; Robert Wichser, crt appt atty fees-\$8,097.25; City of Dakota City, utilities-\$160.66; Eakes Office Solutions, janitorial supplies-\$552.54; Gill Hauling Inc., dumpster-\$101.65; Menards, LED bulbs, paint, electrical supp-\$319.52; MidAmerican Energy, utilities-

\$1,008.96; NPPD, utilities-\$2,085.51; R Rohan Electric, electrical work-\$300.59; Share Corp, chemicals & sprayer-\$313.98; Trembly, pest control-\$55.00; US Bank, bldg supp & membership-\$66.57; Verizon, cell phone-\$41.12; Wilmes Hardware, tools & supplies-\$86.19; Carol Larvick, mileage-\$78.96; Leaf, copier lease-\$98.82; One Office Solutions, supplies-\$229.54; Papio-Missouri NRD, monthly rent-\$600.00; Staples, office supplies-\$155.43; WalMart, supplies-\$29.03; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$50.54; Axon Enterprises Inc, taser payment-\$3,432.00; Bekins Fire & Safety Services, 18 fire extinguishers-\$1,426.86; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,816.58; Dakota County Star, publications-\$59.32; Electronic Engineering, radio repair-\$170.57; Farmers Bank & Trust, 2018 vehicle payment-\$4,007.42; Jack's Uniforms, uniforms & equipment-\$335.80; K & S Service, sheriff car repairs-\$20.00; Prime Performance, sheriff car repairs-\$130.66; Siouxland Lock & Key, file cabinet locks-\$100.00; TransUnion Risk & Alternative, searches-\$120.00; US Bank, lodging, training, supplies, fuel-\$2,006.87; Verizon, cell phone-\$200.05; Wilmes Hardware, fuses-\$3.39; AT&T Mobility, cell phones-\$87.10; Marco, copier lease-\$149.24; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$33.00; City of SSC, LEC Share & Set-aside equipment-\$40,315.96; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; AT&T Mobility, phones-\$93.96; Bob Barker, inmate supplies-\$1,048.99; City of Dakota City, water-\$2,892.30; C W Suter Services, AC units repaired-\$506.25; DAS State Acct, language line-\$34.50; Eakes Office Solutions, supplies-\$2,666.03; Foulk Brothers Plumbing & Heating, installed sink-\$735.86; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$189.40; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$292.24; NPPD, utilities-\$4,508.69; Overhead Door Co, door repairs-\$225.00; Roto Rooter, pump pit-\$450.00; Summit Food Service, food & beverge-Jail-\$17,516.90; Thurston County Sheriff, boarding prisoners-\$3,600.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$1,209.45; Wells Fargo Financial Leasing, copier lease-\$541.16; US Bank, Sparklight & office supplies-\$196.12; Leaf, copier lease-\$103.00; NACO, fall workshop-\$25.00; One Office Solutions, copier lease-\$15.88; Verizon, phones-\$41.12; NACO, Annual Conference-\$150.00; Jana Adam, mileage-\$61.60; AT&T Mobility, phones-\$92.72; Availity/Realmed, medical billing-\$125.00; Little Red Embroidery Co, Covid 19 resources-\$86.65; Marco Technologies, copier lease-\$8.09; Marco Technologies, copier lease-\$237.90; Medical Device Depot, 2 refrigerators-\$5,365.00; NALHD, membership dues-\$1,003.12; US Bank, meals, gifts, supplies, remodel-\$1,863.60; Verizon, cell phone-\$95.36; Dr Thomas Wentz, consulting physician fee-\$250.00; CVSOAN, workshop-\$60.00; Bill Johnston, mileage-\$311.36; One Office Solutions, copy fees-\$30.96; Quill, Ink & toner-\$81.98; US Bank, law library-\$659.20; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$609.13; Innovative Appraisal Services, BOE-\$2,850.00; MercyOne Siouxland, Monthly EAP-\$1,815.50; MIPS, HR software-\$1,025.62; Norm Waitt Sr YMCA, monthly fees-\$205.00; Priority Communicatoins, 4 phones-\$687.50; Quadiant Leasing, postage machine-\$782.61; Stanard Appraisal Serv, protests 2021-\$3,862.50; US Bank, supplies-\$61.99; US Postal Service-Quadiant, postage-\$2,000.00; Woods & Aitken, legal counsel-unions-\$7,720.39; , -; Nelson & Rock Contracting Inc, Jackson High Bridge-\$97,385.11; Road Improvement Fund, budget transfer-engineering-\$45,541.60; **Road Fund:** American Underground Supply, shop supply-\$920.64; Bomgaars, shop supplies, tools, chemicals-\$126.57; Bosselman Pump & Pantry, fuel-\$3,261.47; Equipment Blades, grader blades-\$3,083.62; F & M Bank, grader payment-\$26,757.48; Fastenal, shop supply-\$314.14; Fremont Tire, tires-\$740.00; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$44.50; J&J's Pronto, fuel-\$663.12; Bob Jacobsen, prior years service-\$17.00; Jim Hawk Truck Trailers, parts-\$465.23; K&K Hubbard Mini Mart, fuel-\$420.58; K & S Service, parts & labor-\$1,454.85; Lawson Products, shop supply-\$44.76; LG Everist Inc, gravel-\$44,979.90; Marx Dust Control, dust control-\$654.00; Marx Truck/Trailer, parts-\$117.83; Matheson, oxy/acetylene-\$126.10; Arnie Mellick, prior years service-\$13.00; Midwest Svc & Sales, signs & blades-\$12,910.60; Midwest Wheel, supplies-\$392.08; Marlan Millard, prior years service-\$15.00; NPPD, electric-\$48.40; NNTC, telephones-\$178.84; Northeast Power, electric-\$285.15; Northside Glass, labor-\$175.00; O'Reilly Auto Parts, parts-\$71.47; Power Plan/Murphy, parts-\$576.17; Robertson Implement, parts-\$27.50; Sapp Bros Petroleum, fuel-\$1,288.00; Sioux City Journal, help wanted-\$510.50; Sioux City Truck Sales, parts-\$442.09; Skildril Industries LLC, parts-\$61.00; Stan Houston Equip, shop supplies-\$80.00; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.58; Village of Emerson, utilities-\$39.27; Warren Oil, fuel-\$9,643.70; Wilmes Hardware, supplies-\$92.98; Ziegler's, parts, supplies, labor, blades-\$1,129.42; **Road Improvement Fund:** JEO, engineering-\$1,973.75; Nelson & Rock Contracting Inc, K Burcham bridge-\$43,567.85; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$25,234.02; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$420.00; **Health Grant Fund:** Jennifer Ankerstjerne, mileage-\$87.36; US Bank, Sparklight-\$181.20; **Juvenile Grant Fund:** Community Monitoring Services, family support-\$220.05; Language Line, interpretation-\$43.12; **Public Safety Fund:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$27,186.16;

Kristin Robinette, President of the Dakota County Health Board, stated the Board conducted three interviews for the open position of Health Department Director and the Board is recommending for hire to the Commissioners applicant Theresa Grove for the Director position at a salary of \$59,000. Commissioner Giese moved, seconded by Chair Gill, to take the recommendation of the Dakota County Health Board and hire Theresa Grove as the Dakota County Health Department Director at the recommended salary of \$59,000. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

Sheriff Kleinberg, Brandon Johnson and Chris Barther, United States Marshal Service, and Architects Steve Davis and Ron Hinds, Shive-Hattery, Inc., updated the Board regarding the plans for construction of Phase 2 of the Jail. Sheriff Kleinberg stated the Jail was built with an option for Phase 2—pods for an additional 112 – 120 beds and estimated an additional 15 – 20 employees and 1 nurse would need to be hired. Sheriff would very much like to have the space to separate county from federal inmates. Sheriff would like room to set up video arraignments. Sheriff has visited with our current food service regarding providing additional meals and they have no issues and the City of Dakota City regarding

an 8" water line is no issue. He stated since the expansion project location to the west of the jail is the site of current staff parking, additional parking space would need to be addressed. The federal marshals have proposed to pay an inmate per diem rate increase from \$65 to \$80 effective upon the signing of the Detention Services Agreement. They have also agreed to pay a \$150 inmate per diem rate for 85 beds for 30 months (or less if county loan requirements have been satisfied) upon completion of the Expansion Project. Sheriff explained that the federal marshals will pay the \$150 per diem rate for all beds used during the 30-month period. The increased per diem revenue for federal inmates will cover the cost of the construction. Medical costs for federal inmates outside the facility will be paid for by the Federal Marshals Service. Guard Transportation services will be reimbursed at an hourly rate of \$25. The Dakota County Jail will guarantee 85 beds to USMS for the next 10 years. The Architects will work with Nebraska Jail Standards to meet their current requirements and address code changes—structural and MEP engineering updates from the original designs and investigate the HVAC system, mechanical and electrical systems. They hope to bid the project this winter and start construction in the spring with a completion date of one year. Andrew Forney, D.A. Davidson & Co., and Craig Jones and Austin Partridge, First National Capital Markets, each presented multiple options for financing.

Commissioner Giese moved, seconded by Commissioner Albenesius, to move forward with the planning for the Jail Expansion Project. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

After more discussion regarding what will be clarified in the design stage, Commissioner Giese moved, seconded by Chair Gill, to approve chair to sign the Agreement with the Architect for construction of Jail Phase 2. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for August 8 - 21, 2021. Total road maintenance- 257.5 hours; overtime- 2 hours; tree/debris removal- 8 hours; Culvert Projects: Blyburg Road- 47.5 hours; G Ave (185th-190th)- 61.5 hours; Likuwanta Dr- 12.5 hours; 180th/O Ave- 10.5 hours; Rowan Ave- 5.5 hours; 190th St- 12.5 hours; Wagle Creek/250th- 4 hours; garbage pickup- 4 hours; gravel hauling – 55 hours; tons of gravel hauled – 573.18; sign repair/barricading – 77 hours. Grading concerns for F Avenue and 230th Street. Commissioner Albenesius thought we should start the bid process for 265th Street bridge. Commissioner Launsby asked that we place the advertisement for the open position in the Road Department.

Discussion was had regarding the subdivision levies. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve Resolution 21C-035 approving final allocation of levy authority for Dakota County Ag Society; Resolution 21C-036 approving final allocation of levy authority for Dakota County Historical Society; Resolution 21C-037 approving final allocation of levy authority for Dakota-Covington Rural Fire Protection District; Resolution 21C-038 approving final allocation of levy authority for Emerson Rural Fire Protection District and Resolution 21C-039 approving final allocation of levy authority for Fire Protection District #1, Homer. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-035

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as

follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------|-------------------------|----------------------------|-----------------|
| Dakota Co Ag Society | | | |
| General | \$95,000.00 | \$95,000.00 | 0.004785 |
| Capital Improvement | <u>45,000.00</u> | <u>45,000.00</u> | <u>0.002266</u> |
| TOTAL | 140,000.00 | \$140,000.00 | 0.007051 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-036

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as

follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------------------|-------------------------|----------------------------|----------|
| Dakota County Historical Society | | | |
| Total | \$36,475.20 | \$36,475.20 | 0.001837 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-037

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|---|-------------------------|----------------------------|-----------------|
| Dakota-Covington Rural Fire Protection District | | | |
| General Fund | \$61,222.00 | \$61,222.00 | 0.012310 |
| Sinking Fund | <u>\$70,000.00</u> | <u>\$70,000.00</u> | <u>0.014074</u> |
| TOTAL | \$131,222.00 | \$131,222.00 | 0.026384 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-038

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|--|-------------------------|----------------------------|-----------------|
| Emerson Rural Fire Protection District | | | |
| General Fund | \$108,805.07 | \$108,805.07 | 0.030000 |
| Bond Fund | <u>\$56,225.00</u> | <u>\$56,225.00</u> | <u>0.015502</u> |
| TOTAL | \$165,030.07 | \$165,030.07 | 0.045502 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-039

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|--------------------------------------|-------------------------|----------------------------|-----------------|
| Homer Rural Fire Protection District | | | |
| General Fund | \$45,413.09 | \$45,413.09 | 0.017996 |
| Sinking Fund | <u>\$ 5,608.98</u> | <u>\$ 5,608.98</u> | <u>0.002223</u> |
| TOTAL | \$51,022.07 | \$51,022.07 | 0.020219 |

*Levy Allocation is the rate per \$100 valuation.

Commissioner Committee Reports: Launsby-rode with Brent Byroad on project updates. Mail: (1) Bob Giese will attend the NACO Legislative Conference; (2) the Board will review the budget figures for next Monday's hearing. No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of August 23, 2021, at 4:58 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

DAKOTA COUNTY, NEBRASKA
BUDGET HEARING
Monday, August 30, 2021
6:00 p.m.

The Budget Hearing of Dakota County was held the 30th day of August, 2021, at the Dakota City Courthouse, 1601 Broadway Street, 1st Floor meeting Room at 6:00 p.m.

Members present were Commissioners Gill, Giese, Albenesius, Launsby. Members Absent were Love. Joan Spencer, Dakota County Clerk, budget preparer was also present.

No Public Comment—Dawn Bousquet, County Treasurer, was the only person present. Budget documents were available. The Commissioner discussion was had regarding purchase of equipment to build roads and valuation of county property.

The Budget Hearing was closed at 6:50 p.m.

Dakota County, Nebraska

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 30th day of August, 2021, at 6:00 p.m. in the County Board Meeting Room, 1601 Broadway Street, Dakota City, Nebraska, for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the County Clerk during regular business hours.

/s/ Joan Spencer

County Clerk

| FUNDS | Actual Disbursements | Actual Disbursements | Proposed Budget of Disbursements | Necessary Cash Reserve (4) | Total Available Resources Before Property Taxes (5) | Total Personal and Real Property Tax Requirement (6) |
|-------------------------------|----------------------|----------------------|----------------------------------|----------------------------|---|--|
| | 2019-20 | 2020-21 | 2021-22 | | | |
| 0100 General | 9,853,466.44 | 10,027,609.01 | 12,704,080.47 | 2,100,000 | 7,887,399.65 | 6,916,680.82 |
| 0300 Road | 1,845,888.01 | 1,773,580.74 | 2,069,234.28 | 0 | 2,069,234.28 | 0.00 |
| 0302 Hard Surface | - | | 21,524.14 | | 21,524.14 | 0.00 |
| 0600 Fed. Aid Roads | - | - | 471,449.90 | | 471,449.90 | 0.00 |
| 0650 Hwy Bridge Buyback | 9,117.50 | 1,811.25 | 290,195.62 | | 290,195.62 | 0.00 |
| 0802 Road Improvement | 257,374.02 | 824,112.72 | 385,000.00 | | 385,000.00 | 0.00 |
| 0990 Visitor Promotion | 213,500.15 | 163,144.42 | 275,000.00 | | 275,000.00 | 0.00 |
| 1150 Reg Deeds Preserv | 8,118.94 | 8,222.80 | 27,126.54 | | 27,126.54 | 0.00 |
| 1275 Insurance | 1,327,265.83 | 974,760.63 | 1,439,646.14 | | 1,439,646.14 | 0.00 |
| 2350 S.T.O.P. | 449.99 | - | 10,000.00 | | 10,000.00 | 0.00 |
| 2360 Co. Drug | - | 100.00 | 10,000.00 | | 10,000.00 | 0.00 |
| 2410 Federal Forfeiture | - | - | 15,000.00 | | 15,000.00 | 0.00 |
| 2501 CESF Grant | | 72,964.98 | 59,865.02 | | 59,865.02 | 0.00 |
| 2502 Health Planning | 58,449.07 | 53,910.57 | 111,594.29 | | 111,594.29 | 0.00 |
| 2503 Health Disparity | | | 105,588.30 | | 105,588.30 | 0.00 |
| 2504 Health Prog. Grants | 61,115.66 | 62,536.91 | 152,561.44 | | 152,561.44 | 0.00 |
| 2505 LE Equipment | - | - | 10,000.00 | | 10,000.00 | 0.00 |
| 2506 Enhancement Grant | 7,500.00 | - | 2,500.00 | | 2,500.00 | 0.00 |
| 2507 Juvenile LB561 | 93,089.66 | 64,936.39 | 107,552.52 | | 107,552.52 | 0.00 |
| 2508 DCHD Covid 19 Activities | | | | | 248,500.00 | 0.00 |

| | | | | | | |
|-------------------------|----------------------|----------------------|----------------------|------------------|----------------------|---------------------|
| | | | 248,500.00 | | | |
| 2580 COVID ARPA | | | 3,900,050.99 | | 3,900,050.99 | 0.00 |
| 2700 Inheritance Tax | 200,000.00 | 50,000.00 | 1,892,234.44 | | 1,892,234.44 | 0.00 |
| 2910 911 Emgcy Mngt | 43,901.96 | 39,355.15 | 59,379.01 | | 59,379.01 | 0.00 |
| 2960 Public Safety Stax | 339,359.50 | 362,281.20 | 750,000.00 | | 750,000.00 | 0.00 |
| 2990 Hunt Memorial | - | - | 466.57 | | 466.57 | 0.00 |
| 3300 Jail Bond Fund | 32,118.46 | - | 400,000.00 | | 400,000.00 | 0.00 |
| 3301 Jail Tax Bond | 25,320.07 | - | - | | 0.00 | 0.00 |
| 4010 Handicap | 2,150.26 | - | - | | 0.00 | 0.00 |
| 4200 Jail Complex Fund | | | 12,000,000.00 | | 12,000,000.00 | 0.00 |
| TOTALS | 14,378,185.52 | 14,479,326.77 | 37,518,549.67 | 2,100,000 | 32,701,868.85 | 6,916,680.82 |

| | Bond Purposes | Non-Bond Purposes | Total |
|---------------------------|---------------|-------------------|--------------|
| Breakdown of Property Tax | 424,592.81 | 6,492,088.01 | 6,916,680.82 |

Unused Budget Authority created for next year 547,061.15

| | 2020 | 2021 | Change |
|--|-----------------|---------------|--------|
| Operating Budget | 20,702,299.02 | 37,518,549.67 | 81.23% |
| Property Tax Request | 6,897,992.89 | 6,916,680.82 | 0.27% |
| Valuation | 1,882,071,988 | 1,983,338,460 | 5.38% |
| Tax Rate | 0.366511 | 0.348739 | -4.85% |
| Tax Rate if Prior Tax Request was at Current Valuation | <u>0.347797</u> | | |

Dakota County Board of Commissioners
Tuesday, September 7, 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, 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. 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 – August 23 and 30, 2021
 - b. Approval of payroll claims for July 25 – August 7, 2021
 - c. Approval of accounts payable claim/s if applicable
3. NEW BUSINESS & RESOLUTIONS
 - a. Board to approve or not approve an increase in the base restricted funds of the 2021-22 County Budget by an additional 1% of \$60,408.81 for a total increase in restricted funds in the amount of \$211,430.83.
 - b. Board to approve or disapprove Resolution 21C-040 for the adoption and appropriations of the proposed 2021-22 county budget.
 - c. **3:02 p.m.** Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the Final Tax Request at a different amount than the prior year tax request.
 - d. Board to approve or disapprove Resolution 21C-041 setting the county property Tax Request at \$6,916,680.82.
 - e. Board to approve Resolution 21C-042 for County Treasurer's Pledged Securities.
 - f. Board to approve amended Resolutions 21C-035/Ag Society and 21C-036/Historical Society to determine final allocation of levy authority per corrected change in county valuation.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Board to approve request for Payment #2 from Nelson & Rock for Jackson High Bridge repair in the amount of \$127,130.50.
 - c. Brian Ellinger, Deputy Sheriff, response to Resolution 21C-032 Negotiation Impasse and Implementation of Final Offer.
 - d. Board to review and certify each officer's notarized inventory statement of all county personal property in the possession of that officer as valid and file them in the County Clerk's Office. §23-347
 - e. Joan Spencer, County Clerk/Election Commissioner, requesting approval for purchase over \$5,000 for gWorks election mapping.
 - f. ARPA funds discussion regarding possible committee, projects, application and procedures.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment. Jean Broyhill, Dakota City, wanted to update the Board regarding her research on immigration or people coming over the southern border. Ms. Broyhill reached out to Nebraska congressmen and spoke with a Representative from Adrian Smith's office who told her the people will not be just dropped off, but their coming will be coordinated by a request from a charity or sponsor but that information is not available. He also told Ms. Broyhill that there is a request before Congress to make that information available to the state where and if a group will be re-located in Nebraska. The office of Senator Deb Fischer told Ms. Broyhill that the military is controlling what is going on with ICE people and currently Nebraska has no ICE detention centers. She did not hear from Senator Sass's office. Lance Hedquist, South Sioux City Administrator, told her that his concerns were for preparedness in the areas of finance, health, education and safety. She was told a church in Sioux City is offering to help immigrants from Afghanistan.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of August 23 & 30, 2021; (b) approval of payroll claims for August 22 – September 4, 2021; (c) no accounts payable claims. Commissioner

Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$161,113.93; Net Pay-\$113,363.26; Total Retirement-\$11,138.19; Total FICA-\$11,909.99; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$ 201.21; 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-\$1,347.71; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,131.25; Stephanie Gatzemeyer-\$1,908.35; Jalissa Hattig-\$1,269.84; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$1,048.00; Debera Benton-\$1,431.88; 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-\$1,212.00; Kevin Hansen-\$1,911.90; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,888.24; Sergio Castillo-\$2,875.94; Timothy Decker-\$4,177.81; Brian Ellinger-\$2,364.80; Penny Epting-\$3,655.68; Brian Fernau-\$2,467.03; Tyler Fulkerth-\$2,707.87; Brent Gilster-\$2,342.60; Martin Guerrero-\$2,712.37; Melvin Harrison III-\$3,018.80; Jason James-\$3,261.92; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$ 752.16; Jared Junge-\$3,352.02; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,216.80; Mardi Schnee-\$1,088.80; Ryne Sell-\$ 318.80; Shantel Krull-\$ 960.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$1,788.53; Rebecca Broer-\$1,779.05; Kacie Brown-\$1,856.25; Ricardo Chavez-\$1,534.80; Lacey Clark-\$1,549.80; Leonardo Davalos-\$ 221.40; Alexander DeLeon-\$1,572.48; Elisabet DeRoin-\$1,755.40; Jesse Doelle-\$1,664.00; Jonathan Gray-\$1,882.96; Kimberly Greco-\$1,549.05; Sara Gritten-\$1,528.80; Kara Groetken-\$1,785.62; Todd Hammer-\$2,296.80; Adam Hough-\$1,851.46; Brenda Irwin-\$1,804.81; Jacob McCollum-\$1,549.80; Skyler Miner-\$1,602.84; Keaton Mueller-\$ 687.50; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,833.19; Kimberly Peterson-\$1,747.20; Michele Rohde-\$1,362.40; Jonathan Romo-Rodriguez-\$1,589.20; Rebecca Schoep-\$1,592.48; Jennifer Svendsen-\$2,096.53; Taylor Tadlock-\$1,735.35; Danielle Thibodeau-\$1,734.60; Estrella Vazquez-\$1,549.80; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,575.50; Matthew Roost-\$ 265.30; Jana Adam-\$1,864.50; Yvette Aldana-\$1,531.88; Theresa Grove-\$2,269.23; Raquel Jimenez-\$1,215.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,291.50; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$12,912.33; State Tax-\$5,985.12; Soc Sec-\$9,652.54; Medicare-\$2,257.45; Extra Fit-\$ 836.00; Extra Sit-\$ 140.00; Retirement-\$7,584.97; Health Plan-\$2,800.00; Dental Plan-\$ 546.00; Colonial Health-\$ 264.48; Sheriff Union Dues-\$ 435.00; Colonial Life/Disability-\$ 54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,128.53; Flex Plan Medical-\$ 997.50; Flex Plan Dependent Care-\$ 208.33; VSP Vision Prem-\$ 475.52; Legal Shield-\$ 99.16; Liberty Nat'l Pretax-\$ 71.04; VSP Vision Base-\$ 77.70; **Road Fund Employer:** Gross Salaries-\$16,533.60; Net Pay-\$11,493.34; Retirement-\$1,116.04; Total FICA-\$1,240.31; Health Plan-\$4,470.00; Dental Plan-\$ 147.50; Life Insurance-\$ 24.61; Brent Byroad-\$1,923.20; Kevin Chambers-\$1,613.60; 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-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,336.63; State Tax-\$ 601.96; FICA-\$1,005.23; Medicare-\$ 235.08; Extra Fit-\$ 150.00; Retirement-\$ 743.99; Health Plan-\$ 200.00; Dental Plan-\$ 63.00; Colonial Health-\$ 38.23; Garnishments-\$ 400.91; Road Union Dues-\$ 175.00; Legal Shield-\$ 36.82; Liberty National PreTax-\$ 6.50; VSP Vision Base-\$ 46.91; **Health Planning Grant Employer:** Gross Salaries-\$1,520.00; Net Pay-\$1,163.03; Retirement-\$ 102.60; Total FICA-\$ 113.52; Health Plan-\$ 447.00; Dental Plan-\$ 14.75; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$1,520.00; **Health Planning Grant Employee:** Federal Tax-\$ 78.39; State Tax-\$ 38.53; FICA-\$ 92.00; Medicare-\$ 21.52; Extra Sit-\$ 5.00; Retirement-\$ 68.40; Dental Plan-\$ 21.00; VSP Vision-\$ 15.18; Legal Shield-\$ 16.95; **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.

Chair Gill noted the budget hearing was held August 30th. Chair Gill moved, seconded by Commissioner Love, to approve an increase in the base restricted funds of the 2021-22 county budget by an additional 1% (\$60,408.81) for a total increase in restricted funds in the amount of \$211,430.83. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-040 for the adoption and appropriations of the proposed 2021-22 county budget. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-040

ADOPTION AND APPROPRIATION OF BUDGET

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2021, to June 30, 2022, prepared by the Budget Making Authority, was transmitted to the County Board on the 23rd day of August, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Dakota County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2021, to June 30, 2022, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Dakota County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2021, and ending June 30, 2022.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 7TH DAY OF SEPTEMBER, 2021.

Chair Gill opened the Public Hearing at 3:11 p.m. and asked for comments from taxpayers in support, opposition, criticism or suggestions and observations relating to setting the Final Tax Request at a different amount than the prior year tax request. No comments from the public in attendance. Chair Gill closed the Public Hearing at 3:12 p.m.

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 21C-041 setting the county property tax request at \$6,916,680.82. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-041
SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the County of Dakota passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request.

NOW, THEREFORE, the Governing Body of the Dakota County, resolves that:

1. The 2020-2021 property tax request be set at \$6,916,680.82
 2. The total assessed value of property differs from last year's total assessed value by 5.38%.
 3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.347797 per \$100 of assessed value.
 4. The County of Dakota proposes to adopt a property tax request that will cause its tax rate to be \$0.348739 per \$100 of assessed value.
 5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Dakota County will exceed last year's by 81.23%.
 6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2021.
- Adopted this 7th day of September, 2021.

Dawn Bousquet, Treasurer, explained the pledged security changes were due to increased funds from the property tax collection. Chair Gill moved, seconded by Commissioner Love, to approve Resolution 21C-042 for County Treasurer Pledged Securities. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-042
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: #194262BA8 | Pledge Cusip #10620NAF5 |
| Par Amount: \$8,600,000 | Par Amount: \$6,950,000.00 |
| Amount Pledged: \$1,500,000.00 | Amount Pledged: \$5,000,000.00 |
| Maturity: 3/1/2042 | Maturity: 6/25/2042 |

APPROVED AND ADOPTED this 7th day of September, 2021.

Commissioner Giese moved, seconded by Commissioner Albenesius, to approve amended Resolutions 21C-035 (Dakota County Ag Society) and 21C-036 (Dakota County Historical Society) to determine final allocation of levy authority per corrected change in county valuation. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-035

Amended

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------|-------------------------|----------------------------|-------|
| Dakota Co Ag Society | | | |

| | | | |
|---------------------|------------------|------------------|-----------------|
| General | \$95,000.00 | \$95,000.00 | 0.004790 |
| Capital Improvement | <u>45,000.00</u> | <u>45,000.00</u> | <u>0.002269</u> |
| TOTAL | 140,000.00 | \$140,000.00 | 0.007059 |

*Levy Allocation is the rate per \$100 valuation.

LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 21C-036
Amended

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

| Subdivision | Property Tax Request | Property Tax Allocation | Levy* |
|----------------------------------|----------------------|-------------------------|----------|
| Dakota County Historical Society | | | |
| Total | \$36,475.20 | \$36,475.20 | 0.001839 |

*Levy Allocation is the rate per \$100 valuation.

Jolene Gubbels, Highway Superintendent, presented the Road Report for August 22 – September 4, 2021. Total road maintenance- 180 hours; tree/debris removal- 62.5 hours; Culvert Projects: O Avenue- 56.5 hours; 260th & L Ave- 17 hours; Wigle Creek Rd- 16.5 hours; garbage pickup- 3.5 hours; magnet- 2 hours; gravel hauling – 89 hours; tons of gravel hauled – 933.57; sign repair/barricading – 9 hours. Gravel concerns for 175th Street, Hamlin Avenue and Fiddler Creek Road. Ms. Gubbels stated Waterbury South (Burcham) bridge would open tomorrow and Jackson High bridge hopefully in 2 weeks. The 265th Street bridge bids will be opened at the next Commissioner meeting.

Commissioner Giese moved, seconded by Commissioner Albenesius, to approve the request for Payment #2 from Nelson & Rock for Waterbury South bridge repair project in the amount of \$127,130.50. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Lt. Brian Ellinger, Deputy Sheriff, addressed the Board in response to Resolution 21C-032 – Negotiation Impasse and Implementation of Final Offer. Lt. Ellinger handed each board member a copy of his Letter to the Editor printed in the August 19th edition of the Dakota County Star. He read a letter from the FOP: The FOP49 is advising the Dakota County Board that the Resolution passed August 9th was not appropriate and furthermore the FOP Lodge 49 does not agree to the final offer and will not sign said document. The FOP Lodge 49 is asking that the Dakota County Commissioners go back to the table and continue to negotiate. We do not believe that 3 meetings were good enough for good faith negotiations and we felt we were really close to settling. If the Dakota County Board would talk to us directly and stop taking the advice from the attorney they hired the county would be better off and save a substantial amount of money. The taxpayers of this county should know the Dakota County Board of Commissioners has paid their attorney \$32,377.16 so far. This attorney wants us to go to arbitration and that would do nothing but break the union and cost the taxpayers hundreds of thousands of dollars. The Dakota County Board of Commissioners has to understand that they are not the school board, we are not teachers and we do not all do the same job so you can't treat all county employees the same way...none of the other employees are certified law enforcement officers or certified correctional officers. We have employees staffed 24/7 and we absolutely cannot all be treated the same. It is asinine to think that would be acceptable. Federal contracts with US Marshals and Immigration Customs Enforcement brings in revenue to this County. In 2019 - \$902,517.57 cents and even when 2020 was slowed by the covid pandemic – \$699,942.50 was brought in by the federal contracts and housing inmates by other counties and other revenues brought in \$81,521.20 in 2019 and \$76,182.54 in 2020. Yet, the board chose to spend \$32,377.16 to an attorney to remove benefits from Sheriff Office employees— money spent on that attorney would have been better served if it would have gone to the deputies and correctional officers who had to work through the pandemic—face to face with citizens and inmates with no options to close the door or make appointments. I know the Dakota County Board of Commissioners probably has no idea what it takes to become a certified law enforcement officer or a certified correctional officer. It takes written testing and physical testing to even get hired has a correctional officer or deputy sheriff. Correctional Officers have 80 hours of training—both written and physical to become certified and they must complete 18 hours of continuing education to keep their certification. The deputies must meet physical requirements before they can get into the academy. The deputies then are required to complete 12-16 weeks of training in Grand Island, Nebraska, where they must live during the week and are only allowed to spend weekends at home. They are then required to complete an additional 30 hours of continuing education a year to keep their certification. We have always negotiated with the Dakota County Board in good faith; not once has the board allowed an outside counsel to come in and take over. Lodge 49 has agreed to numerous wage freezes over the years due to lack of county money. The raises have been a lot but still have not made up for those years lost. The Sheriff's Office has received at most 7.5% over the last 5 years with the jail receiving 6% or less. We have tried to give back to our county in the past and now here we are faced with a final offer. We feel completely disrespected, unappreciated and undermined by the current county board of commissioners. In the 19 years I have been back here, I have never dealt with this type of negotiations where Dakota County Board of Commissioners lets outside counsel run the show. Nebraska

Revised Statute 48-824 Labor negotiations; prohibited practices, therefore FOP Lodge 49 advises the Dakota County Commissioners that it has executed a prohibitive practice for any public employer, public employee, public employee organization, or collective-bargaining agent to refuse to negotiate in good faith with respect to mandatory topics of bargaining and refusing to negotiate collectively with representatives of collective-bargaining agents as required by the Industrial Relations Act and refusing to participate in good faith in any impasse procedure for public employees as set forth in the Industrial Relations Act. It shall also be noted that due to the fact the county board is not going to negotiate anymore that they cannot impose a 4-year contract. In accordance with the Commission of Industrial Relations, you will have to accept that we are being forced to work under your passed resolution under duress. I would like to invite each of you, with the Sheriff's permission, to do a ride-along with the deputies and spend some time with the correctional officers in the jail spending time on each shift so you can see the differences between a normal 9-5 job and what being a deputy sheriff or correctional officer entails. Come and see what a day in our boots is like—how can you possibly know without experiencing it. In closing, - an excerpt from a poem by Michael Marks that hangs on my office wall – “..and maybe just remind the few, if ill of us they speak, that we are all that stands between The Monsters And The Weak.” Respectfully, Lodge 49.

The following persons spoke regarding the Sheriff deputies union contract negotiations:

(1) Bobbie Stapleton, Dakota City. I know this sounds a bit cliché, but we own several properties and a business in Dakota County and we also pay a lot of taxes to this county. If I have an emergency and need law enforcement, I want to know that we have good, trained, reliable law enforcement such as we have. I find it ridiculous that you are spending tax dollars to hire an outside attorney to negotiate with your own Sheriff's Office. For years the commissioners have always done these negotiations and now you have hired an outside counsel to take even more benefits away from them. A Lieutenant for the South Sioux City Police Department makes \$10 more an hour than a Lieutenant for the Sheriff's Office. I have an issue with you guys trying to undercut the men and women who serve and protect this county. You keep trying to compare this Sheriff's Office with other counties in the state and it can't be done. You are comparing apples to oranges. I know Dakota County isn't a huge county, but there is a lot of ground to cover. South Sioux City is the only city that has it's own police force. Emerson has one police officer. If I have an emergency and called for assistance and one deputy was in Emerson and one deputy in Homer and I live by Jackson, that would take them at least 15-20 minutes to make it to my home and that is if they can leave the call they are on. If that was one of your loved ones, would you be okay with that? That is a lot of precious minutes that could potentially be life or death. You have to understand that the world we live in is changing. Drugs for one are a huge issue in this area and along with drug addiction comes a lot of theft. We are a tri-county area and right off a major interstate. I feel we need more deputies and we need to take care of the ones we have. If this goes to arbitration, it will cost the county hundreds of thousands of dollars and for what? Our law enforcement is dealing with enough—crimes, drugs and evil on the streets so we can sleep in peace at night. They shouldn't have to fight their own people too.

(2) Traci Ellinger, Homer. I come with a unique perspective as a wife and mother of a sheriff's office employee as well as a dispatcher at the LEC for the past 23 years. The current group of sheriff office employees we have are excellent in my opinion. As a long-time dispatcher, I've seen a lot of people come and go over the years and the things they've often left for is better pay and better benefits. I don't understand the mentality of depriving a group of hardworking men and women who work shifts around the clock no matter if it is bad weather or a holiday of the benefits and pay they deserve. None of us can really fully understand what it is like to do the jobs the deputies and jailers do. It is not very glamorous and most of us wouldn't or couldn't do it. Why not take some pride in our county sheriff's office and keep their benefits and pay competitive and keep them here. My final thought—instead of Dakota County being a stepping stone for a deputy, a jailer or county attorney's career, why not make Dakota County a place to work for the duration of their career. It has been said a bad manager can take a good staff and destroy it, causing the best employees to flee and the remainder to lose all motivation. For the sake of Dakota County, let's not let that happen here.

(3) Gayle Rohde, Hubbard. For the commissioners that are sitting here, you have been elected by the people. And, being elected by the people, you should do what is right for the people. And I feel very strongly about everything that has been said. These law enforcement officers and jailers put their lives on the line for each and everyone of us. And I think that everyone of you need to reconsider your thoughts on this. You will be doing our county a big disservice if you continue on the road you are going on right now.

(4) Margarite Cain, Homer. I am here to totally support the law enforcement and I know a lot of people don't think we are going to get more criminals or more people, but you know the border is open, the Afghans are coming—they have to go somewhere and some are going to come here and we are not going to know who they are, they don't talk, don't have English, and they don't know who they are themselves. These law enforcement officers put their lives on the line every day. I would like to ask you when you leave your house in the morning, the only time you put your life on the line is when you drive your vehicle to work or grocery store and these guys do it all the time and they deserve a lot more respect than they are getting from this latest benefit cut especially. Give more thought and respect to your employees. They truly do a great job. I know you hear complaints about them, but that's everywhere and for the most part they do a great job and deserve your respect.

(5) Arlan Kuehn, South Sioux City. I appreciate the last time I was here to discuss what was going on. We really need to think about these wages. Troy is on the board (Merit Commission) to hire jailers, Janet has been on the board, and I have

been on for several years and it's getting tougher all the time. When I first started, we were interviewing 12-14 people each time we interviewed and now we are lucky to get 3 – 5. I am concerned that as a business person, we try to get our wages up a little bit. I appreciate the board approving the addition to the jail. The other night I had an alarm go off at my business and the sheriff deputy was there to help me out. The guys do a good job and so do you (commissioners).

(6) Randall Groetken, Dakota City. I just came for moral support, but as I listened to this, a couple of things caught my attention. I know you compare everything to other sheriff departments in Nebraska. As a private employer, you have to take Sioux City as a factor—the employee base is the whole Siouland area, not just this side of the river. My other question would be why did you guys not negotiate on your own, why did you go to an outside source and why did you spend over \$30,000 dollars of mine and everybody else's tax dollars? Commissioner Launsby stated the board needed the contracts to be looked over by an attorney who specializes in union contracts. Mr. Groetken thought they could still have negotiated themselves. Commissioner Launsby thought a union rep for the deputies would have made things go smoother. Commissioner Albenesius and Gill clarified the \$30,000 was for 3 simultaneous union negotiations. Mr. Groetken asked what the plan going forward was and Commissioner Gill said the current process is complete. Mr. Groetken didn't think it was because the contract wasn't signed by both parties.

Lt. Ellinger stated the board cannot enact a 4-year contract because anything you go to arbitration for is a year at a time. So, if the board does not go back to the table, the union is possibly taking you to arbitration to get you back to the table and he felt any judge would agree with the FOP that the board did not negotiate in good faith and it will cost everyone more money. He felt we should be able to talk. Commissioner Love stated we all needed to remember that we all get paid by the same checkbook. We need to all get along and work with each other. He would be willing to try to figure this out—what is our next step. There is no reason why the public should be here, we should be able to work it out.

Sgt. Penny Epting, Emerson (Deputy Sheriff). We don't want to argue with you guys and go back and forth and have bad blood between us and any county agency. That being said, we are asking you come back and negotiate with us. We are not asking for anything outlandish, we are willing to give and take and in the past you guys have always been willing to give and take. I understand that you have obtained legal representation. I'm not saying that is not a good move because I think that is a responsible move by the Commissioners. That being said, at some point, you have to be able to reconcile the cost of that with the cost of your point. I was going to go to Omaha PD – this is just ridiculous. Commissioner Love stated that Jim Hanks, Des Moines, negotiated for the Board prior to when he became a commissioner in 2011. There were a lot of one-year contracts. This year we needed verbiage and input from an attorney. Commissioner Love stated he asked (Pigsley) what his cost would be and it was estimated at \$10,000 - \$12,000. The longer he is around, the more it is going to cost. Ms. Epting stated she realizes they are going to ask for things the board can't give; but would ask that the board make a collective decision to sit down with us again.

Chair Gill stated the board hired counsel because there were 3 contracts and we felt it would be helpful to have expertise and labor laws have changed over the years and it has been a while. She felt the deputies do a great job. The board did compare like counties in our area and Dakota County is one of the smallest valuation counties and realizes we are competing with Sioux City from a labor point of view. But, our budget is determined by our taxpayers and our valuation here is quite small. With the Jail, we did increase the hiring rate significantly. The deputies stated that we are in a metropolitan area—unlike surrounding counties. Chair Gill said the wage increase is the biggest in 5 years and comparable to other counties—too bad we don't have big pockets.

Commissioner Love stated his opinion is that we owe you (FOP) to sit down and talk with you. Commissioner Love asked Kim Watson if we can sit down after the resolution the board signed—she stated she has not been involved. Commissioner Love and Giese said, if doable, agreed things could be hashed out in one meeting.

Rick Bousquet, South Sioux City, felt the board might have been coached into doing the resolution without thinking. When you did that resolution you sent these guys a final offer and I don't think you can back out of it—pretty much set in stone. Think clearly - possibly rescind the resolution and go back into negotiations. I support these guys and want to see the safety of Dakota County continue and hate to see this a lawless community. He agrees with chair that we have to compete with Woodbury County and the county has the largest employer in the state—Tyson, and Seaboard, Heinz Foods—we're huge. As a past commissioner, he felt the board should negotiate.

Martin Hohenstein, Dakota City, stated he has served both as a law enforcement officer and as a commissioner and seen the issue from both sides. He thought everyone here would agree that the deputies deserve any kind of raise you can get because it is dangerous out there—you all (jailers too) deal with everything. But we all have to share a piece of the pie with everybody. He thanked Sgt. Epting for saying the board was responsible in hiring counsel. We are a small county and everything is based on the valuation of the county and how many tax dollars you get. You guys bring in 7 – 8 – 900,000/year because of the jail. Okay, Victims Assistance—say your wife or daughter is assaulted and you have to take her to Victims Assistance. That Victims Assistance lady, she doesn't have an opportunity to go out and make more money—she can't said I need a raise because all these people bring money to me because I'm doing my job. If a tornado comes through, it's the same way with Emergency Management—they can't say. Well, I go out and manage tornadoes in other counties and we get more money coming in because of that. You are in one of the few situations where you can bring money into the county. You guys deserve everything you can get....open your eyes...all sides deserve respect.

The average person at Hy-Vee probably doesn't want to give another \$100 out of their pocket to give a raise to the deputies and there is only so much money. He hopes everything works out and you guys do a great job.

Commissioner Love felt the whole board should negotiate.

Jacob Acero, Sioux City (Jailer). You guys hired an attorney, but the bottom line you voted to take benefits away from our Jail staff that cost this county zero dollars. So to say that this board would not do things to just do it is mind baffling, but I think that Brian and everyone else said that if we sat down and talked person to person, we could hash this out, because like Brian stated we felt dis-respected and undermined and you guys did something just because you could—you took benefits away from people that cost zero dollars for no reason whatsoever. We took 0% pay raises year after year after year. The lieutenant in the city makes \$10 more per hour than our guy does. And I get that, the budgets are different, and it's just common sense. Someone across the river in the tri-state area makes \$15.00 more per hour than I do and I'm not asking for a \$15.00 per hour raise—we are not being outlandish. Our jail staff asked to keep the benefits we already had, again, costing zero dollars, and you still decided to do away with them for no reason. So, I am thinking there was something underlying there, but I think we can come together and make a deal and a contract work that's beneficial to everybody because we've always been able to.

Commissioner Albenesius asked when the jail started making money. Discussion was had regarding how much money the county was spending (outboarding) and why a new jail was built with ½ cent sales tax bond. Commissioner Love stated federal money went from 7 figures to low 6 figures and then Sheriff took the jail back. Commissioner Albenesius was concerned about a contract with the federal government—authority to sign, inflated price from Phase 1. Chair Gill said cost for Phase 2 will be reviewed again next month (Architect cost estimate).

Chair Gill moved, seconded by Commissioner Giese, to approve each officer's inventory statement of all county personal property as of June 30th and to file them in the Office of County Clerk. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the purchase of gWorks for election/voter registration electronic mapping. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

American Rescue Plan Act (ARPA) fund plans was discussed. Commissioner Giese talked with Candace Meredith, NACO, for uses of funds received by the county—broadband, EPA approved box culverts, grant assistance to private businesses and Health Departments. Commissioner Giese has invited Jon Cannon, NACO Director, to present ARPA information at the board's October 4th meeting. The board supported a committee being formed—a representative from each village, the chamber, rural residents. Commissioner's Giese and Love expressed interest to be on the committee.

Commissioner Committee Reports: Albenesius- SIMPCO; No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of September 7, 2021, at 4:23 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, September 20, 2021
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Vice Chair Giese called the meeting to order at 3:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Love, Giese, Albenesius, Launsby. Absent: Gill. 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 – September 7, 2021
 - b. Approval of payroll claims for September 5 - 18, 2021
 - c. Approval of accounts payable claims
 - Nelson & Rock Contracting, Inc., Jackson High Bridge Payment #2 for \$111,313.93
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
3. NEW BUSINESS & RESOLUTIONS
 - a. **3:01 p.m.** Open and award bids for the 265th/Omaha Creek South Bridge #C002213410P project.
 - b. **3:02 p.m.** Public Hearing for the purpose of giving citizens the opportunity to offer oral or written support, opposition or make neutral comment regarding the presentation of the Dakota County One-and-Six Year Road Plan with proposal to adopt said Plan.
 - c. Bart Gotch, Convention & Visitors Bureau President, to present the Visitor Bureau (CVB) Budget Report and Chamber updates
 - d. Board to approve adoption of the One-and-Six Year Road Plan.
 - e. Board to approve the Annual Road Report.
 - f. Board to approve Resolution 21C-031 Signing of the County Annual Certification of Program Compliance Form 2021. §39-2120, §39-2121(1)
 - g. Board to approve Resolution 21C-043 Pledged Securities Release
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Sheriff Kleinberg – Monthly Jail Report
 - c. Sheriff Kleinberg requesting approval of Preconstruction Services Agreement between Dakota County and The Weitz Company, LLC, LaVista, Nebraska, for the Phase 2 Jail construction project.
 - d. Dawn Bousquet, Treasurer, to verify report on distress warrants to the county board and make an itemized report covering the amount uncollected. §77-1719.02
 - e/ Dawn Bousquet, Treasurer, to report on the remaining parcels from County tax sale—delinquent and unsold parcels. §77-1918
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
 - a. Papio-Missouri River NRD regarding Simmon Road Structure
 - b. County Government Day Wednesday, October 13th
7. ADJOURNMENT

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

Vice-Chair Giese called for Public Comment. Bill Johnston shared the Veterans benefits distribution increase from FY10 to FY20--\$4,361,000. Mr. Johnston stated his position is salary, appointed and a department head and he does not want to use a time clock to record his hours worked. Legion members Larry Armbricht, Larry Brostad, Russ Rassmussen, Bill Rohde and Dave Heck spoke supporting Mr. Johnston's request to be excused from using a time clock stating that he helps people at night, on weekends, not a 9-5 job—serves on a 7-day basis; more than a 40-hour/week job and less efficient to use a time clock and that there have been no complaints in 11 years. Commissioner Love stated Mr. Johnston does a fabulous job and he also serves Dixon County and said the time clock issue would be looked at. Vice-Chair Giese called for any other public comment and there was none.

Vice-Chair Giese called for approval of the consent agenda: (a) approval of the previous meeting minutes of September 7, 2021; (b) approval of payroll claims for September 5 - 18, 2021; (c) accounts payable claims including Nelson & Rock Contracting, Inc., Jackson High Bridge Payment #2 for \$111,313.93 and (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Love moved, seconded by Commissioner Launsby, to approve all consent agenda items. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- absent, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$175,813.89; Net Pay-\$124,187.63; Total Retirement-\$12,003.79; FICA-\$13,034.52; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$201.21; 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-\$2,053.13; Leticia Vargas-\$1,586.09; Joan Spencer-\$2,321.49; Kathy Abbe-\$2,160.05; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,649.53; Stephanie Gatzemeyer-\$2,065.68; Jalissa Hattig-\$2,006.07; Brenda Landaverde-\$2,173.40; Samantha Mitchell-\$1,745.26; Debera Benton-\$2,109.50; Christy Abts-\$2,321.49; Melissa Collins-\$1,666.24; Courtney Lane-\$1,666.24; Joseph O'Neil-\$379.07; Karen Jimenez-\$1,682.03; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,081.24; Tammy Dunn Peterson-\$1,699.08; Shaun Bird-\$1,558.20; Sergio Castillo-\$2,698.74; Timothy Decker-\$2,849.65; Brian Ellinger-\$2,542.16; Penny Epting-\$2,905.98; Brian Fernau-\$2,657.85; Tyler Fulkerth-\$2,462.22; Brent Gilster-\$2,742.22; Martin Guerrero-\$3,080.38; Melvin Harrison III-\$2,747.48; Jason James-\$2,316.15; Douglas Johnson-\$2,716.02; Kimberly Johnson-\$833.67; Jared Junge-\$2,641.32; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,216.80; Mardi Schnee-\$1,275.66; Shantel Krull-\$965.63; Debra Schmiedt-\$4,132.53; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,995.90; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,820.06; Shaelee Barreras-\$104.66; Rebecca Broer-\$2,652.00; Kacie Brown-\$2,162.00; Kylie Butler-\$216.79; Ricardo Chavez-\$1,926.10; Lacey Clark-\$1,722.70; Leonardo Davalos-\$704.96; Alexander DeLeon-\$1,829.88; Elisabet DeRoin-\$2,285.49; Jesse Doelle-\$1,664.00; Jonathan Gray-\$1,951.14; Kimberly Greco-\$491.40; Sara Gritten-\$1,701.70; Kara Groetken-\$2,110.43; Todd Hammer-\$2,325.51; Adam Hough-\$1,905.33; Brenda Irwin-\$1,782.40; Jose Magana-\$1,613.50; Jacob McCollum-\$1,722.70; Skyler Miner-\$1,904.70; Keaton Mueller-\$1,117.65; Mark Nelson-\$2,065.18; Gregory Nyhof-\$2,161.13; Kimberly Peterson-\$1,841.05; Michele Rohde-\$1,595.73; Jonathan Romo-Rodriguez-\$1,893.27; Rebecca Schoep-\$2,002.32; Jennifer Svendsen-\$2,068.89; Taylor Taglock-\$1,935.94; Danielle Thibodeau-\$2,034.03; Estrella Vazquez-\$1,613.50; Randall Walsh-\$2,716.08; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,588.52; Matthew Roost-\$310.67; Jana Adam-\$2,201.18; Yvette Aldana-\$1,829.09; Theresa Grove-\$2,550.83; Raquel Jimenez-\$1,453.50; Yesica Saldana Cisneros-\$1,737.18; Jacqueline Traum-\$1,330.61; Willard Johnston-\$2,404.40; **General Fund Employee:** Federal Tax-\$14,278.85; State Tax-\$6,790.93; Soc Sec-\$10,563.92; Medicare-\$2,470.60; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$8,148.26; Health Plan-\$2,800.00; Dental Plan-\$546.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,143.55; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$475.78; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$71.06; Liberty Nat'l-\$0.00; VSP Vision Base-\$77.81; **Road Fund Employer:** Gross Salaries-\$16,675.84; Net Pay-\$11,587.69; Retirement-\$1,125.64; Total FICA-\$1,251.98; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,923.20; Kevin Chambers-\$1,613.60; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneiff-\$1,613.60; Kimon Litras-\$1,741.60; Dean Pallas-\$1,767.84; Tyler Pallas-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,355.73; State Tax-\$612.56; FICA-\$1,014.69; Medicare-\$237.29; Extra Fit-\$150.00; Retirement-\$750.39; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.88; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$2,095.00; Net Pay-\$1,571.33; Retirement-\$141.41; Total FICA-\$157.50; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$2,095.00; **Health Planning Grant Employee:** Federal Tax-\$144.28; State Tax-\$69.47; FICA-\$127.65; Medicare-\$29.85; Extra Sit-\$5.00; Retirement-\$94.28; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,461.30; Net Pay-\$862.56; Retirement-\$98.64; Total FICA-\$83.41; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,461.30; **Juvenile Services Aid Employee:** Federal Tax-\$55.53; State Tax-\$23.04; FICA-\$67.60; Medicare-\$15.81; Retirement-\$65.76; Health Plan-\$350.00; Dental Plan-\$21.00;

Accounts Payable: NACO, conference and district meeting-\$60.00; Pender Times, publications-\$770.95; Leaf, copier lease-\$168.02; DAS State Acct, state software-\$81.00; MIPS, monthly software-\$940.91; One Office Solutions, ink cartridge-\$310.00; Security Shredding, shredding-\$35.00; Irene VanLent, prior years service-\$16.00; US Bank, NACO conference-\$150.00; Margie Rahn, prior years service-\$12.00; One Office Solutions, office supplies-\$29.09; Christy Abts, office supplies-\$227.76; Bralda, Inc., appraisal services-\$1,192.00; Dakota County Star, subscription-\$39.00; EWDS Inc, appraisal services-\$1,033.50; Courtney Lane, meals-training-\$28.06; Leaf, copier lease-\$112.50; One Office Solutions, copies-\$128.75; Security Shredding, shredding-\$35.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, lodging, meeting fees, off supp-\$651.65; Gworks, WebGIS Clerk Tab-Election maps-\$9,750.00; One Office Solutions, office supplies-\$5.48; Secretary of State-Elections, fall election conference x 2-\$80.00; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$22.65; Pender Times, publications-\$35.29; US Bank, postage-\$88.25; RTI, monthly support & licenses-\$6,493.94; US Bank, domaine name & domaine fee-\$6.95; Government Forms & Supplies, file folders-\$161.94; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$109.02; Dakota County Star, subscription-\$39.00; DAS State Acct, supplies-\$54.78; Data Source Technology, toner-\$845.04; Marco, copier lease-\$727.79; Security Shredding, shredding-\$35.00; US Bank, Paint and office supplies-\$314.55; Perla Alarcon-Flory,

interpreter fees-\$250.00; One Office Solutions, copier lease & supplies-\$158.75; Dakota County Court, court costs-\$2,162.49; Dakota County District Court, court costs-\$715.00; Dakota County Sheriff, papers & warrants-\$1,243.22; Dakota County Star, publications-\$77.39; Randy Hisey, crt appt atty fees-\$457.50; Stuart Mills, crt appt atty fees-\$480.00; Douglas Roehrich, crt appt atty fees-\$1,785.00; Security Shredding, shredding-\$35.00; Richard Thramer, crt appt atty fees-\$1,765.00; Robert Wichser, crt appt atty fees-\$3,694.40; City of Dakota City, utilities-\$173.66; Eakes Office Solutions, janitorial supplies-\$22.16; Engineered Controls Inc, AC units repaired-\$3,035.00; G & R Controls, AC software upgrade-\$2,645.00; Gill Hauling Inc., dumpster-\$101.65; MidAmerican Energy, utilities-\$831.27; NPPD, utilities-\$1,885.74; Siouxland Lock & Key, unlock DMV door-\$85.00; Trembly, pest control-\$55.00; US Bank, bldg supp & membership-\$12.99; Verizon, cell phone-\$41.05; Angela Abts, mileage & supplies-\$313.63; Carol Larvick, mileage-\$78.96; Leaf, copier lease-\$109.70; One Office Solutions, supplies-\$243.22; Papio-Missouri NRD, monthly rent-\$600.00; Tammy Peterson, mileage-\$168.48; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$352.83; Axon Enterprises Inc, taser payment-\$528.00; Billion GMC, vehicle maintenance-\$230.69; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$5,371.80; Dakota County Sheriff, bank fees-\$180.36; First State Bank, #6 lease payment 2020 vehicles-\$10,488.56; Fremont Tire, tire repair-\$22.00; Husker Auto Group, 2021 Chevrolely Tahoe Black-\$25,897.00; Jack's Uniforms, uniforms & equipment-\$316.15; Nebraska Public Health Enviro lab, blood alcohol test-\$105.00; Siouxland Federal Credit Union, fuel-\$14.43; TransUnion Risk & Alternative, searches-\$120.00; US Bank, lodging, training, supplies, fuel-\$677.45; Verizon, cell phone-\$200.05; Wilmes Hardware, fuses-\$57.50; Dakota County Sheriff, service fees-\$152.57; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$237.03; Nebraska.gov, certified copy-\$50.50; Security Shredding, shredding-\$35.00; Thurston County Sheriff, service fees-\$18.98; Kim Watson, mileage-\$88.48; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; Associated Fire Protection, quarterly inspections-\$1,443.15; AT&T Mobility, phones-\$93.96; Bob Barker, inmate supplies-\$1,901.25; Cash-Wa Distributing, kitchen supplies-\$32.34; Charm-Tex, inmate supplies-\$123.08; City of Dakota City, water-\$2,799.00; C W Suter Services, AC units repaired-\$5,501.00; Eakes Office Solutions, supplies-\$2,836.81; Ecolab, laundry supplies-\$598.19; Foulk Brothers Plumbing & Heating, water heater & mop sink-\$1,350.27; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Interstate All Battery Center, batteries-\$117.00; Jack's Uniforms, uniforms-\$861.00; JC Roofing & Insulating, roof repair-\$360.00; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$212.22; NPPD, utilities-\$5,271.29; Safeguard Business Systems, receipt sheets-\$455.36; Security Shredding, shredding-\$35.00; Summit Food Service, food & beverage-Jail-\$16,947.91; Thurston County Sheriff, boarding prisoners-\$1,600.00; Trembly, pest control-\$50.00; US Bank, training, medical, supp-\$891.89; Wells Fargo Financial Leasing, copier lease-\$476.50; Wilmes Hardware, fuses-\$8.99; City of SSC, fuel-\$43.37; US Bank, Sparklight & office supplies-\$170.22; Des Moines Stamp MFG, stamp-\$38.90; Verizon, phones-\$41.05; Yvette Aldana, supplies-\$35.68; Availity/Realmed, medical billing-\$125.00; US Bank, meals, gifts, supplies, remodel-\$1,175.86; Verizon, cell phone-\$95.31; Dr Thomas Wenthe, consulting physician fee-\$250.00; John Gunia, bronze marker-\$300.00; Bill Johnston, mileage-\$194.88; One Office Solutions, copy fees-\$34.91; US Bank, law library-\$329.60; 4200 Jail Construction, Pre-Design phase II jail-transfer-\$26,000.00; Dakota County ROD, file resolution-\$10.00; Dakota County Sheriff, Correct quarterly overpayment-\$109.50; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$610.39; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$631.44; Nebraska DHHS, Beatrice inmate housing-\$276.00; Nebraska DHHS, Lincoln inmate housing-\$276.00; NIRMA, claimant deductible-\$105.75; Norm Waitt Sr YMCA, monthly fees-\$123.00; Omaha Valley Cemetery – county burial-\$600.00; One Office Solutions, copy paper-\$1,620.00; Region 4 Behavioral Health, 2nd quarter-\$10,474.75; Stanard Appraisal Serv, protests 2021-\$2,750.00; Woods & Aitken, legal counsel-unions-\$5,485.00; Mainelli Wagner & Assoc, Engineering-High Bridge & M Ave Bridge-\$11,849.78; Nelson & Rock Contracting Inc, Jackson High Bridge pymt #2-\$111,313.93; Road Improvement fund 802, transfer-engineering & contractor-\$65,631.50; **Road Fund:** Atokad Heritage Express, fuel-\$195.00; Bosselman Pump & Pantry, fuel-\$2,513.38; Daum Tree Service, tree removal-\$2,450.00; Eakes Office Solutions, office supplies-\$63.18; Emerosn Heritage, fuel-\$72.39; Frame Aligners Inc, parts & labor-\$1,017.50; Fremont Tire, tires-\$1,052.39; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$44.50; J&J's Pronto, fuel-\$395.00; Bob Jacobsen, prior years service-\$17.00; K & S Service, parts-\$985.23; Langenfeld Contracting, crushed concrete-\$15,229.08; LG Everist Inc, gravel-\$39,190.38; Matheson, oxy/acetylene-\$126.10; Medical Enterprises, drug testing-\$125.00; Arnie Mellick, prior years service-\$13.00; Midwest Svc & Sales, traffic signs-\$857.70; Midwest Wheel, parts-\$187.97; Marlan Millard, prior years service-\$15.00; NNTC, telephones-\$196.99; Northeast Power, electric-\$332.60; Northside Glass, parts & labor-\$355.00; O'Reilly Auto Parts, parts-\$220.55; Pender Times, publications-\$190.10; Power Plan/Murphy, parts-\$484.00; R & B Collision, parts & labor-\$1,664.84; Robertson Implement, parts-\$82.10; Sapp Bros Petroleum, fuel & winter propane-\$5,206.70; Siouxland Hydraulics, shop supplies-\$629.64; Stephen Welding, tool-\$40.00; US Bank, tools, misc-\$846.50; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.52; Village of Emerson, utilities-\$39.86; Warren Oil, fuel-\$6,197.50; Wilmes Hardware, supplies & tools-\$78.16; **Road Improvement:** JEO, engineering-K Burcham & 50/50 Dixon-\$2,066.25; Nelson & Rock Contracting Inc, K Burcham bridge-partial pymt-\$63,565.25; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$28,934.50; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$0.00; **Health Grant Fund:** US Bank, Sparklight-\$181.20; **Health Dept Grants:** US Bank, MHI book and training-\$67.56; **Juvenile Grant:** Community Monitoring Services, family support-\$635.70; Language Line, interpretation-\$62.50; **Public Safety Fund:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$29,718.05; **Jail Correctional Complex Fund:** Shivehattery Architecture & Engineering, Pre-Design phase II jail-\$26,000.00;

At 3:11 p.m. Jolene Gubbels, Highway Superintendent, opened the bids for the 265th/Omaha Creek South Bridge #CC002213410P project: (1) Dixon Construction- \$697,000; (2) Herbst Construction- \$795,762.05; (3) Norfolk Contracting- \$549,639; (4) Theisen Construction- \$640,500. Ms. Gubbels also read from each proposal the additional pier piling fee; abutment piling fee; start date and stated the project is to be completed within 60 working days. Discussion was had. Vice-Chair Giese moved, seconded by Commissioner Launsby, to approve the Norfolk Contracting bid contingent upon engineer review of the bid. ROLL CALL VOTE: Launsby- yes, Gill- absent, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese opened the public hearing at 3:21 p.m. for the purpose of giving citizens the opportunity to offer oral or written support, opposition or make neutral comment regarding the presentation of the Dakota County One-and-Six Year Road Plan. Vice-Chair Giese asked for comments in support, opposition or a neutral position. No comments from the public. Jolene spoke briefly about projects. Commissioner Love thought surface repair for old Hwy 20 should be added. Vice-Chair Giese closed the hearing at 3:24 p.m.

Bart Gotch, handed out the South Sioux City Convention & Visitors Bureau proposed budget for 2021-22. Estimated total income is \$224,000.00 and estimated total expenses are \$218,050.00. Mr. Gotch stated COVID19 did have a negative effect on income. He shared information regarding upcoming events. Mr. Gotch stated Kristi Quinn is the interim President and that filling the position full time has been a tough job and they hope to find someone with Chamber experience.

Vice-Chair Giese called for discussion regarding the approval of the One-and-Six Year Road Plan. Vice-Chair Giese stated he received a phone call requesting an additional mile paved on Fiddler Creek Road for approximate cost of \$1,000,000. Commissioner Love would like to add the surface repair for old Hwy 20. It was thought to also add M Avenue paving. Commissioner Love moved, seconded by Commissioner Launsby, to approve the One-and-Six Year Plan with the three added projects. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- no, Launsby- yes, Gill- absent. MOTION CARRIED.

**ONE & SIX YEAR ROAD IMPROVEMENT PLAN
DAKOTA COUNTY, NEBRASKA**

| PRIORITY NO. | FISCAL YEAR | IMPROVEMENTS | ESTIMATED COST |
|--------------|-------------|---|----------------|
| 1 | 2021/2022 | Replace Bridge #C002200110 on T Avenue. Bridge is on County Line and will cost share 50-50 with Dixon Co. Section 10, T-27-N, R-6-E | 141,456.28 |
| 2 | 2021/2022 | North Bluff hard surface repair. Section 35, T-29-N, R-7-E and Sections 1,2,11,12,14, T-28-N, R-7-E. | 150,000.00 |
| 3 | 2021/2022 | M Ave Bridge Repair Hubbard So. Bridge # C002211505 Section 22 & 23, T-28-N, R-7-E | 150,000.00 |
| 4 | 2021/2022 | Jackson High Bridge bank Stabilization C002210810P Section 21, T-29-N, R-8-E FEMA project federal share 90% | 350,000.00 |
| 5 | 2021/2022 | Replace Bridge #C002230910P on Oakdale Road Section 28, T-29-N, R-7-E | 95,000.00 |
| 6 | 2021/2022 | Kenny Burcham Bridge repair on T Avenue. Bridge is on County Line and will cost share 50-50 with Dixon Co. Section 10, T-28-N, R-6-E bridge# C002200125 | 60,000.00 |
| 7 | 2021/2022 | Replace Bridge C002213410P 265th Street over Omaha Creek, Homer. Section 26, T-27-N, R-8-E County Share \$350,000/State share \$200,000 | 50,000.00 |
| 8 | 2021/2022 | Fair Meadows overlay | |

| | | | |
|-----------------|---------------|---|------------------|
| | | Section 31 & 32, T-29-N, R-9-E Approximately 1460' | 31,000.00 |
| 9 | 2021/2022 | Old Sawmill Road overlay Section 31 & 32, T-29-N, R-9-E Approximately 865' | 32,000.00 |
| 10 | 2021/2022 | Install new culvert on 190th Street and straighten road Section 15 & 22 T-28-N, R-7-E | 26,000.00 |
| 11 | 2022/2023 | Replace Bridge C002200320, I Adams Bridge on S Ave Section 10&11, T-28-N, R-6-E | 350,000.00 |
| PRIORITY | FISCAL | IMPROVEMENTS | ESTIMATED |
| NO. | YEAR | | COST |
| 12 | 2023/2024 | Buy ROW and provide access route for landowners on the South side of Jackson Bridge C0022B1705 Thomas & Hope and remove fracture critical bridge from inventory. Section 36, T-29-N, R-7-E | |
| 13 | 2023/2024 | Buy ROW to provide access route for landowner on the South side of Jackson Bridge C002211705P Jackson West and remove fracture critical bridge from inventory. Section 36, T-29-N, R-7-E | |
| 14 | 2024/2025 | Coordinate with NRD to provide access road for landowner Southeast of Wachter Bridge C002211510P Section 23, T-28-N, R-7-E | |

Projects added 9/20/21 at the 1 & 6 Year Road Plan Hearing:

| | | |
|----|-----------|--|
| 15 | 2025/2026 | Old Hwy 20 resurfacing – approximately 1.5 miles Section 30 & 31, T 29-N, R 9E |
| 16 | 2025/2026 | Pave M Ave south of Hwy 35 – 0.7 miles Section 27 & 26, T 28N, R 7E |
| 17 | 2025/2026 | Fiddler Creek Road concrete paving Section 15 & 16, T 27N, R8E – approximately 1 mile |

Jolene Gubbels reviewed the Annual Road Report for the Board. Commissioner Love moved, seconded by Commissioner Launsby, to approve the Annual Road Report 2020-2021. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-031 Signing of the County Annual Certification of Program Compliance Form 2021. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- absent, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

**SIGNING OF THE
COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM
RESOLUTION 21C-031**

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121 and 39-2505(2) requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 3-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include a copy of a resolution of the governing body of the county authorizing the signing of the certification form.

Be it resolved that the County Board Chairperson of DAKOTA COUNTY is hereby authorized to sign the attached County Annual Certification of Program Compliance form.

Adopted this 20th day of September, 2021, at Dakota City, Nebraska.

Vice-Chair Giese moved, seconded by Commissioner Love, to approve Resolution 21C-043 for Pledged Securities Release. ROLL CALL VOTE: Launsby- yes, Gill- absent, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-043
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: #10620NAF5 Par Amount: \$6,950,000.00 Amount Pledged: \$5,000,000.00 Maturity: 6/25/2042 | Union Bank & Trust Cusip #78442GGX8 Par Amount: \$3,000,000.00 Pledged: \$2,260,000.00 Maturity: 9/15/2039 | Union Bank & Trust Cusip #10620NBB3 Par: \$500,000.00 Pledged: \$450,000.00 Maturity: 6/25/2042 |
|---|--|---|

APPROVED AND ADOPTED this 20th day of September, 2021.

Jolene Gubbels, Highway Superintendent, presented the Road Report for September 5-18, 2021. Total road maintenance- 302.5 hours; tree/debris removal- 12 hours; Culvert Projects: N Bluff Rd- 61 hours; 220th St- 11 hours; gravel hauling – 43.5 hours; tons of gravel hauled – 52 (835 T into the yard); sign repair/barricading – 27 hours. Grading concerns- Oakdale Rd, Lynch Ave; Gravel concerns- Oakdale Rd. Commissioner Albenesius stated a good job was done on North Bluff Road project. Ms. Gubbels stated they have received 2 resumes for the job opening at the Road Department—possible extension of application deadline.

Sheriff Kleinberg presented the Jail Report for the month of August, 2021.

August (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 93 | 21 | 0.1 | 114 |

2021 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 80 | 22 | 0.1 | 102 |

2020-2021 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 93 | 20 | 0.08 | 113 |

Federal Income

| | | | |
|---------------|-------------|------------------|-------------|
| Aug Marshal | \$48,554.82 | Fiscal Marshals: | \$90,707.22 |
| Aug ICE: | .00 | Fiscal ICE: | 0.00 |
| Aug OMMS/SDMS | 65.00 | Fiscal BIA/OMMS: | 65.00 |
| Aug Federal: | \$48,619.82 | Fiscal Federal: | \$90,772.22 |

2021 Calendar Federal: \$365,763.06

Aug County Contracts: \$0.00 2020-21 Fiscal County Contracts: \$0.00

June Phone/Commissary Commission: \$9,278.72

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 | | | | |

Aug 2021: The jail spent \$189,873.33. YTD- 15.5% of yearly estimated budget or 1% under the estimated fiscal year budget.

Aug, 2020: The Jail spent \$49,572.93 less than was allotted for Aug budget or 20.5% under budget for the month. Jail spent 17.5% of YTD budget

Aug Bookings:

| | | | |
|-------------|----|----------------|----|
| DCSO: | 40 | DAKOTA COUNTY: | 26 |
| SSCPD: | 30 | OTHER NE: | 18 |
| NSP: | 8 | SIOUX CITY: | 30 |
| COURT/SELF: | 2 | OTHER IA: | 8 |
| FED: | 4 | OTHER STATES: | 3 |
| OTHER: | 2 | HOMELESS: | 1 |
| TOTAL: | 86 | TOTAL: | 86 |

Sheriff Kleinberg met with the Weitz Company and stated this company just completed work on the Jail for Washington County. The Company comes with a high recommendation from both Washington County Sheriff and our Architect firm, Shive-Hattery. Sheriff felt with our increased per diem rate, the cost is covered. Sheriff requested the Board hire the Weitz Company to help with all the construction logistics. Mr. Brian Malendorf, Weitz Company Construction Manager, stated in talking with the Sheriff, the Sheriff's goal was to break ground as quickly as possible because of the funding with the Feds. Under a traditional model, he thought waiting for design completion would put the county behind. This alternative delivery model to hire them now would allow them to start estimating, putting together plans and understanding what this expansion will cost and what the time frame is—but more importantly, it allows them to start some of the construction before the entire design is complete. This is important in today's marketplace because an order placed in December for pods would most likely not arrive until August (2022) and waiting would extend the project. Commissioner Albenesius asked how they would know the cost before the design is done? Mr. Malendorf stated that because of their efforts up front during the pre-construction and planning process, they are can typically guarantee the maximum price—they do this on a regular basis and know what to look for, have discussions with Sheriff and design partners. They help look for things missed in the budget and logistic plans. Commissioner Launsby asked what their fee was for the Washington County project? Mr. Malendorf stated approximately 3% of the construction cost plus management staff process time. (\$1.4 million roughly). Mr. Malendorf stated what is for consideration today is to get to the point of knowing what our budget will be before the drawings are done; you will know what items need to be released as soon as possible so that it does not negatively impact the completion of the jail expansion. Commissioner Launsby stated he thought the Architects who spoke at the August 23rd meeting were going to bring a cost estimate to the Board in November. Commissioner Albenesius thought the Architects were going to update the HVAC system, plumbing, water line and electrical codes to research and design things to standards and asked the Weitz Company personnel if that was all done, what was their company designing? Mr. Malendorf stated that the Weitz Company does not do any design work, but takes the progress of the designer (Shive-Hattery) as they go through the process and provide multiple budgets. Commissioner Albenesius asked what their fee was to provide budgets as the Architect progresses? Mr. Malendorf stated the Agreement today is for \$25,000—this would include 3 different processes: in talking with Shive-Hattery they have a design update that is due in approximately 4 weeks; a design development scheduled for completion in 10 weeks; and a final design. Jared (Weitz Company) stated that it was important to get prices locked in, especially for the prefabricated jail cells. Jared explained they do a value analysis—not just taking the designers drawings and bidding off that, but offer alternate solutions. He stated in Washington County they were over budget \$2 million and they helped get the costs down under the bond amount. It's more than budgets—we work with everyone to get the best value. Commissioner Albenesius stated it was hard for him to believe someone could project their cost a year out without adding 50% to the cost. Mr. Malendorf stated they make educated assumptions, and do it quite often and are currently budgeting projects a year+ out. Commissioner Albenesius had concerns not knowing what would happen in the future regarding new administration priorities, possible lack of federal inmates and pricing, etc. Vice-Chair Giese asked when they would have a number for the Board. Mr. Malendorf stated it would take them 2-3 weeks to analyze the Shive-Hattery numbers. They would not have a max price until the end of the year/first of January when the design is further developed. They thought it would be February before the Board would know the cost estimate figure for bonding the project. Commissioner Launsby asked what the estimated project total was? How to arrive at a project cost was discussed using historic data in today's market. Sheriff Kleinberg said he used the figure of \$12,500,000 when talking with the feds. Communication between preconstruction manager and architect helps not having surprises. Sheriff Kleinberg stated we have a 10-year contract with the feds/the jail is paid for and feels strongly the need for a construction manager. The architect is currently working on the design and Sheriff would like the project started as soon as possible. Vice-Chair Giese thanked the Sheriff for bringing the project forward. The Weitz Company clarified their cost of \$25,000 would provide not only a final cost estimate but a whole lot more—schedule analysis, procurement of materials analysis, value analysis and all of their input to provide the jail is built how you want it, making the process predictable and eventually come up with a guaranteed cost for it. Commissioner Love moved, seconded by Vice-Chair Giese, to approve a Preconstruction Services Agreement between Dakota County and The Weitz Company for a fee of \$25,000. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- no, Launsby- no, Gill- Absent. MOTION FAILED.

Dawn Bousquet, Treasurer, presented the verification itemized report on distress warrants to the Board. The Treasurer confirmed the amount collected matches, parcels stricken and \$0 sold matches the Sheriff's report.

Dawn Bousquet, Treasurer, presented a list of the remaining parcels from the County tax sale (delinquent and unsold parcels). The Board can exercise the option to purchase.

Commissioner Committee Reports: Launsby- Northstar; Love- LEC/updating the facility. Giese- Northeast Aging Group and NE NACO meeting. Mail: (1) Simmon Road structure reminder for maintenance from PMRNRD. (2) County Government Day on October 13th—Chair Gill or Commissioner Giese will represent the Commissioners. No emergency business.

Vice-Chair Giese adjourned the Board of Commissioners meeting of September 20, 2021, at 4:25 p.m.

Dakota County Board of Commissioners

Robert Giese, Vice-Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, October 4, 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, 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. 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 – September 20, 2021
 - b. Approval of payroll claims for September 19- October 2, 2021
 - c. Approval of accounts payable claim if applicable – Eastern Properties-tax sale refund
3. NEW BUSINESS & RESOLUTIONS
 - a. Jon Cannon, NACO Executive Director, to update the Board regarding the American Rescue Plan Act (ARPA) funds and eligible uses.
 - b. Board to designate an ARPA Committee regarding eligible uses for the American Rescue Plan Act (ARPA) funds.
 - c. Board to approve Chair to sign the Engagement Letter with Lutz & Company—a CPA firm, to provide assistance in the administration of the local Fiscal Recovery Funds as part of the American Rescue Plan Act (ARPA).
 - d. Pat Engel, Dakota City, has filed a Petition to Close or Vacate a Road with the County Clerk requesting vacation of road described as: Platted as an Alley in Block 3, Crystal Beach, between Lots 1 - 9 on the north and Lots 10-18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E.
 - e. Board to approve Resolution 21C-044 directing the Highway Superintendent to study the use being made of public road platted as an alley in Block 3, Crystal Beach, Section 6, Township 28N, Range 9E.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Board to approve or not approve using a Preconstruction Services Agreement between Dakota County and The Weitz Company, LLC, LaVista, Nebraska, for the Phase 2 Jail construction project.
 - b. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - c. Surplus Report for equipment sold by the Road Department with Big Iron.
 - d. Board approval of Change Order; Contractor's Application for Payment No. 3/Final; and Certificate of Substantial Completion for project Waterbury South Bridge #C002200125.
 - e. Sheriff Kleinberg – Monthly Jail Report
 - f. Dawn Bousquet, Treasurer, requesting tax refund to tax sale investor on parcel 220149194 – South Sioux City Schools. §77-1734.01
 - g. Closed Session regarding union contract negotiations.
 - h. Board to approve or not approve the Sheriff Deputy and Correctional Officer Fraternal Order of Police's request to come back to the bargaining table.
 - i. Board to approve the formation of a Health Insurance Committee to meet with union members.
 - j. Board to approve or not approve Flu Shots(\$25.00) at No Cost for County Employees.
 - k. Discussion regarding the UNL Extension Office Lease Agreement Option to Renew with the Papio-Missouri River NRD, 1505 Broadway Street, Dakota City.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
 - Maintenance of Veterans Drive
7. ADJOURNMENT

Chair Gill called for Public Comment. There was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes of September 20, 2021; (b) approval of payroll claims for September 19 – October 2, 2021; (c) accounts payable claim-Eastern Properties

tax sale refund. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$162,426.36; Net Pay-\$114,978.54; Total Retirement-\$11,180.86; Total FICA-\$12,013.36; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$200.32; 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-\$2,193.08; Leticia Vargas-\$1,368.00; Joan Spencer-\$2,321.49; Kathy Abbe-\$2,065.40; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,132.59; Stephanie Gatzemeyer-\$2,491.35; Jalissa Hattig-\$1,323.20; Brenda Landaverde-\$1,267.01; Samantha Mitchell-\$719.36; Debera Benton-\$1,320.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,200.00; Courtney Lane-\$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-\$1,662.13; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,461.37; Tammy Dunn Peterson-\$1,255.20; Shaun Bird-\$1,624.98; Sergio Castillo-\$2,357.99; Timothy Decker-\$2,636.12; Brian Ellinger-\$2,394.36; Penny Epting-\$2,291.94; Brian Fernau-\$2,208.06; Tyler Fulkerth-\$2,145.55; Brent Gilster-\$2,494.18; Martin Guerrero-\$2,419.33; Melvin Harrison III-\$2,461.88; Jason James-\$2,261.33; Douglas Johnson-\$2,548.30; Kimberly Johnson-\$747.14; Jared Junge-\$2,296.80; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,216.80; Mardi Schnee-\$1,121.60; Shantel Krull-\$988.80; Debra Schmiedt-\$3,442.26; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,797.96; Shaelee Barreras-\$0.00; Rebecca Broer-\$1,768.00; Kacie Brown-\$1,857.06; Ricardo Chavez-\$1,528.80; Lacey Clark-\$1,627.15; Leonardo Davalos-\$570.26; Alexander DeLeon-\$1,680.12; Elisabet DeRoin-\$1,790.20; Jesse Doelle-\$1,726.40; Lynn Fleming-\$1,528.80; Jonathan Gray-\$1,778.06; Sara Gritten-\$1,606.15; Kara Groetken-\$1,983.67; Todd Hammer-\$2,282.45; Adam Hough-\$1,829.74; Brenda Irwin-\$1,799.11; Jose Magana-\$1,627.15; Jacob McCollum-\$1,627.15; Skyler Miner-\$1,701.12; Keaton Mueller-\$776.63; Mark Nelson-\$2,387.78; Gregory Nyhof-\$2,022.13; Kimberly Peterson-\$1,747.20; Michele Rohde-\$1,757.95; Jonathan Romo-Rodriguez-\$1,681.75; Rebecca Schoep-\$1,602.84; Jennifer Svendsen-\$3,164.28; Taylor Tadlock-\$1,734.60; Danielle Thibodeau-\$1,837.85; Estrella Vazquez-\$1,586.20; Randall Walsh-\$2,548.36; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$2,089.60; Matthew Roost-\$273.26; Jana Adam-\$1,636.92; Yvette Aldana-\$1,568.05; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$236.12; Raquel Jimenez-\$1,541.25; Yesica Saldana Cisneros-\$1,449.86; Jacqueline Traum-\$1,316.34; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$12,341.17; State Tax-\$5,965.09; Soc Sec-\$9,736.32; Medicare-\$2,277.04; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$7,586.37; Health Plan-\$2,800.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,348.70; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$454.76; Legal Shield-\$99.16; Liberty Nat'l Pretax-\$71.04; Liberty Nat'l-\$0.00; VSP Vision Base-\$82.86; **Road Fund Employer:** Gross Salaries-\$16,533.60; Net Pay-\$11,415.11; Retirement-\$1,116.04; Total FICA-\$1,234.79; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,923.20; Kevin Chambers-\$1,613.60; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneiff-\$1,613.60; Kimon Litras-\$1,741.60; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,329.38; State Tax-\$598.16; FICA-\$1,000.75; Medicare-\$234.04; Extra Fit-\$150.00; Retirement-\$743.99; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.82; Liberty National PreTax-\$101.30; VSP Vision Base-\$46.91; ; **Health Planning Grant Employer:** Gross Salaries-\$1,577.60; Net Pay-\$1,204.34; 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-\$15.18; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,263.24; Net Pay-\$713.70; Retirement-\$85.27; Total FICA-\$68.26; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,263.24; **Juvenile Services Aid Employee:** Federal Tax-\$36.62; State Tax-\$16.81; FICA-\$55.32; Medicare-\$12.94; Retirement-\$56.85; Health Plan-\$350.00; Dental Plan-\$21.00;

Accounts Payable: Eastern Properties – interest owed tax sale refund - \$463.49.

Jon Cannon, NACO Executive Director, addressed the Board regarding the American Rescue Plan Act (ARPA) funds and eligible uses. He cautioned that there is a claw-back provision that prohibits the ARPA funds from being used for ineligible uses—no matter who we give it to, the Board is ultimately responsible of how the funds are used. He outlined and explained the four eligible uses: (1) Responding to public health emergencies and transfer of funds to a non-profit or special governmental units such as the public health department; and also addressing negative economic impacts such as the tourism and travel industries. The Board could offer Block Grants and set the rules for the industry to show the revenue loss impact by the public health emergency by a set percent, etc. You could also set up a block grant for effected class of citizens such as restaurant wait staff or persons laid off in the meat packing industry. (2) Providing government services where there has been a reduction in revenue per the required calculation table. (3) Investment in water, sewer and broadband infrastructure—such as box culverts subject to qualifications under the EPA clean and safe drinking water. Rural broadband was found to be crucial to residents during the pandemic. LB388 was passed this year by Nebraska Legislature specific to rural broadband/\$20 million in both 2021 and 2022 so we could partner with the state on this issue. (4) Premium pay for eligible employees such as any person who had face-to-face interaction with the public and materials handled by the public. Those persons who worked remotely would not be eligible. Mr. Cannon stated courthouse employees are eligible (except elected officials). He cautioned to be very intentional and transparent on how the funds are divided. Funds could be prorated for terminated employees. The funds must be designated by December 2024 and spent down by 2026. He gave an example of funds being spent for a Child Care Center with documentation showing how response to the pandemic had workers at home with children not in school and no workforce had a negative impact on their town. Mr. Cannon also explained how Lutz & Company was contracted through NACO and their fees can be paid with ARPA funds. Also, the interest earned by the County on the ARPA funds can be kept by the County.

An ARPA committee was discussed. Not all the persons contacted have responded and it was suggested to reach out again. This agenda item will be placed on the next agenda.

Commissioner Love moved, seconded by Chair Gill, to approve Chair to sign the Engagement Letter with Lutz & Company—a CPA firm, to provide assistance in the administration of the local fiscal recovery ARPA funds. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Gill noted that Pat Engel has filed with the Clerk a Petition to Vacate Road. Chair Gill moved, seconded by Commissioner Love, to approve Resolution 21C-044 directing the Highway Superintendent to study the use being made of public road platted as an alley in Block 3, Crystal Beach, Dakota City, Nebraska. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-044

A RESOLUTION DIRECTING THE HIGHWAY SUPERINTENDENT
TO STUDY THE USE BEING MADE OF PUBLIC ROAD

WHEREAS, Sec. 39-1722 Nebr. R.R.S., 1943, makes provisions for a county board of commissioners to commence the process of vacation or abandonment of public roads in its county; and

WHEREAS, a clear and unambiguous description of the road to be relocated, vacated or abandoned, is as follows, to-wit:

Platted as an Alley in Block 3, Crystal Beach, between Lots 1 to 9 on the north and Lots 10 – 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E

Aerial map showing said County Road to be vacated or abandoned in Dakota County, Nebraska is hereto attached, marked Exhibit "A",

WHEREAS, the vacation or abandonment of said roads is for one or more of the following reasons:

1. Said public road is not used by the public and is of no value to the public, and it therefore serves no purpose for it to remain open to the public.
2. The board cannot foresee any reason that the said road would have to be reopened in the future if it were vacated or abandoned.

NOW THEREFORE, BE IT RESOLVED, that the Dakota County, Nebraska Board of Commissioners deems that the public interest may require the vacation and/or abandonment of said public roads described above.

AND BE IT FURTHER RESOLVED, that the Dakota County Highway Superintendent be directed to study the use being made of such public road and that said County Highway Superintendent be directed to submit in writing to the Board, within 30 days from this date, a report upon the study made of his recommendation as to the vacation and/or abandonment thereof.

AND BE IT FURTHER RESOLVED, that this Resolution and the written report of the Dakota County Highway Superintendent be retained in the office of the County Clerk of Dakota County, Nebraska, as a part of the permanent public records of the Dakota County, Nebraska, Board of Commissioners.

PASSED AND APPROVED this 4th day of October, 2021

Steve Davis, Architect with Shive-Hattery and Brian Mahlendorf, Weitz Company Construction Manager, spoke in consideration of the Board to approve a Preconstruction Services Agreement with the Weitz Company for the Jail Phase 2 construction project. Ron Hines, Project Manager, Shive-Hattery, was available by telephone. Steve Davis informed the Board that he was on site today with engineers to look at issues in the current jail regarding the showers. A request was made to add a medical exam room, holding cell and office area in designing Phase 2. Mr. Davis addressed concerns in construction where it would be helpful to have a preconstruction manager on board. Mr. Mahlendorf stated it would allow them to work more quickly and stay on schedule without design changes and be more cost effective. Commissioner Albenesius stated nothing would be done without them working together and asked why Weitz Company was not on the Shive-Hattery payroll. Mr. Mahlendorf responded that most owners want separation between design and construction. Commissioner Launsby asked why a preconstruction manager was not brought to the first meeting. Mr. Davis responded that Phase 2 project was not yet approved to go forward. Discussion was then had with the Sheriff regarding which construction manager would be able to help the County the most. Mr. Mahlendorf said it is not uncommon to add a construction manager several months after the design phase has started but still early enough in the process as the ideas are developing. Commissioner Launsby asked what other costs would be involved that the Board is not aware of. Mr. Hines stated another soft cost would be the soil borings, SFE and he would provide a list of those costs. Chair Gill stated she understood from the first meeting that the Board would receive a preliminary estimate of project cost to see if we would move forward on the project and felt we were getting the "cart before the horse" by bringing on a construction manager now when still not sure we are doing the project and she is getting negative feedback from the public. Mr. Davis stated that is still the case—they will bring a preliminary cost estimate, but it would not have the detail a construction manager would add. Mr. Mahlendorf explained to Commissioner Albenesius that the Weitz Company fee is a fixed \$25,000 for the preconstruction process and their service would be to help the Board understand the cost, the timeline, and most importantly the lead time that is going to affect building components of the jail. Sheriff wants to go today and there are materials 8 – 10 months out from order. Those are the type of things we will help identify early so you can make decisions moving forward. Mr. Davis said, they can be brought on later, but any design changes could cause delay and if on board, pre-orders can be made now. Commissioner Albenesius thought the project timing is wrong with so many materials hard to get. Commissioner Giese asked about locking prices. Public contracts have any savings going back to

the County—manages the construction process. Commissioner Love thought the Board approved moving forward on the project. Lue Franco asked if taxpayers were paying for the project—no, Federal Marshal contract with inmate per diem rate increase covers the costs and creates a future revenue stream for the County. Weitz Company helped Washington County save \$1 million. Ron Hines said that construction management is the fastest track to construction. Commissioner Love thought if we are moving forward, we need a construction manager. Commissioner Love moved, seconded by Commissioner Giese, to approve a Preconstruction Services Agreement between Dakota County and The Weitz Company for Phase 2 Jail project. ROLL CALL VOTE: Launsby- no, Gill- no, Love- yes, Giese- yes, Albenesius- no. MOTION FAILED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for September 19 – October 2, 2021. Total road maintenance- 232 hours; tree/debris removal- 2 hours; Culvert Projects: Lynch Ave- 9 hours; Jackson High Bridge – 5 hours; garbage pickup- 8.5 hours; gravel hauling – 52 hours; tons of gravel hauled – 754.66; Weed spraying/inspections- 4 hours; sign repair/barricading- 43 hours. Grading concerns- Blyburg Road, 110th Street, M Avenue and gravel concerns- Pigeon Avenue. The Jackson High bridge is open. The Waterbury South bridge will be open in 2 days. The Willis bridge should be finished in several weeks. The 265th Street Bridge steel beams are on backorder.

Chair Gill asked Ms. Gubbels about the mail agenda item—maintenance of Veteran's Drive. Discussion was had on landowners mowing and who mows the median. Chair Gill will contact Lance Hedquist regarding improvements by the City (street light lamp posts and electrical boxes) and landowners regarding mowing. Jon Cannon suggested Chair contact Bill Tielke, NACO Northeast President, regarding mowing of the right-of-ways.

Jolene Gubbels, Highway Superintendent, presented the Surplus Report—2004 Utility Trailer sold at Big Iron Auction for \$6,655.

Commissioner Giese moved, seconded by Commissioner Albenesius, to approve the Waterbury South bridge (#C002200125) project Change Order for \$325 under bid; Nelson & Rock's application for final payment #3 in the amount of \$15,504.80 and the Certificate of Substantial Completion. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Dawn Bousquet, Treasurer, explained the tax refund. Chair Gill moved, seconded by Commissioner Giese, to approve a refund to tax sale investor on parcel 220149194 (South Sioux City Schools) for 2019 and 2020. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Chair Gill, to convene in closed session regarding union contract negotiations. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED at 4:58 p.m. Chair Gill restated the purpose of the closed session.

Commissioner Love moved, seconded by Chair Gill, to reconvene in open session. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED at 5:34 p.m.

The Board took no action on agenda item to approve or not approve the request of the Fraternal Order of Police to come back to the bargaining table. Discussion was had between Lt. Brian Ellinger, Lt. Jacob Acero and the Board. The Board would like to sit down and talk with the union before taking action on the FOP's request. Lt. Ellinger and Lt. Acero will talk with the union members to see if they want to go to arbitration or consent to the Board's request to talk and leave options open.

Formation of Health Insurance Committee was discussed. It was the consensus to not only get union members to be on the committee but courthouse employees also. No action was taken.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve Flu Shots at no cost to county employees (United Pathways Grant). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Giese moved, seconded by Commissioner Launsby, to approve the option to renew the UNL Extension Office Agreement for an additional three (3) years. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Launsby- Road Department—interviewed an applicant for the job opening. No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of October 4, 2021, at 5:55 p.m.

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, October 18, 2021
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Vice-Chair Giese called the meeting to order at 3:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Love, Giese, Albenesius, Launsby. Absent: Gill. 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 – October 4, 2021
 - b. Approval of payroll claims for October 3 - 16, 2021
 - c. Approval of accounts payable claims
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
3. NEW BUSINESS & RESOLUTIONS
 - a. 3:01 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding an amendment to the Dakota County Planning & Zoning regulations to include Section 900.4 Solar Conversion Systems.
 - b. 3:02 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a change in zoning from AG to Business at the proposed location of 645A & 645B Hwy 35, S12-T28N-R8E, Dakota City, Nebraska.
 - c. 3:03 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding an amendment to the Dakota County Planning & Zoning regulations to revise Section 509 Enforcement to impose fines for building without a building permit.
 - d. Board to approve or not approve amending the Zoning Regulations to include Section 900.4 Solar Conversion Systems.
 - e. Board to approve or not approve the request to rezone the location of 645A & 645B Hwy 35, Dakota City, from AG to Business.
 - f. Board to approve or not approve revising zoning regulation Section 509 Enforcement to include imposing a fine for building without a building permit.
 - g. Jolene Gubbels, Highway Superintendent to present and submit written road study for the vacation or abandonment of road: Platted as an alley on Block 3, Crystal Beach, between Lots 1-9 on the north and Lots 10-18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska. S6, T28N, R9E.
 - h. Approve Resolution 21C-045 to Set Date and Time for Public Hearing to Vacate or Abandon Road: Platted as an alley on Block 3, Crystal Beach, between Lots 1-9 on the north and Lots 10-18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska. S6, T28N, R9E.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Board to approve Chair to sign the Notice of Award to Norfolk Contracting for the Homer South (265th) Bridge #C002213410P Replacement Project (bid- \$549,639.00)
 - c. Sheriff Kleinberg – Monthly Jail Report
 - d. Sheriff Kleinberg, requesting Board approval of Geotechnical Engineer's proposal to perform soil borings for the Jail Phase 2 project site.
 - e. Dawn Bousquet, Treasurer, requesting approval for investment of funds.
 - f. Board to appoint members to a committee for the purpose of reviewing American Rescue Plan Act (ARPA) funds application requests; determining eligible uses and make a recommendation to the Board of Commissioners for final approval.
 - g. Board to approve the formation of a committee for the purpose of discussion and input regarding health and dental insurance benefits for county employees.
 - h. Approve Board Chair to sign the Certification Statement for the Cost Allocation Plan computing indirect cost reimbursement for the Clerk of District Court Child Support function.

- i. Board to designate Deanna Hagberg to participate on the steering committee to help with the Missouri River Northeast Community Wildfire Protection Plan (CWPP) plan updating to ensure that pertinent changes are included in the plan and that local issues remain front and center.
 - j. Board to approve Chair to sign Payer Access Agreement between OptumHealth Care Solutions, LLC and Dakota County, NE, pursuant to the Distributor Agreement with Hines & Associates for scheduled services and fees to facilitate health care benefits.
 - k. Board to appoint voting delegate and alternate for election of officers at the NACO Annual meeting on December 10, 2021.
 - l. County Board shall make quarterly visit to county jail. §47-109
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
- Gordon Hansen, Waterbury
 - Tri-State Legislative Forum invite held December 3rd

ADJOURNMENT

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

Vice-Chair Giese called for Public Comment. Sheriff Kleinberg addressed comments to Commissioners Albenesius, Launsby and Gill regarding the status of the Phase 2 Jail construction project. For 10 years, the Sheriff has been part of many dire budget related issues requiring elected officials to cut, save, and struggle to pay the help. We watched our taxes increase with minimal relief. The Board signed two contracts six weeks ago with the federal government for housing inmates and with an architect for design and since then no action has been taken to move forward. The citizens of Dakota County need to have an explanation why. It was his opinion it could only be a combination of these three things— incompetence, ignorance or vengeance. The project will bring revenue to the county and in the past the County has struggled to make payroll and this is an unfortunate fact the board does not seem to take seriously. Employees have sacrificed raises over the past 10 years to make sure we stayed solvent. County officials and staff have done whatever they could do to bring in revenue. In the case of the Sheriff's Office, we have taken on the added responsibility of housing federal inmates and other agencies. Housing federal inmates is not without risk to jail employees, but one they have been willing to take because of additional revenue. The professionalism shown by the jail staff has earned them distinction with the federal marshals and no other agency has been offered a deal like this one. This contract pays for the county jail without one penny coming out of the county coffers and promising a revenue stream we can enjoy in this county for the next 10 years. The project is ready to go, the plans in place and when a vote came to hire a construction management company designed to keep the project moving forward (it failed). Sheriff explained that an inmate dug his way out of deadlock because sheetrock was used by the previous general contractor not familiar with how to build a jail. The general contractor hired for Phase 1 cut corners and he would like to see a construction manager hired for Phase 2. Sheriff stated he worked hard to bring this project together and wondered if the vote to not hire the construction manager was aimed at him—he stated this project will bring him extra work but he feels it is in the best interest of the County and its citizens to move forward with the agreements already signed. If the Board backs out of the contracts at a cost to the county, they should resign. Sheriff presents a monthly jail report to the Board each month and asked if they knew how much revenue is generated each month. Sheriff Kleinberg stated the revenue from housing feds is \$50,000 to \$60,000 per month and \$700,000 yearly not counting revenue from commissary and transports. Sheriff stated once the jail is built the revenue generated would be \$400,000 to \$500,000 per month. Sheriff Kleinberg stated he just doesn't understand the Board's hesitation to move forward with hiring a construction manager after signing the contracts with this step built in. He felt the project is now 2 months behind and asked the board members to resign.

Chief Deputy Sheriff Tim Decker also spoke in public comment. He gave the Board projected revenue statistics possible with the federal marshal contract. Chief Decker stated the part of the contract for 30-months filling 85 beds at \$150 per inmate would generate the \$10 to \$11.4 million to pay for the construction of the jail. The money guaranteed after the jail is built could generate \$24.8 million over a 10-year period. The current contract is with the Iowa marshals, but the Sheriff has had interest expressed from both the Sioux Falls and Omaha federal marshal offices to house at Dakota County also which could generate another \$6 million. The county's location is an asset. The jail commissary generates \$3500 per month pure profit/\$168,000 per year. There is a lot of money that needs consideration. Resident's taxes could go down—be the hero.

Vice-Chair Giese called for approval of the consent agenda: (a) approval of the previous meeting minutes of October 4, 2021; (b) approval of payroll claims for October 3-16, 2021; (c) accounts payable claims (d) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Love moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill-absent, Love- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$158,861.50; Net Pay-\$112,152.45; Total Retirement-\$10,966.34; Total FICA-\$11,706.92; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$200.32; 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-\$1,641.60; Leticia Vargas-\$1,380.84; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,335.21; Dawn Bousquet-\$2,321.49; Maria

Garcia-\$1,117.10; Stephanie Gatzemeyer-\$1,625.50; Jalissa Hattig-\$1,323.20; Brenda Landaverde-\$1,268.96; Samantha Mitchell-\$1,237.60; Debera Benton-\$1,320.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,200.00; Courtney Lane-\$1,222.50; Joseph O'Neil-\$285.26; Karen Jimenez-\$1,539.20; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$2,325.81; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,092.50; Tammy Dune Peterson-\$1,255.21; Shaun Bird-\$1,853.80; Sergio Castillo-\$2,180.80; Timothy Decker-\$2,482.82; Brian Ellinger-\$2,394.36; Penny Epting-\$2,363.34; Brian Fernau-\$2,248.95; Tyler Fulkerth-\$2,068.00; Brent Gilster-\$3,031.60; Martin Guerrero-\$2,180.80; Melvin Harrison III-\$2,347.64; Jason James-\$2,192.80; Douglas Johnson-\$2,412.78; Jared Junge-\$2,296.80; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,272.22; Mardi Schnee-\$1,121.60; Shantel Krull-\$965.63; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,802.66; Rebecca Broer-\$2,475.20; Kacie Brown-\$1,906.38; Ricardo Chavez-\$1,528.80; Lacey Clark-\$1,549.80; Leonardo Davalos-\$544.28; Alexander DeLeon-\$1,600.56; Elisabet DeRoin-\$1,871.68; Jesse Doelle-\$1,664.00; Lynn Fleming-\$1,565.20; Jonathan Gray-\$1,844.06; Sara Gritten-\$1,528.80; Kara Groetken-\$1,780.26; Todd Hammer-\$2,325.51; Adam Hough-\$1,900.23; Brenda Irwin-\$1,872.91; Jose Magana-\$1,586.70; Jacob McCollum-\$1,549.80; Skyler Miner-\$1,841.02; Keaton Mueller-\$548.50; Mark Nelson-\$1,907.00; Gregory Nyhof-\$1,881.63; Zoey Olson-\$1,586.70; Kimberly Peterson-\$1,788.80; Michele Rohde-\$1,460.55; Jonathan Romo-Rodriguez-\$1,549.80; Rebecca Schoep-\$1,593.48; Jennifer Svendsen-\$2,477.15; Taylor Tadlock-\$743.40; Danielle Thibodeau-\$1,765.58; Estrella Vazquez-\$1,544.55; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,653.10; Matthew Roost-\$273.26; Jana Adam-\$1,812.80; Yvette Aldana-\$1,506.89; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$85.86; Raquel Jimenez-\$1,507.50; Yesica Saldana Cisneros-\$1,449.86; Jacqueline Traum-\$1,330.25; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$11,736.59; State Tax-\$5,743.07; Soc Sec-\$9,487.95; Medicare-\$2,218.97; Extra Fit-\$836.00; Extra Sit-\$140.00; Retirement-\$7,442.91; Health Plan-\$3,200.00; Dental Plan-\$567.00; Colonial Health-\$264.48; Sheriff Union Dues-\$435.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,225.00; Garnishments-\$1,444.01; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$455.01; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$71.06; VSP Vision Base-\$82.98; **Road Fund Employer:** Gross Salaries-\$17,910.20; Net Pay-\$12,268.12; Retirement-\$1,208.96; Total FICA-\$1,338.95; Health Plan-\$4,470.00; Dental Plan-\$147.50; Life Insurance-\$24.61; Brent Byroad-\$1,923.20; Kevin Chambers-\$2,990.20; 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-\$1,561.60; Matthew Roost-\$1,613.60; **Road Fund Employee:** Federal Tax-\$1,599.32; State Tax-\$685.57; FICA-\$1,085.17; Medicare-\$253.78; Extra Fit-\$150.00; Retirement-\$805.94; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$400.91; Road Union Dues-\$175.00; Legal Shield-\$36.88; Liberty National PreTax-\$101.31; VSP Vision Base-\$46.97; **Health Planning Grant Employer:** Gross Salaries-\$1,809.31; Net Pay-\$1,370.01; Retirement-\$122.13; Total FICA-\$135.64; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,809.31; **Health Planning Grant Employee:** Federal Tax-\$111.54; State Tax-\$52.56; FICA-\$109.93; Medicare-\$25.71; Extra Sit-\$5.00; Retirement-\$81.42; 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-\$1,252.80; **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.

Accounts Payable: General Fund: Pender Times, publications-\$518.55; US Bank, Giese workshop-\$25.00; Leaf, copier lease-\$78.02; One Office Solutions, office supplies-\$871.04; Pender Times, publications-\$50.12; Curry Floor & Acoustics, carpet-\$775.00; DAS State Acct, state software-\$81.00; MIPS, monthly software-\$940.91; One Office Solutions, office supplies-\$190.67; Irene VanLent, prior years service-\$16.00; Cherie Conley, ROD mileage & meal-\$332.32; Holiday Inn Kearney, ROD lodging-\$114.95; Margie Rahn, prior years service-\$12.00; Christy Abts, office supplies-\$248.64; Bralda, Inc., appraisal services-\$1,707.75; EWDS Inc, appraisal services-\$1,582.00; IAAO, membership-\$225.00; Leaf, copier lease-\$77.18; One Office Solutions, copies-\$25.04; Madelyn Thorsland, prior years service-\$10.00; Cherie Conley, Election workshop mileage-\$76.72; La Quinta Hotel, lodging-\$299.85; Scott Bousquet, P&Z meeting-\$33.36; Ron Collins, P&Z meeting-\$33.92; Tim Decker, P&Z meeting-\$26.20; Ron Gill, P&Z meeting-\$38.96; Jolene Gubbels, P&Z meeting-\$150.00; Gordon Heggee, P&Z meeting-\$22.56; Paul Ireland, P&Z meeting-\$18.36; Dick McCabe, P&Z meeting-\$59.12; Harold Moes, P&Z meeting-\$45.68; Martin Rohde, P&Z meeting-\$47.92; RTI, monthly support & licenses-\$14,305.75; US Bank, domaine name & domaine fee-\$1,215.98; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$123.11; Dakota County Court, checks & deposit slips-\$120.00; Marco, copier lease-\$431.01; Microfilm Imaging, scanning-\$177.00; Nebraska Law Review, subscription-\$70.00; US Bank, Paint and office supplies-\$98.50; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$170.35; US Bank, CLE NE State Bar Assn 2021-\$500.00; Jane Anderson, mental health hearing-\$100.76; Maggie Cook, mental health hearing court reporter-\$75.00; Christine Costantakos, crt appt atty fees-\$1,130.50; Dakota County Court, court costs-\$1,433.47; Dakota County District Court, court costs-\$640.00; Dakota County Sheriff, papers & warrants-\$709.54; Galyen Boettcher Baier PC, crt appt atty fees-\$885.38; Sophia LeMoine, visitor services crt appt-\$487.50; Stuart Mills, crt appt atty fees-\$4,753.75; Douglas Roehrich, crt appt atty fees-\$4,050.10; Richard Thramer, crt appt atty fees-\$4,612.50; Robyn Watchorn Newbrey, mental health hearing-\$100.76; Robert Wichser, crt appt atty fees-\$12,802.15; Maximus, child support services-\$1,050.00; A Team Heating & Cooling, control system-\$519.50; Barkley Asphalt Inc, East Parking Lot-\$10,560.00; City of Dakota City, utilities-\$167.16; Eakes Office Solutions, janitorial supplies-\$253.22; Gill Hauling Inc., dumpster-\$101.65; Kevin Hansen, fuel reimbursement-\$27.71; LA Concrete Inc., East Parking Lot-\$2,816.25; Menards, flooring materials & paint-\$390.68; MidAmerican Energy, utilities-\$833.64; Midwest Alarm Co, service call-\$130.20; NPPD, utilities-\$2,157.85; Trembly, pest control-\$55.00; US Bank, bldg & ground supp & membership-\$445.86; Verizon, cell phone-\$41.02; Wilmes

Hardware, building & ground material-\$279.25; Angela Abts, mileage-\$402.80; Carol Larvick, mileage-\$236.32; Leaf, copier lease-\$217.60; One Office Solutions, supplies-\$350.28; Papio-Missouri NRD, monthly rent-\$600.00; Walmart, supplies-\$103.57; AT & T Mobility, cell phones-\$400.40; Autozone, parts, brakes & oil-\$340.26; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,893.74; F & M Bank, 4th payment 2021 Diesel trucks-\$12,532.27; Fremont Tire, tire repair-\$22.00; Jack's Uniforms, uniforms & equipment-\$1,147.20; NSA/Poan, 2022 NSA membership-\$405.00; Sign Masters, repair lettering-\$295.00; Stapleton Salvage, vehicle part-\$135.00; Team Trouble Chaser Graphics, Jr badge stickers-\$75.00; TransUnion Risk & Alternative, searches-\$120.00; US Bank, lodging, training, supplies, fuel-\$1,496.67; Verizon, cell phone-\$200.05; Aaron Voss, vehicle conversions-\$20,742.38; AT&T Mobility, cell phones-\$87.45; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$62.06; Nebraska.gov, certified copy-\$26.00; Kim Watson, mileage-\$88.48; City of South Sioux City, LEC Share & communications upgrade-\$169,393.62; Advanced Correctional Healthcare, doctor fees & Rx-\$9,722.52; Ameri-Tech Industrial Inc, lint screen-\$45.03; Associated Fire Protection, sprinkler head repairs-\$1,141.54; AT&T Mobility, phones-\$93.96; Bob Barker, inmate supplies-\$574.04; Cash-Wa Distributing, kitchen supplies-\$274.68; City of Dakota City, water-\$2,660.45; City of South Sioux City, jail fuel-\$131.79; Eakes Office Solutions, supplies-\$2,841.43; Ecolab, laundry supplies-\$1,018.31; Foulk Brothers Plumbing & Heating, repairs-\$343.29; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$365.60; JC Roofing & Insulating, roof repair-\$695.00; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$310.22; NPPD, utilities-\$3,805.79; Summit Food Service, food & beverage-Jail-\$16,331.48; Trembly, pest control-\$50.00; Tri-State Communications, batteries-\$1,020.00; US Bank, training, medical, supp-\$857.69; Wells Fargo Financial Leasing, copier lease-\$375.03; Wilmes Hardware, fuses-\$28.73; Dodge County Clerk, 2nd quarter-\$13,367.38; City of SSC, fuel-\$56.30; US Bank, Sparklight & office supplies-\$308.19; Leaf, copier lease-\$103.00; One Office Solutions, copier contract-\$11.63; Verizon, phones-\$41.02; Availity/Realmed, medical billing-\$125.00; GlaxoSmithKline, Fluarix QIV-\$1,017.43; Marco Technologies, copier contract-\$391.62; Sanofi Pastuer, Fluzone HD QIV-\$1,136.12; US Bank, meals, vaccine, postage, website, misc-\$882.43; Verizon, cell phone-\$94.97; Dr Thomas Wenthe, consulting physician fee-\$250.00; Bill Johnston, mileage-\$322.56; One Office Solutions, copy fees-\$37.98; US Bank, law library-\$329.60; City of Sioux City IA, Hazmat agreement-\$1,204.00; DAS State Acct, payroll/acct payable-\$41.60; Dakota City Post Office, Emergency Management PO Box-\$62.00; F & M Bank, A/P acct service fees-\$43.58; Fibercomm, phone-\$578.28; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$1,025.32; Wally Nelsen, Hale Cemetery-\$1,000.00; Norm Waitt Sr YMCA, monthly fees-\$102.50; Region IV Inc, 2nd quarter-\$5,320.25; Stanard Appraisal Serv, protests 2021-\$1,210.00; US Postal Service, postage-\$2,000.00; US Bank, postage machine supp, phone cords-\$187.16; Woods & Aitken, legal counsel-unions-\$3,535.00; Road Improvement fund 802, transfer-engineering & contractor-\$9,748.65; **Road Fund:** Advance Auto Parts, supplies-\$20.79; Agrivision, shop supplies-\$140.70; Bader's Highway & Street, crack sealing N Bluff Rod-\$33,265.00; Bauer Built, tires-\$1,567.96; Bomgaars, shop supplies-\$98.84; Bosselman Pump & Pantry, fuel-\$2,842.31; Eakes Office Solutions, office supplies-\$47.34; Emerosn Heritage, fuel-\$32.92; Fremont Tire, tires-\$1,759.60; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$47.50; J&J's Pronto, fuel-\$278.32; Bob Jacobsen, prior years service-\$17.00; K&K Hubbard Mini Mart, fuel-\$726.43; LG Everist Inc, gravel-\$20,303.78; Marx Truck/Trailer, shop supplies-\$18.36; Matheson, oxy/acetylene-\$122.45; James McCluskey, anchor bolts-\$90.00; Arnie Mellick, prior years service-\$13.00; Menards, concrete for flag pole, fencing-\$266.78; Marlan Millard, prior years service-\$15.00; NPPD, Homer service-\$48.40; NNTC, telephones-\$171.90; Northeast Power, electric-\$281.53; O'Reilly Auto Parts, parts-\$146.51; Pender Times, publications-\$189.36; Power Plan/Murphy, parts-\$120.27; Productivity Plus, oil & shop supplies-\$185.50; Sapp Bros Petroleum, fuel, oil/grease, shop supplies-\$3,516.60; Stephen Welding, flag pole-\$250.00; UnityPoint Clinic, drug testing-\$64.00; US Bank, NEPPD, cleaner-\$158.13; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.19; Village of Emerson, utilities-\$37.52; Warren Oil, fuel-\$8,615.74; Wilmes Hardware, supplies, tools, misc-\$241.99; Ziegler's, parts & repair-\$18,159.92; **Road Improvement:** JEO, engineering-K Burcham & 50/50 Dixon-\$1,996.25; Nelson & Rock Contracting Inc, K Burcham bridge-partial pymt-\$7,752.40; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$23,641.28; **P&M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$210.00; **CEFS Grant:** Dakota County Treasurer-2700 Fund, reimbursement seed money-\$50,000.00; **Health Grant** Jennifer Ankerstjerne, mileage, lodging & meals-\$664.44; US Bank, Sparklight-\$181.20; **Health Dept Grants:** US Bank, living well conf-lodging-\$384.60; **Juvenile Grant:** Community Based Services, youth coaching-\$76.00; Community Monitoring Services, family support \$880.20; Owens Educational Services, electronic monitoring-\$42.68; **E911 Fund:** City of South Sioux City, 911 monies-\$8,100.21; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$35,788.10.

Vice-Chair Giese opened a Public Hearing at 3:19 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding an amendment to the Dakota County Planning & Zoning regulations to include Section 900.4 Solar Conversion Systems. Vice-Chair Giese called for comments in support and opposition and there were none. Vice-Chair Giese called for neutral comments. Marci Broyhill, Dakota City, asked for more information on decommissioning as the panels are a bio-hazardous material which when put in a landfill could leach into the soil; and if a dollar amount has been fixed for the bond in escrow for decommissioning. Vice-Chair Giese closed the Public Hearing regarding Solar Conversion Systems at 3:26 p.m.

Vice-Chair Giese opened a Public Hearing at 3:26 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a change in zoning from AG to Business at the location of 645A/B Hwy 35, Dakota City. Vice-Chair Giese called for comments in support and opposition and there were none. Vice-Chair Giese called for neutral Comments. Jean Broyhill, Dakota City, asked for clarification on the use of the site. Bob Malcom, owner, stated he is removing the duplex and out-building and constructing an outside storage business. He clarified that the area would be fenced, have a coded entrance gate, be well lit and secure with approximately twelve cameras and has

support from surrounding landowners. The existing well and septic system would be kept facilitating a small office on-site. Vice-Chair Giese closed the Public Hearing regarding a request for zoning change from Ag to Business at 3:32 p.m.

Vice-Chair Giese opened a Public Hearing at 3:32 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding an amendment to the Dakota County Planning & Zoning regulations to revise Section 509 Enforcement to impose fines for building without a building permit. Vice-Chair Giese called for comments in support and opposition and there were none. Vice-Chair Giese called for neutral Comments. Troy Porter, Jackson, asked if there were current fines established now. Tim Decker, Planning & Zoning member, stated there currently is no fine and residents building without a permit needed to be addressed. The fine would be effective when cited and each day construction continues without a permit. If construction stopped those days would not carry a fine but failing to comply would be a Class III misdemeanor. Vice-Chair Giese closed the Public Hearing regarding imposing a fine for building without a permit at 3:35 p.m.

Commissioner Love moved, seconded by Vice-Chair Giese, to approve amending the Zoning Regulations to include Section 900.4 Solar Conversion Systems. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- absent, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Section 900.4 Solar Conversion Systems

Section 900.4.100 Applicability

No solar panel, neighborhood solar or Commercial Solar shall be installed or constructed within the zoning jurisdiction of Dakota County unless a Conditional Use Permit, if applicable, and a Zoning Permit have been issued. All solar units shall be constructed in conformance with all state and national building and fire codes. For those devices that include electrical, plumbing and/or heating constructions, the applicable permits shall also be obtained. Solar panels shall meet the requirements found in this section.

Section 900.4.101 General Solar Definitions

ACCESSORY SOLAR ENERGY SYSTEMS: include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

CONCENTRATED SOLAR POWER: A solar conversion system (SCS) that generates power by using mirrors or lenses to concentrate a large area of sunlight, or solar thermal energy, unto a small area. These include but are not limited to the following technologies: Parabolic trough, Solar power tower, enclosed trough, Fresnel reflectors and Dish Stirling.

DEVELOPMENT: Any plat, subdivision, or planned unit development created under the Dakota County subdivision and zoning regulations.

ELECTRIC UTILITY: The public electric utility providing retail service to a given area.

NET EXCESS GENERATION: On an ISCS, net excess generation means the net amount of energy, if any, by which the output of a qualified facility exceeds a customer-generator's total electricity requirements during a billing period;

NET METERING: Net metering means a system of metering electricity in which a local distribution utility:

1. Credits a customer-generator at the applicable retail rate for each kilowatt-hour produced by a qualified facility during a billing period up to the total of the customer-generator's electricity requirements during that billing period. A customer-generator may be charged a minimum monthly fee that is the same as other noncustomer-generators in the same rate class but shall not be charged any additional standby, capacity, demand, interconnection, or other fee or charge; and

2. Compensates the customer-generator for Net Excess Generation during the billing period at a rate equal to the electric utility avoided cost of electric supply over the billing period. The monetary credits shall be applied to the bills of the customer-generator for the preceding billing period and shall offset the cost of energy owed by the customer-generator. If the energy portion of the customer-generator's bill is less than zero in any month, monetary credits shall be carried over to future bills of the customer generator until the balance is zero. At the end of each annualized period, any excess monetary credits shall be paid out to coincide with the final bill of that period;

SOLAR ACCESS: the ability to receive sunlight across real property for any solar energy device.

SOLAR ACCESS EASEMENT: A right, expressed as an easement, covenant, condition, restriction or other property interest in any deed, will or other instrument executed by or on behalf of any landowner or in any order of taking, appropriate to protect the solar skyspace of a solar collector at a particularly described location to forbid or limit any or all of the following where detrimental to access to solar energy: structures on or above ground; vegetation on or above ground; or other activities. Such right shall specifically describe a solar skyspace in three-dimensional terms in which the activity, structures or vegetation are forbidden or limited or in which such an easement shall set performance criteria for adequate collections of solar energy at a particular location.

SOLAR CONVERSION SYSTEM (SCS): An assembly, structure, or design, including passive elements, used for gathering, concentrating or absorbing direct or indirect solar energy, specifically designed for holding a substantial amount of useful thermal energy and to transfer that energy to a gas, solid or liquid or to use that energy directly; this may include, but is not limited to, a mechanism or process used for gathering solar energy through thermal gradients, or a component used to transfer thermal energy to a gas, solid or liquid or to convert into electricity.

SOLAR CONVERSION SYSTEM, COMMERCIAL: A commercial solar conversion system (CSCS) is a series of solar panels and equipment connected together in order to commercially supply the converted energy to a community and/or power grid. A CSCS shall have a one-way connection to the power grid.

SOLAR CONVERSION SYSTEM, GROUND-MOUNTED: Any SCS which is directly supported and attached to the ground.

SOLAR CONVERSION SYSTEM, INDIVIDUAL: An individual solar conversion system (ISCS) shall be for the specific use of an individual residential, commercial, public or industrial use.

SOLAR CONVERSION SYSTEM, NEIGHBORHOOD: A neighborhood solar conversion system (NSCS) is a series of solar panels and equipment connected together in order to supply converted energy to a specific neighborhood and its uses.

SOLAR CONVERSION SYSTEM, STRUCTURE-MOUNTED: Any SCS which is directly connected to and supported by a building.

SOLAR SKYSPACE: The maximum three-dimensional space extending from a solar collector to all positions of the sun necessary for efficient use of the collector.

1. Where a solar energy system is used for heating purposes only, solar skyspace shall mean the maximum three-dimensional space extending from a solar energy collector to all positions of the sun between nine o'clock (9:00) A.M. and three o'clock (3:00) P.M. local apparent time from September 22 through March 22 of each year.

2. Where a solar energy system is used for cooling purposes only, solar skyspace shall mean the maximum three-dimensional space extending from a solar collector to all positions of the sun between eight o'clock (8:00) A.M. and four o'clock (4:00) P.M. local apparent time from March 23 through September 21 of each year.

SOLAR ORIENTED SUBDIVISION: A subdivision in which a minimum of 65 percent of the lots are solar-oriented lots.

SOUTH OR SOUTH-FACING: True south, or 20 degrees east of magnetic south.

Section 900.4.102 General Provisions Applying to ISCS, NSCS, and/or CSCS

The following provisions shall apply, typically, to two or more of the different solar conversion systems in this Section

1. For commercial and neighborhood SCS: Applicant shall provide evidence that the project meets commonly accepted management practices for avian, wildlife, and environmental protections in place at the time of application.

2. For commercial and neighborhood SCS: Applicant shall comply with specific requirements of the appropriate Rural Fire District.

3. Maintenance: All system and components shall be kept in operational condition, including appearance of all components; plus, the ground beneath the SCS shall be kept in a presentable manner based upon the ground cover decided.

4. Decommissioning: All systems when they are no longer generating power and will no longer be used shall follow a decommissioning plan that has been agreed to upfront by Dakota County, the electric utility, and the owner/developer.

5. Repowering: If any SCS is no longer operating for purposes of Repowering, replacement, or maintenance, Decommissioning provisions will not apply for up to six months. However, an SCS that is not operating or is operating at a substantially reduced capacity for more than six months will be considered abandoned and Decommissioning provisions will apply.

6. Repowering does not require a new Conditional Use permit or permit amendment if the footprint of the SCS is the same or reduced. Any increase in the footprint of the facility will require a permit amendment.

7. Any applicant for a SCS project shall meet with and shall indicate they have met the requirements of the electric utility and have in place an interconnection agreement with the electric utility.

8. All NSCS and CSCS operations shall have located at key access points signage stating specific language as outlined by the electric utility.

9. SCS may be installed in the floodway fringe subject to the Dakota County floodplain regulations, as may be amended from time to time, given that all components are installed a minimum of one foot (1') above base flood elevation and subject to written authorization of the Floodplain Administrator.

10. No SCS shall be constructed in the identified Floodway.

11. Concentrated Solar Power (CSP) systems are prohibited within Dakota County.

12. Financial assurances shall be in place as part of the Decommissioning Plan.

900.4.103 Individual Solar Conversion Systems

1. General Requirements for ISCS: ISCS's shall conform to the required front, side and rear lot setback requirements except as provided herein:

- a. An SCS which is attached to an integral part of the principal building shall meet all local, state, and federal codes for building, electrical, plumbing, and accessibility.
- b. A ground-mounted SCS may be located only in the required rear yard provided it does not exceed 12-feet in height and is located not less than five feet from the rear lot line and not closer than one foot to any existing easement as measured from the closest point of the structure including its foundation and anchorage.
- c. No ground-mounted SCS shall be located in the required side yard or front yard.
- d. All ISCS's shall have an agreed to solar access easement, on the south side of the yard, from any neighboring properties. Said easement shall be filed as an instrument to each property's deed and said easement shall stay in place as long as the ground mounted SCS is in place and operational.
- e. The applicant for any ISCS shall provide evidence that they have a working Net Metering agreement with the electric utility.

2. Structural Requirements: The physical structure and connections to existing structures shall conform to the applicable local, state, and federal codes.

3. Plot Plan: The application for a permit shall be accompanied by a plot plan drawn to scale showing property lines, existing structures on the lot, proposed solar panel location with respect to property lines, and dimensions of the proposed solar panel.

4. Preexisting Solar Panels: Notwithstanding noncompliance with the requirements of this section, a solar panel erected prior to the adoption of these Regulations, pursuant to a valid zoning permit issued by Dakota County, may continue to be utilized so long as it is maintained in operational condition.

5. Decommissioning

- a. Whenever an SCS ceases operation on a property, it shall be required to report this to the Dakota County Zoning Office and the electric utility.
- b. Whenever, a ground mounted SCS is no longer operating, the property owner shall have six months to completely remove the structure and wiring. The location of the SCS shall be returned to a usable state based upon the surrounding property.

Section 900.4.104 Neighborhood Solar Conversion Systems

1. General Requirements for NSCS: NSCS's shall meet the following requirements as provided herein:

- a. An NSCS shall be set on its own lot within the neighborhood/development;
- b. The NSCS shall be designed and constructed for no more than the anticipated maximum solar usage in the designated neighborhood or development;
- c. No excess power generated shall be sold or given to a user outside the agreed upon neighborhood or development, except via a Net Metering agreement;
- d. The developer shall provide Dakota County with all solar easements established; however, Dakota County shall not be responsible for enforcing said easements;
- e. All solar easements shall be enforced by an establish Homeowners Association for the development/neighborhood.
- f. A ground mounted NSCS shall be protected with fencing and/or bollards;
- g. All connections to the uses within the neighborhood shall be made underground;
- h. An access agreement between the developer, Homeowners Association, and any other necessary other entity and the electric utility shall exist in case of an emergency;
- i. A Net Metering agreement between the developer, Homeowners Association, and any other entity and the electric utility shall exist in case of excess electricity; and
- j. All ground mounted NSCS's shall have an agreed to solar access easement from any neighboring properties. Said easement shall be filed as an instrument to each property's deed and said easement shall stay in place as long as the ground- mounted NSCS is in place and operational.

2. Structural Requirements: The physical structure and connections to existing structures shall conform to the applicable local, state, and federal codes.

3. Solar Oriented Subdivision/Plot Plan:

- a. Whenever a NSCS is part of a proposed new subdivision, the developer shall outline the specific lot(s) or outlot (s) where the NSCS will be placed.
- b. Specific developments/neighborhoods initially designed with an NSCS shall identify all solar easements on the preliminary and final plats and shall be recorded the same as other utility easements. In addition, the subdivision plats shall indicate, in addition to all other requirements in the subdivision regulations, the location of all proposed underground conduits serving the other lots in said subdivision.

c. The application for a permit shall be accompanied by a plot plan drawn to scale showing property lines, existing structures on the lot, proposed solar panel location with respect to property lines, and dimensions of the proposed solar panel.

d. The developer shall install all underground wiring as prescribed by the electric utility.

e. All underground wiring shall be protected by a utility easement or located within prescribed rights-of-way.

f. The developer shall provide Dakota County with As-builts of the wiring locations within the subdivision.

4. Decommissioning

a. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Dakota County may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

Section 900.4.200 Commercial Solar Conversion Systems:

1. Applicability

The purpose of this subsection is to provide standards for fixed-panel photovoltaic solar farms or CSCS consisting of ground-mounted solar panels capturing energy from the sun and converting it to electricity. The provisions of this section are based on a ground-mounted photovoltaic facility using a rammed post construction technique and panels supporting the flow of rainwater between each module and the growth of vegetation beneath the arrays and limiting the impacts of stormwater runoff. The rammed post construction technique allows for minimal disturbance to the existing ground and grading of the site. Based on the assumed solar farm design, Dakota County finds the use to be low intensity with minimal trip generation, low amounts of impervious cover, and low emission thus the use is compatible in urbanized, non-urbanized, or low-density areas with other uses.

2. Site Development Standards:

a. Lot coverage: No more than one percent of the gross site area shall be occupied by enclosed buildings and structures.

b. Setbacks: A thirty-foot side and rear setback shall apply only to the setback area measured from a lot line that abuts a residential use or residential zoning district. The side or rear setback shall be eliminated where the use does not abut a residential use or residential zoning district, or the two districts are separated by a public right-of-way.

c. Height: The average height of the solar panel arrays shall not exceed 12 feet.

d. Landscaping Buffer: The primary use of the property shall determine the buffer requirement. Where a ground-mounted photovoltaic solar farm is the primary use the property shall be considered industrial or agricultural for the purposes of buffer requirements, there are no requirements for screening from public streets.

e. Stormwater Management: Fixed panel solar arrays shall be considered pervious and the property shall be designed to absorb or detain specific runoff. The impervious cover calculation shall include the support posts of the panels, any roads or impervious driveway surfaces, parking areas and buildings on the site.

f. A property developed pursuant to this subsection shall be required to plat however water and sewer connections shall not be required. Suitable fire department access shall be required.

g. Signage shall conform to the Dakota County Sign Regulations.

h. Customer owned on-site power lines shall be buried except where connecting to existing overhead utility lines. This requirement shall not apply to fiber optic connections.

i. Fencing: Due to the unique security requirements of this land use, and to facilitate the educational value of seeing this land use, fencing up to eight feet in height is permitted provided the fencing material is predominantly open.

j. All State and Federal codes and provisions not specified in this subsection are required including but not limited to tree preservation, traffic impact analysis and historic preservation.

3. Submittal Requirements:

All Plans shall contain the following:

a. These requirements shall apply to both the Conditional Use Permit.

b. A plot plan, drawn to scale, of the property indicating the total site acreage, landscape and buffer areas, tree preservation, location of all structures, the proposed location of the solar panels, the distances of the solar panels to structures on the property as well as distances to the property lines;

c. The plot plan shall include any roads, electric lines and/ or overhead utility lines;

d. A description of the electrical generating capacity and means of interconnecting with the electrical grid as coordinated and pre-approved with the appurtenant Power District;

e. A copy of the interconnection agreement with the local electric utility

f. Drawings or blueprints of solar panels and arrays in conjunction with the application for a building permit for a solar farm/solar powerplant;

g. Structural engineering analysis for a solar panel, array and its foundation, as applicable.

h. Manufacturer's recommended installations, if any; and

i. Documentation of land ownership and/or legal authority to construct on the property.

j. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Dakota County reserves the right to require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

4. Compliance with Other Regulations:

a. Zoning permit applications for CSCS's shall be accompanied by a line drawing of electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the State's adopted electrical code and that has been pre-approved by the associated power district meeting their Distribution Generation Requirements and Guidelines; and

b. This subsection does not waive any requirements of any state or Federal codes, electrical codes or other technical codes as applicable.

5. Discontinuation.

A CSCS shall be considered abandoned after one year without energy production. The solar equipment owner shall remove all SCS equipment and appurtenances within 90 days of abandonment.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve rezoning the location of 645A/B Hwy 35, Dakota City, from AG to Business. ROLL CALL VOTE: Launsby- yes, Gill- absent, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED

Commissioner Love moved, seconded by Commissioner Launsby, to approve amending the Zoning Regulations to revise Section 509 Enforcement to include imposing a fine for building without a building permit. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent. UNANIMOUS MOTION CARRIED

Section 509. Enforcement. An administrative official, who shall be known as the Building Inspector and who shall be designated by the County Commissioners, shall administer, and enforce these regulations. He/she may be provided with assistance of such other persons as the County Board may direct.

If the Building Inspector shall find that any of the provisions of these regulations are being violated, he/she shall notify by calling or visiting the person responsible for the violation. If within a 2-week period the violation has not been corrected the administrator shall notify the violator by registered letter to correct the violation. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings, structures or illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by these regulations to ensure compliance with, or to prevent violation of its provisions. If after a period of 2 weeks the violation has not been corrected, the building inspector shall assist the County Attorney in documenting violations and in providing additional information which may be required before legal action can be taken. (Revised 6-1-10)

Any owner or agent of a building or premises who fails to obtain a building permit before beginning construction will be assessed a \$100 fine. For each and every day that the violation continues shall constitute a separate offense.

Jolene Gubbels, Highway Superintendent, presented her written report regarding the request to vacate the platted alley in Block 3, Crystal Beach, Dakota City. Ms. Gubbels stated the platted alley has no rural water or utilities and the closure has the support of the neighbors. Her recommendation was to close the alley.

Commissioner Love moved, seconded by Vice-Chair Giese, to approve Resolution 21C-045 to set date and time for public hearing to vacate or abandon the road platted as an alley, Block 3, Crystal Beach, between Lots 1-9 (north) and Lots 10-18 (south), excepting the portion of Eagle Drive, Dakota City, Nebraska. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-045

A RESOLUTION TO SET DATE AND TIME FOR PUBLIC HEARING TO VACATE OR ABANDON A PUBLIC ROADS

WHEREAS, Sec. 39-1722 Nebr. R.R.S., 1943, makes provisions for a county Board of Commissioners as to the vacation or abandonment of public roads in its county; and

WHEREAS, a clear and unambiguous description of the roads to be relocated, vacated or abandoned, is as follows, to-wit:

Platted as an Alley Platted as an Alley in Block 3, Crystal Beach, between Lots 1 - 9 on the north and Lots 10 - 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E.

WHEREAS, by action of the Dakota County Board of Commissioners on October 4, 2021, Dakota County Highway Superintendent Jolene Gubbels was directed to perform a study and report to the Board as provided by the laws of the State of Nebraska; and,

WHEREAS on October 11, 2021, Ms. Gubbels submitted a written report with the following findings and recommends to close the road for use by ---

1. The portion of road that the County desires to vacate is a platted alley, but is not in use, and never maintained by the road department.
2. Said public road is not used by the public and is of no value to the public, and it therefore serves no purpose to remain open to the public.
3. By vacating the aforementioned road, liability can and will be reduced for the county.
4. It does not appear that vacating said road will land lock any landowners in the section.

NOW THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners, that the matter of vacation or abandonment of said road shall be advertised for three consecutive weeks and set for public hearing on November 15, 2021, at 3:01 p.m. in the Dakota County Commissioners Board meeting room, Dakota City, Nebraska.

Resolved this 18th day of October, 2021.

Jolene Gubbels, Highway Superintendent, presented the Road Report for October 3-16, 2021. Total road maintenance- 293.5 hours; tree/debris removal- 32 hours; Culvert Projects: North Bluff/3.5 hrs; K.Burcham bridge approaches/49 hrs; Prepping roads for pavement markings/36 hours; garbage pickup- 4 hours; gravel hauling – 23 hours; tons of gravel hauled – 235.65; sign repair/barricading- 60 hours. Grading concerns- Oakdale Road. Commissioner

Albenesius had a list of road concerns. Vice-Chair Giese asked Ms. Gubbels to compile a list where box culverts could be installed using ARPA funds.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve vice-chair to sign the Notice of Award to Norfolk Contracting for the Homer South (265th) Bridge #C002213410P replacement project for the accepted bid of \$549,639.00. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- absent, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding approval of soil boring tests for Jail Phase 2 site. Commissioner Love moved, seconded by Vice-Chair Giese, to approve Certified Testing Services, Inc., to perform a geotechnical exploration for the Jail Phase 2 project site. ROLL CALL VOTE: Launsby- yes, Gill- absent, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese moved, seconded by Commissioner Love, to approve giving the Treasurer a letter of approval for authority to invest county funds. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese appointed the following members to the Dakota County American Rescue Plan Act (ARPA) Committee: Cherie Conley, Dawn Bousquet, Deanna Hagberg, Troy Launsby, Robert Giese, Paul Boggess, Kody Snyder, Bill Rohde, Lisa Bousquet, Tarry Daum, Tim Decker and Kristi Quinn or designee from the South Sioux City Chamber of Commerce. The Committee is to review application requests for county ARPA fund monies. The committee will determine eligible use per requirements and consult with Lutz & Company. Recommendations will be made to the Board of Commissioners for final approval. The County will complete all portal entry and meet all deadlines.

Discussion was had regarding a Health and Dental Insurance Committee. Members on the committee will be two (2) representatives each from the Sheriff FOP union, Correctional Officer FOP union, Road Local 251 union, non-union employees and Board of Commissioners. Commissioner Love moved, seconded by Commissioner Giese, to approve the formation of a committee for the purpose of discussion and input regarding health and dental insurance benefits for county employees. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Vice-Chair Giese, to approve chair to sign the Certification Statement for the Cost Allocation Plan computing indirect cost reimbursement for the Clerk of District Court Child Support function. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- absent, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese moved, seconded by Commissioner Launsby, to designate Deanna Hagberg to participate on the steering committee to help with the Missouri River Northeast Community Wildfire Protection Plan (CWPP) representing Dakota County. ROLL CALL VOTE: Launsby- yes, Gill- absent, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese moved, seconded by Commissioner Love, to approve vice-chair to sign the Payer Access Agreement between OptumHealth Care Solutions, LLC and Dakota County, pursuant to the Distributor Agreement with Hines & Associates for scheduled services and fees to facilitate health care benefits. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent. UNANIMOUS MOTION CARRIED.

Vice-Chair Giese moved, seconded by Commissioner Launsby, to appoint Joan Spencer, County Clerk, as the voting representative for Dakota County at the Annual NACO business meeting in December, 2021, and Robert Giese, Commissioner, as the alternate delegate. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- absent, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Launsby- Road Department—interviewed an applicant for new job opening. No emergency business. Mail: (1) Gordon Hansen, Waterbury, regarding destroyed fencing during bridge project. The Highway Superintendent, Road Foreman or Commissioner Launsby will reach out to Mr. Hansen. (2) Tri-State Legislative Forum invite – Commissioner Giese is interested in attending. (3) The South Sioux City Community Schools is reaching out for support for renovations and needed updates to the Cardinal Activity Complex.

The County Board recessed at 4:55 p.m. to make the quarterly visit to the county jail. Chief Deputy Tim Decker gave the board members a tour of the jail and where the phase 2 addition would locate.

Vice-Chair Giese adjourned the Board of Commissioners meeting of October 18, 2021, at 5:18 p.m.

Dakota County Board of Commissioners

Robert Giese, Vice-Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Commissioners
Monday, November 1, 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, Love, Giese, Albenesius, Launsby. Absent: None. Also present was 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 – October 18, 2021
 - b. Approval of payroll claims for October 17 - 30, 2021
 - c. Approval of accounts payable claim/s if applicable
 - d. Approval of Veterans Service Officer, County Sheriff & Jail Quarterly Reports - Jul-Sep, 2021
 - e. Approval of Chair to sign Mid-American Benefits Designated Privacy Personnel Certificate of Authority and Notice of Confidentiality; FLEX Cafeteria Plan Renewal and options.
 - f. Approval of County Board District precinct lines (Dakota County Board of Commissioner race is one precinct—At Large) per 2020 Census data updated. §32-553
 - g. Approval of Chair to sign the Nebraska State Fire Marshal Conveyance Compliance Sheet for the elevator inspection.
3. NEW BUSINESS & RESOLUTIONS
 - a. 3:01 p.m. Open and award bids for Fair Meadows overlay
 - b. 3:02 p.m. Open and award bids for Old Sawmill overlay
 - c. Wat Buddharam of Siouxland, Inc., requesting approval of Special Designated Liquor License for a Fundraising Event at 1501 W 29th Street, South Sioux City, on December 24th from 5:00pm - 12:00am
 - d. Shive-Hattery Architecture – Engineering to update the Board regarding program review findings in the schematic design phase and opinion of probable project costs.
 - e. Board to approve or not approve hiring a Construction Manager to move forward on the Jail Phase 2 project.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Board to discuss and approve or not approve a part-time (approximately 20 hours/week) clerical position for the Veterans Service Officer.
 - c. Dawn Bousquet, Treasurer, Distress Warrants 2020 Report for collection in 2022. §77-1718
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment. There was none.

Chair Gill called for approval of the consent agenda: (a) Approval of the previous meeting minutes – October 18, 2021; (b) Approval of payroll claims for October 17 - 30, 2021; (c) Approval of accounts payable claim/s if applicable; (d) Approval of Veterans Service Officer, County Sheriff & Jail Quarterly Reports - Jul-Sep, 2021; (e) Approval of Chair to sign Mid-American Benefits Designated Privacy Personnel Certificate of Authority and Notice of Confidentiality; FLEX Cafeteria Plan Renewal and options; (f) Approval of County Board District precinct lines (Dakota County Board of Commissioner race is one precinct—At Large) per 2020 Census data updated; §32-553; (g) Approval of Chair to sign the Nebraska State Fire Marshal Conveyance Compliance Sheet for the elevator inspection. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer:

Commissioner Launsby opened the bids for the Fair Meadows overlay: (1) Barkley Asphalt- \$31,296.00 and (2) Knife River Midwest- \$36,375.69. Commissioner Launsby moved, seconded by Chair Gill to award the Fair Meadows overlay project to low bidder—Barclay Asphalt in the amount of \$31,296.00. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Launsby opened the bids for the Old Sawmill Road overlay: (1) Barkley Asphalt- \$34,242.00 and (2) Knife River Midwest- \$39,375.69. Commissioner Launsby moved, seconded by Commissioner Albenesius to award the Old Sawmill Road overlay project to low bidder—Barclay Asphalt in the amount of \$34,242.00. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve a Special Designated Liquor License for Wat Buddharam of Siouxland for a fundraising event at 1501 W 29th Street on December 24th from 5:00 p.m. to 12:00 a.m. ROLL CALL VOTE: Launsby- yes, Gill yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Ron Hines, ShiveHattery project manager for the Phase 2 Jail project presented the schematic design package and passed out the site plan documents. The project would use concrete wall panels. Their opinion of probable project costs to the Board for a total construction cost is \$11,103,524 and total project cost including soft costs, project contingencies and administrative is estimated at \$12,983,545. Discussion was had. Commissioner Albenesius questioned why a construction manager versus a general contractor. Mr. Hines explained a general contractor would push the project back to start a 4-week bid process in March versus now. Commissioner Launsby asked if starting in the spring, how long the project would take. Mr. Hines stated 12 months. Chair Gill asked why the cost increased (approximately \$2 million). Mr. Hines said that was partially due to material cost and backlogs. Sheriff Kleinberg stated the original cost was estimated back in August and that the number of beds has increased to 116. Sheriff Kleinberg stated he would have no trouble filling the 30+ beds. Commissioner Albenesius asked what would happen if the federal marshals no longer housed inmates with the county—Sheriff Kleinberg stated he has never seen a decrease. Commissioner Love stated that at one point, the County was paying to house inmates off-site. Commissioner Albenesius stated his fear is that inmates could be housed elsewhere and Dakota County would be left “high and dry.” Sheriff Kleinberg stated there has always been a need to house federal inmates, they are desperate for bed space and never foresees that happening. Mr. Hines stated in his 38 years, he has never seen such a “sweet” contract as Dakota County was offered. Commissioner Albenesius wondered if the Feds would build their own jail—Commissioner Love stated the federal government is not known to do that—example is that the post offices are all leased out. Chair Gill commends Sheriff Kleinberg for housing federal inmates in our current extra beds, but apprehensive to build a facility for them—they have the flexibility to do what they want and we are the ones at risk. She stated she did research and the national trend is to rehabilitate rather than incarcerate and incarceration rates are going down. Each administration is different but she is concerned about the last 10-year trend of incarcerations going down. Sheriff Kleinberg stated the dream for the County for the past 10 years was to get a contract with the Feds and he did that. And now starting in 2022, the Feds will not be allowed to house in private prisons which started the push for the build in Dakota County. Commissioner Albenesius again brought up using a construction manager versus as general contractor and thought there would be price gouging without the county's knowledge. Mr. Hines stated that could not happen—laws for public bidding prohibit that. Sheriff Kleinberg is worried that if this relationship with the federal marshals is ruined, they could go elsewhere for boarding. Chair Gill asked if this is County business to house federal marshals? Sheriff Kleinberg stated that Hall County is doing just that with ICE inmates. Chair Gill reiterated that the County is taking the risk. Commissioner Launsby was concerned that there is a termination clause in the Federal Marshal contract and the risk too great for the taxpayers if the Feds terminate the contract. Commissioner Albenesius asked what the invoice is to-date is for the architect—Mr. Hines stated approximately \$200,000 and he will be waiting to hear if they go forward with the design.

Brian Malendorf, Weitz Company, reiterated the value of a construction manager for this fast-paced project schedule and the importance of ordering the long-lead materials now. Commissioner Giese asked the Board to look at the end forecast of what could potentially happen. The County never has enough money for projects. The 30-month contract is the key that will pay for the jail. Costs have been run and there is a potential of \$1 million+ in revenue—could be used to lower tax the levy. Bond payments can be flexible. There are risks, but the potential is there for \$1 million in revenue(profit) for each year after the jail is built. Commissioner Love stated if the Feds invest \$12 million, they are not walking away. Commissioner Love moved, seconded by Commissioner Giese, to approve hiring Weitz Company construction manager to move forward on the Jail Phase 2 project. ROLL CALL VOTE: Gill- no, Love- yes, Giese- yes, Albenesius- no, Launsby- no. MOTION FAILED.

Commissioner Love read the Bi-weekly Road Report for October 17 – 30, 2021. Total road maintenance- 177 hours; tree/debris removal- 49 hours; Projects: N Bluff- 14 hours; 260th Street- 11 hours; 142nd & Elgin- 46.5 hours; gravel hauling – 25 hours; tons of gravel hauled – 327.27; sign repair/barricading- 37 hours. Gravel concerns: Likuwanta & Gateway Drive.

Chair Gill moved, seconded by Commissioner Giese, to approve adding a part-time clerical position with approximately 20 hours per week in the Veterans Service Office. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Dawn Bousquet, Treasurer, presented the 2020 Distress Warrants collections for 2022.

Commissioner Committee Reports: Love- Health Department will meet this week; Giese- Veterans Committee and ARPA. Albenesius- addressed additional road projects; Gill- audit exit interview. No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of November 1, 2021, at 4:34 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date

Dakota County Board of Equalization
Monday, November 15, 2021
3:30 p.m. Regular Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Launsby called the meeting to order at 4:00 p.m. Present: Launsby, Gill, Love, Giese. Absent: Albenesius. Also present was Dawn Bousquet, Treasurer, Christy Abts, Assessor, Kim Watson, County Attorney and Joan Spencer, County Clerk as Board Secretary. The Open Meetings Act location was noted for all citizens present.

The agenda for this 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 Equalization reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA
 - a. Approval of the previous minutes – October 4, 2021
2. NEW BUSINESS
 - a. Hearing for Heartland Counseling Services Inc application for Exemption from Motor Vehicle Taxes by Qualifying Nonprofit Organization for 2005 Ford Taurus SE VIN# 1FAFP53255A141766. HCS vehicles are used to provide community support services, crisis response and peer support services to clients who have mental health and/or substance abuse issues. Application comes with recommendation of approval by Dawn Bousquet, Treasurer. §60-3,185 and §60-3, 189
 - Board to consider the recommendation of the County Treasurer and any other information it may obtain; and shall approve or deny the exemption on the basis of law and of rules and regulations adopted and promulgated by the Tax Commissioner. §77-202(1)(c)(d)
 - b. Christy Abts, Assessor, requesting approval of tax list corrections.
3. MAIL AND/OR EMERGENCY BUSINESS
4. PUBLIC COMMENT
5. ADJOURNMENT

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

Board Member Love moved, seconded by Board Member Gill, to approve the minutes of the October 4, 2021, meeting. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- absent, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Launsby called for the Hearing for Heartland Counseling Services application for Exemption from Motor Vehicle Taxes for the 2005 Ford Taurus which is used to provide community support services, crisis response and peer support services to clients. Dawn Bousquet, Treasurer, approves the application. Board Member Love moved, seconded by Board Member Giese, to approve the motor vehicle exemption for Heartland Counseling's 2005 Ford Taurus (VIN# 1FAFP53255A11766). ROLL CALL VOTE: Giese- yes, Albenesius- absent, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Christy Abts, Assessor, explained the three tax list corrections as all 2019 Homestead Exemption changes by the Nebraska Department of Revenue. Board Member Gill moved, seconded by Board Member Love, to approve the Tax List Corrections on parcels #220035660, #220024979, #220022291. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- absent. UNANIMOUS MOTION CARRIED.

No Mail, emergency business or public comment.

Chair Launsby adjourned the November 15, 2021, Board of Equalization meeting at 4:05 p.m.

County Board of Equalization

Troy Launsby, Chair

Date signed

Joan Spencer, County Clerk

Date

Dakota County Board of Commissioners
Monday, November 15, 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, Love, Giese, Launsby. Absent: Albenesius. 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 1, 2021
 - b. Approval of payroll claims for October 31 – November 13, 2021
 - c. Approval of accounts payable claims
 - d. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court
3. NEW BUSINESS & RESOLUTIONS
 - a. 3:01 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer their support, opposition, or neutral comments regarding the abandonment of a platted alley in Block 3, Crystal Beach, between Lots 1 to 9 on the north and Lots 10 to 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, S6, T28N, R9E.
 - §39-1725 After the public hearing the county board shall by resolution at its next meeting or as soon thereafter as may be practicable vacate or abandon or refuse vacation or abandonment, as in the judgment of the board the public good may require.
 - b. 3:02 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a request for a Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 2229 M Avenue, Hubbard, Section 3, Township 27N, Range 7E, Dakota County, Nebraska.
 - c. Board to approve or not approve the Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 2229 M Avenue, Hubbard, Section 3, Township 27N, Range 7E, Dakota County, Nebraska. Planning & Zoning has recommended approval of the request.
 - d. 3:03 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a request for a Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 1681 Hamlin Avenue, Dakota City, Section 10, Township 28N, Range 8E, Dakota County, Nebraska.
 - e. Board to approve or not approve the request for a Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 1681 Hamlin Avenue, Dakota City, Section 10, Township 28N, Range 8E, Dakota County, Nebraska. Planning & Zoning has recommended approval of the request.
 - f. 3:04 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding amending Towing and Wrecker Zoning regulations L(a) and L(b) to reference the Board of Adjustment instead of the Board of Commissioners.
 - g. Board to approve or not approve amending Towing and Wrecker Zoning regulations L(a) and L(b) to reference the Board of Adjustment instead of the Board of Commissioners. Planning & Zoning has recommended approval of the amendment.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Sarah Deck, Juvenile Service Coordinator, requesting board approve chair to sign all documents required in the grant application process for the Community-based Juvenile Services Aid (CBA) grant for FY2023 available from the Crime Commission for the project period of 7/1/2022 to 6/30/2023 in the amount of \$82,773.00.
 - c. Sheriff Kleinberg - Monthly Jail Report

- d. Theresa Grove, Health Department Director, requesting Board approve the following Dakota County Health Department Board members for re-appointment for 3-year terms: Dr. Matt Aitken and Doug Janssen; and appointment of one new member to a 3-year term: Benita Yacavich or Heidi Oligmueller.
 - e. Theresa Grove, Health Department Director – Quarterly Report
 - f. Approval for chair to appoint Jeanie Hohenstein to the ARPA Committee to help represent the Village of Jackson.
5. COMMISSIONER COMMITTEE REPORTS
 6. MAIL AND/OR EMERGENCY BUSINESS
 7. ADJOURNMENT

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

Chair Gill called for agenda item 4b—Sarah Deck, Juvenile Diversion Coordinator, explained the grant request is for \$82,773 which is less than the awarded amount of \$84,265 due to funds being de-obligated with the last grant and potential to affect future allotments. Spending on current grant is at 17% versus 25% for the first quarter. A new program type was added called Restorative Justice for victim youth conferencing. Commissioner Love moved, seconded by Chair Gill, to approve Chair to sign all documents required in the Crime Commission Community-based Juvenile Services Aid grant application process for FY2023 in the amount of \$82,773. ROLL CALL VOTE: Giese- yes, Albenesius- absent, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Gill called for Public Comment. William McLarty, rural Dakota City, spoke regarding the building of Phase 2 Jail. Mr. McLarty clarified that Sheriff Kleinberg is his son-in-law but what I have to say has nothing to do with him or his Office except about the jail. Mr. McLarty stated it was his understanding that the federal government entered into an agreement with Dakota County to build a jail and to build that jail they allocated funds to be set aside monthly and that amount of money will cover the cost to build the jail. It is an excellent deal, and it has never been done before to his understanding—the first time—and there are other counties around that want to do the same thing, Woodbury County included. They would like to take it away from Dakota County and do it themselves, but we have the advantage. The big advantage is we are getting prisoners to help pay for it and after it's built, we have a contract with the government to pay us for 100 prisoners. The money will not only help build the jail, but the commissioners would have money to spend elsewhere at their discretion and after they paid the bills. Mr. McLarty stated it is a “win-win” situation. And the longer we wait to approve it, and to hire a contract manager is important and who will ensure things get built correctly. Jail Standards has approved it and I don't see a reason not to accept it and I would like to emphasize to the Board to move forward to take care of housing and our future. Mr. McLarty thought the County would also be able to pay more competitive salaries to keep deputies and jailers here.

Mike Robinette, South Sioux City, would also like to address a concern regarding the building of the jail. He was surprised to see hiring a construction manager (CM) on the agenda without a request for proposals and it “raised a red flag.” He wondered at the legality with this scenario—hiring a construction manager as an advisor. There are two types of construction managers—advisor and ‘at risk.’ Commissioner Love asked Mr. Robinette to explain the difference. The CM's role during pre-construction would be budgeting, better cost estimates than the architect can give you, advise on the plans, scheduling and material lead time to help the Board make a better decision moving forward. That is a benefit. Where the two-start differing is when you get into the construction phase—who holds the sub-contracts and who holds the risk. As advisor, the county ends up holding every sub-contract on the project and though rarely seen, the CM could act as general contractor, just not hold the subcontracts. The CM at risk is more normal—architect develops a set of plans; you go bid the job, hire a contractor and the thing gets built. The at-risk CM will hold the subcontracts with everyone on the job and give you a guaranteed maximum price and be at risk if there are cost over runs. Commissioner Giese asked if we could build the jail without a CM. Mr. Robinette said the county would need one before you can do much else and again clarified the two types—advisor and at risk and he recommends the CM at risk in Nebraska. The advisor role holds no risk, and it becomes cumbersome managing contracts you don't hold and waiting for the Board to approve change orders. Commissioner Love asked if this would come back up, would we need to put out proposals? Mr. Robinette said it is governed by Alternative Project Delivery Act.

Chair Gill called for approval of the consent agenda: (a) Approval of the previous meeting minutes – November 1, 2021; (b) Approval of payroll claims for October 31 – November 13, 2021; (c) Approval of accounts payable claims and (d) Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- absent, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$167,631.00; Net Pay-\$118,626.97; Total Retirement-\$11,478.66; Total FICA-\$12,410.91; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$200.32; 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-\$1,641.60; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,335.20; Dawn Bousquet-\$2,321.49; Maria Garcia-\$974.23; Stephanie Gatzemeyer-\$1,610.40; Jalissa Hattig-\$1,323.20; Brenda Landaverde-\$1,298.16; Samantha Mitchell-\$1,291.76; Debera Benton-\$1,320.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,200.00; Courtney Lane-\$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-\$1,826.29; Casandra Pedroza-\$969.60; Kevin Hansen-\$1,968.76; Tammy Dunn Peterson-\$1,255.20; Shaun Bird-\$2,828.61; Sergio Castillo-\$2,453.40; Timothy Decker-\$2,482.82; Brian Ellinger-\$2,808.20; Penny Epting-\$3,666.39; Brian Fernau-\$2,480.66; Tyler Fulkerth-\$2,610.91; Brent Gilster-\$3,196.96; Martin Guerrero-\$2,780.52; Melvin Harrison III-\$2,904.56; Jason James-\$2,750.12; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$352.54; Jared Junge-\$2,296.80; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,327.64; Mardi Schnee-\$1,121.60; Ryne Sell-\$0.00; Sarah Hammond\$1,057.69; Shantel Krull-\$965.63; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,792.84; Angelica Antonio Flores-\$1,348.84; Shaelee Barreras-\$117.26; Rebecca Broer-\$1,839.83; Kacie Brown-\$2,085.50; Ricardo Chavez-\$1,911.13; Lacey Clark-\$1,731.80; Leonardo Davalos-\$530.44; Alexander DeLeon-\$1,797.12; Elisabet DeRoin-\$1,850.65; Jesse Doelle-\$1,664.00; Lynn Fleming-\$1,692.60; Jonathan Gray-\$2,161.19; Sara Gritten-\$2,248.70; Kara Groetken-\$2,028.48; Todd Hammer-\$2,397.29; Adam Hough-\$2,283.62; Brenda Irwin-\$1,839.82; Jose Magana-\$928.20; Jacob McCollum-\$1,612.13; Skyler Miner-\$2,132.36; Keaton Mueller-\$1,159.60; Mark Nelson-\$1,907.00; Gregory Nyhof-\$2,102.07; Zoey Olson-\$1,419.65; Kimberly Peterson-\$1,768.00; Michele Rohde-\$1,456.00; Jonathan Romo-Rodriguez-\$1,912.55; Rebecca Schoep-\$1,915.44; Jennifer Svendsen-\$2,225.98; Taylor Tadlock-\$1,486.80; Estrella Vazquez-\$1,641.05; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,653.10; Matthew Roost-\$273.26; Jana Adam-\$1,348.27; Yvette Aldana-\$1,511.78; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$153.83; Raquel Jimenez-\$1,309.50; Yesica Saldana Cisneros-\$1,454.40; Courtney Swick-\$1,248.50; Jacqueline Traum-\$1,293.17; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$13,908.61; State Tax-\$6,401.08; Soc Sec-\$10,058.49; Medicare-\$2,352.42; Extra Fit-\$816.00; Extra Sit-\$140.00; Retirement-\$7,803.59; 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-\$1,275.00; Garnishments-\$1,218.00; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$464.30; Legal Shield-\$99.19; Liberty Nat'l Pretax-\$71.06; Liberty Nat'l-\$0.00; VSP Vision Base-\$82.98; **Road Fund Employer:** Gross Salaries-\$18,749.57; Net Pay-\$12,850.68; Retirement-\$1,265.62; Total FICA-\$1,403.34; Health Plan-\$4,023.00; Dental Plan-\$132.75; Life Insurance-\$22.06; Brent Byroad-\$1,923.20; Ryan Chambers-\$1,613.61; Robert Hacker-\$1,656.08; Lance Jacobsen-\$1,601.60; David Kneiff-\$2,329.64; Kimon Litras-\$1,741.60; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,601.60; Logan Rohde-\$1,441.44; Matthew Roost-\$1,613.60; Jared Vedral-\$1,601.60; **Road Fund Employee:** Federal Tax-\$1,505.85; State Tax-\$702.96; FICA-\$1,137.35; Medicare-\$265.99; Extra Fit-\$0.00; Retirement-\$843.70; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$816.30; Road Union Dues-\$150.00; Legal Shield-\$32.35; Liberty National PreTax-\$101.31; VSP Vision Base-\$41.80; **Health Planning Grant Employer:** Gross Salaries-\$1,673.74; Net Pay-\$1,273.26; Retirement-\$112.98; Total FICA-\$125.27; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,673.74; **Health Planning Grant Employee:** Federal Tax-\$96.01; State Tax-\$50.74; FICA-\$101.53; Medicare-\$23.74; Extra Sit-\$5.00; Retirement-\$75.32; 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-\$1,252.80; **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;

Accounts Payable: General Fund: Robert Giese, mileage & lodging-\$480.35; Pender Times, publications-\$277.03; Holiday Inn Kearney, lodging-\$233.90; Leaf, copier lease-\$166.56; One Office Solutions, office supplies-\$220.21; US Bank, office supplies-\$62.69; DAS State Acct, state software-\$81.00; Loffler, toner-\$72.42; MIPS, monthly software-\$940.91; Security Shredding, shredding-\$35.00; US Bank, supplies-\$44.81; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; US Bank, batteries-\$4.63; Bralda, Inc., appraisal services-\$667.25; EWDS Inc, appraisal services-\$586.50; Innovative Appraisal Services Inc, appraisal services-\$1,445.00; Leaf, copier lease-\$77.18; One Office Solutions, office supplies-\$8.85; Security Shredding, shredding-\$35.00; Madelyn Thorsland, prior years service-\$10.00; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$13.75; Pender Times, publications-\$23.01; RTI, monthly support & licenses-\$4,130.75; US Bank, domaine name & domaine fee-\$6.95; Holiday Inn Kearney, lodging-\$233.90; Leaf, copier lease-\$94.03; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$172.06; US Bank, meals-\$37.65; Kathy Wiltgen, mileage-\$310.24; AJ Phillips Publishing, envelopes-\$1,125.00; DAS State Acct, office supplies-\$149.17; Data Source Technology, toner-\$827.75; Microfilm Imaging, scanning-\$177.00; Security Shredding, shredding-\$245.00; US Bank, booklets-\$73.95; Lou Hunter, mileage-\$138.88; Leaf, copier lease-\$65.00; M&M Court Reporting, depositions-\$187.50; One Office Solutions, copier lease & supplies-\$61.35; US Bank, CLE NE State Bar Assn 2021-\$427.10; Jane Anderson, mental health hearing-\$201.52; Jessica Barns, mental health hearing-\$83.18; Maggie Cook, mental health hearing court reporter-\$75.00; Dakota County Court, court costs-\$1,500.00; Dakota County District Court, court costs-\$609.00; Dakota County Sheriff, papers & warrants-\$678.71; Randy Hisey, crt appt atty fees-\$1,145.00; Marcia Mahon, mental health hearing court reporter-\$75.00; Stuart Mills, crt appt atty fees-\$1,642.50; Douglas Roehrich, crt appt atty fees-\$1,524.00; Richard Thramer, crt appt atty fees-\$2,778.75; Robyn Watchorn Newbrey, mental health hearing-\$100.76; Robert Wichser, crt appt atty fees-\$8,681.75; Des Moines Stamp Co, stamp-\$40.90; A-Ox Welding Supply, S Cyl lease-\$62.95; City of Dakota City, utilities-\$167.16; Eakes Office Solutions, janitorial supplies-\$663.50; Gill Hauling Inc., dumpster-\$101.65; G&R Controls, switch & software-\$1,765.79; Kevin Hansen, solid waste dump-\$30.75; Menards, flooring materials & paint-\$100.78; MidAmerican Energy, utilities-\$831.87; NE DOL/Elevator Inspection, inspections-\$120.00; NPPD, utilities-\$1,550.11; Oban Construction Inc., East Parking Lot-\$3,500.00; Stephan Welding Inc, welding-\$25.00; TK Elevator Corp, elevator maintenance-\$231.56; Trembly, pest control-\$55.00; US Bank, membership-\$12.99; Verizon, cell phone-\$41.02; Wilmes Hardware, building & ground material-\$24.97; Angela Abts, mileage-\$136.64; Carol Larvick, mileage-\$104.72; Leaf, copier lease-\$101.15; One Office Solutions, supplies-\$64.27; Papio-Missouri NRD, monthly rent-\$600.00; Brenda Sale, mileage-\$89.60; AT & T Mobility, cell phones-\$400.40; Ben Fish

Tire, tires-\$690.19; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$5,204.91; Don Groves Repair, siren-\$60.00; Electronic Engineering, 2 antennas-\$134.10; Farmers Bank & Trust, 2018 vehicle lease payment-\$4,007.42; Farmers Bank & Trust, 2021 vehicles lease payment-\$8,663.84; Jack's Uniforms, uniforms & equipment-\$1,727.85; NSA/Poan, 2022 NSA membership-\$100.00; Nebraska State Patrol, 2021 Tracs & Machs User fees-\$1,270.50; Siouxland Federal Credit Union, printer cable, lodging, fuel-\$525.67; Sunset Law Enforcement, ammunition-\$840.00; TransUnion Risk & Alternative, searches-\$120.00; Tucker's Glass Shop, repairs-\$25.00; US Bank, lodging, training, supplies, fuel-\$1,364.13; Verizon, cell phone-\$200.05; AT&T Mobility, cell phones-\$87.06; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$62.06; Pathology Medical Services, autopsy-\$2,545.60; US Bank, Lodging & toner-\$399.84; Melinda Wicks, meals & mileage-\$407.95; City of South Sioux City, LEC Share & communications upgrade-\$41,830.54; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; AT&T Mobility, phones-\$93.82; Bob Barker, inmate supplies-\$1,314.11; Becky Broer, shoes-\$129.99; Charm-Tex, bedding-\$136.44; City of South Sioux City, jail fuel-\$125.80; Eakes Office Solutions, supplies-\$2,878.77; Ecolab, laundry supplies-\$1,118.94; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$52.00; Hobart Sales, repairs-\$269.51; Jack's Uniforms, uniforms-\$1,234.90; Jarco Builders, tiles-\$274.56; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$543.68; NPPD, utilities-\$2,480.18; Security Shredding, shredding-\$35.00; Summit Food Service, food & beverage-Jail-\$16,479.25; Trembly, pest control-\$50.00; TNT Sales & Service, cart-\$80.00; US Bank, training, medical, supp, jail repair-\$1,157.40; Wells Fargo Financial Leasing, copier lease-\$582.61; US Bank, Sparklight-\$170.22; Comfort Inn, lodging-\$233.90; US Bank, meals-\$16.34; Verizon, cell phone-\$41.02; Ramada Kearney, lodging-\$156.00; Matt Roost, mileage-\$237.44; US Bank, meals-\$25.80; Jana Adam, groceries-\$17.09; Jennifer Ankerstjerne, mileage-\$43.40; AT & T Mobility, cell phones-\$92.48; Availability/Realmed, medical billing-\$125.00; Marco Technologies, copier contract-\$215.37; Marco, copier contract-\$237.90; Jacqueline Traum, mileage-\$43.40; US Bank, office supplies & website-\$304.76; Verizon, cell phone-\$94.97; Dr Thomas Wenthe, consulting physician fee-\$250.00; CVSOAN, dues-\$110.00; John Gunia, grave markers-\$600.00; Holiday Inn Kearney, lodging-\$284.85; Bill Johnston, mileage & meals-\$535.64; One Office Solutions, copy fees-\$40.58; US Bank, meals-\$48.70; Mohr Becker-Hunt Funeral Home, county burials-\$3,600.00; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$612.84; Innovative Appraisal Services Inc, TERC hearings-\$1,000.00; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$774.44; NACO, 2nd half annual dues-\$1,872.29; NACo, Annual dues 2022-\$450.00; Norm Waitt Sr YMCA, monthly fees-\$102.50; Priority Communications, phone service call-\$310.00; Quadient Leasing, postage machine-\$782.61; US Postal Service, postage-\$5,000.00; US Bank, K-9 Foundation supplies \$1,061.82; US Bank, funeral flowers & office sup-\$105.33; BOKF, 2019 Flood Bond Roads-\$17,236.25; Mainelli Wagner & Assoc, High Bridge & M Ave engineering-\$24,252.95; Road Improvement fund 802, transfer-engineering & contractor-\$580.00; **Road Fund:** American Underground Supply, culverts-\$885.36; Bomgaars, shop supplies, tools, oil-\$630.49; Bosselman Pump & Pantry, fuel-\$1,171.53; Emerosn Heritage, fuel-\$189.61; Engel's Heating & Cooling, repairs-\$150.00; Fastenal, shop supplies-\$7.21; Gill Hauling Inc., dumpster-\$75.44; H2O4U, water-\$8.50; Hydraulic Sales & Svc, repairs-\$194.68; Industrial Tools & Mach, shop supplies-\$25.02; Interstate All Battery, parts-\$369.90; J&J's Pronto, fuel-\$349.10; Bob Jacobsen, prior years service-\$17.00; K & S Service Inc, parts & repair-\$201.09; LG Everist Inc, gravel-\$8,708.13; Lux Bros Trucking, culverts-\$1,366.39; Marx Distribution, chemical-\$2,640.00; Matheson, oxy/acetylene-\$331.53; Medical Enterprises, drug testing-\$70.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies & tools-\$471.46; Midwest Svc & Sales, blades-\$12,655.60; Midwest Wheel, supplies-\$22.65; Marlan Millard, prior years service-\$15.00; NPPD, Homer service-\$48.40; NNTC, telephones-\$162.21; Northeast Power, electric-\$242.55; Northside Glass, parts & labor-\$857.00; O'Reilly Auto Parts, parts-\$13.99; Dean Pallas, clothing-\$100.00; Pender Times, publications-\$69.06; Pomp's Tire Service, tires-\$312.00; Power Plan/Murphy, parts & labor-\$1,903.96; Productivity Plus, oil & shop supplies-\$180.00; Sapp Bros Petroleum, fuel, oil/grease, shop supplies-\$1,172.00; Sooland Bobcat, shop supplies & oil-\$820.50; US Bank, first aid kits-\$189.00; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.19; Village of Emerson, utilities-\$37.83; Wilmes Hardware, supplies, tools, misc-\$182.22; Ziegler's, parts & repair-\$5,893.15; **Road Improvement:** JEO, K Burcham bridge-\$580.00; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$20,450.55; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$210.00; **Health Grant:** US Bank, Sparklight & Lodging-\$490.60; **Health Dept Grants:** Jacqueline Traum, mileage & meals-\$518.45; Yvette Aldana, meals-\$142.88; US Bank, membership & meals-\$37.49; **Juvenile Grant:** Community Based Services, youth coaching \$589.00; Community Monitoring Services, family support \$978.00; Owens Educational Services, electronic monitoring-\$307.50;

Chair Gill opened the Public Hearing at 3:26 p.m. for the purpose of giving citizens the opportunity to offer their support, opposition, or neutral comments regarding the abandonment of a platted alley in Block 3, Crystal Beach, between Lots 1 to 9 on the north and Lots 10 to 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, S6, T28N, R9E. Mr. Pat Engel spoke in support of the alley being vacated and said all persons affected support the abandonment of the platted alley. No comments in opposition or neutral position were offered. Chair Gill closed the hearing at 3:28 p.m. and noted that action will be taken at the next meeting.

Chair Gill opened the Public Hearing at 3:28 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a request for a Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 2229 M Avenue, Hubbard, Section 3, Township 27N, Range 7E, Dakota County, Nebraska. Jolene Gubbels, Planning & Zoning secretary, explained to the board that a mono pole is a free-standing pole with no guy wires. There is a steel cylinder with cement poured inside that goes down about 15-20 feet and about 10-12 feet above ground for the base and the tower slips over that and it is crimped and turned and that secures it. It is approximately 3 feet wide. Then antennas are attached to the top of the 120-foot tower. Residents can then subscribe to their service. The company will lease a 20x20 area of land from the landowner and in

exchange the landowner will get free service for the life of the lease. Nextlink was awarded a CAF (Connect America Fund) grant through the government and Nextlink must meet a certain percentage of coverage every year to secure the grant. The government gives them a census block for every county in several states and they must fulfill a certain percentage of census blocks the government deems to have poor coverage. Without the government's help the Nextlink could not afford to do this type of program since being out in rural areas and the towers being line of sight (the signal can penetrate trees, but not hills) they only have a handful of customers per tower. They try to reach customers within 4-6 miles from a tower. With distance greater than that, the quality of the signal diminishes, and they can't deliver a consistent product and they will deny coverage to a resident at that point. Joe O'Neill, P&Z Director, reviewed the information sent with the conditional use permit application and everything was in order for soil conditions and setbacks. Since it is under 150 feet, they will not need a light on it per FFA regulations. They will run power to it and follow all the guidelines and regulations from the power company. No comments from the public. Chair Gill closed the hearing at 3:32 p.m.

Commissioner Love moved, seconded by Commissioner Giese, to approve a Conditional Use Permit for the purpose of building a 120-foot Mono Pole to provide high-speed internet at the location of 2229 M Avenue, Hubbard, Nebraska. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- absent, Launsby-yes. UNANIMOUS MOTION CARRIED.

Chair Gill opened the Public Hearing at 3:35 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a request for a Conditional Use Permit to build a 120-foot Mono Pole for the purpose of providing high-speed internet at the property location of 1681 Hamlin Avenue, Dakota City, Section 10, Township 28N, Range 8E, Dakota County, Nebraska. Jolene Gubbels, Planning & Zoning secretary, explained this is the same project as the Kent's. No comments from the public. Chair Gill closed the hearing at 3:39 p.m.

Commissioner Love moved, seconded by Commissioner Launsby, to approve a Conditional Use Permit for the purpose of building a 120-foot Mono Pole to provide high-speed internet at the location of 1681 Hamlin Avenue, Dakota City, Nebraska. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- absent, Launsby-yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Gill opened the Public Hearing at 3:40 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding amending Towing and Wrecker Zoning regulations L(a) and L(b) to reference the Board of Adjustment instead of the Board of Commissioners. Jolene Gubbels, Planning & Zoning secretary, explained that County Attorney Kim Watson requested the verbiage change to be consistent with the Zoning Regulations approval process that all Planning & Zoning denials be appealed to the Board of Adjustments and not the Board of Commissioners. Lue Franco asked what the issue was that caused the amendment. It was explained that a towing and wrecker service was started without a Conditional Use Permit in violation of the zoning regulations, the neighbors complained, a conditional use permit was applied for, but the site and business did not meet regulations and was denied. Other Towing and Wrecker services in the County renew their Conditional Use Permits yearly and are approved if complying with all the zoning regulations. It was clarified again that the amendment was a verbiage change—should be Board of Adjustment for the appeal and not Board of Commissioners. Chair Gill asked for other comments. Chair Gill closed the hearing at 3:47 p.m.

Commissioner Giese moved, seconded by Chair Gill, to approve amending Towing and Wrecker Zoning regulations L(a) and L(b) to reference the Board of Adjustment instead of the Board of Commissioners. ROLL CALL VOTE: Giese- yes, Albenesius- absent, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

L. Hearing on Granting, Denying, Renewing, or Revoking of Conditional Use Permit.

- (a) Any person aggrieved by an order of the Joint Planning Commission granting, denying, renewing, or revoking a conditional use permit for a proposed or existing business or activity subject to the provisions of this section may file a written request for a hearing before the Board of ~~Commissioners~~ Adjustment within ten (10) days after issuance of such order. The Board of ~~Commissioners~~ Adjustment shall give notice of a public hearing upon this request to be held in not less than fifteen (15) days after service of the notice on the person requesting the hearing. The Board of ~~Commissioners~~ Adjustment shall also give notice of the hearing to other persons directly interested in the order in question. At such hearing, the Board of ~~Commissioners~~ Adjustment shall determine whether granting, denying, renewing, or revoking of the conditional use permit was in accordance with the provisions of this article and shall issue written findings of fact, conclusions of law, and an order to carry out its findings and conclusions. These findings of fact, conclusions of law, and order shall be filed with the County Clerk and served by the County Clerk upon all parties appearing or represented at the hearing.
- (b) The County Attorney shall furnish such assistance and advice to the Board of ~~Commissioners~~ Adjustment as the Board of ~~Commissioners~~ Adjustment shall request.

Jolene Gubbels, Highway Superintendent, presented the Bi-weekly Road Report for October 31 – November 13, 2021. Total road maintenance- 334 hours; overtime- 1 hours; tree/debris removal- 6 hours; Projects: 260th Street- 32.5 hours; garbage pickup- 3 hours; gravel hauling – 12 hours; tons of gravel hauled – 152.85; sign repair/barricading- 50 hours. Gravel concerns: Oakdale Road. Bridge update: M Avenue- submitted for county bridge match with possible award in

January—cannot be let in November if applying for match; Adams Ave- submitted for county bridge match (priority one);
Pope- NDOT environmental review in process.

Dakota County Board of Commissioners
Monday, November 29, 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, 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. 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 15, 2021
 - b. Approval of payroll claims for November 14 - 27, 2021
3. NEW BUSINESS & RESOLUTIONS
 - a. Amanda Harper and/or Dawn Kimmel, SIMPCO, to provide to the Board the information about the Dakota County Housing Study and to coordinate distribution and collection of related survey with County support and promotion.
 - b. Board to approve Resolution 21C-046 to Abandon and revert to landowner, one half to each landowner, the property described as “Platted as an Alley in Block 3, Crystal Beach, between Lots 1 - 9 on the north and Lots 10 – 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E.”
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Greg Koinzan, South Sioux City Master Patrolman, requesting Board approve funding for Joint Law Enforcement Center (LEC) purchase of a battery backup/UPS power system for dispatch when electricity is lost and before generator engages to avoid disruption of service.
 - c. Board to approve which opioid settlement agreement option to approve— (1) direct share to the county; (2) contribute county’s direct share to Region IV Behavioral Health or (3) do not elect to receive funds.
 - d. Approve Chair to sign (1) FY2021 Budget Audit Board Representative Letter and (2) Federal Audit letter addressing Corrective Action Plan regarding segregation of duties.
 - e. Approve Chair to sign Mid-American Health and Dental insurance benefits Plan Document effective March 1, 2021.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Gill called for Public Comment. Dawn Bousquet, Treasurer, had concerns regarding the county insurance program and suggested the County increase by \$5,000 the maximum paid benefit (\$10,000) per participant per calendar year for High Dollar Prescription Medications (Rx costing more than \$500). Ms. Bousquet also stated she had extra cost applied she was not aware of when a routine preventive procedure (100%/no deductible applied) required a medical/surgical procedure. She felt the county was putting employee lives in danger and needed to be aware of these situations when insurance was reviewed.

Chair Gill called for approval of the consent agenda: (a) Approval of the previous meeting minutes – November 15, 2021; (b) Approval of payroll claims for November 14 - 27, 2021. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$178,166.69; Net Pay-\$125,508.24; Total Retirement-\$12,277.01; Total FICA-\$13,217.31; 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-\$1,641.60; Robin Hansen-\$1,024.00; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,364.41; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,130.87; Stephanie Gatzemeyer-\$1,610.40; Jalissa Hattig-\$1,323.21; Brenda Landaverde-\$1,274.80; Samantha Mitchell-\$1,237.60; Debera Benton-\$1,320.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,200.00; Courtney Lane-\$2,711.40; Joseph O’Neil-\$285.26; Karen Jimenez-\$1,539.20; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-

\$2,850.36; Debra Jensen-\$1,614.40; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,036.25; Tammy Dunn Peterson-\$1,255.20; Shaun Bird-\$2,443.16; Sergio Castillo-\$3,161.57; Timothy Decker-\$3,059.20; Brian Ellinger-\$2,956.00; Penny Epting-\$3,520.02; Brian Fernau-\$2,576.07; Tyler Fulkerth-\$3,308.96; Brent Gilster-\$3,252.08; Martin Guerrero-\$2,480.66; Melvin Harrison III-\$3,332.96; Jason James-\$3,651.70; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$398.16; Jared Junge-\$3,158.20; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,687.87; Mardi Schnee-\$1,121.60; Sarah Hammond-\$2,115.38; Shantel Krull-\$957.90; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,794.65; Angelica Antonio Flores-\$1,338.48; Shaelee Barreras-; Rebecca Broer-\$1,812.20; Kacie Brown-\$2,105.88; Ricardo Chavez-\$1,528.80; Lacey Clark-\$1,677.20; Leonardo Davalos-\$650.65; Alexander DeLeon-\$2,134.08; Elisabet DeRoin-\$1,824.76; Jesse Doelle-\$1,664.00; Lynn Fleming-\$1,638.00; Jonathan Gray-\$2,402.34; Sara Gritten-\$1,653.60; Kara Groetken-\$2,033.82; Todd Hammer-\$2,325.51; Adam Hough-\$2,511.95; Brenda Irwin-\$1,839.26; Jose Magana-\$1,670.38; Jacob McCollum-\$1,659.00; Skyler Miner-\$2,425.84; Keaton Mueller-\$739.60; Mark Nelson-\$1,907.00; Gregory Nyhof-\$2,486.32; Zoey Olson-\$1,659.00; Kimberly Peterson-\$1,996.80; Michele Rohde-\$1,456.00; Jonathan Romo-Rodriguez-\$2,094.30; Rebecca Schoep-\$2,183.16; Jennifer Svendsen-\$2,382.95; Taylor Tadlock-\$2,106.36; Estrella Vazquez-\$2,102.63; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,662.26; Matthew Roost-\$273.26; Jana Adam-\$1,625.86; Yvette Aldana-\$1,502.00; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$42.93; Raquel Jimenez-\$1,210.50; Yesica Saldana Cisneros-\$1,454.40; Courtney Swick-\$1,067.00; Jacqueline Traum-\$1,288.53; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$14,627.60; State Tax-\$6,879.43; Soc Sec-\$10,712.10; Medicare-\$2,505.21; Extra Fit-\$816.00; Extra Sit-\$140.00; Retirement-\$8,348.90; 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-\$454.76; Legal Shield-\$116.58; Liberty Nat'l Pretax-\$71.04; Liberty Nat'l-\$0.00; VSP Vision Base-\$82.86; **Road Fund Employer:** Gross Salaries-\$18,163.20; Net Pay-\$12,224.35; Retirement-\$1,226.04; Total FICA-\$1,313.19; 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-\$1,601.60; **Road Fund Employee:** Federal Tax-\$1,338.28; State Tax-\$627.42; FICA-\$1,064.29; Medicare-\$248.90; Health Plan-\$750.00; Dental Plan-\$105.00; Colonial Health-\$38.23; Garnishments-\$624.01; 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-\$1,592.39; Net Pay-\$1,214.93; Retirement-\$107.49; Total FICA-\$119.06; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,592.39; **Health Planning Grant Employee:** Federal Tax-\$86.68; State Tax-\$41.93; FICA-\$96.49; Medicare-\$22.57; Extra Sit-\$5.00; Retirement-\$71.66; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,231.92; Net Pay-\$690.14; Retirement-\$83.15; Total FICA-\$65.86; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,231.92; **Juvenile Services Aid Employee:** Federal Tax-\$33.63; State Tax-\$15.85; FICA-\$53.38; Medicare-\$12.48; Retirement-\$55.44; Health Plan-\$350.00; Dental Plan-\$21.00;

Dawn Kimmel, SIMPCO, provided information to the Board regarding a Dakota County Housing Study survey and requested county support with on-line distribution. The Board had several questions—when was the last survey done (10+ years); grant amount (\$10,594); when will survey be closed (mid-January, 2022). At the time the survey is completed, focus groups will be formed for in-person input. A “windshield assessment” will be done. SIMPCO will also be meeting with the cities and villages. Questions address homeowners, renters, barriers encountered. Ms. Kimmel stated there are a lot of assumptions and it will be great to get factual feedback.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve Resolution 21C-046 to abandon and revert to landowner, one half to each landowner, the property described as “Platted as an Alley in Block 3, Crystal Beach, between Lots 1 - 9 on the north and Lots 10 – 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E.” ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-046

ABANDONMENT OF PLATTED ROAD

BE IT RESOLVED BY THE CHAIRMAN AND COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, that a public hearing was held in the Board of Commissioners Room on the 15th day of November 2021, at 3:01 p.m., pursuant to notice of public hearing published in the Dakota County Star for two consecutive weeks previous to such hearing and certified mail sent to all adjoining landowners.

BE IT FURTHER RESOLVED that at such public hearing persons appeared regarding the vacating and abandonment of said road as hereinafter described, and the Board being fully advised and upon consideration of the matter hereby orders that the following road be vacated and abandoned and that the public right-of-way shall be disposed of in the following manner:

1. Shall revert back to the adjacent landowners, one half to each such landowner. Described as follows:
Platted as an Alley in Block 3, Crystal Beach, between Lots 1 - 9 on the north and Lots 10 – 18 on the south, excepting portion of Eagle Drive, Dakota City, Nebraska, Section 6, Township 28N, Range 9E
A certified copy of this Resolution shall be filed with the Register of Deeds and indexed against all affected property.
Dated at Dakota City, Nebraska this 29th day of November 2021.

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.

Dakota County Board of Commissioners
Monday, December 27, 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, 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. TABLED ITEMS

- a. Approve Elected Official Salary Resolution 21C-048 for 2023, 2024, 2025, 2026.
 - *Motion required to take from the Table*
- b. Discussion regarding implementation of a Policy on Cooperation in Volunteer Emergency Services.
 - *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 – December 13, 2021
- b. Approval of payroll claims for December 12 - 25, 2021
- c. Approval of accounts payable claims
- d. Approval of Officials Reports - County Clerk, Register of Deeds and Clerk of District Court.
- e. Approval of Treasurer's Office journal entry to move \$0.22 from 0100 General Fund to Fund 6021 Tire Fee to balance that fund.

4. NEW BUSINESS & RESOLUTIONS

- a. Chad Kehrt, Veenstra & Kimm, to present bids for the construction of North Bluff Road Repairs project in Dakota County for board to approve and award project bid. Engineer will open bids for review at 1:00 p.m.
- b. Approve Chair to sign the Notice to Proceed for the North Bluff Road repair project.

5. MISCELLANEOUS & OLD BUSINESS

- a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
- b. Kathy Wiltgen, Clerk of District Court, to inform the Board regarding the proposals for upgrades in Clerk of District Court courtroom.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

- Source for Siouxland Community Partners – 2021 Community Data Update

8. ADJOURNMENT

Chair Gill called for Tabled Items. Resolution 21C-048 to set Officials Salaries was discussed. Each official will receive a 2.5% pay increase for each year (2023, 2024, 2025, 2026) and an increase of \$10,000 was given to the Sheriff's 2023 salary and an increase of \$12,000 was given to the Public Defender's 2023 salary. Public Defender, Lou Hunter, requested the Public Defender salary be set for the same dollar amount as the County Attorney salary since they both hold the same license and have the same requirements. County Attorney, Kim Watson, stated the office of County Attorney is on call 24/7 for coroner calls and search warrants. Mr. Hunter felt that was why the County Attorney has twice the staff. He was not sure the NACO Salary comparison reflected public defender salaries as full or part time. Court appointed fees also reimburse some of Mr. Hunter's salary. Mr. Hunter said Lancaster County sets both Public Defender and County Attorney salaries as the same. Chair Gill stated the County Attorney also helps the Board with contracts. Commissioner Giese felt an effort was made to get the Public Defender salary increased. Commissioner Launsby moved, seconded by Commissioner Love, to remove Resolution 21C-048 from the table. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Giese moved, seconded by Chair Gill, to approve Resolution 21C-048 to Establish Salaries for the Elected Officials of Dakota County, Nebraska. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-048
A RESOLUTION ESTABLISHING SALARIES FOR THE
ELECTED OFFICIALS OF DAKOTA COUNTY NEBRASKA

WHEREAS, pursuant to Section 23-1114 of the Revised Statutes of the State of Nebraska, the Dakota County Board of Commissioners are required to determine and set the salaries of the various elected officials of the County prior to January 15th of the year in which a General Election will be held for the respective offices,

NOW, THEREFORE BE IT RESOLVED, by the County Board of Commissioners of Dakota County, Nebraska, that:

County Assessor. The annual salary for the office of County Assessor shall be established at \$63,105.10 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$64,682.73, for the calendar year 2025 shall be \$66,299.79, and for the calendar year 2026 shall be \$67,957.29.

County Attorney. The annual salary for the office of County Attorney shall be established at \$98,532.16 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$100,995.46, for the calendar year 2025 shall be \$103,520.35, and for the calendar year 2026 shall be \$106,108.35.

County Clerk. The annual salary for the office of County Clerk shall be established at \$63,105.10 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$64,682.73, for the calendar year 2025 shall be \$66,299.79, and for the calendar year 2026 shall be \$67,957.29.

Clerk of District Court. The annual salary for the office of Clerk of District Court shall be established at \$63,105.10 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$64,682.73, for the calendar year 2025 shall be \$66,299.79, and for the calendar year 2026 shall be \$67,957.29.

County Sheriff. The annual salary for the office of County Sheriff, including his or her services in managing the county jail, shall be established at \$78,839.22 for the calendar year 2023. For each year thereafter a 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$80,810.20, for the calendar year 2025 shall be \$82,830.46, for the calendar year 2026 shall be \$84,901.22.

County Treasurer. The annual salary for the office of County Treasurer shall be established at \$63,105.10 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$64,682.73, for the calendar year 2025 shall be \$66,299.79, and for the calendar year 2026 shall be \$67,957.29.

Public Defender. The annual salary for the office of Public Defender shall be established at \$89,481.29 for the calendar year 2023. For each year thereafter 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$91,718.32, for the calendar year 2025 shall be \$94,011.28, and for the calendar year 2026 shall be \$96,361.56.

County Commissioner. The annual salary for the office of County Commissioner shall be established at \$25,381.07 for the calendar year 2023. For each year thereafter a 2.5% cost of living increase shall be added to the previous year's salary so the total amount for the calendar year 2024 shall be \$26,015.59, for the calendar year 2025 shall be \$26,665.98, and for the calendar year 2026 shall be \$27,332.63.

Chairman of the Board of County Commissioners. The annual salary for the Chairman of the Board of County Commissioners shall be an additional \$1200 annually during the term of the office 2023, 2024, 2025 and 2026.

Benefits. In addition to the above salary, each Elected Official shall receive during his or her term of office a single health and dental insurance coverage policy and be a member of the same health and dental and medical group plan as offered to all county employees; and a \$15,000 life insurance policy. Elected officials shall be enrolled in and shall receive the benefits of the County Employee's Retirement System, to participate in such programs on the effective date of such programs as approved by the County Board. The county reserves the right to enter into any program for the benefit of employees of the county (including elected officials), such as insurance programs and such other programs as may be approved, with the right of elected officials granted to participate in such programs on the effective date of such programs as approved by the board. It is the intent of the Dakota County Board of Commissioners that participation in such programs shall not constitute an increase in the herein adopted salary but shall be and is part of such salary as adopted and approved by this resolution.

Cash in Lieu of Health Insurance. In addition to the above stated salary, a County Commissioner shall have the option to be a member of the same health and medical group plan as offered to all county employees, which is single coverage; or shall have the option at the discretion of each Commissioner to elect a stipend of \$400.00 per month in lieu of receiving medical coverage through the county medical plan. The election will remain in force for the remainder of the Commissioner's term, absent a qualifying event.

Resolution approved, passed, and adopted this 27th day of December, 2021.

Chair Gill moved, seconded by Commissioner Love, to remove from the table for discussion only regarding implementation of a Policy on Cooperation in Volunteer Emergency Services. ROLL CALL VOTE: Launsby-yes, Gill-yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED. Discussion was had. Jolene Gubbels stated Dean Pallas, Road Department motor grader operator, is an EMT with Emerson Fire and Rescue and he does respond on the second call for help and does stay on the clock. He has around 2 – 3 calls per year which last 20-30 minutes. Chair

Gill and Commissioner Love felt this was a good practice and it was thought the liability would fall back on the fire department while he is volunteering for the fire department and not doing county work.

Chair Gill called for Public Comment. There was none.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes – December 13, 2021; (b) approval of payroll claims for December 12-25, 2021; (c) approval of accounts payable claims; (d) approval of Officials Reports—County Clerk, Register of Deeds and Clerk of District Court; (e) approval of Treasurer's Office journal entry to move \$0.22 from 0100 General Fund to Fund 6021 Tire Fee to balance that fund. Commissioner Giese moved, seconded by Commissioner Love, 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-\$177,257.99; Net Pay-\$129,463.82; Total Retirement-\$12,165.51; Total FICA-\$13,560.70; Larry Albenesius-\$933.71; Robert Giese-\$933.71; Janet Gill-\$979.87; Troy Launsby-\$933.71; Scott Love-\$933.71; Cherie Conley-\$1,641.60; Robin Hansen\$1,040.00; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,339.37; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,001.77; Stephanie Gatzemeyer-\$1,610.41; Jalissa Hattig-\$1,331.47; Brenda Landaverde-\$1,249.49; Samantha Mitchell-\$1,249.20; 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-\$1,614.40; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,137.50; Tammy Dunn Peterson-\$1,255.20; Shaun Bird-\$2,791.86; Sergio Castillo-\$3,388.06; Timothy Decker-\$3,792.13; Brian Ellinger-\$2,808.20; Penny Epting-\$3,398.64; Brian Fernau-\$2,984.97; Tyler Fulkerth-\$3,076.28; Brent Gilster-\$2,742.22; Martin Guerrero-\$3,407.50; Melvin Harrison III-\$3,355.80; Jason James-\$2,948.92; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$373.28; Jared Junge-\$3,057.67; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,632.45; Mardi Schnee-\$1,121.60; Ryne Sell-\$382.56; Sarah Hammond\$2,115.38; Shantel Krull-\$965.63; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,780.70; Angelica Antonio Flores-\$2,077.92; Rebecca Broer-\$2,011.48; Kacie Brown-\$1,720.00; Ricardo Chavez-\$1,528.80; Lacey Clark-\$1,548.18; Leonardo Davalos-\$655.20; Alexander DeLeon-\$1,194.66; Elisabet DeRoin-\$2,063.20; Jesse Doelle-\$1,830.40; Lynn Fleming-\$1,528.80; Jonathan Gray-\$2,177.12; Sara Gritten-\$1,909.44; Kara Groetken-\$2,358.86; Todd Hammer-\$2,540.84; Adam Hough-\$1,753.96; Brenda Irwin-\$1,985.06; Brandon Long\$1,713.60; Jose Magana-\$1,713.60; Jacob McCollum-\$1,549.80; Skyler Miner-\$1,992.37; Keaton Mueller-\$1,599.33; Mark Nelson-\$1,907.00; Gregory Nyhof-\$1,833.19; Zoey Olson-\$1,713.60; Kimberly Peterson-\$1,747.20; Michele Rohde-\$1,456.00; Jonathan Romo-Rodriguez-\$1,875.90; Rebecca Schoep-\$1,930.44; Jennifer Svendsen-\$2,203.14; Taylor Tadlock-\$2,292.24; Estrella Vazquez-\$2,052.58; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,653.10; Matthew Roost-\$273.26; Jana Adam-\$1,087.68; Yvette Aldana-\$1,528.91; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$279.05; Raquel Jimenez-\$1,422.00; Yesica Saldana Cisneros-\$1,454.40; Courtney Swick-\$1,716.00; Jacqueline Traum-\$1,320.98; Ruth Gillaspie\$280.00; Willard Johnston-\$2,239.50; **General Fund Employee:** Federal Tax-\$15,227.97; State Tax-\$7,135.57; Soc Sec-\$10,990.37; Medicare-\$2,570.33; Extra Fit-\$816.00; Extra Sit-\$140.00; Retirement-\$8,279.27; Deferred Comp-\$1,416.66; Garnishments-\$1,218.00; **Road Fund Employer:** Gross Salaries-\$18,163.20; Net Pay-\$12,966.98; Retirement-\$1,226.04; Total FICA-\$1,393.38; Brent Byroad-\$1,923.20; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneiff-\$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-\$1,601.60; **Road Fund Employee:** Federal Tax-\$1,461.80; State Tax-\$694.23; FICA-\$1,129.28; Medicare-\$264.10; Extra Fit-\$0.00; Retirement-\$817.32; Garnishments-\$829.49; **Health Planning Grant Employer:** Gross Salaries-\$1,607.18; Net Pay-\$1,269.79; Retirement-\$108.48; Total FICA-\$122.95; Jennifer Ankerstjerne-\$1,607.18; **Health Planning Grant Employee:** Federal Tax-\$92.72; State Tax-\$44.40; FICA-\$99.65; Medicare-\$23.30; Extra Sit-\$5.00; Retirement-\$72.32; **Juvenile Services Aid Employer:** Gross Salaries-\$1,252.80; Net Pay-\$996.38; Retirement-\$84.56; Total FICA-\$95.84; Sarah Anderson Deck-\$1,252.80; **Juvenile Services Aid Employee:** Federal Tax-\$72.72; State Tax-\$31.48; FICA-\$77.67; Medicare-\$18.17; Retirement-\$56.38.

Accounts Payable: General Fund: General Fund: Robert Giese, mileage, meals, lodging-\$439.19; Holiday Inn Express, lodging-\$344.85; NACO, handbook updates-\$25.00; Pender Times, publications-\$277.91; Holiday Inn Express, lodging-\$344.85; Leaf, copier lease-\$78.02; One Office Solutions, office supplies-\$385.37; Dawn Bousquet, mileage-\$288.96; DAS State Acct, state software-\$81.00; Oscar Galarza, carpet installation-\$524.70; Holiday Inn Express, lodging-\$229.90; MIPS, monthly software-\$940.91; MIPS, 2021 Tax Statements-\$2,020.40; One Office Solutions, office supplies-\$518.02; Record Printing, envelopes-\$715.00; US Bank, toner & office supp-\$129.79; Irene VanLent, prior years service-\$16.00; Margie Rahn, prior years service-\$12.00; US Bank, batteries-\$75.60; Bralda, Inc., appraisal services-\$1,555.50; EWDS Inc, appraisal services-\$1,156.00; Leaf, copier lease-\$112.50; Marshall & Swift, residential handbook-\$477.95; One Office Solutions, office supplies-\$522.04; Madelyn Thorsland, prior years service-\$10.00; Joe O'Neill, mileage-\$258.72; RTI, monthly support & licenses-\$4,130.75; US Bank, domaine name & domaine fee-\$6.95; CDC Association, dues-\$50.00; Holiday Inn Kearney, lodging-\$114.95; Leaf, copier lease-\$106.25; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$157.59; Kathy Wiltgen, mileage-\$310.24; DAS State Acct, office supplies-\$124.35; Marco, copier lease-\$807.13; Microfilm Imaging, scanning-\$177.00; US Bank, conference call line-\$162.90; Blue360 Media, law book-\$171.43; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$148.76; US Bank, CLE NE State Bar Assn 2021-\$60.00; Christine P Costantakos, crt appt atty fees-\$779.00; Dakota County Court, court costs-\$1,613.19; Dakota County District Court, court costs-\$796.00; Dakota County Sheriff, papers & warrants-\$1,000.19; Randy Hisey, crt appt atty fees-\$8,120.00; Stuart Mills, crt appt atty fees-\$1,721.25; Douglas Roehrich, crt appt atty fees-\$1,705.00; Michael Schmiedt, mental health hearing-\$465.50; Robert Wichser, crt appt atty fees-\$11,459.96; A Team Heating & Cooling, service call-\$274.31; Bekins Fire & Safety, annual service call & extinguishers-\$479.40; City of Dakota

City, utilities-\$203.01; Gill Hauling Inc., dumpster-\$101.65; G&R Controls, switch & software-\$7,193.87; Kevin Hansen, solid waste dump-\$15.70; MidAmerican Energy, utilities-\$1,123.20; Midwest Alarm Company, inspections-\$1,061.88; NPPD, utilities-\$1,168.73; R Rohan Electric, electrical work-\$1,377.64; Share Corp, chemicals-\$517.13; Trembly, pest control-\$55.00; Tucker's Glass Shop, repairs-\$64.80; US Bank, membership & equipment rental-\$599.49; Verizon, cell phone-\$41.02; Wilmes Hardware, building & ground material-\$31.37; Angela Abts, mileage-\$196.56; Carol Larvick, mileage-\$155.68; Leaf, copier lease-\$200.96; One Office Solutions, supplies-\$74.68; Papio-Missouri NRD, monthly rent-\$600.00; AT & T Mobility, cell phones-\$400.40; AutoZone, vehicle parts-\$210.58; Axon Enterprises Inc, equipment-\$73.67; Billion GMC, Oil change-\$56.62; Bort Auto Body Inc, vehicle repair-\$525.00; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$4,679.50; F & M Bank, 2017 radio payment-\$16,514.95; First State Bank, 2020 vehicle payment-\$10,488.57; Fremont Tire, Oil change-\$83.81; Husker Auto Group, 2022 Chevrolet pickup-\$24,699.00; Jack's Uniforms, uniforms & equipment-\$567.80; NLETC, training-\$429.25; The Radar Shop, radar tuning forks-\$814.00; TransUnion Risk & Alternative, searches-\$134.00; Tucker's Glass Shop, repairs-\$25.00; US Bank, lodging, training, supplies, fuel-\$770.15; Verizon, cell phone-\$200.05; Woodhouse, repair AC Condensor-\$1,528.12; AT&T Mobility, cell phones-\$174.12; Chesterman Company, water-\$24.00; Douglas County Sheriff, sheriff fees-\$40.59; Marco, copier lease-\$231.29; Marco Technologies, printer contract-\$62.06; Thurston County Sheriff, sheriff fees-\$61.56; US Bank, Dues-\$254.01; Kim Watson, reimbursement for office supplies-\$54.96; Woodbury County Sheriff, sheriff fees-\$138.00; City of South Sioux City, LEC Share & fuel-\$41,830.54; Advanced Correctional Healthcare, doctor fees & Rx-\$10,282.80; Associated Fire Protection, quarterly inspection-\$495.00; AT&T Mobility, phones-\$93.82; Bob Barker, inmate supplies-\$1,562.08; Bunkers Feed & Supply, softner salt-\$1.34; Cash-Wa Distributing, inmate supplies-\$76.94; City of Dakota City, water October and November-\$5,420.50; City of South Sioux City, jail fuel-\$60.99; Eakes Office Solutions, supplies-\$3,540.59; Ecolab, laundry supplies-\$751.75; Farmer's Pride, diesel fuel-\$646.80; Gill Hauling Inc., dumpster-\$219.35; GRP, disposal-\$144.00; GT Distributors Inc, fogger spray-\$790.75; Hobart Sales & Service, warewashers & sprayer-\$976.64; Jack's Uniforms, uniforms-\$2,125.25; Justice Data Solutions, JAMIN annual support 2022-\$2,400.00; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$942.05; NPPD, utilities-\$2,531.94; Overhead Door Co, door repair-\$125.00; Summit Food Service, food & beverage-Jail-\$15,902.80; Trembly, pest control-\$50.00; US Bank, supplies-\$538.32; Veterns Memorial Fund, 2 flages-\$139.65; Wells Fargo Financial Leasing, copier lease-\$476.98; City of SSC, fuel-\$43.54; US Bank, Sparklight & handouts-\$577.84; Holiday Inn Express, lodging-\$344.85; Leaf, copier lease-\$103.00; One Office Solutions, coper lease-\$14.09; Staples, office supp-\$52.06; US Bank, office supp-\$35.44; Verizon, cell phone-\$41.02; Civil Engineers & Const, survey-\$1,330.00; Ramada Kearney, lodging-\$134.82; Matt Roost, mileage-\$237.44; Jana Adam, mileage-\$50.96; AT & T Mobility, cell phones-\$92.60; Availity/Realmed, medical billing-\$125.00; Marco Technologies, copier contract-\$205.59; McKesson, needles-\$81.40; NALHD, membership-\$5,000.00; Sanofi Pastuer, testing-\$88.82; US Bank, training & supplies-\$124.57; Verizon, cell phone-\$94.97; Dr Thomas Wenthe, consulting physician fee-\$250.00; Bill Johnston, mileage-\$473.76; One Office Solutions, copy fees-\$47.69; US Bank, law library-\$329.60; Dakota County Treasurer, Veterand Drive & C Ave interest-\$811.56; Dakota County Treasurer-General Fund, refund-miscellaneous-\$30.00; DAS State Acct, payroll/acct payable-\$41.60; F & M Bank, Deposit Slips-\$70.00; Fibercomm, phone-\$643.40; Fund 4200, Transfer to cover Phase II jail expenses-\$204,656.37; McKesson, first aide kits-\$269.71; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$774.44; Nebraska Health & Human Services, Beatrice location-\$273.00; Nebraska Health & Human Services, Lincoln location-\$1,406.39; Norm Waitt Sr YMCA, monthly fees-\$143.50; One Office Solutions, paper-\$1,620.00; Region IV Behavioral Health, Norfolk-quarterly fees-\$10,474.75; US Bank, funeral flowers-\$103.50; US Postal Service, postage-\$3,500.00; Veterans Office, quarterly aid-\$4,500.00; Woods & Aitken, County Atty vs County \$187.20; Dakota County Treasurer, Bonds 2015 & 2020 interest-\$10,762.50; Mainelli Wagner & Associates, High bridge & M Ave bridge-\$13,043.70; **Road Fund:** Bauer Built Tire Service, tires-\$3,592.00; Black Hills Energy, utilities-\$500.00; Bomgaars, shop supplies, tools, oil-\$606.10; Bosselman Pump & Pantry, fuel-\$1,569.58; Brent Byroad, clothing allowance-\$100.00; Ryan Chambers, clothing allowance-\$100.00; Dakota County Treasurer, cash advance-used sander-\$1,500.00; Dakota Traffic Services, pavement markings-\$12,133.56; Elkhorn Valley Bank, A7 grader payment-\$32,551.30; Fastenal, shop supplies-\$435.55; First State Bank, G6 grader Payment-\$5,773.89; Frame Aligners Inc, parts & labor-\$264.60; Fremont Tire, tires-\$235.00; Gill Hauling Inc., dumpster-\$75.44; Bob Hacker, clothing allowance-\$100.00; Heavy Metal Repair, parts-\$90.86; Hwy 77 Sales & Service, parts & labor-\$588.26; Hydraulic Sales & Svc, oil-\$59.50; H2O4U, water-\$47.50; Interstate All Battery, parts-\$121.95; J&J's Pronto, fuel-\$330.54; J&M Auto Repair, parts & labor-\$193.80; Bob Jacobsen, prior years service-\$17.00; Jim Hawk Truck Trailers, parts-\$1,268.41; K&K Hubbard Mini Mart, fuel-\$647.97; Dave Kneifl, clothing allowance-\$100.00; Lawson Products, shop supply-\$60.28; LG Everist Inc, gravel-\$284.53; Kimon Litras, clothing allowance-\$64.17; Mainelli Wagner & Associates, bridge inspection-\$10,140.00; Matheson, oxy/acetylene-\$122.45; Medical Enterprises, drug testing-\$120.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies & tools-\$159.32; MHC Kenworth, parts-\$250.00; Midwest Wheel, supplies & parts-\$1,505.97; Marlan Millard, prior years service-\$15.00; Motor Parts Central, parts-\$65.73; NPPD, Homer service-\$48.40; NNTC, telephones-\$170.29; Northeast Power, electric-\$269.60; Nutrien Ag Solutions, water-\$81.58; O'Reilly Auto Parts, parts-\$174.66; Tyler Pallas, clothing allowance-\$100.00; Pomp's Tire Service, grader tires-\$15,198.00; Power Plan/Murphy, parts & labor-\$1,329.08; Robertson Implement, parts for chainsaw-\$90.00; Logan Rohde, clothing allowance-\$100.00; Matt Roost, clothing allowance-\$100.00; Sam's Club, renewal-\$45.00; Sapp Bros Petroleum, fuel-\$2,288.83; Sioux City Ford, parts-\$156.40; UnityPoint Clinic, drug testing-\$96.00; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.19; Jared Vedral, clothing allowance-\$100.00; Village of Emerson, utilities-\$41.90; Warren Oil, fuel-\$10,434.50; Wilmes Hardware, supplies, tools, misc-\$155.27; Ziegler's, parts & repair-\$3,834.70; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$22,988.84; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$210.00; **Health Planning Grant Fund:** Electrical Engineering, maintenance-\$420.68; US Bank, Sparklight & Lodging-\$181.20; **Health Disparity Fund:** RTI, laptop \$1,469.00; **Health**

Dept Grants: GlaxoSmithKline, fluanix-\$1,037.28; Sanofi Pastuer, fluzone-\$3,408.35; US Bank, internet & supplies-\$184.90; **Juvenile Grant:** Community Monitoring Services, family support \$293.40; **Inheritance Tax Fund :** Dakota County Medical Fund, transfer to medical account to cover medical expenses \$100,000.00; **Hunt Memorial Fund;** Leonard E Walker Sr, eyeglasses-\$466.57; **Public Safety:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$35,414.07; **4200 Jail Phase II Fund;** Certified Testing Services, Geotechnical Report-\$2,835.00; Shivehattery Architec, schematic designs-\$201,821.37.

Chad Kehrt, Veenstra & Kimm, presented the following bids for construction of North Bluff Road Repairs project 2022 in Dakota County as opened at 1:00 p.m. earlier today:

| Project: North Bluff Road Repairs (2022) | | | |
|--|-------------------------------------|-------------------------------|--------------------------------|
| Contractor: | Ten-Point Construction, Denison, IA | Concrete Plus, Sioux City, IA | Gill Construction, Jackson, NE |
| Total Bid Section A: | 52,832.62 | 49,082.00 | 69,996.00 |
| Total Bid Section B: | 136,432.16 | 114,044.25 | 142,640.00 |
| Total Bid Section C: | 27,095.00 | 31,550.00 | 49,412.00 |

Project Engineer Chad Kehrt recommended the County award Bid Section A (\$49,082) and Bid Section B (\$114,044.25) to Concrete Plus and Bid Section C (\$27,095) to Ten Point Construction for a total of \$190,221.25. Jolene Gubbels, Highway Superintendent, stated no work was done on North Bluff Road last year and would like to see this project completed and other projects moved to next year's budget. Chair Gill moved, seconded by Commissioner Love, to award bid for Section A (\$49,082) and Section B (\$114,044.25) to Concrete Plus and Section C (\$27,095) to Ten-Point Construction per low bidders for a total of \$190,221.25. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Chair to sign the Notice to Proceed to the contractors for the North Bluff Road repair project. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Bi-weekly Road Report for December 12 - 25, 2021. Total road maintenance- 132.5 hours; tree/debris removal- 50 hours; garbage pickup- 5 hours; magnet- 4 hours; snow removal- 1.5 hours; sign repair/barricading- 19 hours. Grading concerns: M Avenue. A snowplow truck for the Courthouse parking lot was discussed.

Kathy Wiltgen, Clerk of District Court, informed the Board that the State vendor, Conference Technologies, Inc., is visiting all the courtrooms in the state for standardized courtroom upgrades—audio-visual systems. There is no cost to the county except to provide 2 data drops and power at the rack locations. The cost invested by the state is \$93,738.59.

Commissioner Committee Reports: Love & Launsby/LEC. Giese inquired on Jail HVAC bid and motor grader bid status—both ads have been placed. Planning & Zoning member ad was also placed.

Mail- Source for Siouxland Community Partners—2021 Community Data Update information was shared. Jail Standards letter was read regarding software vendor update needed to input Crime Commission data. (NCJIS has resolved the issue.) No emergency business.

Chair Gill adjourned the Board of Commissioners meeting of December 27, 2021, at 4:02 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary