

Dakota County Board of Commissioners
Monday, November 16, 2020 - 1:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Hohenstein call the meeting to order at 1:06 p.m. with the Pledge of Allegiance. Present at Roll Call: Hohenstein, Gomez(telephonic), Rohde(telephonic), Albenesius, Gill. Absent: None. Also present was Kim Watson, County Attorney and Joan Spencer, County Clerk, acting as Board Secretary. Chair Hohenstein noted the location of the Open Meetings Act. [Note: Governor Executive Order 20-34 allows quorum by telephone per COVID19 quarantine restrictions.]

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 – November 2, 2020
- b. Approval of accounts payable claims
- c. Approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court

4. NEW BUSINESS

- a. Board to approve the payroll claims for November 1 – 14, 2020.
- b. 1:01 p.m. Public Hearing regarding the abandonment or vacation of 240th Street county road (minimum maintenance) running east and west between O Avenue and O'Dell Avenue in East ½ Sections 8 & 17, Township 27N, Range 7E in Dakota County, Nebraska.
- c. 1:02 p.m. Open and award motor grader bids.
- d. Lisbeth Ramirez, Haven House, requesting the Board approve Resolution 20C-028 expressing support of Haven House's grant request and commend and support the efforts put forth in the reduction of domestic violence and sexual assault in Dakota County.
- e. Pat Engel - Petitions filed with County Clerk requesting vacation of roads as follows: (1) 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 and (2) 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.
- f. Board to approve Resolution 20C-029 directing the Highway Superintendent to study the use being made of public road 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
- g. Board to approve Resolution 20C-030 directing the Highway Superintendent to study the use being made of public road: 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.

5. MISCELLANEOUS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Fred Kellogg, Highway Superintendent, requesting approval for new deck and abutment replacement project for Bridge C002230910P Jackson NW.
- c. Approve procedure to fill the vacancy in the offices of County Treasurer and Clerk of District Court.
- d. Approve Resolution 20C-031 for Chair to sign Certification of Highway Superintendent for determining incentive payment for calendar year 2020.
- e. Sheriff Kleinberg – Monthly Jail Report
- f. Approve Chair to sign letters of (1) transition with Mid-American/Group Resources and (2) letter of termination with Three Rivers Benefits, Inc./Group Resources plan administration of county health insurance.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

No action was taken to remove Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County from the table.

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

Chair Hohenstein called for approval of the consent agenda—(a) approval of the November 2, 2020, minutes; (b) approval of accounts payable claims and (c) approval of Officials Reports—Clerk, Register of Deeds, Clerk of District Court. Commissioner Gill moved, seconded by Commissioner Albenesius, to approve the consent agenda items. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Accounts Payables: General Fund: Pender Times, publications-\$459.14; Leaf, copier lease-\$78.02; CSOM, closed certificate-\$470.71; DAS State Acct, state software-\$81.00; H2O4U, water-\$7.00; MIPS, monthly software-\$989.46; US Bank, supplies-\$419.04; Irene VanLent, prior years service-\$16.00; One Office Solutions, supplies-\$11.63; Margie Rahn, prior years service-\$12.00; Bralda Inc, appraisal services-\$1,058.00; EWDS Inc, appraisal services-\$865.00; Leaf, copier lease-\$199.10; Innovative Appraisal Services, appraisal services-\$2,192.00; One Office Solutions, supplies-\$18.74; Stanard Appraisal Services, rural res reval-\$10,283.00; Madelyn Thorsland, prior years service-\$10.00; US Bank, office supplies-\$23.29; Election Workers \$12,799.16; Polling place rentals, Rentals \$1,025.00; ES & S, election data-\$306.54; Marx Leasing, truck rental-\$180.00; Mundo Latino, publications-\$714.00; One Office Solutions, supplies-\$233.36; Pender Times, publications-\$1,653.00; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$6.55; Joe O'Neill, mileage-\$171.35; Pender Times, publications-\$26.08; US Bank, postage-\$48.65; RTI, monthly support & licenses, payment, wireless setup-\$10,146.89; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$94.03; MIPS, scanning-\$131.00; One Office Solutions, copier lease \$125.54; Des Moines Stamp Co, stamp-\$222.00; Microfilm Imaging, scanning-\$177.00; US Bank, courtroom phone, coffee, water cooler-\$611.77; Perla Alarcon-Flory, interpreter fees-\$250.00; Leaf, copier lease-\$65.00; One Office Solutions, copier lease & supplies-\$103.60; Crary Huff Law Firm, crt appt atty fees-\$118.75; Mary Curry, witness fees-\$20.00; Dakota County Court, court costs-\$1,985.49; Dakota County Sheriff, papers & warrants-\$802.09; Dakota County District Court, court costs-\$453.00; Randy Hisey, crt appt atty fees-\$4,642.50; Douglas Roehrich, crt appt atty fees-\$967.50; Joyce Voholland, witness fees-\$31.50; Robert Wichser, crt appt atty fees-\$1,460.70; City of Dakota City, utilities-\$216.33; Eakes Office Solutions, janitorial supplies-\$400.00; G&R Controls, service call-\$135.00; Gill Hauling Inc., dumpster-\$95.00; Kevin Hansen, mileage-\$61.53; Menards, building supp-\$296.32; MidAmerican Energy, utilities-\$768.30; NPPD, utilities-\$1,859.58; Robertson Imp, mower repairs-\$66.16; Siouxland Hydraulics, cylinder repairs-\$225.00; Stephan Welding Inc, iron brackets-\$145.00; US Bank, Amazon subs, fuel, tools, cylinder lease-\$1,387.49; Verizon, cell phone-\$35.86; Wilmes Hardware, oil-\$314.53; Angela Abts, mileage-\$47.15; Carol Larvick, mileage & gloves-\$89.25; Leaf, copier lease-\$98.82; One Office Solutions, copies-\$82.74; Papio-Missouri NRD, monthly rent-\$600.00; WalMart, orchard supplies-\$15.00; AT & T Mobility, cell phones-\$360.36; Autozone, parts, brakes & oil-\$70.49; Shawn Bird, supplies-\$17.25; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$3,385.18; Dakota County Treasurer, title fees-\$50.00; Farmers Bank & Trust, payment 2018 vehicles-\$4,007.42; Fremont Tire, tire repairs-\$22.00; Jack's Uniforms, uniforms & equipment-\$302.60; Siouxland Federal Credit Union, fuel, meals, lodging-\$496.76; Stapleton Salvage, towing-\$140.00; StunTronics, Law Enforcement equipment-\$1,100.00; The Radar Shop, Law Enforcement equipment-\$678.00; TransUnion Risk & Alternative, searches-\$110.30; Tucker's Glass Shop, repairs-\$45.00; US Bank, fuel, training, equipment-\$3,088.70; Verizon, cell phone-\$198.75; AT&T Mobility, cell phones-\$57.26; Marco, copier lease-\$223.28; Marco Technologies, printer contract-\$59.58; Nebraska.gov, certified copies-\$15.00; Pender Times, publications-\$53.45; City of SSC, LEC Share-\$40,315.96; Advanced Correctional Healthcare, doctor fees & Rx-\$9,808.37; AT&T Mobility, phones-\$46.91; Bob Barker Co, inmate supplies-\$1,610.97; Blue Shield Tactical, Law Enforcement equipment-\$146.85; City of SSC, fuel-\$22.97; CW Suter Services, exhaust fans-\$4,828.12; Dept of Correctional Serv, safe keeper-\$4,600.32; Eakes Office Solutions, supplies-\$2,204.25; ECOLAB, janitorial supplies-\$1,870.30; Foulk Brothers Plumbing & Heating, repairs-\$92.50; Gill Hauling Inc., dumpster-\$205.00; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$321.20; Marco, copier lease-\$621.89; MidAmerican Energy Co, utilities-\$831.41; NPPD, utilities-\$2,534.15; Sioux City Journal, subscription-\$158.39; Siouxland Federal Credit Union, vehicle alignment-\$200.43; Summit Food Service, food & beverage-Jail-\$16,666.08; United Tactical Systems, Law Enforcement equipment-\$1,019.00; US Bank, training, fuel, medical, supp-\$418.80; Wigman Company, supplies-\$2,585.82; Wilmes Hardware, supplies-\$16.94; City of SSC, fuel-\$35.60; US Bank, Sparklight-\$160.27; US Bank, cell phone case-\$31.91; Verizon, phones-\$180.79; AT&T Mobility, phones-\$92.60; Availability/Realmed, medical billing-\$125.00; Marco, copier lease-\$1,484.98; McKesson Moore Medical LLC, immunization supplies-\$254.01; Stericycle, hazardous waste disposal-\$581.60; US Bank, COVID-language line, supp, website-\$924.40; Dr Thomas Wente, consulting physician fee-\$250.00; CVSOAN, membership-\$110.00; Bill Johnston, mileage-\$411.70; One Office Solutions, printer contract-\$38.15; US Bank, law library-\$320.00; DAS State Acct, payroll/acct payable-\$41.60; F & M Bank, accts payable service fees 4 months-\$42.44; Fibercomm, phone-\$636.70; Group Resources, Flex plan fees-\$90.00; MercyOne Siouxland, Monthly EAP-\$229.50; Meyer Brothers Funeral Home, 2 county burials-\$3,600.00; MIPS, HR software-\$630.40; Norm Waitt Sr YMCA, membership-\$102.50; One Office Solutions, copy paper-\$1,620.00; Wuadient Leasing, postage machine lease-\$782.61; Siouxland Federal Credit Union, Law Enforcement equipment-\$254.81; Stanard Appraisal Services, appraisal services-\$1,339.00; US Postal Services, postage-\$2,000.00; B&B Rogers Excavating, High Bridge-\$107,098.64; BOKF, 2019 Flood Bond-Roads-\$18,022.50; Mainelli Wagner & Assoc, N Bluff Bridge & High Bridge-\$14,775.92; Road Improvement Fund 0802, Transfer funds-\$563,799.19; **Road Fund:** Bomgaars, shop supplies-\$233.29; Bosselman Pump & Pantry, fuel-\$2,470.28; City of SSC, salt-\$1,695.40; Kevin Chambers, clothing-\$100.00; DC Petty Cash, parts-\$82.37; Emerson Heritage Gas, fuel-\$23.45; Fastenal, shop supplies-\$112.15; Fremont Tire, tires-\$449.90; Gill Hauling Inc., dumpster-

\$70.50; H2O4U, water-\$44.50; Walter Heinemann, prior years service-\$25.00; Hydraulic Sales & Svc, parts-\$394.24; Industrial Tools & Machine, shop supplies-\$19.07; Bob Jacobsen, prior years service-\$17.00; JEO, bridge inspections-\$5,600.00; J & J's Pronto, fuel-\$181.75; K & K Hubbard Mini Mart, fuel-\$351.82; LG Everist Inc, gravel-\$35,833.26; Lux Bros Trucking, culverts-\$458.40; Mark Albenesius Inc, asphalt-\$256.41; Marx Distribution, chemicals-\$2,530.00; Matheson, oxy/acetylene-\$126.10; Medical Enterprises, drug testing-\$45.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supplies-\$182.39; MHC Kenworth, parts-\$317.38; Midwest Svc & Sales, traffic signs-\$1,110.35; Midwest Wheel, supplies-\$119.40; Marlan Millard, prior years service-\$15.00; Motor Parts Central, parts-\$32.01; NPPD, electric-\$46.74; NNTC, telephones-\$180.76; Northeast Power, electricity-\$433.03; O'Reilly Auto Parts, parts, supp-\$7.00; Pender Times, publications-\$37.14; Pumps Tire Service, parts-\$580.00; Power Plan/Murphy, parts & supplies-\$1,476.81; Sam's Club, renewal-\$45.00; Sapp Bros Petroleum, fuel-\$2,377.46; T & W Tire, tires-\$96.00; Tri-County Aggregates, gravel-\$1,083.18; US Bank, shop supplies-\$84.44; Verizon, cell phone-\$96.29; Village of Emerson, utilities-\$41.76; Warren Oil, fuel-\$5,139.00; Wilmes Hardware, supplies-\$73.07; Ziegler's, parts & supplies-\$212.50; **Road Improvement:** Barkley Asphalt Inc, Wigle Creek paving & Ponderosa Lane-\$106,505.00; Certified Testing Services, Compaction Testing Old Sawmill Rd-\$3,218.00; JEO, K Burcham Bridge-\$937.50; Lux Bros Trucking, T Ave Shoo-Fly-\$11,500.00; Midwest Service & sales, Culvert-\$13,971.00; Steve Harris Construction, Old Swmill Paving-\$414,406.21; Veenstra & Kimm, Old Sawmill Rd design/construction-\$13,261.48; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$18,009.10; **P & M Fund:** MIPS, monthly software-\$411.84; MIS, computer lease-\$245.00; **Health Dept Grant:** US Bank, sparklight-\$235.05; **Minority Health Grant:** Verizon, cell phone-\$126.36; **Juvenile Grant:** Community Monitoring Services, family support-\$513.45; Language Line Services, interpretation services-\$100.93; **Public Safety Fund:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$33,932.94;

Commissioner Gill moved, seconded by Commissioner Gomez, to approve the payroll claims for November 1 - 14, 2020. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- abstain. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$163,830.87; Net Pay-\$115,224.95; Total Retirement-\$11,317.57; Total FICA-\$12,197.35; Health Plan-\$36,654.00; Dental Plan-\$1,253.75; Life Insurance-\$211.28; Larry Albenesius-\$1,081.50; Janet Gill-\$1,081.50; Antonio Gomez-\$1,081.50; Martin Hohenstein-\$1,125.94; Kevin Rohde-\$881.50; Cherie Conley-\$1,553.31; Leticia Vargas-\$1,643.74; Joan Spencer-\$2,191.68; Kathy Abbe-\$1,186.40; Maria Garcia-\$1,000.00; Stephanie Gatzemeyer-\$1,540.13; Robert Giese-\$2,191.68; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$1,048.00; Debera Benton-\$1,160.00; Christy Abts-\$6,033.60; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Phyllis Obermeyer-\$626.20; Katherine Wiltgen-\$1,508.97; Louvontree Hunter-\$2,690.97; Debra Jensen-\$1,733.98; Karen Jimenez-\$1,208.00; Kevin Hansen-\$2,043.02; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$2,026.05; Sergio Castillo-\$2,885.31; Timothy Decker-\$477.44; Brian Ellinger-\$2,858.30; Brian Fernau-\$2,184.56; Tyler Fulkerth-\$2,377.48; Brent Gilster-\$2,596.74; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,568.83; Melvin Harrison III-\$2,630.42; Jason James-\$2,329.25; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$673.81; Jared Junge-\$2,847.45; Christopher Kleinberg-\$2,390.83; Kevin Rohde-\$2,294.93; Mardi Schnee-\$1,088.80; Ryne Sell-\$185.67; Penny Wendte-\$2,597.26; Katie Lehmann-\$1,265.40; Sheyanne Lozano-\$1,170.40; Edward Matney-\$1,923.08; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,422.08; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,938.52; Angelica Antonio-\$1,953.82; Shaelee Barreras-\$131.96; Zachery Bickett-\$1,953.82; Rebecca Broer-\$1,687.20; Kacie Brown-\$2,256.61; Elisabet DeRoin-\$2,069.22; Jesse Doelle-\$1,572.93; Jon Enstrom-\$2,174.94; Robert Foster-\$1,329.05; Jonathan Gray-\$2,232.34; Kara Groetken-\$2,048.19; Todd Hammer-\$2,833.56; Alexa Hansen-\$1,437.88; Adam Hough-\$1,733.76; Victor Huerta-\$191.04; Brenda Irwin-\$1,677.18; Hunter Jones-\$1,829.88; Brady Mathis-\$1,934.89; Skyler Miner-\$1,037.86; Mark Nelson-\$1,763.59; Gregory Nyhof-\$2,378.39; Kimberly Peterson-\$1,778.09; Jorge Reyes-\$1,033.88; Darius Richardson Barnes-\$1,712.63; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,299.56; Jennifer Svendsen-\$2,223.93; Taylor Tadlock-\$2,103.63; Danielle Thibodeau-\$2,123.41; 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; Erica Brodersen-\$1,121.00; Shay Gillaspie-\$971.50; Theresa Grove-\$1,948.80; Natasha Ritchison-\$2,040.00; Yesica Saldana Cisneros-\$1,395.63; Jacqueline Traum-\$1,291.13; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$13,704.99; State Tax-\$6,179.27; Soc Sec-\$9,885.44; Medicare-\$2,311.91; Extra Fit-\$839.00; Extra Sit-\$145.00; Retirement-\$7,687.90; Health Plan-\$1,850.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$405.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$2,130.00; Garnishments-\$791.07; Flex Plan Medical-\$1,022.74; Flex Plan Dependent Care-\$208.33; VSP Vision-\$481.78; Legal Shield-\$69.29; Liberty Nat'l-\$50.72; **Road Fund Employer:** Gross Salaries-\$18,087.51; Net Pay-\$12,646.47; Retirement-\$1,220.93; Total FICA-\$1,359.23; Health Plan-\$4,023.00; Dental Plan-\$132.75; Life Insurance-\$22.06; Brent Byroad-\$1,861.42; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,714.15; Robert Hacker-\$1,786.47; Fred Kellogg-\$2,067.81; David Kneifl-\$2,150.05; Kimon Litras-\$1,887.82; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,714.07; Matthew Roost-\$1,759.32; **Road Fund Employee:** Federal Tax-\$1,603.91; State Tax-\$711.52; FICA-\$1,101.60; Medicare-\$257.63; Extra Fit-\$150.00; Retirement-\$813.92; Health Plan-\$200.00; Dental Plan-\$63.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; VSP Vision-\$41.80; Legal Shield-\$41.88; Liberty National-\$6.50; **Health Planning Grant Employer:** Gross Salaries-\$1,213.22; Net Pay-\$936.35; Retirement-\$81.89; Total FICA-\$90.05; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,213.22; **Health Planning Grant Employee:** Federal Tax-\$49.94; State Tax-\$24.15; FICA-\$72.98; Medicare-\$17.07; Extra Sit-\$5.00; Retirement-\$54.59; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,079.75; Net Pay-\$2,441.35; Retirement-\$207.88; Total FICA-\$235.61; Life Insurance-\$3.32; Jana Adam-\$1,859.00; Yvette Aldana-\$1,220.75; **Minority Planning Grant Employee:** Federal Tax-\$158.46; State Tax-\$105.74; FICA-\$190.95; Medicare-\$44.66; Retirement-\$138.59;

Juvenile Services Aid Employer: Gross Salaries-\$1,207.80; Net Pay-\$670.84; Retirement-\$81.53; Total FICA-\$64.02; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,207.80; **Juvenile Services Aid Employee:** Federal Tax-\$32.48; State Tax-\$15.11; FICA-\$51.88; Medicare-\$12.14; Retirement-\$54.35; Health Plan-\$350.00; Dental Plan-\$21.00;

Chair Hohenstein opened the public hearing regarding the abandonment or vacation of 240th Street county road (minimum maintenance) running east and west between O Avenue and O'Dell Avenue in east ½ of Sections 8 & 17, T27N, R7E, Dakota County, Nebraska at 1:11 p.m. John Krause, Papio-Missouri River NRD, stated the project was awarded to Detlefsen Construction, Laurel, Nebraska. Land owner Doug Huggenberger expressed concerns via a previous phone call to several commissioners regarding continued access. The road will revert to adjoining landowners if closed. Chair Hohenstein closed the hearing at 1:14 p.m.

Fred Kellogg opened grader bids from: (1) Murphy Tractor (John Deere): (a) bid for 2021 672 GP 255hp John Deere for net bid of \$289,385; (b) bid for 2021 772 GP 275hp for net bid of \$309,650; (c) lease purchase same as net bid for both machines; delivery 2/16/2021. (2) Ziegler Cat bid a 2021 Cat 140 255hp for a net bid of \$280,964 and lease purchase price of \$352,364 for 84 months with a balloon payment of \$3,763.50; delivery 60 days. Discussion was had. Chair Hohenstein moved, seconded by Commissioner Rohde, to purchase the 2021 772GP 275HP John Deere grader from Murphy Tractor. ROLL CALL VOTE: Albenesius-yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Pat Engel, requested vacation of two roads in Millis Beach that appear on the platted survey but not as an actual physical road in use: (1) Wood Avenue between East 1st and West 1st Streets and (2) a portion of West 1st Street from Wood Avenue north to Erie Drive. Discussion was had.

Chair Hohenstein moved, seconded by Commissioner Gill, to approve Resoultion 20C-029 directing the Highway Superintendent to study the use being made of road platted as Wood Avenue between East 1st and West 1st Streets. ROLL CALL VOTE: Gill- yes, Hohenstein-yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 20C-029
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 roads to be relocated, vacated or abandoned, is as follows, to-wit:

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

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 16th day of November, 2020

Chair Hohenstein moved, seconded by Commissioner Gill, to approve Resolution 20C-030 directing the Highway Superintendent to study the use being made of road platted as West 1st Street—portion from Wood Ave north to Erie Drive. ROLL CAL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 20C-030
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 roads to be relocated, vacated or abandoned, is as follows, to-wit:

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.

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.

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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 16th day of November, 2020

Fred Kellogg, Highway Superintendent, presented the Road Report for November 1-14, 2020. Total road maintenance- 182 hours; tree/debris removal- 11 hours; garbage pickup- 5 hours; snow removal- 107 hours; gravel hauling- 40 hours; tons of gravel hauled- 591.05; sign repair/barricading- 37 hours. Gravel concerns: 200th Street.

Fred Kellogg, Highway Superintendent, requested approval of bid from Norfolk Contracting, Inc. to replace and install new abutment and wings on bridge C002230910P Jackson NW for the price of \$86,696.00. The new abutment will be designed to accommodate a new wider bridge for possible future construction. Chair Hohenstein moved, seconded by Commissioner Gomez, to approve the bid from Norfolk Contracting, Inc., in the amount of \$86,696, for replacement and installation of new abutment and wings on bridge at Hwy 12 & Oakdale Road (#C002230910P Jackson NW). ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the current vacancy for the Office of Clerk of District Court (Phyllis Obermeyer passed away) and vacancy to occur in the Office of County Treasurer (Bob Giese elected as Commissioner and cannot hold two offices). Kathy Wiltgen, Deputy Clerk of District Court, stated she was hired in 2011 in the Office of Clerk of District Court and has had the job of Deputy Clerk for the past 2 years. Commissioners Rohde and Gill thought the Board should advertise and accept applications for both positions. The Clerk of District Court is required per statute to be filled by December 24th. The ad should run for 2 weeks with an application deadline for December 4th and appointment for the Clerk of District Court to be on the December 14th board agenda. Interview the week of December 7th. The Office of County Treasurer will become vacant when Mr. Giese is sworn in as Commissioner on January 7, 2021. Commissioner Gill moved, seconded by Commissioner Rohde to advertise for applications for 2 weeks for both offices, Clerk of District Court and Treasurer, and plan to appoint the Clerk of District Court at the December 14th board meeting. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- abstain. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Chair Hohenstein, to approve Resolution 20C-031 for chair to sign the Certification of Highway Superintendent for determining incentive payment for calendar year 2020. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

SIGNING OF THE YEAR-END CERTIFICATION
OF COUNTY HIGHWAY SUPERINTENDENT FORM - 2020
RESOLUTION 20C-031

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 to the NDOT using the Year-End Certification of County Highway Superintendent, and;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number 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.

Adopted this 16th day of November, 2020, at Dakota City, Nebraska.

