

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 4<sup>th</sup> 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 4<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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

Federal Income

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: \$.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.

April Bookings:

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