

Dakota County Board of Commissioners
Monday, May 2, 2022 - 3:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

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

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

1. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.
2. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
 - a. Approval of the previous meeting minutes – April 18, 2022
 - b. Approval of payroll claims for April 17-30, 2022
 - c. Approval of Quarterly Official Reports (Jan-Feb-Mar, 2022) for Sheriff and Jail
3. NEW BUSINESS & RESOLUTIONS
 - a. Doug Tondreau, South Sioux City, to address the Board regarding a possible solution to route city water to his rural residence.
 - b. Review quotes and award courthouse camera replacement project or appoint committee to review the quotes.
 - c. Jimmy Powell, COO, Summit Carbon Solutions, to present the economic analysis for Dakota County and review federal regulations regarding the CO₂ pipeline.
 - d. Approve or not approve a Letter of Support or Commitment for the South Sioux City federal grant application to pave Old Hwy 20 which will include the county portion from Lake Avenue to Hwy 20.
 - e. Approve Resolution 22C-009 to declare personal surplus property as obsolete and dispose of per §23-3107.
 - f. Appoint a part-time seasonal weed superintendent.
 - g. Approve a Special Designated Liquor License for Wat Buddharam of Siouxland, Inc., for a Fundraising Event on June 11, 2022, from 12 Noon to 10:00 p.m. at the location of 500 142nd Street, South Sioux City, Nebraska.
4. OLD BUSINESS & MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Sheriff Kleinberg – monthly Jail Report
 - c. Approve Chair to sign the Weed Superintendent Reports and Requirements Summary.
 - d. Approve or not approve the Building & Grounds superintendent to purchase a pickup with snowplow with cost over \$10,000.
 - e. Closed Session for the purpose of reviewing proposed changes to the Sheriff and Jail FOP 49 union contracts.
 - f. Approve project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
 - Approve letter to ARPA applicants regarding use of funds
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
 - a. City of South Sioux City Property Tax Administrator Redevelopment Plan Report
7. ADJOURNMENT

Chair Giese called for Public Comment on any item not on the agenda. Trudy Jepsen, Hubbard and Vince Kramper, Dakota City, expressed their support to the board for paving M Avenue. Ms. Jepsen stated the road is dangerous, she wants to keep the campers in Dakota County, and it would be good for Hubbard as they would stay and shop. Mr. Kramper shared a map of the area with information on the project. He also commented on how hard it is to pull a camper and boat over the rough road. Mr. Kramper stated rural water project to Kramper Lake should be completed this fall. They encouraged the board to not give up and reach out to partner with Games & Parks, Nebraska Department of Transportation and Papio-Missouri River NRD.

Dawn Bousquet, Treasurer, stated she agreed with the Kramper's regarding paving M Avenue. She also spoke regarding a safety issue with an upset customer who threw an object at them (under the window) and requested deputies on site, or the panic buttons be fixed.

John Kuehn, Sand Creek Strategy Group/Nebraska representative (Navigator pipeline project), introduced himself and let the board members know he is available and happy to answer questions they may have. He stated they have partnered with Siouxland Ethanol Plant in Jackson and shared statistics on the economic impact study for Dakota County-\$752,971 in annual property taxes. Commissioner Albenesius asked what is a "good paying job." Mr. Kuehn said he would send him data—signed agreements with union construction contractors.

Chair Giese called for approval of the consent agenda—(a) approval of the April 18, 2022, minutes; (b) approval of payroll claims for hours worked April 17-30, 2022; (c) approval of Quarterly Officials Reports (Jan-Mar 2022) for Sheriff Office and Jail. Commissioner Love moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Payroll – General Fund Employer: Gross Salaries-\$160,872.90; Net Pay-\$115,116.02; Total Retirement-\$11,202.89; Total FICA-\$11,957.49; Health Plan-\$40,000.00; Dental Plan-\$1,200.00; Life Insurance-\$205.42; Larry Albenesius-\$1,152.39; Robert Giese-\$1,198.54; Janet Gill-\$1,152.39; Troy Launsby-\$952.39; Scott Love-\$1,152.39; Cherie Conley-\$1,817.63; Robin Hansen-\$1,286.00; Joan Spencer-\$2,367.92; Kathy Abbe-\$1,379.02; Dawn Bousquet-\$2,367.92; Maria Garcia-\$1,173.91; Stephanie Gatzemeyer-\$1,649.29; Jalissa Hattig-\$1,323.21; Brenda Landaverde-\$1,251.44; Samantha Mitchell-\$1,278.22; Debera Benton-\$1,320.00; Christy Abts-\$2,367.92; Melissa Collins-\$1,577.60; Joseph O'Neil-\$576.92; Karen Jimenez-\$1,549.98; Katherine Wiltgen-\$2,367.92; Louvontree Hunter-\$2,907.37; Debra Jensen-\$1,758.18; Casandra Pedroza-\$1,240.00; Kevin Hansen-\$2,205.00; Tammy Dunn Peterson-\$1,255.21; Shaun Bird-\$2,756.28; Sergio Castillo-\$2,837.01; Timothy Decker-\$2,507.65; Brian Ellinger-\$2,911.66; Penny Epting-\$2,927.40; Brian Fernau-\$2,180.80; Tyler Fulkerth-\$2,848.67; Brent Gilster-\$2,328.82; Martin Guerrero-\$2,180.80; Melvin Harrison III-\$2,991.68; Jason James-\$2,824.90; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$688.49; Jared Junge-\$2,382.94; Christopher Kleinberg-\$2,583.09; Gregory Nyhof-\$2,292.78; Mardi Schnee-\$1,121.60; Ryne Sell-\$0.00; Sarah Hammond-\$2,178.85; Shantel Krull-\$988.80; Debra Schmiedt-\$3,476.65; Kimberly Watson-\$3,697.27; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,805.04; Angelica Antonio Flores-\$1,573.23; Shaelee Barreras-\$117.26; Rebecca Broer-\$1,834.30; Kacie Brown-\$1,739.88; Ricardo Chavez-\$1,572.48; Lacey Clark-\$1,593.48; Leonardo Davalos-\$442.80; Alexander DeLeon-\$1,602.44; Elisabet DeRoin-\$1,815.30; Jesse Doelle-\$1,664.00; Lynn Fleming-\$45.50; Jonathan Gray-\$1,799.48; Carrie Griffen-\$1,296.75; Sara Gritten-\$1,572.48; Kara Groetken-\$1,817.68; Todd Hammer-\$2,196.32; Adam Hough-\$1,742.04; Brenda Irwin-\$1,794.53; Brandon Long-\$1,549.80; Jose Magana-\$1,593.48; Jacob McCollum-\$1,572.48; Skyler Miner-\$1,817.04; Keaton Mueller-\$1,549.80; Mark Nelson-\$1,907.00; Zoey Olson-\$1,549.80; Kimberly Peterson-\$1,757.73; Michele Rohde-\$1,456.00; Jonathan Romo-Rodriguez-\$1,599.85; Rebecca Schoep-\$1,607.19; Jennifer Svendsen-\$2,973.78; Estrella Vazquez-\$1,555.90; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,964.26; Jana Adam-\$1,631.52; Yvette Aldana-\$1,511.78; Theresa Grove-\$2,269.23; Courtney Swick-\$1,589.50; Jacqueline Traum-\$1,330.25; Ruth Gillaspie-\$560.00; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$12,067.59; State Tax-\$5,845.82; Soc Sec-\$9,691.04; Medicare-\$2,266.45; Extra Fit-\$1,076.00; Extra Sit-\$140.00; Retirement-\$7,613.92; Health Plan-\$2,350.00; Dental Plan-\$441.00; Colonial Health-\$219.59; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$705.00; Garnishments-\$1,198.23; Flex Plan Medical-\$948.41; VSP Vision Prem-\$428.40; Legal Shield-\$112.11; Liberty Nat'l Pretax-\$111.63; VSP Vision Base-\$67.69; **Road Fund Employer:** Gross Salaries-\$17,398.49; Net Pay-\$12,414.09; Retirement-\$1,174.41; Total FICA-\$1,279.18; Health Plan-\$5,000.00; Dental Plan-\$150.00; Life Insurance-\$24.61; Brent Byroad-\$1,923.20; Ryan Chambers-\$1,674.12; Paul Jerome Conley-\$1,521.60; 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-\$1,661.66; Wilbur Peters II-\$808.31; Jared Vedral-\$1,601.60; **Road Fund Employee:** Federal Tax-\$1,198.61; State Tax-\$568.83; FICA-\$1,036.73; Medicare-\$242.45; Retirement-\$782.91; Health Plan-\$550.00; Dental Plan-\$63.00; Colonial Health-\$38.23; Garnishments-\$208.62; Road Union Dues-\$200.00; VSP Vision Prem-\$15.66; Legal Shield-\$18.41; Liberty National PreTax-\$35.23; Liberty National-\$0.00; VSP Vision Base-\$25.72; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,592.39; Net Pay-\$1,143.43; Retirement-\$107.49; Total FICA-\$111.37; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,592.39; **Health Planning Grant Employee 2502:** Federal Tax-\$71.87; State Tax-\$35.45; FICA-\$90.26; Medicare-\$21.11; Extra Sit-\$5.00; Retirement-\$71.66; Dental Plan-\$21.00; Flex Plan Medical-\$100.00; VSP Vision Prem-\$15.66; Legal Shield-\$16.95; **Health Planning Grant Employer 2504:** Gross Salaries-\$1,557.67; Net Pay-\$1,211.49; Retirement-\$105.14; Total FICA-\$117.18; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Mohamad Ibrahim-\$0.00; Yesica Saldana Cisneros-\$1,557.67; **Health Planning Grant Employee 2504:** Federal Tax-\$87.88; State Tax-\$45.14; FICA-\$97.97; Medicare-\$22.21; Retirement-\$70.10; Dental Plan-\$21.00; VSP Vision-\$4.88; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,252.80; Net Pay-\$709.17; Retirement-\$84.56; Total FICA-\$67.46; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,252.80; **Juvenile Services Aid Employee 2507:** Federal Tax-\$32.54; State Tax-\$16.25; FICA-\$54.67; Medicare-\$12.79; Retirement-\$56.38; Health Plan-\$350.00; Dental Plan-\$21.00.

Doug Tondreau, South Sioux City, was unable to attend and he will be rescheduled to a future agenda.

Chair Giese read the following quotes that were received for a courthouse camera replacement project: (1) Thompson - \$27,321.14; (2) Aaron Voss- \$25,860.00; (3) Quality Telecommunications- \$23,999.00. Commissioner Love volunteered to review the quotes for the project and make a recommendation to award at the May 16th board meeting.

Erik Schovanec, Director of CO₂ Pipeline, Summit Carbon Solutions stated they have been working on permitting, surveys with landowners, voluntary access to properties, right-of-way acquisition and easements and addressing concerns with landowner routes. Mr. Schovanec clarified that there is a pathway for eminent domain and Summit Carbon Solutions meets that criteria; however, they continue to seek voluntary easements and the eminent domain option is not productive and they continue to make route changes. As the project progresses and matures to a frozen route it could be a possibility. Also, they hope to bring \$1.2 million economic impact to the County. He stated they are regulated by PHMSA/Office of Pipeline Safety which have very strict design standards which they are meeting and exceeding. They are happy to engage with the new ordinances proposed. Commissioner Gill clarified that there are two different companies (Navigator and Summit). Regardless of the local regulations, they will follow the federal regulations. Handouts have a lot of information and the economic contribution. Mr. Schovanec stated there is a federal incentive for the project, but the primary driving force is supporting agriculture in Nebraska—helping Ethanol Plants compete in a low-carbon world which would increase the demand for corn. Summit has 32 plants signed up and they continue to grow. There will be another round of Open Houses the week of May 16th—invitations will be sent to landowners and officials.

Lance Hedquist, South Sioux City Administrator, addressed the board regarding support of and a \$1 million dollar commitment for a joint City/County federal grant application requesting funding for 3 lanes of paving (including turning lane) on Old Highway 20 from Daniels Lane to U.S. Highway 20. The project is estimated to cost \$10 million and would require a 20% match—10% each from city and county but no more than \$1 million. Commissioner Love stated there are a lot of kids walking along the road from the mobile home court. The City will submit the grant this month; 6 months before they will know if approved; the project would be 2.5 years out. The \$1 million would be needed in 2024 for project design. The county will look at Hwy 20 asphalt bid next meeting and respond whether to approve or not approve the project. The City will revise the application for paving inside the City limits if county does not participate. Commissioner Love stated concrete lasts much longer than asphalt and the project seems like a “no brainer.”

Commissioner Gill moved, seconded by Commissioner Launsby, to approve Resolution 22C-009 to declare personal surplus property as obsolete and to dispose of per §23-3107. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the appointment of a part-time seasonal weed superintendent. No applications were received by the April 29th deadline. Commissioner Launsby moved, seconded by Commissioner Albenesius, to extend the deadline for the part-time seasonal weed superintendent job opening until May 16th—the next board meeting. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Gill, to approve a special designated liquor license for Wat Buddharam of Siouxland, Inc., for a fundraising event on June 11, 2022, from 12 Noon to 10:00 p.m. at the location of 500 142nd Street, South Sioux City, Nebraska. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love- yes, Gill- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, read the Road Report for April 17-30, 2022. Total road maintenance- 334 hours; overtime- 4.25 hours; tree/debris removal- 11 hours; road projects: 20 hours ditch cleaning on 260th Street; 30 hours ditch cleaning on Omaha Avenue; 24 hours to open O Avenue, 11.5 hours ditch cleaning on I Avenue and 39 hours repairing of guardrail on Atokad Drive; garbage pickup- 16 hours; gravel hauling- 74 hours; total tons of gravel hauled- 1167.78; sign repair/barricading- 22 hours. Grading concerns: 207th Street, Lynch Avenue, T Avenue, Oakdale Road. Commissioner Love said Atokad Drive is taking a beating because drivers are not following the detour per Hwy 20/1129 repair. Repair of railroad crossing at 190th Street was discussed. Right-of-Way from the railroad for an access road by Jackson was discussed—the railroad has refused. Commissioner Albenesius thought the Elgin Avenue overlay bid should be for 8” thickness—it was thought the bid could be adjusted.

Discussion was had regarding the purchase of a pickup truck for the Building & Grounds supervisor with snowplow to clean courthouse parking lots. Commissioner Love suggested using the county side-by-side vehicle that is used for weed spraying in the spring and summer for snow removal in the winter. A 5 to 6 foot plow attachment and cab with heater could be purchased.

The evaluation for Dakota County 2021 weed control authority was reviewed by the Board. Commissioner Love moved, seconded by Commissioner Launsby, to approve Chair to sign the Weed Superintendent Reports and Requirements Summary. ROLL CALL VOTE: Giese- yes, Love- yes, Gill- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding ARPA projects. Commissioner Gill asked what criteria or scoring was used to evaluate initial applications received for projects such as day care and broadband—the original objectives. Chair Giese stated none as the final rule changed allowing all money to be spent on general government services. Chair Giese read the following letter:

Thank you for your ARPA Funding Request Application to the Dakota County Board of Commissioners. Many excellent projects were proposed, and requests totaled in excess of \$13 million dollars.

The Final Rule for eligible usage changed for counties receiving less than \$10 million dollars. The County is now eligible to invest the full amount allocated toward general government services.

To date funds have been used for employee premium pay and several courthouse projects. The Board approved \$20,000 each to the rural fire departments of Homer, Dakota-Covington, and Emerson-Hubbard. Road projects in the county will use the majority of the remaining funds.

The Board regrets that your project will not be funded. However, the Board is proposing to do road projects that will benefit many residents of Dakota County.

Commissioner Love moved, seconded by Commissioner Launsby, to approve sending the letter to initial applicants so they are aware to seek other sources of funding. ROLL CALL VOTE: Love- yes, Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee reports: Commissioner Love- Health and Merit Commission; Commissioner Gill- RC&D Recycling; Commissioner Albenesius- Planning & Zoning; Launsby- Northstar Region IV. Mail: each board member received a copy of the City of South Sioux City Property Tax Administrator Redevelopment Plan Report. It was noted that a copy of the Missouri River Northeast Community Wildfire Protection Plan Update is available for review and input. No emergency business.

Commissioner Love moved, seconded by Commissioner Launsby, to convene in closed session for the purpose of reviewing the proposed changes to the Sheriff and Jail FOP 49 union contracts. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED at 4:56 p.m. Chair Giese restated the purpose of the closed session—reviewing proposed changes to FOP 49 union contracts.

Commissioner Love moved, seconded by Chair Giese, to reconvene in open session. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED at 5:09 p.m.

Chair Giese adjourned the Board of Commissioners meeting of May 2, 2022, at 5:09 p.m.

Dakota County Board of Commissioners

Robert J. Giese, Chair

Joan Spencer, County Clerk/Secretary