

Dakota County Board of Commissioners
Monday, May 16, 2022 - 3:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

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

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

1. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.
2. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
 - a. Approval of the previous meeting minutes – May 2, 2022
 - b. Approval of payroll claims for May 1 - 14, 2022
 - c. Approval of accounts payable claims
 - d. Approval of April, 2022, Officials Reports- Register of Deeds, County Clerk and Clerk of District Court
 - e. Approval of Veterans Service Officer Quarterly Report for January to March, 2022
3. NEW BUSINESS
 - a. 3:00 p.m. Open Bids to provide and install new PBX Telephone System for the Dakota County Courthouse. The Board reserves the right to award a bid or reject any or all bids.
 - b. 3:05 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations relating to a request from Robert Malcom for a zoning change from AG to Business at 645A and 645B Hwy 35 for the purpose of adding an additional 0.417 acres to an outdoor storage facility.
 - c. Board to approve the zoning change from Ag to Business for Robert Malcom at 645A and 645B Hwy 35 for the purpose of adding an additional 0.417 acres to an outdoor storage facility. Zoning change comes with a recommendation of approval from Planning & Zoning.
 - d. 3:06 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations relating to adding commercial pipeline regulations to the zoning ordinances under conditional uses and amending 600.1.6 permitted uses regarding pipelines.
 - e. Board to approve adding commercial pipeline regulations to the Zoning Ordinances under conditional uses and amending 600.1.6 permitted uses regarding pipelines. Regulation change comes with the approval of Planning & Zoning.
 - f. Doug Tondreau, South Sioux City, to address the Board regarding a possible solution to route city water to his rural residence.
 - g. Review and award bids for the following road projects: (1) Blyburg Road Paving, Homer; (2) Old Hwy 20 overlay, South Sioux City; (3) Elgin Avenue overlay, South Sioux City; (4) Lake Avenue north overlay, South Sioux City; (5) Lake Avenue south overlay, South Sioux City; (6) Gateway Drive east/west overlay, South Sioux City; (7) Atokad Drive joint repair, South Sioux City.
 - h. Approve Resolution 22C-010 for the purpose of pledged securities release from BankFirst.
 - i. Board discussion and approval of insurance claim settlement in the amount of \$350,000 pursuant to §84-713. Settlement Agreement retained for public disclosure upon request as required by law. NIRMA File No. AutoDakot033563; Claimant: Janice & Kenneth Paulsen February 26, 2021.
4. MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Sheriff Kleinberg – monthly Jail Report
 - c. Board to discuss and approve to award the courthouse camera replacement project.
 - ❖ Thompson - \$27,321.14
 - ❖ Aaron Voss - \$25,860.00
 - ❖ Quality Telecommunications- \$23,999.00
 - d. Board to discuss and approve or not approve a Letter of Commitment in support of 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. Board discussion and approval to do a traffic study for the purpose of lowering the speed limit on Old Hwy 20 from Martins Airfield west to Elgin Avenue.

- f. Approve Dakota-Dixon inter-local Agreement to share Veterans Service Officer for period of July 1, 2022 to June 30, 2023.
 - g. Board to discuss, approve or not approve the proposed changes to the Comprehensive Master Agreement between Sheriff Deputies Fraternal Order of Police Dakota County Lodge #49 and Dakota County for July 1, 2021, to June 30, 2025.
 - Approve Chair to sign the Agreement.
 - h. Board to discuss, approve or not approve the proposed changes to the Comprehensive Master Agreement between Correctional Officers Fraternal Order of Police Dakota County Lodge #49 and Dakota County for July 1, 2021, to June 30, 2024.
 - Approve Chair to sign the Agreement.
 - i. Approve Memorandum of Understanding regarding the use of Amplifund between the County and the Nebraska Crime Commission regarding the use of the on-line federal and state grant management system for the purpose of receiving Juvenile Diversion grant funding.
 - j. Appoint a part-time seasonal weed superintendent.
 - k. Approve project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
 - l. Approve Federal Marshals amended contract for the purpose of building an addition to the Jail.
 - m. Approve Shive-Hattery architects to move forward with the Jail addition construction documents.
5. COMMISSIONER COMMITTEE REPORTS
 6. MAIL AND/OR EMERGENCY BUSINESS
 7. ADJOURNMENT

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

Chair Giese called for approval of the consent agenda—(a) approval of the May 2, 2022, minutes; (b) approval of payroll claims for hours worked May 1 - 14, 2022; (c) approval of accounts payable claims; (d) approval of April, 2022, Officials Reports—Register of Deeds, County Clerk and Clerk of District Court; (e) approval of Veterans Service Officer Quarterly Report for January to March, 2022. 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-\$156,334.50; Net Pay-\$112,267.52; Total Retirement-\$10,876.39; Total FICA-\$11,610.28; 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-\$2,144.96; Robin Hansen-\$1,393.76; Joan Spencer-\$2,367.92; Kathy Abbe-\$1,335.20; Dawn Bousquet-\$2,367.92; Maria Garcia-\$1,087.83; Stephanie Gatzemeyer-\$1,626.41; Jalissa Hattig-\$1,341.81; Brenda Landaverde-\$1,251.44; Samantha Mitchell-\$1,243.40; Debera Benton-\$1,320.00; Christy Abts-\$2,367.92; Melissa Collins-\$1,577.60; Joseph O'Neil-\$576.92; Karen Jimenez-\$1,481.31; Katherine Wiltgen-\$2,367.92; Louvontree Hunter-\$2,907.37; Debra Jensen-\$1,614.40; Casandra Pedroza-\$1,240.00; Kevin Hansen-\$2,137.50; Tammy Dunn Peterson-\$1,302.28; Shaun Bird-\$2,216.65; Sergio Castillo-\$2,891.76; Timothy Decker-\$2,507.65; Brian Ellinger-\$2,364.80; Penny Epting-\$2,413.32; Brian Fernau-\$2,180.80; Tyler Fulkerth-\$2,378.44; Brent Gilster-\$2,259.92; Martin Guerrero-\$2,998.60; Melvin Harrison III-\$2,302.56; Jason James-\$2,204.80; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$601.39; Jared Junge-\$2,296.80; Christopher Kleinberg-\$2,583.09; Gregory Nyhof-\$1,825.32; Mardi Schnee-\$1,121.60; 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-\$1,845.41; Angelica Antonio Flores-\$1,638.88; Rebecca Broer-\$1,878.50; Kacie Brown-\$1,736.00; Ricardo Chavez-\$1,291.68; Lacey Clark-\$1,592.86; Leonardo Davalos-\$109.20; Alexander DeLeon-\$1,597.68; Elisabet DeRoin-\$1,804.16; Jesse Doelle-\$1,684.80; Jonathan Gray-\$1,799.48; Carrie Griffen-\$309.40; Sara Gritten-\$1,596.19; Kara Groetken-\$1,812.34; Todd Hammer-\$2,296.80; Adam Hough-\$1,732.50; Brenda Irwin-\$1,822.44; Brandon Long-\$1,558.90; Jose Magana-\$1,593.48; Jennifer Marquez\$299.81; Jacob McCollum-\$1,572.48; Skyler Miner-\$1,833.15; Keaton Mueller-\$1,577.10; Mark Nelson-\$1,907.00; Zoey Olson-\$1,549.80; Kimberly Peterson-\$1,747.83; Michele Rohde-\$1,424.15; Jonathan Romo-Rodriguez-\$1,549.90; Rebecca Schoep-\$1,618.68; Logan Schreier-\$1,537.80; Jennifer Svendsen-\$2,029.02; Estrella Vazquez-\$1,555.90; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,847.47; Jana Adam-\$1,251.97; Yvette Aldana-\$1,526.46; Theresa Grove-\$2,269.23; Courtney Swick-\$1,435.50; Jacqueline Traum-\$1,334.89; Ruth Gillaspie-\$448.00; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$11,116.49; State Tax-\$5,581.21; Soc Sec-\$9,409.63; Medicare-\$2,200.65; Extra Fit-\$1,201.00; Extra Sit-\$135.00; Retirement-\$7,386.23; 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-\$1,178.57; Flex Plan Medical-\$948.41; VSP Vision Prem-\$428.62; Legal Shield-\$112.14; Liberty Nat'l Pretax-\$111.65; VSP Vision Base-\$67.79; **Road Fund Employer:** Gross Salaries-\$18,168.87; Net Pay-\$12,965.65; Retirement-\$1,226.41; Total FICA-\$1,337.91; Health Plan-\$5,000.00; Dental Plan-\$150.00; Life Insurance-\$24.61; Brent Byroad-\$2,031.38; Ryan Chambers-\$1,613.61; Paul Jerome Conley\$1,521.60; Robert Hacker-\$1,637.60; 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; Wilbur Peters II\$1,609.11; Jared Vedral-\$1,571.57; **Road Fund Employee:** Federal Tax-\$1,286.56; State Tax-\$606.24; FICA-\$1,084.32; Medicare-\$253.59; Retirement-\$817.58; 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-\$18.44; Liberty National PreTax-\$35.24; Liberty National-\$0.00; VSP Vision Base-\$25.74; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,577.60; Net Pay-\$1,132.55; Retirement-\$106.49; Total FICA-\$110.23; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,577.60; **Health Planning Grant Employee**

2502: Federal Tax-\$70.46; State Tax-\$34.76; FICA-\$89.34; Medicare-\$20.89; Extra Sit-\$5.00; Retirement-\$70.99; Dental Plan-\$21.00; Flex Plan Medical-\$100.00; VSP Vision Prem-\$15.66; Legal Shield-\$16.95; **Health Planning Grant Employer 2504:** Gross Salaries-\$1,543.20; Net Pay-\$1,201.29; Retirement-\$104.17; Total FICA-\$116.07; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Yesica Saldana Cisneros-\$1,543.20; **Health Planning Grant Employee 2504:** Federal Tax-\$86.23; State Tax-\$44.28; FICA-\$94.07; Medicare-\$22.00; Retirement-\$69.44; Dental Plan-\$21.00; VSP Vision-\$4.89; **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;

Accounts Payable – General Fund: NACO, workshops-\$230.00; Pender Times, publications-\$276.91; Leaf, copier lease-\$17.49; DAS State Acct, state software-\$81.00; MIPS, monthly software-\$940.91; One Office Solutions, office supplies-\$225.80; US Bank, office supplies-\$469.89; Irene VanLent, prior years service-\$16.00; One Office Solutions, office supplies-\$3.99; Margie Rahn, prior years service-\$12.00; Aumentum Technologies, software-\$36,605.50; Bralda Inc, contractual services-\$765.75; EWDS Inc, contractual services-\$685.00; Innovative Appraisal Services Inc., contractual services-\$1,592.50; Leaf, copier lease-\$112.50; One Office Solutions, copies and office supplies-\$99.03; Madelyn Thorsland, prior years service-\$10.00; US Bank, postage-\$3.09; Election Systems & Software, ballots & media-\$3,337.31; gWorks, clerk tab on website 3 yr fee-\$4,500.00; Marx Leasing, trailer rental-\$255.00; Mundo Latino Newspaper, publications-\$833.00; One Office Solutions, election supplies-\$287.28; Pender Times, publications-\$1,198.80; Polling Places, rental-\$1,025.00; Election Night workers, mileage and pay-\$334.95; Election Poll Workers, mileage and pay-\$9,454.35; Leaf, copier lease-\$103.00; One Office Solutions, copies-\$20.90; RTI, monthly support & licenses-\$4,560.23; US Bank, domaine name & domaine fee-\$6.95; Leaf, copier lease-\$110.51; MIPS, scanning-\$133.00; One Office Solutions, copier lease-\$136.81; Blue 360 Media, law manuals-\$171.43; Dakota County Court, checks-\$50.00; DAS State Acct, supplies-\$25.44; Marco, copier lease-\$367.42; Microfilm Imaging, scanning-\$177.00; US Bank, training, office supplies-\$274.00; One Office Solutions, copier lease & supplies-\$48.85; Clerk of the NE Supreme Court, Appeals-\$302.00; Crary Huff Ringgenberg Hartnett, crt appt atty fees-\$902.50; Dakota County Court, court costs-\$2,110.80; Dakota County District Court, court costs-\$643.00; Dakota County District Court Jurors, jury trial-meals and mileage-\$2,339.19; Dakota County Sheriff, papers & warrants-\$1,021.18; Randy Hisey, crt appt atty fees-\$3,610.50; Kenneth Jacobs, crt appt atty fees-\$560.50; Douglas Roehrich, crt appt atty fees-\$2,137.50; Richard Thramer, crt appt atty fees-\$4,750.00; US Bank, jury meals-\$70.52; Robert Wichser, crt appt atty fees-\$7,222.49; Maximus, child support recovery fee-\$876.17; Ateam Heating & Cooling, repairs-\$107.00; City of Dakota City, utilities-\$210.25; Eakes Office Solutions, janitorial supplies-\$14.24; G&R Controls, service call-\$135.00; Gill Hauling Inc., dumpster-\$132.15; Kevin Hansen, mileage-\$42.71; JF Ahern Co, sprinkler inspections-\$308.00; Menards, ground supplies-\$311.04; MidAmerican Energy, utilities-\$897.70; NPPD, utilities-\$1,452.41; Robertson, tiller-\$551.82; Trembly, pest control-\$55.00; US Bank, membership & bldg supp & bathroom remodel-\$1,220.81; Verizon, cell phone-\$42.83; Veterans Memorial Fund, flags-\$78.50; Wilmes Hardware, building and ground supplies-\$1,380.90; Angela Abts, mileage-\$272.03; Carol Larvick, mileage-\$80.73; Leaf, copier lease-\$100.48; NACEB, dues-\$100.00; Nebraska Life Magazine, subscription-\$44.00; One Office Solutions, copier lease-\$206.44; Papio-Missouri NRD, monthly rent-\$600.00; Tammy Peterson, mileage-\$76.05; Staples Credit Card, office supplies-\$29.99; Univeristy of Nebraska, computer & equipment-\$2,573.68; US Bank, postage and software-\$116.01; Walmart, misc supp-\$2.31; AT & T Mobility, cell phones-\$600.60; Autozone, vehicle maintenance-\$124.86; Billion GMC, oil changes-\$1,430.50; Blue Shield Tactical Systems, training-\$500.00; Linda Carson, prior years service-\$11.00; City of SSC, fuel-\$6,763.28; Consolidated Management, training-\$76.44; Farmers Bank Trust, 2018 vehicles payments-\$4,007.42; Farmers Bank Trust, 2021 vehicles payments-\$8,663.84; Fremont Tire, repairs-\$2,284.27; Intoximeters, intox drygas-\$154.00; Jack's Uniforms, uniforms & equipment-\$185.25; Nebraska Public Health Environmental Lab, breath analysis-\$105.00; Shane's Towing, towing-\$75.00; Siouxland Federal Credit Union, fuel, lodging-\$603.71; Team Trouble Chaser Graphics, restrip vehicle-\$450.00; TransUnion Risk & Alternative, searches-\$126.00; US Bank, fuel, drug test kits-\$1,199.49; Wilmes Hardware, misc supp-\$55.27; AT & T Mobility, cell phones-\$79.57; Dakota County Star, publications-\$56.28; Sarah Hammond, mileage-\$277.29; Marco Technologies, printer contract-\$64.66; Nebraska.gov, certified copies-\$8.00; Sioux City Journal, publications-\$48.82; US Bank, association dues and notary fee-\$2,379.46; City of South Sioux City, LEC Share & set-aside equipment-\$56,230.54; Advanced Correctional Healthcare, doctor fees & Rx-\$9,029.83; Associated Fire Protection, inspections-\$530.00; AT&T Mobility, phones-\$93.54; Bob Barker, inmate supplies-\$4,298.50; Blue Shield Tactical Systems, training-\$500.00; Bunkers Feed & Supply, softner salt-\$124.32; City of Dakota City, water-\$2,481.68; City of SSC, fuel-\$236.47; Cummins Central Power LLC, generator inspection & service-\$2,823.57; Defense Technology, recertification-\$895.00; Eakes Office Solutions, janitorial supplies-\$2,170.49; Ecolab, jail supplies-\$1,411.71; Gill Hauling Inc., dumpster-\$283.39; Kara Groetken, uniforms-\$178.30; GRP, disposal-\$52.00; Jack's Uniforms, uniforms-\$452.95; Long Lines, phones-\$160.00; MidAmerican Energy Co, utilities-\$949.38; NPPD, utilities-\$2,400.49; Summit Food Service, food & beverage-Jail-\$16,535.37; Trembly, pest control-\$50.00; US Bank, jail supplies & repairs & misc-\$862.84; Wells Fargo Financial Leasing, copier lease-\$483.60; Wilmes Hardware, misc supp-\$15.49; City of SSC, fuel-\$43.72; US Bank, Sparklight & office chair-\$359.37; US Bank, office supplies & postage-\$93.36; Verizon, cell phone-\$42.83; Dakota County Star, publications-\$133.20; Availity/Realmed, medical billing-\$125.00; Jennifer Ankerstjerne, colorpalooza supplies-\$48.93; Theresa Grove, meals-\$16.30; NACCHO, membership-\$270.00; NALHD, annual dues-\$1,375.00; Marco Technologies, copier lease-\$649.08; Mr. Tunes, colorpalooza-\$250.00; US Bank, supplies, phones, colorpalooza-\$1,550.61; Verizon, cell phone-\$95.25; Dr Thomas Wentz, consulting physician fee-\$250.00; John Gunia, gravemarker installed x 2-\$600.00; Holiday Inn Kearney, lodging-\$293.85; Bill Johnston, mileage-\$439.57; One Office Solutions, copy fees-\$24.20; Quill, ink & toner-\$90.98; US

Bank, law library-\$339.49; DAS State Acct, payroll/acct payable-\$41.60; Fibercomm, phone-\$603.13; Darlakae McGhee Mahon, towing reimbursement-\$145.40; MercyOne Siouxland, Monthly EAP-\$229.50; MIPS, HR software-\$774.44; Mohr & Becker Hunt, county burial-\$1,800.00; NIRMA, insurance settlement-\$20,000.00; Norm Waitt Sr YMCA, monthly fees-\$205.00; One Office Solutions, copy paper-\$2,000.00; Quadiant, quarterly lease payment postage machine-\$782.61; US Postal Service, postage-\$3,000.00; US Bank, postage machine supplies-\$163.00; Waterbury Funeral Services, county burial-\$1,800.00; Woods & Aitken, union contract negotiations-\$7,330.14; BOKF NA, 2019 flood bond payment-\$107,236.25; Nebraska Dept of Transportation, bridge engineering-\$171,432.83; **Road Fund:** Agrivision, shop supplies-\$177.28; Black Hills Energy, utilities-\$500.00; Bomgaars, shop supplies-\$19.98; Bosselman Pump & Pantry, fuel-\$6,250.16; Central Valley Ag, scale for gravel-\$140.00; Emerson Heritage, fuel-\$172.74; Fastenal, shop supplies-\$23.04; Gill Construction, crushed concrete-\$64,208.00; Gill Hauling Inc., dumpster-\$95.81; H2O4U, water-\$49.00; J&J's Pronto, fuel-\$378.03; K&K Hubbard Mini Mart, fuel-\$235.60; Matheson, oxy/acetylene-\$122.45; Medical Enterprises, drug testing-\$140.00; Arnie Mellick, prior years service-\$13.00; Menards, shop supp-\$67.93; Midwest Svc & Sales, blades & traffic signs-\$11,813.15; NPPD, Homer service-\$48.40; NNTC, telephones-\$176.02; Northeast Power, electric-\$375.54; Pender Times, publications-\$208.11; Robertson Imp., chainsaw repair & oil-\$121.72; Sapp Bros, oil, grease, fuel-\$2,192.85; Siouxland Hydraulics, sign tool-\$125.00; Verizon Connect, GPS trackers-\$376.95; Verizon, cell phone-\$100.25; Village of Emerson, utilities-\$56.60; Warren Oil, fuel-\$13,745.95; Wilmes Hardware, supplies, tools, misc-\$144.97; Ziegler's, parts-\$15,125.74; **Road Improvement Fund:** Veenstra & Kimm, paving project-\$1,863.30; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$22,595.34; **P & M Fund:** MIPS, monthly software-\$591.44; Microfilm Imaging, monthly software-\$210.00; **Health Grant:** US Bank, sparklight & lodging-\$1,066.94; **Health Disparity:** US Bank, signs & supplies-\$653.81; **Health Dept Program Grants:** Theresa Grove, mileage & meals-\$236.78; Jacqueline Traum, mileage & meals-\$330.78; US Bank, airfare, radon kits, website, summit registration-\$4,014.21; **Juvenile Grant:** Community Based Services, youth coaching-\$392.63; Community Monitoring Services, family support-\$635.70; Owens Educational Services, electronic monitoring-\$420.00; **DCHD Covid Fund:** Ford Motor Credit Co, pick-up payment-\$912.16; Theresa Grove, meals-\$13.69; US Bank, office supplies-\$1,731.08; **ARPA Fund:** Frontier Precision, drone and training-\$10,429.00; **Public Safety Fund:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$33,033.90.

Chair Giese opened the following bids to provide and install new PBX Telephone System for the Dakota County Courthouse: (1) Priority Communications, Battle Creek- \$47,938 and (2) TriView Communications, Sergeant Bluff-\$41,400. The bids will be reviewed and awarded at the May 31 board meeting.

Chair Giese opened the public hearing at 3:07 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations relating to a request from Robert Malcom for a zoning change from Ag to Business at 645A and 645B Hwy 35 for the purpose of adding an additional 0.417 acres to an outdoor storage facility. No comments. Chair Giese closed the public hearing at 3:07 p.m.

Commissioner Love moved, seconded by Commissioner Albenesius, to approve the zoning change for Robert Malcom from Ag to Business at 645A and 645B Hwy 35 for the purpose of adding an additional 0.417 acres to his outdoor storage facility. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Giese opened the public hearing at 3:09 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations relating to adding commercial pipeline regulations to the zoning ordinances under conditional uses and amending 600.1.6 permitted uses regarding pipelines. Chair Giese asked for each person speaking to limit their time to 3 minutes. Chair Giese called for those speaking in support, opposition or wishing to make comment.

- (1) Jill Becker, Lincoln, Black Hills Energy, regulated as a natural gas utility by the Nebraska Public Service Commission (rates, terms, conditions of service), Nebraska Fire Marshal and Nebraska Department of Environment and Energy per Nebraska statutes. We believe the proposed regulations would be in conflict with state and federal statutes and regulations. She highlighted her concerns with the definition of *Pipeline* as confusing; *Construction*—timing of documentation requirements; *Hearing* – given due process; *One Pipeline* limit could cause non-compliance; *Depth* currently is approximately 3-4 feet which allows them access for maintenance and 6 – 8 feet is a safety concern per rapid access; *Location* set back is in conflict with the State Natural Gas Regulation Act and preclude good customer service; providing *pipeline map* is a safety concern when map is not kept current and updated and possibly also a map in a public domain could be used in a bad way. Ms. Becker encouraged the board to not advance the regulations and stated her opposition to them.
- (2) Ron Kaminski, Omaha, Contractors Labors Training Fund who train workers across Nebraska, South Dakota and western Iowa in a wide variety of curriculum from OSHA 30 to pipeline safety. We have constructed tons of pipelines in the state of Nebraska and we are opposed to more regulation due to the fact that we build these very safely, provide training and see this as an attempt to derail more projects. Opposed to more regulations that would dampen or kill these projects.
- (3) Nick Bowdish, President/CEO of Siouxland Ethanol, Jackson. Siouxland Ethanol has 680 local owners and processes corn from 175,000 local acres. They are in a business venture with Navigator who is proposing a pipeline in Dakota County. In working with them this past year he has found them to be good business people and they have flagged 3 things in the regulations for concern: (1) fixed distance of 1320 feet; (2) burial depth—federal standards require 36 inches; (3) abandonment. Mr. Bowdish asked the commissioners to refer the regulations back to Planning & Zoning and let Siouxland Ethanol and private experts interact with them. A

successful, safe CO₂ pipeline will greatly benefit the local shareholders and area farmers and captured CO₂ will become a revenue source for his company.

- (4) Sam Wagner, Sioux City, Mid-American Energy, stated he has not had a lot of time to review the regulations but agrees with Black Hills Energy and willing to work with Planning & Zoning.
- (5) Sheila Curiel, Dakota City resident, stated the pipeline will go through her property on Hwy 77 and is in favor of the ¼ mile distancing from a residence and concerned about leakage into the water—she is in favor of the depth—the further down the better. She also thought her crops would not be the same and her property would lose value.
- (6) Sam Renshaw, Omaha, business manager of Laborers Local unions who also opposes the depths and distances; but came to state that these projects will create jobs paying \$24 to \$25 per hour and provide insurance and a pension.
- (7) Kelly Getz, Ames, Summit Carbon, asked that the regulations be “kicked back” to Planning & Zoning and also opposed to the depth, setbacks and abandonment/end of life issues in the regulations. She requested that they be able to bring in the technical experts to work with and assist P&Z on the design.
- (8) Adam Goll, Attorney, Omaha, Northern Natural Gas, echoed the same concerns already stated. His reasoning for opposition to the amendment as written is that they are regulated by federal energy and regulatory commissions, and they have exclusive jurisdiction for transportation of natural gas and interstate commerce. Any regulation in conflict would be preempted by federal law and ask that they be exempt from any regulation in conflict or such regulation be modified to be concurrent. The biggest concern is safety, depth, location/setback.
- (9) Monica Howard, Navigator, Regulatory and Permitting Division, stated there are some technical problems—depth for Navigator is 5 feet whereas 8 feet would require a much wider site to unearth impacting construction. Setbacks and mitigation addressed in FENSA and different factors play into that such as size and pressure factors; indemnification – yes; abandonment removal is rare and conflicts with federal standards; happy to collaborate with P&Z and biggest concern is safety.
- (10) Ron Hartnett, Dakota City, quoted Wall Street Journal that carbon capture does not work; Nebraska has no regulations—just a hedge fund scam.

Chair Giese closed the public hearing at 3:43 p.m. Joe O’Neill stated P&Z welcomes any input and gave the date, time and place of the next meeting. It was the consensus of the commissioners to have more discussion by Planning & Zoning before the Board takes action.

Doug Tondreau, 152nd Street, South Sioux City, is speaking for neighboring landowners. They found out that surrounding residences have City water and they were told by South Sioux City that they could not bring them water because they were not residents of the City. He stated the water is very bad and a very expensive filtration system was looked into. Mr. Tondreau asked the county to run a water line down to their 3 residences. Maybe something could be done when the casino starts building. The city line is approximately 2000 feet away. Commissioner Albenesius thought Mr. Tondreau could get city water if he paid it for.

Bids were opened in committee prior to the Board of Commissioners meeting. Discussion was had. Ms. Gubbels stated most projects had a start date of September 1st. Bids were as follows:

- (1) Blyburg Road Paving, Homer: Barkley Asphalt- \$42,950.00; Knife River Midwest- \$36,501.96; Steve Harris Construction- \$39,701.60; TR Harris Construction- \$43,275.00.
- (2) Old Hwy 20 overlay, South Sioux City: Barkley Asphalt- \$412,000.00; Knife River Midwest- \$386,361.41
- (3) Elgin Avenue overlay, South Sioux City: Barkley Asphalt- \$115,307.80; Knife River Midwest- \$102,434.68
- (4) Lake Avenue north overlay, South Sioux City: Frank’s Asphalt- \$119,400.00; Barkley Asphalt- \$144,500.00; Knife River Midwest- \$114,575.51
- (5) Lake Avenue south overlay, South Sioux City: Barkley Asphalt- \$68,300.00; Knife River Midwest- \$52,638.32
- (6) Gateway Drive east/west overlay, South Sioux City: Frank’s Asphalt- \$110,150.00; Barkley Asphalt- \$126,400.00; Knife River Midwest- \$106,596.56
- (7) Atokad Drive joint repair, South Sioux City: Barkley Asphalt- \$22,000.00; Knife River Midwest- \$28,560.65

Chair Giese called for discussion on approving a Letter of Commitment to provide 10% funding (\$1 million) for the South Sioux City federal grant application for a 3-lane paving project on Old Hwy 20 from Lake Avenue to U.S. Hwy 20. Commissioner Love moved to approve providing South Sioux City a Letter of Commitment for the Old Hwy 20 reconstruction project. The motion died for lack of a second.

Chair Giese moved, seconded by Commissioner Love, to award the following bids: (1) Steve Harris Construction - Blyburg Road Paving - \$39,701.60; (2) Knife River Midwest – Old Hwy 20 overlay - \$286,361.41; Elgin Ave. overlay - \$102,434.68; Lake Ave. north overlay - \$114,575.51; Lake Ave. south overlay - \$52,638.31; (3) Barkley Asphalt – Atokad Drive joint repair - \$22,000.00; and look at patching and not doing the overly on Gateway Drive. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- no. MOTION CARRIED.

Chair Giese moved, seconded by Commissioner Love, to approve Resolution 20C-010 for the approval of pledged securities at BankFirst. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love- yes, Gill- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the insurance claim settlement for \$350,000 pursuant to §84-713 pursuant with injury to innocent 3rd party. Commissioner Love moved, seconded by Commissioner Launsby, to approve the insurance claim settlement in the amount of \$350,000 regarding law enforcement pursuit with injury to innocent 3rd party. ROLL CALL VOTE: Giese- yes, Love- yes, Gill- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, read the Road Report for May 1 - 14, 2022. Total road maintenance- 364 hours; overtime- 3.25 hours; tree/debris removal- 40.5 hours; road projects: Wagle Creek- 71 hours; garbage pickup- 2.5 hours; gravel hauling- 76 hours; total tons of gravel hauled- 1362.71; sign repair/barricading- 12.5 hours. Grading concerns: 155th Street, Gateway Drive.

Commissioner Love read the Jail Report for April, 2022.

April (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
82	23	0	105

2022 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
78	24	0.22	102

2021-2022 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
82	21	0.15	103

Federal Income

April Marshal	\$ 55,281.97	Fiscal Marshals:	\$517,658.59
April ICE:	400.00	Fiscal ICE:	2,880.00
April OMMS/SDMS:	.00	Fiscal BIA/OMMS:	65.00
April Federal:	\$55,681.97	Fiscal Federal:	\$520,603.59

2022 Calendar Federal: \$234,939.97

April County Contracts: \$55.00 2021-22 Fiscal County Contracts: \$220.00

February Phone/Commissary Commission: \$12,272.11

Cost Per Inmate Per Day 2021:

<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
69.78	81.52	66.26	66.74								

The jail spent \$205,684.57 for the month of April—69% of yearly budget or ,65% under fiscal year budget. In April 2021, the jail had spent 71% of yearly budget. The Jail spent \$33,878.82 less than was allotted for April 2022 budget or 14% under budget for the month.

April Bookings:

DCSO:	43	DAKOTA COUNTY:	45
S SCPD:	32	OTHER NE:	22
NSP:	13	SIOUX CITY:	23
COURT/SELF:	0	OTHER IA:	10
FED:	15	OTHER STATES:	7
OTHER:	6	HOMELESS:	0
TOTAL:	109	TOTAL:	109

Commissioner Love is still gathering information on the camera bids. Award of camera bids will be placed on the May 31st agenda.

The need and cost for a speed study on Old Hwy 20 was discussed. Commissioner Love moved, seconded by Chair Giese, to approve a traffic study on Old Hwy 20 from Martins Airfield west to Elgin Avenue for the purpose of lowering/setting the speed limit. ROLL CALL VOTE: Love- yes, Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the renewal of the Veterans Service inter-local agreement with Dixon County. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Launsby moved, seconded by Commissioner Albenesius, to approve the proposed changes to the Comprehensive Master Agreement between Sheriff Deputies Fraternal Order of Police Dakota County Lodge #49 and Dakota County for July 1, 2021 to June 30, 2025 (insurance negotiation and arbitration language). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the proposed changes to the Comprehensive Master Agreement between Correctional Officers Fraternal Order of Police Dakota County Lodge #49 and Dakota County for July 1, 2021 to June 30, 2024 (insurance negotiation, vacation policy and arbitration language). ROLL CALL VOTE: Launsby- yes, Giese- yes, Love- yes, Gill- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the Memorandum of Understanding regarding the use of Amplifund between the County and the Nebraska Crime Commission regarding the use of the on-line federal and

state grant management system for the purpose of receiving Juvenile Diversion grant funding. ROLL CALL VOTE: Giese- yes, Love- yes, Gill- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

No action was taken to appoint a part-time seasonal weed superintendent.

No action was taken to name specific projects with ARPA funding. Bids will be taken for a key fob entry system at the courthouse and paving M Avenue—Hubbard city limits to 203rd Street. Pricing will be gotten for painting the old firehall and courthouse hallways.

The amended contract from the Federal Marshals was not received, so no action was taken to approve the addition to the Jail or architects to move forward. Dawn Bousquet, Treasurer, presented federal marshal monies received from July, 2019, to May, 2022, is \$1,679,081. She stated if the jail project is not approved and the county loses this revenue source, the budget will have a cash flow problem.

There were no committee reports or emergency business. A letter from Gordon Hansen was discussed regarding his request for fencing cost reimbursement—he did not have the requested invoice/s. A letter from the Nebraska Tax Equalization and Review Commission Findings and Order for Dakota County real property values for tax year 2022 meets the required median assessment/sales ratio and the level of value for residential (93%), commercial (94%) and agricultural land (71%) were found within the applicable acceptable ranges established by law.

Chair Giese adjourned the Board of Commissioners meeting of May 16, 2022, at 5:07 p.m.

Dakota County Board of Commissioners

Robert J. Giese, Chair

Joan Spencer, County Clerk/Secretary