

Dakota County Board of Commissioners
Monday, March 20, 2023
3:00 p.m. Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Giese called the meeting to order at 3:00 p.m. The Pledge was recited at the prior meeting. Present at Roll Call: Giese, Love, Van Berkum, Hohenstein, Launsby. Absent: none. Also present was Kim Watson, County Attorney and Cherie Conley, 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*

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this

A current copy of the <i>Open Meetings Act</i> 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.

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 – March 6, 2023
 - b. Approval of payroll claims for March 5 - 18, 2023
 - c. Approval of accounts payable claims
 - d. Approval of Officials Reports- Register of Deeds, County Clerk and Clerk of District Court
3. NEW BUSINESS AND RESOLUTIONS
 - a. Approve Chair to sign the Health Insurance Plan Documents with MAB for plan year beginning March 1, 2023 through February 29, 2024.
 - b. Board to approve or not approve Resolution 23C-008 the vacation of public road described as: Starting at the East end of 230th Street West of N Avenue then going West approximately 1/2 mile between Section 9, Township 27N, Range 7 (parcel 220088594) and Section 4, Township 27N, Range 7 (parcel 220090599), Dakota County, Nebraska.
 - c. Board to approve or not approve changes to the ROW Permit on Appendix B #4.
 - d. Board to approve the NIRMA Haul Roads Use Agreement to be used by the Road Department.
 - e. Board to approve a Conditional Use Permit from NE RNG Interconnect LLC at the property located at Section 1, Township 27, North, Range 8 East, 6th P.M., Dakota County on 225th Street, Homer, NE., for the construction of interconnect for upgraded biogas facility. Dairy to RNG facility injection. This Conditional Use permit comes with a recommendation of approval from Planning & Zoning.
 - f. Board to review and approve bid for Golf Road Repair Site 1.
 - g. Board to review and approve bid for Golf Road Repair Site 2.
 - h. Board to review and approve bid for C Avenue
 - i. Approve a Special Designated Liquor License for Wat Buddharam of Siouxland, Inc., for a Fundraising Event on May 28, 2023, from 1:00 p.m. to 10:00 p.m. at the location of 500 142nd Street, South Sioux City, Nebraska.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Board to discuss the Zelle HR Agreement and then approve to continue, change terms, or terminate
 - b. Board to discuss the use of GPS trackers on road department equipment and approve to continue or terminate agreement with Verizon Connect
 - c. Board approval Chair to sign letter to Shive-Hattery/Construction Manager Inc. terminating the AIA Document B132-2009 Agreement
 - d. Board to discuss and take action on monetary pledge in support of the Northeast Community College Center expansion
 - e. Board to discuss and take action on monetary pledge in support of the Growing Community Connections Resource Center project.
 - f. Jolene Gubbels, Highway Superintendent – Road Report
 - g. Approve project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
 - Kristin Robinette – Juvenile Services – One Office - Additional office furniture
 - Quote from Quality Communications to add security camera outside viewing the Health Department entrance and area.
 - Homer Shop Roof bid
 - Road Department Camera bids
 - Road Department State Bid for Pickup
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. RECESS to the Joint City-County-School meeting held at the Dakota City Fire Hall at 5:30 pm
8. ADJOURNMENT

Chair Giese called for Public Comment. Gene Mari from rural South Sioux City presented the Board a copy of the preliminary plat of Mari Subdivision for the housing development he is working on South of Lik-U-Wanta Drive. He informed the Board that if everything continues to move forward, he plans on building duplexes and he plans to build home as well. There will be some covenants for this subdivision, and he is making sure to comply with the current residents on the North to avoid any issues. Mr. Mari stated he will keep the Board informed of any developments.

Mike Karnes with the Star informed the Board that the frontage road in front of the courthouse and the entrance are in need of some repair.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve the consent agenda items: a) Approval of the previous meeting minutes – March 6, 2023; b) Approval of payroll claims for March 5, 2023 to March 18, 2023; c) approval of accounts payable claims; and d) approval of Officials Reports- Register of Deeds, County Clerk and Clerk of District Court. ROLL CALL VOTE: Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$168,755.31; Net Pay-\$122,232.25; Total Retirement-\$11,612.90; Total FICA-\$12,495.70; Health Plan-\$44,800.00; Dental Plan-\$1,600.00; Life Insurance-\$206.69; Robert Giese-\$1,222.35; Martin Hohenstein-\$1,176.20; Troy Launsby-\$976.20; Scott Love-\$1,176.20; Brian Van Berkum-\$1,176.20; Cherie Conley-\$2,427.12; Robin Hansen-\$1,360.00; Paola Ledesma-\$1,548.02; Kathy Abbe-\$1,375.20; Dawn Bousquet-\$2,427.12; Maria Garcia-\$921.70; Stephanie Gatzemeyer-\$1,675.20; Jalissa Hattig-\$1,363.20; Brenda Landaverde-\$1,283.20; Samantha Mitchell-\$1,202.72; Debera Benton-\$1,360.00; Christy Abts-\$2,427.12; Melissa Collins-\$1,635.20; Joseph O'Neil-\$576.92; Karen Jimenez-\$1,616.80; Katherine Wiltgen-\$2,427.12; Louvontree Hunter-\$3,441.59; Debra Jensen-\$1,663.20; Johnette Gatzemeyer-\$1,280.00; Kevin Hansen-\$2,080.41; Tammy Dunn Peterson-\$1,389.76; Shaun Bird-\$2,076.36; Timothy Decker-\$2,582.88; Brian Ellinger-\$2,446.40; Penny Epting-\$2,410.80; Brian Fernau-\$2,399.99; Tyler Fulkerth-\$2,252.62; Jeremy Gilpin-\$2,798.98; Martin Guerrero-\$2,301.74; Melvin Harrison III-\$2,696.47; Jason James-\$2,482.39; Douglas Johnson-\$2,485.18; Kimberly Johnson-\$217.90; Jared Junge-\$2,376.00; Christopher Kleinberg-\$3,032.28; Jose Magana-\$1,981.07; Gregory Nyhof-\$2,405.02; Jonathan Romo-Rodriguez-\$1,888.02; Mardi Schnee-\$1,166.03; Ryne Sell-\$295.52; Sarah Hammond-\$2,244.21; Shantel Krull-\$1,040.00; Melinda Sandvick (Wicks)-\$1,538.46; Debra Schmiedt-\$3,580.95; Kimberly Watson-\$3,789.70; Emma Wiebelhaus-\$1,562.00; Jacob Acero-\$1,845.40; Juan Fernando Aguilar-\$1,395.47; Angelica Antonio Flores-\$1,716.13; Shaelee Barreras-\$0.00; Gerardo Bautista-\$292.23; Rebecca Broer-\$1,957.50; Kacie Brown-\$1,781.53; Lacey Clark-\$1,720.83; Leonardo Davalos-\$1,633.63; Elisabet DeRoin-\$2,400.07; Jesse Doelle-\$1,759.08; Maria Francisco Pablo-\$630.11; Jennifer Fuentes-\$1,667.75; Jonathan Gray-\$2,163.94; Nicole Gray-\$1,612.87; Sara Gritten-\$1,692.64; Kara Groetken-\$1,835.15; Todd Hammer-\$1,743.45; Adam Hough-\$1,803.15; Chase Kallsen-\$391.86; Brandon Long-\$1,692.64; Jennifer Marquez-\$1,632.75; Skyler Miner-\$1,974.81; Keaton Mueller-\$1,720.83; Riley Navrude-\$1,667.75; Kelsey O'Neill-\$1,646.75; Kimberly Peterson-\$1,859.30; Adrian Ramos-\$1,814.69; Michele Rohde-\$1,514.06; Angel Ruelas Hernandez-\$411.52; Jerry Santos-\$1,654.68; Rebecca Schoep-\$1,741.88; Jennifer Svendsen-\$2,533.29; Estrella Vazquez-\$1,982.88; Randall Walsh-\$2,485.23; Steven Zarate-\$1,625.76; Deanna Hagberg-\$2,080.80; Jolene Gubbels-\$2,146.90; Scott Gubbels-\$576.92; Jana Adam-\$1,167.00; Jennifer Ankerstjerne-\$1,684.80; Theresa Grove-\$2,337.60; Rosa Rodriguez Romero-\$1,192.00; Courtney Swick-\$1,580.54; Willard Johnston-\$2,147.42; Nicholas Nieman-\$580.00; **General Fund Employee:** Federal Tax-\$10,163.19; State Tax-\$5,823.64; Soc Sec-\$10,127.24; Medicare-\$2,368.46; Extra Fit-\$1,261.00; Extra Sit-\$235.00; Retirement-\$7,885.79; Health Plan-\$2,900.00; Dental Plan-\$483.00; Colonial Health-\$219.59; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,240.38; Garnishments-\$1,331.06; Flex Plan Medical-\$957.31; Flex Dependent Care-\$208.33; VSP Vision Prem-\$382.28; Legal Shield-\$158.99; Liberty Nat'l Pretax-\$152.66; Liberty Nat'l Post tax-\$41.97; VSP Vision Base-\$109.17; **Road Fund Employer:** Gross Salaries-\$17,731.90; Net Pay-\$12,599.98; Retirement-\$1,196.92; Total FICA-\$1,315.35; Health Plan-\$5,040.00; Dental Plan-\$180.00; Life Insurance-\$22.06; Brent Byroad-\$2,110.79; Robert Hacker-\$1,765.60; Lance Jacobsen-\$1,729.60; David Kneifl-\$1,753.60; Kimon Litras-\$1,983.55; Vernon McFarland II-\$1,649.60; Dean Pallas-\$1,753.60; Gunner Stanwick-\$1,649.60; Jeffrey Stanwick-\$1,649.60; James Watkins Jr-\$1,686.36; **Road Fund Employee:** Federal Tax-\$1,082.62; State Tax-\$576.63; FICA-\$1,066.04; Medicare-\$249.31; Retirement-\$797.93; Health Plan-\$450.00; Dental Plan-\$63.00; Colonial Health-PreTax-\$38.23; Colonial Health L/D-\$35.10; Garnishments-\$530.77; Road Union Dues-\$165.00; VSP Vision Prem-\$15.34; Legal Shield-\$27.91; Liberty National PreTax-\$6.50; VSP Vision Base-\$27.54; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,627.92; Net Pay-\$1,243.64; Retirement-\$109.88; Total FICA-\$123.81; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yvette Aldana-\$1,627.92; **Health Planning Grant Employee 2502:** Federal Tax-\$113.03; State Tax-\$64.59; FICA-\$100.34; Medicare-\$23.47; Extra Sit-\$0.00; Retirement-\$73.26; VSP Vision Prem-\$9.59; **Health Program Grant Employer 2504:** Gross Salaries-\$1,704.96; Net Pay-\$1,346.45; Retirement-\$106.63; Total FICA-\$128.22; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Mohamud Ibrahim-\$125.29; Yesica Saldana Cisneros-\$1,579.67; **Health Program Grant Employee 2504:** Federal Tax-\$85.32; State Tax-\$44.90; FICA-\$103.91; Medicare-\$24.31; Retirement-\$71.09; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,200.00; Net Pay-\$1,028.02; Retirement-\$81.00; Total FICA-\$91.80; Kristin Robinette-\$1,200.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$8.06; State Tax-\$18.12; FICA-\$74.40; Medicare-\$17.40; Retirement-\$54.00;

Accounts Payable: General Fund: Pender Times, publications \$325.18; US Bank, conference registration \$30.00; Cherie Conley, mileage \$86.46; Leaf, copier lease \$78.02; One Office Solutions, office supplies \$7.99; US Bank, conference registration \$30.00; DAS State Acct, state printers \$81.00; MIPS, monthly software, printing- \$1,089.63; One Office Solution, office supplies \$117.37;

Pender Times, publications- \$1,583.55; Security Shredding, shredding \$35.00; US Bank, miscellaneous, workshop \$253.89; Irene Van Lent, prior year service \$16.00; Margie Rahn, prior year service \$12.00; Eagleview, pictometry connect service- \$20,586.00; Innovative Appraisal Service Inc, contractual services- \$1,873.75; Leaf, copier lease \$18.44; MIPS, mips data- \$1,886.19; One Office Solutions, copies \$111.20; Stanard Appraisal Services Inc., commercial pickup work- \$29,671.00; Crown Plaza, lodging \$809.70; Gordon Hegge, meeting, mileage \$373.24; Leaf, copier lease \$103.00; One Office Solutions, copies \$11.11; Joe O'Neill, mileage,meals \$397.22; Pender Times, publications \$5.27; US Bank, convention \$400.00; RTI, IT support contract, computer equipment- \$4,737.74; Leaf, copier lease \$188.06; MIPS, scanning \$135.18; One Office Solutions, copier usage \$46.32; Security Shredding, shredding \$35.00; US Bank, workshop \$30.00; DAS State Acct, office depots \$196.76; Marco, copier lease \$349.60; Microfilm Imaging System, scanning \$177.00; Security Shredding, shredding \$35.00; Perla Alarcon-Flory, interpreter fee \$50.00; One Office Solutions, copier contract \$125.33; Cray Huff Law Firm, atty fees \$95.00; Dakota County Court, court costs \$838.00; Dakota County Sheriff, papers,warrants \$582.71; District Court, court costs \$972.00; Government Forms & Supplies, supplies \$905.11; Douglas Roehrich, atty fees- \$2,170.40; Robert Wichser, atty fees- \$6,832.50; Johnette Gatzmeyer, training,meals \$235.99; A-Team Heating & Cooling, building repairs- \$22,035.66; City of Dakota City, utilities \$203.75; G & R Controls, system operation \$637.50; Gill Hauling Inc., dumpster service \$46.25; MidAmerican Energy Co, utilities- \$1,134.32; NPPD, utilities- \$1,374.05; TK Elevator Corp., elevator maintenance \$239.16; Trembly, pest control \$110.00; Verizon, phones \$42.78; Wilmes Hardware, shop supplies, tools, bldg supplies \$72.32; Angela Abts, mileage \$561.34; Hy-Vee Accounts Receivable, supplies \$70.54; Carol Larvick, reimbursement \$98.39; Leaf, copier lease \$103.00; NACEB, dues \$100.00; One Office Solution, copier maintenance \$224.62; PMRNRD, monthly rent \$750.00; AT & T Mobility, phones \$640.64; AutoZone, supplies, materials, repairs \$159.15; Billion, equipment, oil, grease \$262.92; Bort Auto Body, Inc, sheriff car repair \$277.50; Linda Carson, prior year service \$11.00; City of So Sioux City, fuel- \$5,138.96; Consolidated Management Co., sheriff training \$81.50; Crystal Oil, fuel \$365.47; Fremont Tire, tire repair,equipment- \$1,106.07; J P Cooke Company, office supplies \$35.95; Jack's Uniforms Equip, uniforms- \$6,317.94; Nebraska Public Health Environmental Lab, breath analysis \$105.00; Siouxland Federal Credit Union, fuel, supplies \$209.17; Stryker Sales, LLC, LE equipment \$322.35; The Radar Shop, vehicle equipment repair \$160.50; TransUnion Risk & Alternative, search services \$120.80; Tucker's Glass Shop, vehicle repair \$349.00; US Bank, training,law enforcement supplies, fuel- \$1,938.95; Wilmes Hardware, LE supplies \$79.95; Blue 360 Media LLC, criminal & law manuals \$41.82; Security Shredding, shredding \$35.00; Woodbury County Sheriff, service fees \$75.00; City of So Sioux City, county LEC cost share- \$46,622.31; Jack's Uniforms Equip, uniforms- \$2,190.00; Advanced Correctional Healthcare, doctor fee & prescriptions- \$14,477.34; Arthur J Gallagher Risk Mgt, notary bonds \$250.00; AT & T Mobility, phones \$93.86; Bob Barker, supplies for prisoners \$236.16; Bunkers Feed & Supply, Inc, supplies \$178.88; Charm-Tex, supplies for prisoners- \$1,782.90; City of Dakota City, utilities- \$2,584.08; City of So Sioux City, fuel \$49.14; Claypool Brothers Glass, window replacement \$576.00; Com-Tec/Cornerstone, correctional facility equipment- \$2,362.18; Dave's Glass Co., window replacement- \$1,657.81; Dept. of Correctional Serv., inmate boarding control- \$9,491.24; Easkes Office Solutions, prisoner supplies, janitorial supplies- \$2,749.17; Gill Hauling Inc., dumpster service \$375.11; GRP, disposal of medical waste \$52.00; Hobard Sales Service, equipment repair \$154.00; Jack's Uniforms Equip, uniforms \$404.20; J. P. Cooke Co., notary stamp \$35.95; MidAmerican Energy Co, utilities- \$1,455.93; NPPD, utilities- \$2,125.08; Plumbing & Heating Wholesale, building repairs \$59.90; Sams Club, annual membership fee \$50.00; Sioux City Journal, subsription renewal \$212.99; Security Shredding, shredding \$35.00; Summit Food Services, Inc, food & beverages- \$24,407.31; Trembly, pest control \$50.00; Tri-State Communications, Inc, new radios- \$4,246.82; US Bank, medical, janitorial supplies,bldg repair, office supplies- \$2,362.21; Wells Fargo, office equipment \$730.45; Wilmes Hardware, tools \$18.78; US Bank, conference registration \$30.00; US Bank, conference registration \$30.00; Verizon, phones \$42.78; Scott Gubbels, mileage, meals \$173.58; US Bank, workshop,lodging \$222.00; Availity, medical billing \$125.00; McKesson, supplies \$186.51; Courtney Swick, mileage \$71.40; US Bank, printer, supplies \$345.37; Dr Thomas Wenthe, consulting physician fee \$250.00; County Vets Service Officers Assoc, conference registration \$60.00; Des Moines Stamp Co., stamps \$70.15; Bill Johnston, mileage \$356.32; One Office Solutions, copier contract \$29.04; Beatrice State Development Center, services \$270.00; City of Dakota City, joint meeting meal \$200.00; Dakota City Postmaster, presort dues \$290.00; Dakota County Treasurer, petty cash \$193.40; Dakota County Register of Deeds, resolution filing \$10.00; DAS State Acct, payroll/acct payable \$83.20; Fibercomm, phones system \$743.29; Lincoln Regional Center, services \$270.00; MercyOne Business Solutions, monthly EAP \$229.50; MIPS, payroll, claims, budget support \$722.10; Norm Waitt Sr, member usage \$205.00; One Office Solutions, office furniture for juvenile office \$326.11; Region 4 Behavioral Health, quarterly mental health- \$10,815.25; Triview Communications Inc, phones systems \$544.00; US Postal Service, monthly postage- \$3,000.00; **Road Improvement 802**, inter fund transfer- \$3,163.50; **Road Fund**: Black Bills Energy, Emerson serv prepay- \$1,500.00; Bosselman Pump & Pantry, fuel- \$4,491.87; Carroll Const. Supply, equipment rental \$30.00; Cedar County Road Department, safety seminar \$582.45; Emerson Heritage, fuel \$44.25; Fastenal, shop supplies \$5.76; Gill Hauling Inc., dumpster service \$119.76; H204U, water service \$49.00; K & K Hubbard Mini Mart, fuel \$17.68; J & J's Pronto, fuel \$529.87; L.G. Everist Inc, gravel- \$68,675.67; LINDBLUM, bathroom service \$117.50; Lowes, shop supplies \$524.03; Lux Bros. Trucking, gravel- \$7,036.40; Matheson, oxy/acetylene \$123.55; Medical Enterprises, drug testing \$75.00; Arnie Mellick, prior year service \$13.00; Menards, tools \$182.97; Midwest Wheel, supplies, parts \$348.08; Muddy River Logistics, road maint by others- \$4,973.99; NPPD, utilities \$58.14; Northeast Power, energy usage \$408.24; O'Reilly Auto Parts, supplies, parts, oil \$397.03; POMP'S TIRE SERVICE, tires- \$1,508.20; Power Plan/ Murphy, parts,blades- \$1,608.59; Robertson, parts \$60.00; SAPP BROS PETROLEUM, propane- \$1,682.60; Sioux City Truck Sales Inc, parts \$14.18; Sooland Bobcat, parts \$280.00; Stan Houston Equip Co Inc, tools- \$1,600.00; Titan Machinery, parts- \$1,668.72; UnityPoint Clinic, drug testing \$64.00; US Bank, parts, miscellaneous \$108.85; Verizon Connect, GPS \$376.95; Verizon Wireless, phones

\$82.79; Village of Emerson, emerson services \$49.79; Warren Oil, diesel- \$9,567.60; Wilmes Hardware, shop supplies, tools \$101.89; Ziegler's, parts,labor- \$5,007.75; **Road & Bridge Improvement**; Veenstra & Kimm, road paving- \$3,163.50; **Visitor Promo**: SSC Chamber of Commerce, visitor promo- \$15,876.02; **P&M Fund**: Microfilm Imaging System, Data processing equipment \$240.00; MIPS INC., Data processing/ MIPS software \$604.04; **Health Grant 2502**: Yvette Aldana, mileage \$408.07; US Bank, conference registration- \$2,082.10; **Health Grant 2503**: Tucker's Glass Shop, glass for office door \$130.00; One Office Solutions, supplies \$579.00; US Bank, language line, mini blinds \$165.72; **Health Dept Program Grants 2504**: US Bank, supplies,signage,website,workshop, mis- \$2,002.94; Verde Outdoor Media LLC, billboard-\$11,400.00; Verizon, phones \$83.04; **2507 Juvenile Grant**: Community Monitoring Service Inc, family support- \$2,580.00; Nebraska Mediation Center, mediation \$240.00; Owens Educational Service Inc electronic monitoring \$1,410.00; **DCHD Covid fund 2508**: Curry Floor & Acoust, carpet addition- \$1,995.00; Ford Motor Credit Company, payment for truck lease \$912.16; Stericycle, waste disposal- \$5,889.48; US Bank, office supplies, phones, misc \$165.87; Verde Outdoor Media LLC, billboard- \$11,400.00; **ARPA Fund**: Curry Floor & Acoust, 50% floor replacement for county offices-\$14,802.00; Glover Painting LLC, interior painting- \$4,249.00; Hobard Sales Service, services-\$13,768.60; R. Rohan Electric, installed outlest in courtrooms- \$2,207.83; RTI, scanner- \$18,947.64; One Office Solutions, Office furniture \$288.09; US Bank, window shades for treasurer office \$538.00; **Public Safety 2960**: Fund 7850 RFD Sales Tax, Rural Fire Dept collection- \$43,228.77

Matt Wullenwaber with Mid-American Benefits and Robert Rapp, Broker New York Life, presented the Health Insurance Plan documents for March 1, 2023 through February 29, 2024 for approval and signatures. Discussion and explanation of some terminology was had. Clarification on when or if the County is looking at changing brokers or carries the process should be started the end of November. Commissioner Hohenstein moved, seconded by Commissioner Love to approve the Chair to sign the Mid-American Health Insurance Plan documents for March 1, 2023 through February 29, 2024. ROLL CALL VOTE: Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve Resolution 23C-008 the vacation of a public road known as: Starting at the East end of 230th Street West of N Avenue then going West approximately 1/2 mile between Section 9, Township 27N, Range 7 (parcel 220088594) and Section 4, Township 27N, Range 7 (parcel 220090599), Dakota County, Nebraska. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Yes. UNANIMOUS MOTION CARRIED.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
RESOLUTION 23C-008
ROAD ABANDONMENT OR VACATION
AND DISPOSITION OF RIGHT-OF-WAY

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, that a public hearing was held in the Board of Commissioners Room on the 6th of March, 2023, at 3:01 p.m., pursuant to notice of public hearing published in the Dakota County Star for three consecutive weeks before such hearing and certified letters sent to surrounding landowners.

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

Shall vacate the described road and relinquish the right-of-way back to the adjacent landowner. Described as follows:

Starting at the East end of 230th Street West of N Avenue then going West approximately 1/2 mile between Section 9, Township 27N, Range 7 (parcel 220088594) and Section 4, Township 27N, Range 7 (parcel 220090599), Dakota County, Nebraska

This Resolution will be filed with the Dakota County Register of Deeds and indexed against all affected property.

Dated at this 20th day of March, 2023.

Commissioner Love moved and Commissioner Van Berkum seconded the motion to adopt the resolution.

Robert Giese, Chairperson

ATTEST:

Cherie Conley, Dakota County Clerk

Jolene Gubbels, Highway Superintendent, presented changes to the current ROW Permit on Appendix B #4 second sentence, informing that both NIRMA and the County Attorney, Kim Watson, have approved striking “Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the county at least thirty (30) days written notice in the event of cancellation of, . . .” to “The applicant shall give the county at least thirty (30) days written notice in the event of cancellation of, . . .”. Commissioner Love moved, seconded by Commissioner Van Berkum to approve changing the wording of the ROW Permit - Appendix B in paragraph #4 second sentence to read, “The applicant shall give the county at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages.” ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Yes, Hohenstein – Yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented a Haul Roads Use Agreement that NIRMA had provided to put something in place so when contractors use the roads, they don't tear up the roads then leave. Jolene suggested making the same change in this agreement as what was just voted on to change in the ROW Permit agreement and she also questioned if the Board wanted to be accountable for approving these agreements or if the decision is left to the road department? Advice from the County Attorney was to make all changes now before approving. Also there is a resolution that the board would need to approve to release the contractor from the agreement. After further discussion it was decided to have the agreement reworded and bring it back before the board at the next meeting on April 3, 2023 for approval.

Jolene Gubbels, Highway Superintendent, introduced Pat Troy from New York with NE RNG to answer any questions the Board has regarding the conditional use permit request. Mr. Troy did explain the project and facility and informed they hope to start this Spring and be in operation next winter/spring. The facility will have 2-3 trucks per day hauling renewable natural gas product. They are talking with the Village of Homer and the Road Department for the best route for the trucks. The condition of the roads is a concern and Mr. Troy assured that they would maintain the roads. Commissioner Love moved, seconded by Commissioner Van Berkum to approve the Conditional Use Permit from NE RNG Interconnect LLC at the property located at Section 1, Township 27, North, Range 8 East, 6th P.M., Dakota County on 225th Street, Homer, NE., for the construction of interconnect for upgraded biogas facility. ROLL CALL VOTE: Giese – Yes, Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for Golf Road Repair Site 1 bid approval. Concrete Plus bid \$51,674.10 and Gill Construction, Inc. bid \$98,905.00. Commissioner Love moved, seconded by Commissioner Launsby to approve the bid to Concrete Plus for \$51,674.10 with work to be completed by November 1, 2023. ROLL CALL VOTE: Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for Golf Road Repair Site 2 bid approval. Concrete Plus bid \$15,054.23 and Gill Construction, Inc. bid \$36,447.00. Commissioner Love moved, seconded by Commissioner Van Berkum to approve the bid to Concrete Plus for \$15,054.23 with work to be completed by November 1, 2023. ROLL CALL VOTE: Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for C Avenue bid approval. Concrete Plus bid \$15,405.70 and Gill Construction, Inc. bid \$36,975.00. Commissioner Love moved, seconded by Commissioner Launsby to approve the bid to Concrete Plus for \$15,405.70 with work to be completed by November 1, 2023. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Yes. UNANIMOUS MOTION CARRIED.

Commissioner Love commented that a couple times a year the Wat Buddharam of Siouxland host events, and they invite everyone and are good people. Commissioner Love moved, seconded by Commissioner Hohenstein to approve the Special Designated Liquor License for Wat Buddharam of Siouxland, Inc., for a fundraising event on May 28, 2023, from 1:00 p.m. 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, Van Berkum – Yes, Hohenstein – Yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for the Zelle HR agreement discussion. Grace Childress with Zelle was available to answer questions from the Board and did go over the initiatives they have and are currently helping the County with as well as those they'd like to complete if retained. Commissioner Hohenstein asked if their company staffed an attorney and Grace informed they do not have an attorney on hand, but they do correspond with attorneys if needed at an additional fee. Commissioner Love expressed that he wasn't really on board with hiring them from the start because he wasn't sure the amount of money per month was justified. Commissioner Hohenstein stated that our County is a member of both NACO and NIRMA whom we can reach out to for guidance. Commissioner Giese stated Zelle has done what we've asked, and it would be another layer for employees and officials to go to for help, but it ends up being the fee. Commissioner Love commented on budgets and making cuts. Commissioner Launsby stated he wished their services would have been utilized more. Ms. Childress stated they've appreciated working with our County and explained the extra level of service they offer. She advised they could offer a different proposal to see if that would work. They do offer hourly rates. Commissioner Love moved, seconded by Commissioner Hohenstein to terminate the contract agreement with Zelle Human Resources Solutions giving 30 day notice effective April 30, 2023. ROLL CALL VOTE: Giese – Yes, Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – No. UNANIMOUS MOTION CARRIED.

Chair Giese called for discussion on the use of GPS trackers with Verizon Connect at the Road Department. Currently the monthly fee is \$376.95. Jolene Gubbels, Highway Superintendent, informed that the department has used this for a handful of situations, but she doesn't have time to check it all the time. Commissioner Launsby stated he uses the app on his computer and phone to check on things and explained it can show logs of the equipment. Commissioner Love commented it was tried several years ago and it didn't work. Seems like micromanaging and not trusting the employees and supervisors. Ms. Gubbels commented that if this system had its own monitor then maybe they would utilize it more. More discussion was had. Commissioner Launsby moved, seconded by Commissioner Giese to continue using the GPS trackers through Verizon Connect.

ROLL CALL VOTE: Giese – Yes, Love – Yes, Van Berkum – No, Hohenstein – Yes, Launsby – Yes. UNANIMOUS MOTION CARRIED.

The Board asked Jolene Gubbels to get a quote from RTI for a computer and monitor to run this system in her office so it's easily assessable.

Chair Giese called for discussion on terminating contract with Shive-Hattery Phase II jail. Chair Giese informed that he had spoken with Sheriff Kleinberg and the jail project is not going to happen because of the interest rates and increased costs. Commissioner Love voiced his thoughts on the issues surrounding the jail situation wherein members of the Board were so “wishy-washy” voting yes and then voting no and approving soil testing and spending a total \$430,561.27. Commissioner Launsby stated the increased per diem was used to help pay the costs. Commissioner Love expressed his frustrations. Further discussion was had regarding the circumstances that led to the outcome of failed jail expansion. Commissioner Love moved, seconded by Commissioner Hohenstein to send a letter to Shive-Hattery Inc. terminating the AIA Document B132-2009 Agreement. ROLL CALL VOTE: Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to pledge from the Inheritance Tax Fund \$50,000 in support of the Northeast Community College Center expansion in South Sioux City, Nebraska. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Yes. UNANIMOUS MOTION CARRIED.

Commissioner Van Berkum moved, seconded by Commissioner Hohenstein to pledge from the Inheritance Tax Fund \$50,000 in support of the Center for Growing Community Connections in South Sioux City, Nebraska with the contingency that appropriate funding is acquired for the project to move forward. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Yes, Hohenstein – Yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent gave the Road Report for March 5, 2023 to March 18, 2023. Total Road Maintenance: 70 hours, Overtime hours: 6.75, Tree/Debris removals: 4 hours, Culverts/Road projects: 25 hours, Asphalt: 6.5; snow removal: 42 hours; Gravel hauling: 77 hours, 1742.84 tons of gravel hauled, sign repair/barricading: 39.5 hours and grading: Oakdale Road and 197th Street. Ms. Gubbels suggested the Board consider posting in the paper a reminder about county ROW regulations. The new grader is in just waiting for delivery. They have been working on cleaning up and organizing the Dakota City shop and organizing signs. They will be crack sealing Old Sawmill Road and discussed Highway 20 street study for signage and speed.

ARPA projects were discussed. Homer Road Shop roof – Commissioner Launsby informed that the Village of Homer agreed to pay half the costs and a new bid will be needed before final approval. Commissioner Van Berkum moved, seconded by Commissioner Love to approve Juvenile Services - additional pieces of furniture - One Office Solutions –\$253.00; Courthouse-Health Dept door area cameras – Quality Telecommunications \$948.00; Road Department – exterior cameras for the County Road Shop Hubbard, NE– Quality Telecommunications - \$10,430.00. ROLL CALL VOTE: Giese – Yes, Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, explained the fleet of vehicles at the Road Department all have high mileage and are requiring lots of maintenance to keep them running. She presented State Bids for two (2) 2023 ½ ton extended cab four (4) door pickups at \$39,897 each to be purchased through the Road Departments budget. Commissioner Love moved, seconded by Commissioner Launsby to approve the State Bid to purchase of two (2) 2023 ½ ton extended cab four (4) door pickups at \$39,897 each through lease purchase from the Road Department budget. ROLL CALL VOTE: Love – Yes, Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes. UNANIMOUS MOTION CARRIED.

Committee Reports: Commissioner Love attended a meeting at the City of Dakota City regarding replacing/repairing the stretch of road in front of Tyson and the estimated costs is \$12 million and they are asking for the County support. Commissioner Hohenstein attended the Region IV meeting. Commissioner Launsby attended the NE Nebraska District meeting in Norfolk. Commissioner Giese informed that Summit Carbon donated \$5000 to the SSC Senior Center.

Commissioner Van Berkum moved, seconded by Commissioner Love to recess the meeting at 5:16 p.m. to the Joint City-County-School meeting held at the Dakota City Fire Hall at 5:30 p.m. ROLL CALL VOTE: Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes. UNANIMOUS MOTION CARRIED

5:37 p.m. Chair Giese asked for roll call at the Joint Meeting. Present were Giese, Van Berkum, Hohenstein, Launsby. Absent: Love. Also present was Kim Watson, County Attorney and Cherie Conley, Board Secretary. Commissioner Van Berkum moved, seconded by Chair Giese to adjourn the Board of Commissioners meeting of March 20,2023, at 7:12 p.m. All were in favor.

Dakota County Board of Commissioners

Robert Giese, Chair

Cherie Conley, County Clerk/Secretary