

Dakota County Board of Commissioners
Monday, May 1, 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 Board of Equalization meeting prior. Present at Roll Call: Giese, Love, Hohenstein, Launsby. Absent: Van Berkum. 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

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| 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. |
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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 17, 2023
 - b. Approval of payroll claims for April 16, 2023 to April 29, 2023
 - c. Approval of accounts payable claims (if any)
 - d. Approval of Jail Quarterly reports and Veterans Quarterly Report
3. NEW BUSINESS AND RESOLUTIONS
 - a. Approve Resolution 23C-010 Declare Personal Surplus Property as obsolete and dispose of per §23-3107
 - b. Dawn Bousquet, Treasurer, requesting approval of Resolution 23C-011 permitting additional pledged securities.
 - c. Aleisha Barclay, Pony Express Stores, requesting approval of a Special Designated Liquor License for a horse racing event on June 3 & 4, 2023, at Atokad Downs Racetrack from 10:00 a.m. to 5:00 p.m.
 - d. Review and award bid for the Hubbard North-C22(274) culvert installation located at 190th St (Mills Road) between M Ave and N Ave in Dakota County.
 - e. Board to approve or not approve the Lux Commercial Park Addition – 5 Lots South Sioux City Subdivision. The Planning Commission approved subdivision on April 18, 2023.
 - f. Jolene Gubbels, Highway Superintendent, to present Midwest Engineering, Inc. – Dan Alexander, Homer bridge and Jackson North bridge deck repair recommendations and asks for Board for approval to move forward and decide whether these are a budgeted item or ARPA projects.
 - g. Board to review estimate for the Dorcey bridge on N Bluff Road and approve or not approve moving forward with MRJ Engineering to engineer and let bridge for replacement.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Approve project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
 - Treasurer Office flooring and remodel projects
 - Public Defender Office remodel
 - Emerson Shop Wiring quotes
 - Road Department equipment
 - Reslite – Revised Quote for training mats
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Commissioner Love moved, seconded by Commissioner Giese to excuse Commissioner Van Berkum from the meeting. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Chair Giese called for Public Comment. There was none.

Commissioner Love moved, seconded by Commissioner Launsby to approve the consent agenda items: a) Approval of the previous meeting minutes – April 17, 2023; b) approval of payroll claims for April 16, 2023 to April 29, 2023; c) approval of accounts payable claims; and d) approval of quarterly reports from the Jail and Veterans Office. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$174,820.20; Net Pay-\$126,214.68; Total Retirement-\$12,069.37; Total FICA-\$12,976.16; Health Plan-\$44,240.00; Dental Plan-\$1,580.00; Life Insurance-\$204.14; 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-\$1,262.08; Kathy Abbe-\$1,375.20; Dawn Bousquet-\$2,427.12; Maria Garcia-\$1,134.40; Stephanie Gatzemeyer-\$1,675.21; Jalissa Hattig-\$1,363.20; Brenda Landaverde-\$1,283.20; Samantha Mitchell-\$2,031.08; Debera Benton-\$1,360.00; Christy Abts-\$2,427.12; Melissa Collins-\$2,095.10; 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-\$688.00; Kevin Hansen-\$1,889.17; Tammy Dunn Peterson-\$1,292.80; Shaun Bird-\$3,197.54; Russell Briggs-\$0.00; Timothy Decker-\$3,288.33; Brian Ellinger-\$2,507.56; Penny Epting-\$2,947.36; Brian Fernau-\$2,835.12; Tyler Fulkerth-\$2,428.07; Jeremy Gilpin-\$2,303.40; Martin Guerrero-\$2,245.60; Melvin Harrison III-\$3,161.90; Jason James-\$3,078.23; Douglas Johnson-\$2,485.18; Kimberly Johnson-\$730.60; Jared Junge-\$2,376.00; Christopher Kleinberg-\$3,032.28; Jose Magana-\$2,588.60; Gregory Nyhof-\$2,353.54; Jonathan Romo-Rodriguez-\$2,251.99; Mardi Schnee-\$1,155.20; Ryne Sell-\$599.32; Sarah Hammond-\$2,244.21; Shantel Krull-\$1,024.00; Melinda Sandvick (Wicks)-\$1,538.46; Debra Schmiedt-\$3,580.95; Kimberly Watson-\$3,789.70; Emma Wiebelhaus-\$1,280.00; Jacob Acero-\$1,948.31; Angelica Antonio Flores-\$1,638.00; Rebecca Broer-\$1,900.92; Kacie Brown-\$1,781.15; Lacey Clark-\$1,808.33; Leonardo Davalos-\$1,570.44; Ruby De La Torre-\$1,828.19; Elisabet DeRoin-\$1,872.06; Jesse Doelle-\$1,706.05; Maria Francisco Pablo-\$673.60; Jennifer Fuentes-\$1,884.67; Jonathan Gray-\$1,844.07; Nicole Gray-\$1,591.77; Sara Gritten-\$1,615.98; Kara Groetken-\$1,856.93; Todd Hammer-\$2,231.03; Adam Hough-\$1,791.98; Chase Kallsen-\$522.48; Brandon Long-\$1,611.12; Jennifer Marquez-\$1,567.44; Skyler Miner-\$2,003.75; Keaton Mueller-\$2,000.34; Riley Navrude-\$1,588.44; Kelsey O'Neill-\$1,567.44; Kimberly Peterson-\$1,747.42; Adrian Ramos-\$1,567.44; Michele Rohde-\$1,509.38; Angel Ruelas Hernandez-\$610.45; Jerry Santos-\$1,702.73; Rebecca Schoep-\$1,812.17; Jennifer Svendsen-\$3,141.70; Estrella Vazquez-\$2,168.31; Randall Walsh-\$2,485.23; Steven Zarate-\$1,358.52; Deanna Hagberg-\$2,080.80; Jolene Gubbels-\$2,063.36; Scott Gubbels-\$576.92; Jana Adam-\$1,417.91; Jennifer Ankerstjerne-\$1,684.80; Theresa Grove-\$2,337.60; Rosa Rodriguez Romero-\$1,088.00; Courtney Swick-\$1,710.83; Willard Johnston-\$2,147.42; Nicholas Nieman-\$638.00; **General Fund Employee:** Federal Tax-\$11,221.76; State Tax-\$6,190.34; Soc Sec-\$10,516.60; Medicare-\$2,459.56; Extra Fit-\$1,306.00; Extra Sit-\$260.00; Retirement-\$8,207.58; Health Plan-\$2,700.00; 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-\$382.06; Legal Shield-\$158.96; Liberty Nat'l Pretax-\$152.64; Liberty Nat'l Post tax-\$41.96; VSP Vision Base-\$94.39; **Road Fund Employer:** Gross Salaries-\$15,961.60; Net Pay-\$11,087.56; Retirement-\$1,077.42; Total FICA-\$1,179.95; Health Plan-\$5,040.00; Dental Plan-\$180.00; Life Insurance-\$22.06; Brent Byroad-\$1,980.80; Robert Hacker-\$1,765.60; Lance Jacobsen-\$1,729.60; David Kneifl-\$1,753.60; Kimon Litras-\$1,869.60; Vernon McFarland II-\$1,729.60; Dean Pallas-\$1,753.60; Gunner Stanwick-\$1,649.60; Jeffrey Stanwick-\$1,729.60; **Road Fund Employee:** Federal Tax-\$1,071.49; State Tax-\$548.11; FICA-\$956.30; Medicare-\$223.65; Retirement-\$718.26; Health Plan-\$450.00; Dental Plan-\$63.00; Colonial Health-PreTax-\$38.23; Colonial Health L/D-\$35.10; Garnishments-\$530.77; Flex Plan Medical-\$0.00; Road Union Dues-\$165.00; VSP Vision Prem-\$15.34; Legal Shield-\$27.89; Liberty National PreTax-\$6.50; VSP Vision Base-\$24.40; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,680.84; Net Pay-\$1,230.86; Retirement-\$113.46; Total FICA-\$127.85; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yvette Aldana-\$1,680.84; **Health Planning Grant Employee 2502:** Federal Tax-\$119.09; State Tax-\$67.82; FICA-\$103.62; Medicare-\$24.23; Extra Fit-\$50.00; Retirement-\$75.64; VSP Vision Prem-\$9.58; **Health Program Grant Employer 2504:** Gross Salaries-\$1,599.05; Net Pay-\$1,254.09; Retirement-\$104.95; Total FICA-\$120.10; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Mohamud Ibrahim-\$44.22; Yesica Saldana Cisneros-\$1,554.83; **Health Program Grant Employee 2504:** Federal Tax-\$82.48; State Tax-\$43.43; FICA-\$97.34; Medicare-\$22.76; Retirement-\$69.97; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,300.00; Net Pay-\$1,103.25; Retirement-\$87.75; Total FICA-\$99.45; Kristin Robinette-\$1,300.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$17.61; State Tax-\$21.19; FICA-\$80.60; Medicare-\$18.85; Retirement-\$58.50.

Accounts Payable: ARPA Fund 2580: A Team Heating & Cooling, final jail A/C payment - \$31,817.10; NPPD, Electrical Pole removal - \$4,709.00; Resilite, training mats 50% - \$2,756.10;

Commissioner Love moved, seconded by Commissioner Giese, to approve Resolution 23C-010 to declare personal surplus property as obsolete and to dispose of per §23-3107. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby to approve Resolution 23C-011 Permitting Pledged Securities at Bank First. ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

BOARD OF COUNTY COMMISSIONERS

DAKOTA COUNTY, NEBRASKA

RESOLUTION 23C-011

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
Pledge Cusip # 78442GJH0
Amount \$2,000,000.00
Maturity Date 12/17/2068

APPROVED AND ADOPTED this 1ST day of May, 2023.

Robert J. Giese

Scott Love

Brian Van Berkum-Absent

Troy Launsby

Martin Hohenstein

ATTEST:

Cherie Conley, County Clerk

Aleisha Barclay, Pony Express Stores, appeared requesting approval of a Special Designated Liquor License for a racing event on June 3 & 4, 2023, at Atokad Downs Racetrack from 10:00 a.m. to 5:00 p.m. Commissioner Love moved, seconded by Commissioner Hohenstein to approve the Special Designated Liquor License for a horse racing event on June 3 & 4, 2023, at Atokad Downs Racetrack from 10:00 a.m. to 5:00 p.m. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Board to review and award bid for the Hubbard North-C22(274) culvert installation located at 190th St (Mills Road) between M Ave and N Ave in Dakota County. Bids received were: Malone Construction - \$112,484.86 starting mid August, Van Dorn Valley Construction - \$136,777.00 starting September 1, and Husker Engineering - \$134,552.00 starting September 1. Commissioner Love moved, seconded by Commissioner Launsby to award the bid to Malone Construction for \$112,484.86. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Hohenstein to approve the Lux Commercial Park Addition – 5 Lots South Sioux City Subdivision located in South Sioux City's extraterritorial jurisdiction located in the 500 block of Old Sawmill Road. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented Midwest Engineering, Inc. – Dan Alexander, Homer bridge and Jackson North bridge deck repair recommendations. Discussion regarding budgeting the bridge repairs was had and suggested the Jackson bridge repairs be budgeted for the 23-24 budget year and the Homer bridge repairs budgeted for the 24-25 budget year. Commissioner Hohenstein moved, seconded by Commissioner Launsby to move forward with repairing the Jackson North bridge (C002221710). ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Board with an estimate for the Dorcey bridge on N Bluff Road. Discussion was had regarding a bridge versus a box culvert, as well as making the bridge wider and budgeting for this project. Commissioner Hohenstein moved, seconded by Commissioner Love to approve moving forward with MRJ Engineering to engineer and let bridge for replacement with 2 bids. One bid with a width of 28'6" and one bid with a width 30 foot to 32 foot or wider. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, gave the Road Report for April 16, 2023 to April 29, 2023. Total Road Maintenance: 237 hours, Overtime hours: .5; Tree/Debris removals: 10 hours, Bridge Maintenance: 5 hours Jackson East; Culverts/Road projects: 6 hours Dixon Path; Asphalt: 22 hours; Gravel hauling: 12 hours, 187.29 tons of gravel hauled, sign repair/barricading: 58 hours and Road Concerns: Grading: 155th Street, Likuwanta, Ithica Way, Millis Beach, and 152nd St. Jolene also informed that a grant for the Sign Program was submitted, the Jackie Hartnett signs for North Bluff Road were in place, working in ordering signs. Commissioner Launsby inquired about those areas water runs over the road and Jolene informed the department is currently working on those areas. Commissioner Hohenstein suggested additional gravel be purchased a head using the ARPA funds.

ARPA projects: Treasurer's office remodel. Several quotes were discussed. It was decided to match the carpet with the existing carpet going with Curry Flooring which was approved on 2-21-2023. Commissioner Love moved, seconded by Commissioner Launsby to approve the following quotes: Custom Builders/R Rohan Electric for \$14,355; and Glover Painting for \$1,659.00. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Public Defender, Lou Hunter, stated their current office is too small and would like to remodel the empty office area (prior emergency manager office). The current offices are too small and would like to remove 2 block walls to make the two offices larger. There would need to be some painting, electrical work and flooring done. Commissioner Launsby moved, seconded by Commissioner Love to approve moving forward with the remodel going with Custom Builders and then lining up the additional work to complete this project. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Emerson Shop Electrical Wiring updates: Jolene Gubbels, Highway Superintendent, provided 6 bids with the low bid being \$4,400.00 and high bid being \$11,490.00. Commissioner Giese moved, seconded by Commissioner Hohenstein to approve the Kevin O'Dell Electric Inc bid for \$4,400.00 to update the electrical wiring in the Emerson Road Shop. ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioners Love and Launsby met with Jolene Gubbels, Highway Superintendent and Brent Byroad, Road Department Foreman, and went through the current inventory of equipment. Commissioner Love stated sealed bids would be needed for a mini excavator. Discussion regarding the skid loader, belly dump truck and side dump truck was had. Commissioner Love moved, seconded by Commissioner Launsby to approve the purchase of a Case Skid Loader for \$37,880 and a 2023 Side Dump trailer for \$47,424. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Commissioner Hohenstein informed that Veterans Service Officer, Bill Johnston, will be retiring June 30th. Commissioner Launsby attended a Region 4 North Star meeting. Commissioner Giese attended a NE Area Aging meeting and they voted to donate \$20,000 to the South Sioux City Senior Center and May 20th is the target date for the Senior Center to open.

Commissioner Love moved, seconded by Commissioner Giese to adjourn the meeting of May 1, 2023 at 4:11 p.m. All in favor.

Dakota County Board of Commissioners

Robert Giese, Chair

Cherie Conley, County Clerk/Secretary