

Dakota County Board of Commissioners
Monday, August 7, 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, Van Berkum, Launsby. Absent: Hohenstein. Also present was 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 *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.

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 – July 24, 2023
 - b. Approval of payroll claims for July 23, 2023 to August 5, 2023
 - c. Approval of accounts payable claims
 - d. Approval of Veterans Service Officer Quarterly Report for April to June, 2023
3. NEW BUSINESS AND RESOLUTIONS
 - a. 3:01 p.m. Public Hearing for the purpose of receiving evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a liquor license for the following business: Ellanay Country Events, LLC dba Ellanay Country Events, 1265 Moody Rd, Jackson, Nebraska for a Class I Beer, Wine, Distilled Spirits, On Sale Only.
 - b. Board to approve or disapprove the issuance of a liquor license for Ellanay Country Events, LLC dba Ellanay Country Events, 1265 Moody Rd, Jackson, Nebraska for a Class I Beer, Wine, Distilled Spirits, On Sale Only.
 - c. Approve or disapprove a Special Designated Liquor License for Wat Buddharam of Siouxland, Inc., for a Fundraising Event on September 3, 2023, from 1:00 p.m. to 10:00 p.m. at the location of 500 142nd Street, South Sioux City, Nebraska.
 - d. Board to approve removing Ted Piepho and Willard Johnston and adding Nicholas Nieman, Veteran Service Officer and Cherie Conley, County Clerk as authorized signers on the account at BankFirst for the Veteran Service Account.
 - e. Approve Resolution 23C-019 to declare the following items as surplus to sell on Big Iron:
 - 2011 Caterpillar Motor Grader 140M2
 - 700 Coats Tire Balancer
 - AC/DC Electric Welder
 - Alkota Pressure Washer 14 Gallons
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Discuss and approve or deny project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

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

Chair Giese called for Public Comment. Mike Carlson, Probation Office South Sioux City, extended an invitation to the Board to attend the District 6 Reporting Center on Tuesday, August 15th from 1:30 pm to 3:30 pm for a program review and tour with Nebraska Supreme Court Chief Justice Michael Heavican and Associate Justices.

Dawn Bousquet, County Treasurer, informed the Board that BankFirst interest rates went up to 5.26%. The Remodeling in the office is underway and it is causing some delays at the window with only 2 windows open. Title work is being caught up by the others not working the window.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve the consent agenda items: a) Approval of the previous meeting minutes – July 24, 2023; b) Approval of payroll claims for July 23, 2023 to August 5, 2023, c) Approval of accounts payable claims and d) Approval of Veterans Service Officer Quarterly Report for April to June, 2023. ROLL CALL VOTE: Van Berkum-yes, Launsby-Yes, Giese-Yes, Love-Yes, Hohenstein-Absent. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$166,202.49; Net Pay-\$119,517.34; Total Retirement-\$11,496.55; Total FICA-\$12,283.18; Health Plan-\$44,800.00; Dental Plan-\$1,600.00; Life Insurance-\$209.11; 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-\$1,575.14; Kathy Abbe-\$1,375.20; Dawn Bousquet-\$2,427.12; Maria Garcia-\$1,134.40; Stephanie Gatzemeyer-\$1,675.20; Jalissa Hattig-\$1,363.20; Brenda Landaverde-\$1,283.20; Emily McNaughton-\$1,274.40; Debera Benton-\$1,360.00; Christy Abts-\$2,427.12; Melissa Collins-\$1,788.50; 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; Samantha Mitchell-\$1,172.00; Rodney Soole-\$2,240.00; Tammy Dunn Peterson-\$1,959.40; Shaun Bird-\$2,191.44; Timothy Decker-\$2,582.88; Brian Ellinger-\$2,518.40; Penny Epting-\$2,559.08; Brian Fernau-\$2,359.06; Tyler Fulkerth-\$2,323.40; Jeremy Gilpin-\$2,430.22; Martin Guerrero-\$2,529.64; Melvin Harrison III-\$2,494.44; Jason James-\$2,336.80; Douglas Johnson-\$2,485.18; Kimberly Johnson-\$696.42; Jared Junge-\$2,529.67; Christopher Kleinberg-\$3,032.28; Jose Magana-\$1,981.53; Gregory Nyhof-\$2,265.45; Jonathan Romo-Rodriguez-\$1,917.04; Mardi Schnee-\$1,155.20; 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; Angelica Antonio Flores-\$1,679.16; Shaelee Barreras-\$5.49; Rebecca Broer-\$2,109.38; Kacie Brown-\$1,815.15; Timathey Chamberlain-\$2,040.78; Ruby De La Torre-\$1,463.45; Elisabet DeRoin-\$2,443.65; Jesse Doelle-\$1,780.59; Jennifer Fuentes-\$1,780.98; Jonathan Gray-\$2,243.87; Sara Gritten-\$1,769.12; Kara Groetken-\$2,064.10; Todd Hammer-\$2,524.86; Cinthia Hernandez-\$1,076.06; Adam Hough-\$2,037.57; Terry Johnson-\$1,627.92; Nathan Jones-\$1,578.23; Brandon Long-\$1,749.74; Jennifer Marquez-\$1,739.91; Skyler Miner-\$2,306.40; Keaton Mueller-\$1,770.74; Kelsey O'Neill-\$1,770.74; Jaime Perez-Rojas-\$750.07; Kimberly Peterson-\$1,759.20; Adrian Ramos-\$1,846.08; Michele Rohde-\$1,523.44; Angel Ruelas Hernandez-\$777.77; Jerry Santos-\$1,716.93; Rebecca Schoep-\$1,834.82; Jennifer Svendsen-\$3,015.31; Estrella Vazquez-\$2,056.95; Randall Walsh-\$2,485.23; Deanna Hagberg-\$2,080.80; Jolene Gubbels-\$2,086.14; Jennifer Ankerstjerne-\$1,674.27; Theresa Grove-\$2,337.60; Rosa Rodriguez Romero-\$1,176.00; Courtney Swick-\$1,563.54; Nicholas Nieman-\$2,000.22; **General Fund Employee:** Federal Tax-\$10,363.04; State Tax-\$5,891.39; Soc Sec-\$9,954.98; Medicare-\$2,328.20; Extra Fit-\$1,191.00; Extra Sit-\$300.00; Retirement-\$7,809.54; Health Plan-\$3,150.00; Dental Plan-\$483.00; Colonial Health-\$219.59; Sheriff Union Dues-\$375.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,265.38; Garnishments-\$1,331.06; Flex Plan Medical-\$957.31; Flex Dependent Care-\$208.33; VSP Vision Prem-\$372.16; Legal Shield-\$142.01; Liberty Nat'l Pretax-\$152.64; Liberty Nat'l Post tax-\$41.96; VSP Vision Base-\$94.56; **Road Fund Employer:** Gross Salaries-\$19,672.88; Net Pay-\$13,819.90; Retirement-\$1,327.92; Total FICA-\$1,462.71; Health Plan-\$5,600.00; Dental Plan-\$200.00; Life Insurance-\$24.61; Brent Byroad-\$2,067.46; Chad Cockburn-\$1,816.00; Robert Hacker-\$2,216.67; Lance Jacobsen-\$1,816.00; David Kneiff-\$2,512.75; Kimon Litras-\$1,956.00; Vernon McFarland II-\$1,816.00; Dean Pallas-\$1,840.00; Gunner Stanwick-\$1,816.00; Jeffrey Stanwick-\$1,816.00; **Road Fund Employee:** Federal Tax-\$1,375.65; State Tax-\$711.71; FICA-\$1,185.47; Medicare-\$277.24; Retirement-\$885.28; 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-\$192.50; VSP Vision Prem-\$15.34; Legal Shield-\$61.79; Liberty National PreTax-\$6.50; VSP Vision Base-\$24.40; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,597.68; Net Pay-\$1,172.41; Retirement-\$107.84; Total FICA-\$121.49; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yvette Aldana-\$1,597.68; **Health Planning Grant Employee 2502:** Federal Tax-\$109.56; State Tax-\$62.74; FICA-\$98.46; Medicare-\$23.03; Extra Fit-\$50.00; Retirement-\$71.90; VSP Vision Prem-\$9.58; Legal Shield-\$0.00; **Health Program Grant Employer 2504:** Gross Salaries-\$1,574.70; Net Pay-\$1,227.26; Retirement-\$106.29; Total FICA-\$118.24; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yesica Saldana Cisneros-\$1,574.70; **Health Program Grant Employee 2504:** Federal Tax-\$84.75; State Tax-\$44.61; FICA-\$95.83; Medicare-\$22.41; Retirement-\$70.86; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,500.00; Net Pay-\$1,232.90; Retirement-\$101.25; Total FICA-\$112.82; Kristin Robinette-\$1,500.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$34.19; State Tax-\$27.35; FICA-\$91.44; Medicare-\$21.38; Retirement-\$67.50; VSP Vision Prem-\$25.24;

Chair Giese, at 3:11 p.m. opened the Public Hearing for the purpose of receiving evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a liquor license for the following business: Ellanay Country Events, LLC dba Ellanay Country Events, 1265 Moody Rd, Jackson, Nebraska for a Class I Beer, Wine, Distilled Spirits, On Sale Only. Attorney for Ellany, Jeremy Saint, spoke in favor of said license request. There were no comments opposing or in neutral. Chair Giese closed the public hearing at 3:14 p.m.

Commissioner Van Berkum moved, seconded by Commissioner Launsby to approve the issuance of a liquor license for Ellanay Country Events, LLC dba Ellanay Country Events, 1265 Moody Rd, Jackson, Nebraska for a Class I Beer, Wine, Distilled Spirits, On Sale Only. ROLL CALL VOTE: Launsby-Yes, Giese-Yes, Love-Yes, Van Berkum-yes, Hohenstein-Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve the Special Designated Liquor License for Wat Buddharam of Siouland, Inc., for a Fundraising Event on September 3, 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: Giese-Yes, Love-Yes, Van Berkum-yes, Launsby-Yes, Hohenstein-Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve removing Ted Piepho and Willard Johnston and adding Nicholas Nieman, Veteran Service Officer and Cherie Conley, County Clerk as authorized signers on the account at BankFirst for the Veteran Service Account. ROLL CALL VOTE: Love-Yes, Van Berkum-yes, Launsby-Yes, Giese-Yes, Hohenstein-Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve Resolution 23C-019 to declare the following items as surplus to sell on Big Iron: 2011 Caterpillar Motor Grader 140M2; 700 Coats Tire Balancer; AC/DC Electric Welder; and Alkota Pressure Washer 14 Gallons. ROLL CALL VOTE, Launsby-Yes, Giese-Yes, Love-Yes, Van Berkum-yes, Hohenstein-Absent. UNANIMOUS MOTION CARRIED.

BOARD OF COUNTY COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 23C-019

**RESOLUTION TO DECLARE
MOBILE EQUIPMENT AS SURPLUS PROPERTY**

WHEREAS, the County owns mobile equipment which has a value of five thousand dollars or more and which is not usable by the County and/or obsolete; and

WHEREAS, said mobile equipment consists of the following property:

- 2011 Caterpillar Motor Grader 140M2
- 700 Coats Tire Balancer
- AC/DC Electric Welder
- Alkota Pressure Washer 14 Gallons

WHEREAS, the County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3115 and shall be sold by competitive bidding.

NOW THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THAT the mobile equipment listed is unusable by the County and/or obsolete and is therefore declared surplus property.

IT IS FURTHER RESOLVED THAT the Highway Superintendent be directed to coordinate disposal of said property in accordance with the laws of the State of Nebraska.

DATED this 7th day of August, 2023.

Robert J. Giese, Board Chair

ATTEST:
Cherie Conley, County Clerk

Jolene Gubbels, Highway Superintendent gave the Road Report for July 23, 2023 to August 5, 2023. Total Road Maintenance: 261.5 hours, Overtime: 32 hours, Tree/Debris removal: 48 hours, Bridge Maintenance: 10 hours, Culverts/Road projects: 160 hours, Gravel hauling: 72 hours, 1186.14 tons of gravel hauled, sign repair/barricading: 17.5 hours and Road Concerns T Avenue. Jolene Gubbels reported that Tim Lamprecht has been working on the Dove Trail issue and there seems to be a discrepancy of 20 feet between previous survey's and current. More discussion was had regarding Rick Bousquet's prior offer to cut down trees. It was decided that the Road Department should get some quotes on tree removal to see what it would cost just to give some idea.

Mail and/or Emergency business: Sheriff Kleinberg informed them there is an issue with the installation of the new fire alarm system and stated that the HVAC did not get hooked up to the fire alarm system. Bousquet's A-Team will be contacted.

There were no Commissioner Committee reports: There were none.

Chair Giese reminded the Board that the Chief Justice luncheon will be Tuesday, August 15th and on August 18th at Kramper Lake for Dakota County Rural Water review.

Commissioner Van Berkum moved, seconded by Commissioner Giese to adjourn the meeting of August 7, 2023 at 3:43 p.m. All in favor.

Dakota County Board of Commissioners

Robert Giese, Chair

Cherie Conley, County Clerk/Secretary