

Dakota County Board of Commissioners
Tuesday, September 5, 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, 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 agenda if necessary.

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.

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 – August 21, 2023
 - b. Approval of payroll claims for August 20, 2023 to September 2, 2023
 - c. Approval of payroll accounts payable claims
 - d. Approval of any other accounts payable claims (if any)
3. NEW BUSINESS AND RESOLUTIONS
 - a. Board to review and approve bid for Old Firehall Parking Lot Project .
 - b. Board to review and approve bid for Courthouse Parking Lot Option 1 or Option 2.
 - c. Board to review and approve bid for Jail Parking Lot Project.
 - d. Board to review and approve bid for new Semi Tractor Day Cab 4500/hp or more diesel with a Cummins Engine and 12,000lb front axle.
 - e. Board to review and approve bid for new 23.5 cubic yards or more bottom dump trailer.
 - f. John Krause, NRD, to explain the situation with Pigeon Jones Creek site 11 and the need to replace the Simmons Dam structure on O'Dell Ave (PJ12A) and will be requesting Boards approval of the new Interlocal Agreement.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Board to review and certify each officer's notarized inventory statement of all County personal property in the possession of that officer as valid and file them in the County Clerk's Office.
§23-347
 - c. Discuss and approve or deny project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
 - One Office – 2 office chairs for Road Department
 - Foulk Brothers – Work already done. Repaired broken sewer line in basement west wing courthouse.
 - RTI – Building & Grounds – new printer for office (color or BW)
 - SSC Senior Center – request for funds for continued renovations
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

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

Public Comment: Walter Beermann-Likuwanta Drive, So Sioux City, spoke to the Board regarding his efforts in trying to recoup water from the aquifer and channel water from Tyson back to the lake beds. He also spoke about the cottonwood trees growing in the dried up lakebed and spraying options he has checked into. The Board questioned the ownership of the property. Chair Giese expressed appreciation for all the hard work Mr. Beermann is doing and suggested he attend a meeting at the NRD on September 14th to see if there are some options with them to bring the water back to the lakebeds.

Commissioner Love moved, seconded by Commissioner Launsby to approve the consent agenda items: a) Approval of the previous meeting minutes – August 21, 2023; b) Approval of payroll claims for August 20, 2023 to September 2, 2023; c) Approval of payroll accounts payable claims; d) no accounts payable claims. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$171,292.74; Net Pay-\$122,863.42; Total Retirement-\$11,929.73; Total FICA-\$12,663.46; Health Plan-\$42,560.00; Dental Plan-\$1,520.00; Life Insurance-\$198.91; 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-\$1,488.86; Kathy Abbe-\$1,375.21; Dawn Bousquet-\$2,427.12; Maria Garcia-\$1,134.40; Stephanie Gatzemeyer-\$1,675.20; Jalissa Hattig-\$1,363.20; Brenda Landaverde-\$1,194.98; Emily McNaughton-\$1,274.40; 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; Samantha Mitchell-\$1,280.00; Rodney Soole-\$2,240.00; Tammy Dunn Peterson-\$1,292.80; Shaun Bird-\$3,017.90; Timothy Decker-\$3,067.28; Brian Ellinger-\$2,549.88; Penny Epting-\$2,874.70; Brian Fernau-\$2,944.60; Tyler Fulkerth-\$2,397.60; Jeremy Gilpin-\$2,919.14; Martin Guerrero-\$2,353.86; Melvin Harrison III-\$2,524.86; Jason James-\$2,336.80; Douglas Johnson-\$2,485.18; Kimberly Johnson-\$422.98; Jared Junge-\$2,552.60; Christopher Kleinberg-\$3,032.28; Jose Magana-\$2,333.33; Gregory Nyhof-\$2,570.45; Jonathan Romo-Rodriguez-\$2,594.25; Mardi Schnee-\$1,155.20; Ryne Sell-\$484.83; Joshua Townsend-\$2,571.52; 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-\$1,280.00; Angelica Antonio Flores-\$1,679.16; Shaelee Barreras-\$0.00; Rebecca Broer-\$1,993.48; Kacie Brown-\$1,269.86; Ismael Castro-\$1,177.15; Timathey Chamberlain-\$1,839.88; Ruby De La Torre-\$1,540.66; Elisabet DeRoin-\$2,234.97; Jesse Doelle-\$1,759.12; Jennifer Fuentes-\$1,627.92; Jonathan Gray-\$1,908.78; Sara Gritten-\$1,720.89; Kara Groetken-\$1,904.80; Todd Hammer-\$2,464.02; Adam Hough-\$1,830.40; Terry Johnson-\$2,233.01; Nathan Jones-\$2,043.75; Brandon Long-\$1,651.44; Jennifer Marquez-\$1,651.44; Skyler Miner-\$1,866.41; Keaton Mueller-\$1,660.44; Kelsey O'Neill-\$2,047.40; Jaime Perez-Rojas-\$479.75; Kimberly Peterson-\$1,836.17; Adrian Ramos-\$1,611.76; Adolfo Raya-\$1,663.18; Michele Rohde-\$1,514.07; Angel Ruelas Hernandez-\$765.95; Jerry Santos-\$1,606.92; Rebecca Schoep-\$1,811.89; Jennifer Svendsen-\$3,068.07; Estrella Vazquez-\$1,868.38; Randall Walsh-\$2,485.23; Deanna Hagberg-\$2,080.80; Jolene Gubbels-\$2,002.61; Jana Adam-\$822.74; Jennifer Ankersterjerne-\$1,597.93; Theresa Grove-\$2,337.60; Courtney Swick-\$1,563.54; Nicholas Nieman-\$2,000.22; **General Fund Employee:** Federal Tax-\$11,017.24; State Tax-\$6,119.56; Soc Sec-\$10,263.18; Medicare-\$2,400.28; Extra Fit-\$1,191.00; Extra Sit-\$300.00; Retirement-\$8,121.72; Health Plan-\$3,250.00; Dental Plan-\$483.00; Colonial Health-\$219.59; Sheriff Union Dues-\$375.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,315.38; Garnishments-\$1,331.06; Flex Plan Medical-\$957.31; Flex Dependent Care-\$208.33; VSP Vision Prem-\$381.74; Legal Shield-\$142.01; Liberty Nat'l Pretax-\$152.64; Liberty Nat'l Post tax-\$41.96; VSP Vision Base-\$104.32; **Road Fund Employer:** Gross Salaries-\$19,240.15; Net Pay-\$13,537.99; Retirement-\$1,298.71; Total FICA-\$1,430.52; Health Plan-\$5,600.00; Dental Plan-\$200.00; Life Insurance-\$24.61; Brent Byroad-\$2,129.36; Chad Cockburn-\$1,816.00; Robert Hacker-\$2,077.75; Lance Jacobsen-\$1,816.00; David Kneiff-\$2,047.00; Kimon Litras-\$2,066.04; 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-\$1,302.34; State Tax-\$685.86; FICA-\$1,159.38; Medicare-\$271.14; Retirement-\$865.81; 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-\$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-\$1,582.56; Net Pay-\$1,161.78; Retirement-\$106.82; Total FICA-\$120.33; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yvette Aldana-\$1,582.56; **Health Planning Grant Employee 2502:** Federal Tax-\$107.83; State Tax-\$61.82; FICA-\$97.52; Medicare-\$22.81; Extra Fit-\$50.00; Retirement-\$71.22; VSP Vision Prem-\$9.58; **Health Program Grant Employer 2504:** Gross Salaries-\$1,569.73; Net Pay-\$1,223.75; Retirement-\$105.96; Total FICA-\$117.87; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yesica Saldana Cisneros-\$1,569.73; **Health Program Grant Employee 2504:** Federal Tax-\$84.18; State Tax-\$44.31; FICA-\$95.53; Medicare-\$22.34; Retirement-\$70.64; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,550.00; Net Pay-\$1,253.46; Retirement-\$104.63; Total FICA-\$115.03; Kristin Robinette-\$1,550.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$36.86; State Tax-\$28.66; FICA-\$93.23; Medicare-\$21.80; Retirement-\$69.75; Dental Plan-\$21.00; VSP Vision Prem-\$25.24.

Payroll Accounts Payable: General Fund: Collection Service Center, garnishment-\$564.45; Colonial Life & Accident, life insurance premium-\$273.59; Dakota County Dental Account, premium-\$2003; Dakota County Health Plan, premium-\$45,810.00; Fraternal Order of Police #49, union dues-\$375.00; Federal Withholding, federal taxes-\$12,208.24; Globe Life Liberty, premium-\$194.63; Legalshield, premium-\$142.01; Dakota County Life Insurance, premium-\$198.91; Mid-American Benefits, flex & dependent care-\$1,165.64; Nationwide Retirement Solutions, contributions-\$1,315.38; Nebraska Child Support, garnishments-\$766.61; Neb Dept of Revenue, state taxes-\$6,419.56; Principal Life Insurance, premiums-\$2,388.46; Ameritas Retirement, contributions-\$20,051.45; Social Security, FICA & MEDI-\$25,326.92; VSP, premium-\$486.06. **Road Fund:** Colonial Life & Accident, life insurance premium-\$73.33; Dakota County Dental Account, premium-\$263.00; Dakota County Health Plan, premium-\$6,050.00; Federal Withholding, federal taxes-\$1,302.34; Globe Life Liberty, premium-\$6.50; Legalshield, premium-\$61.81; Dakota County Life Insurance, premium-\$24.61; Nebraska Child Support, garnishments-\$530.77; Neb Dept of Revenue, state taxes-\$685.86; Nebraska Public Empl Local 251, union dues-\$192.50; Ameritas Retirement, contributions-\$2,164.52; Social Security, FICA & MEDI-\$2,861.04; VSP, premium-\$39.74. **Insurance Fund 1275:** Mid-American Benefits, administrative costs-\$34,756.48; Mid-American Benefits – premiums and claims-\$24,641.90. **Health 2502 Fund:** Dakota County Dental Account, premium-\$20.00; Dakota County Health Plan, premium-\$560.00; Federal Withholding, federal taxes-\$157.83; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$61.8; Principal Life Insurance, premiums-\$23.76; Ameritas Retirement, contributions-\$178.04; Social Security,

FICA & MEDI-\$240.66; VSP, premium-\$9.59. **Health 2504 Fund:** Dakota County Dental Account, premium-\$41.00; Dakota County Health Plan, premium-\$560.00; Federal Withholding, federal taxes-\$84.18; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$44.31; Principal Life Insurance, premiums-\$23.42; Ameritas Retirement, contributions-\$176.60; Social Security, FICA & MEDI-\$235.74; VSP, premium-\$7.98. **Juvenile Services Fund:** Dakota County Dental Account, premium-\$41.00; Federal Withholding, federal taxes-\$36.86; Principle Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$28.66; Ameritas Retirement, contributions-\$174.38; Social Security, FICA & MEDI-\$230.06; VSP, premium-\$25.24.

Chair Giese called for agenda item 4. c. Discuss and approve or deny project/s with monies from the American Rescue Plan Act (ARPA) relief funding. SSC Senior Center – request for funds for continued renovations. Terry Barnett, Board President, SSC Senior Center, provided the Board with photos of the concrete work that needs done, the ceiling tiles they'd like replaced and the outdoor lighting that needs updated. The Board requested they acquire 3 bids for these projects and bring them back before the Board.

Chair Giese called for Old Firehall Parking Lot Project bid review and approval. Frank's Asphalt bid \$9,975.00 start date May 2024; Barkley Asphalt bid \$8,960.00 start date October 15, 2023; and Knife River bid \$14,306.00 start date Fall 2023. Commissioner Love moved, seconded by Commissioner Launsby to approve, and award the bid for the Old Firehall Parking Lot to Barkley Asphalt for \$8,960.00 with a start date of October 15, 2023 from the ARPA funds. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Chair Giese called for bid review and approval for Courthouse Parking Lot Project Option 1-Asphalt and Option 2-Concrete. Option 1-Asphalt: Frank's Asphalt bid \$20,075.00 start date May 2024; Barkley Asphalt bid \$28,225.00 start date October 15, 2023; and Knife River bid \$38,200.00 start date Fall 2023. Option 2-Concrete: TR Harris \$111,400 start date Spring 2024 and Gill Construction \$127,968.75 start date May 2024. Commissioner Giese moved, seconded by Commissioner Love to approve, and award the bid for the Courthouse Parking Lot Project Option 1-Asphalt to Barkley Asphalt for \$28,225.00 with a start date of October 15, 2023 from the ARPA funds. ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Chair Giese called for bid review and approval for Jail Parking Lot Project. Frank's Asphalt bid \$89,600.00 start date May 2024; Barkley Asphalt bid \$81,371.00 start date May 1, 2024; and Knife River bid \$112,915.00 start date Spring 2024. Commissioner Love moved, seconded by Commissioner Giese to approve, and award the bid for the Jail Parking Lot to Barkley Asphalt for \$81,371.00 with a start date of May 1, 2024 from the ARPA funds. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Chair Giese called for bid review and approval for a Semi Tractor Day Cab 4500/hp or more diesel with a Cummins Engine and 12,000lb front axle. Only one bid was received – Midwest Peterbilt Group from Council Bluffs IA – 2024 Peterbilt 567 Cummins engine for \$181,680.00 delivered 2-23-2024. Discussion was had regarding repairs to the 1997 truck and the 2015 truck is in good condition. Commissioner Love moved, seconded by Commissioner Giese to approve, and award the bid to Midwest Peterbilt Group from Council Bluffs IA for a 2024 Peterbilt 567 Cummins engine for \$181,680.00 delivered 2-23-2024 from the ARPA funds. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Chair Giese called for bid review and approval for new 23.5 cubic yards or more bottom dump trailer. Siouxland Trailer Sales \$48,900.00 delivered August 24, 2023; Keast Enterprises Inc. \$52,528 delivered September 21, 2023; and Jim Hawk Truck Trailers \$45,222.10 delivered December 15, 2023. Commissioner Hohenstein moved, seconded by Commissioner Launsby to approve, and award the bid to Jim Hawk Truck Trailers \$45,222.10 delivered December 15, 2023 from the ARPA funds. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

John Krause, NRD, explained that when the Simmons Dam structure was put in the runoff is causing the Pigeon Jones Watershed Structures #12A and #11 to be replaced. Mr. Krause also requested the Board's approval of a new interlocal agreement as the last one was from 1997. The NRD will pay 100% of the cost of putting in a culvert and when complete the county will be responsible for maintaining it. Commissioner Love moved, seconded by Commissioner Giese to approve the Chair to sign the Interlocal Agreement between Papio-Missouri River NRD and Dakota County for replacement of Pigeon Jones Watershed Structure No. 11 Option 3. ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for August 18 – September 2, 2023. Total road maintenance- 390 hours; Overtime- 28.5 hour; tree/debris removal- 23.5 hours; bridge maintenance- 4 hours (Wachter bridge); culvert/road projects- 14 hours (I Ave); gravel hauling- 59 hours; total tons hauled- 475.39; sign repair/barricading- 4 hours. Grading concerns- Pigeon Ave; Gravel concerns- E Ave, 230th St, Q Ave, 207th St. Ms. Gubbels informed the Board that they had to close a bridge on 160th & R Avenue to large equipment which goes to a farm place. Emergency repairs are 6 weeks out and the property owners need to get their crops out. The Road Department

and Road Committee will go out to the area and figure out an alternate route for the farmer and repair options to the bridge.

Commissioner Love moved, seconded by Commissioner Launsby, to approve each officer's inventory statement of all county personal property as of June 30th and to file them in the Office of County Clerk. ROLL CALL VOTE: Love – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

ARPA Funds.

Commissioner Love moved, seconded by Commissioner Giese to approve the purchase of 2 new office chairs for the Road Department from One Office Solution from ARPA funds. ROLL CALL VOTE: Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese to approve paying Foulk Plumbing and Heating for the repairs of the sewer leak in the basement of the Courthouse from ARPA funds. ROLL CALL VOTE: Launsby – Yes, Giese – Yes, Love – Yes, Hohenstein – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Hohenstein moved, seconded by Commissioner Giese to approve the purchase of a black and white HP LaserJet Pro printer for the Building and Grounds department from ARPA funds. ROLL CALL VOTE: Giese – Yes, Love – Yes, Hohenstein – Yes, Launsby – Yes, Van Berkum – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love noted that the Building and Grounds Supervisor would like to move out of the basement to the public defender area after they get moved. Commissioner Giese noted that he would like to see an office space created for the board of commissioners to use.

Committee Reports: Commissioner Giese reminded the Board of the NRD meeting on September 14, 2023 at 4:00 pm

Commissioner Love moved, seconded by Commissioner Giese to adjourn the meeting at 4:29 p.m. All in favor.

Dakota County Board of Commissioners

Robert Giese, Chair

Cherie Conley, County Clerk/Secretary