

Dakota County Board of Commissioners
Monday, November 13, 2023 - 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, Van Berkum, Hohenstein, Launsby. Absent: None. Also present was Debra Fergen, Chief Deputy County Attorney, appearing for Ms. Watson, 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*

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 – October 30, 2023
 - b. Approval of payroll claims for October 29 to November 11, 2023
 - c. Approval of payroll accounts payable claims
 - d. Approval of accounts payable claims – Juror claims
 - e. Veterans Office Quarterly Report for July to September 2023
3. NEW BUSINESS AND RESOLUTION
 - a. 3:02 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a zoning change from AG to HSB(Highway Service Business). The proposed location is 1680 Hwy 110, Dakota City, Nebraska, Section 1, Township 28N, Range 8E. (Terry Kampf)
 - b. Board to approve Resolution 23C-038 Adopting Amended Zoning Regulations changing Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business).
 - c. Ebony Cooksey, Nextlink Internet, Via Zoom, to share updates regarding broadband and digital opportunities in the county.
 - d. Brent Neise, Summit Carbon Solutions, to give a project update.
 - e. Approve Resolution 23C-039 to certify Highway Superintendent for calendar year 2023.
 - f. Dawn Bousquet, Treasurer, to report the number of distress warrants and total amount of money involved upon turning the distress warrants over to the Sheriff. §77-1718.
 - g. Board to acknowledge Road Foreman Vacancy and discuss options regarding the Road Foreman position.
 - h. Board to make a motion regarding the Road Foreman position.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Theresa Grove, Health Department Director, Quarterly Health Department Report
 - b. Jolene Gubbels, Highway Superintendent – Road Report
 - c. Jolene Gubbels, Highway Superintendent – requesting discussion and possible action regarding fencing on Oakdale Road North of Hwy 20.
 - d. Discuss and approve or deny project/s or purchases with monies from the American Rescue Plan Act (ARPA) relief funding.
 - Register of Deeds Office requesting approval for new office furniture.
Quote from One Office Solution
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Giese called for public comment. Walter Beermann gave the Board a brief summary of the Crystal Lake Restoration Project to put water back into the Nebraska aquifer (Crystal Lake lakebed). Chair Giese reported that he had heard back from Matt from Olsson and Associates working on a feasibility study and will have completed by the end of the year.

Chair Giese called for approval of the consent agenda items. Commissioner Love moved, seconded by Commissioner Van Berkum, to approve the consent agenda items: a) approval of the previous meeting minutes – October 30, 2023; b) Approval of payroll claims for October 29 to November 11, 2023; c) Approval of payroll accounts payable claims; d) Approval of accounts payable claims – Juror claims; e) Veterans Office Quarterly Report for July to September 2023. ROLL CALL VOTE: Love- yes, Van Berkum-yes, Hohenstein-yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$177,039.85; Net Pay-\$126,627.35; Total Retirement-\$12,835.18; Total FICA-\$13,084.80; Health Plan-\$43,680.00; Dental Plan-\$1,560.00; Life Insurance-\$203.12; 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-\$1,460.80; Paola Ledesma-\$1,548.02; Kathy Abbe-\$1,444.80; Dawn Bousquet-\$2,427.12; Maria Garcia-\$1,282.40; Stephanie Gatzemeyer-\$1,675.20; Jalissa Hattig-\$1,444.00; Brenda Landaverde-\$1,365.60; Emily McNaughton-\$1,274.40; Debera Benton-\$1,480.80; Christy Abts-\$2,427.12; Melissa Collins-\$1,655.20; Joseph O'Neil-\$611.54; Karen Becerra-\$1,616.80; Katherine Wiltgen-\$2,427.12; Louvontree Hunter-\$3,441.59; Debra Jensen-\$1,774.36; Samantha Mitchell-\$1,325.60; Rodney Soole-\$2,240.00; Tammy Dunn Peterson-\$1,526.84; Shaun Bird-\$2,061.28; Timothy Decker-\$2,582.88; Brian Ellinger-\$2,864.68; Penny Epting-\$3,441.26; Brian Fernau-\$2,502.50; Tyler Fulkerth-\$2,757.24; Jeremy Gilpin-\$2,969.47; Martin Guerrero-\$2,579.08; Melvin Harrison III-\$3,361.41; Jason James-\$2,738.44; Douglas Johnson-\$2,559.34; Kimberly Johnson-\$523.60; Jared Junge-\$2,609.92; Christopher Kleinberg-\$3,032.28; Jose Magana-\$2,394.90; Gregory Nyhof-\$2,466.52; Jonathan Romo-Rodriguez-\$2,849.27; Mardi Schnee-\$1,331.20; Joshua Townsend-\$2,372.70; Sarah Hammond-\$2,244.21; Shantel Krull-\$1,093.75; Melinda Sandvick (Wicks)-\$1,538.46; Debra Schmiedt-\$3,580.95; Kimberly Watson-\$3,789.70; Emma Wiebelhaus-\$1,400.00; Jacob Acero-\$1,595.44; Angelica Antonio Flores-\$1,956.48; Rebecca Broer-\$1,970.30; Ismael Castro-\$1,409.90; Timathey Chamberlain-\$1,838.42; Ruby De La Torre-\$1,892.34; Elisabet DeRoin-\$2,536.08; Jesse Doelle-\$1,759.12; Cody Epting-\$697.68; Rebekah Epting-\$697.68; Jennifer Fuentes-\$2,276.27; Jonathan Gray-\$2,163.91; Kara Groetken-\$2,332.30; Todd Hammer-\$2,433.60; Adam Hough-\$2,511.58; Dustin Johnson-\$1,230.14; Terry Johnson-\$2,139.10; Brandon Long-\$2,005.32; Jennifer Marquez-\$707.76; Skyler Miner-\$2,326.45; Donata Moniz-\$860.91; Keaton Mueller-\$1,928.27; Kelsey O'Neill-\$2,297.19; Jaime Perez-Rojas-\$493.85; Kimberly Peterson-\$1,902.14; Adrian Ramos-\$2,005.32; Adolfo Raya-\$1,856.04; Michele Rohde-\$1,559.28; Angel Ruelas Hernandez-\$746.63; Jeremy Russell-\$1,606.92; Jerry Santos-\$1,841.32; Jennifer Svendsen-\$3,392.78; Randall Walsh-\$2,560.17; Deanna Hagberg-\$2,143.20; Jolene Gubbels-\$2,079.80; Jana Adam-\$474.79; Jennifer Ankerstjerne-\$1,816.54; Theresa Grove-\$2,408.00; Johanna Marquez-\$640.00; Courtney Swick-\$1,697.99; Nicholas Nieman-\$2,000.22; **General Fund Employee:** Federal Tax-\$11,327.23; State Tax-\$6,278.31; Soc Sec-\$10,604.65; Medicare-\$2,480.15; Extra Fit-\$1,171.00; Extra Sit-\$335.00; Retirement-\$8,897.76; Health Plan-\$3,450.00; Dental Plan-\$504.00; Colonial Health-\$219.59; Sheriff Union Dues-\$390.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,355.38; Garnishments-\$1,331.06; Flex Plan Medical-\$957.31; Flex Dependent Care-\$208.33; VSP Vision Prem-\$420.64; Legal Shield-\$126.09; Liberty Nat'l Pretax-\$152.66; Liberty Nat'l Post tax-\$41.97; VSP Vision Base-\$107.37; **Road Fund Employer:** Gross Salaries-\$22,831.98; Net Pay-\$16,330.50; Retirement-\$1,541.17; Total FICA-\$1,730.46; Health Plan-\$3,920.00; Dental Plan-\$140.00; Life Insurance-\$16.96; Paul Arrowood-\$1,719.73; Brent Byroad-\$6,142.86; Chad Cockburn-\$1,401.73; Robert Hacker-\$1,852.00; Lance Jacobsen-\$1,816.00; David Kneifl-\$2,423.63; Daniel Konrad Lisenbee-\$1,816.00; Kimon Litras-\$1,992.68; Dean Pallas-\$1,840.00; Gunner Stanwick-\$1,827.35; **Road Fund Employee:** Federal Tax-\$2,259.75; State Tax-\$964.56; FICA-\$1,402.46; Medicare-\$328.00; Retirement-\$1,027.44; Health Plan-\$200.00; Dental Plan-\$42.00; Colonial Health-PreTax-\$38.23; Colonial Health L/D-\$35.10; Garnishments-\$0.00; Road Union Dues-\$137.50; VSP Vision Prem-\$0.00; Legal Shield-\$40.38; Liberty National PreTax-\$6.50; VSP Vision Base-\$19.56; **Health Program Grant Employer 2504:** Gross Salaries-\$1,750.54; Net Pay-\$1,373.73; Retirement-\$111.20; Total FICA-\$131.71; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Mohamud Ibrahim-\$103.18; Yesica Saldana Cisneros-\$1,647.36; **Health Program Grant Employee 2504:** Federal Tax-\$93.08; State Tax-\$48.91; FICA-\$106.74; Medicare-\$24.97; Retirement-\$74.13; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,748.50; Net Pay-\$1,399.56; Retirement-\$118.02; Total FICA-\$130.22; Kristin Robinette-\$1,748.50; **Juvenile Services Aid Employee 2507:** Federal Tax-\$55.82; State Tax-\$37.97; FICA-\$105.54; Medicare-\$24.68; Retirement-\$78.68; Dental Plan-\$21.00; VSP Vision Prem-\$25.25;

Payroll Accounts Payable: General Fund: Collection Service Center, garnishment-\$564.45; Colonial Life & Accident, life insurance premium-\$273.59; Dakota County Dental Account, premium-\$2064.00; Dakota County Health Plan, premium-\$47,130.00; Fraternal Order of Police #49, union dues-\$390.00; Federal Withholding, federal taxes-\$12,498.23; Globe Life Liberty, premium-\$194.60; Legalshield, premium-\$126.09; Dakota County Life Insurance, premium-\$203.12; Mid-American Benefits, flex & dependent care-\$1,239.14; Nationwide Retirement Solutions, contributions-\$1,355.38; Nebraska Child Support, garnishments-\$766.61; Neb Dept of Revenue, state taxes-\$6,613.31; Ameritas Retirement, contributions-\$21,732.94; Social Security, FICA & MEDI-\$26,169.60; VSP, premium-\$528.01. **Road Fund:** Colonial Life & Accident, life insurance premium-\$73.33; Dakota County Dental Account, premium-\$182.00; Dakota County Health Plan, premium-\$4120.00; Federal Withholding, federal taxes-\$2,259.75; Globe Life Liberty, premium-\$6.50; Legalshield, premium-\$40.38; Dakota County Life Insurance, premium-\$16.96; Neb Dept of Revenue, state taxes-\$964.56; Nebraska Public Empl Local 251, union dues-\$137.50; Ameritas Retirement, contributions-\$2,568.61; Social Security, FICA & MEDI-\$3,460.92; VSP, premium-\$19.56. **Insurance Fund 1275:** Mid-American Benefits-claims \$47,055.02. **Health 2504 Fund:** Dakota County Dental Account, premium-\$41.00; Dakota County Health Plan, premium-\$560.00; Federal Withholding, federal taxes-\$93.08; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$48.91; Ameritas Retirement, contributions-\$185.33; Social Security, FICA & MEDI-\$263.42; VSP, premium-\$7.98. **Juvenile Services Fund:** Dakota County Dental Account, premium-\$41.00; Federal Withholding, federal taxes-\$55.82; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$37.97; Ameritas Retirement, contributions-\$196.70; Social Security, FICA & MEDI-\$260.44; VSP, premium-\$25.25.

Accounts Payable: General Fund: Kathryn Albrecht, juror fee & mileage-\$58.58; Andrea Barclay, juror fee & mileage-\$45.48; Jean Beach, juror fee & mileage-\$39.59; Sara Blum, juror fee & mileage-\$38.93; Alba Chavez, juror fee & mileage-\$38.93; Andrew Cross, juror fee & mileage-\$194.65; Cody Davis, juror fee & mileage-\$42.86; Adam Durant, juror fee & mileage-\$166.20; Channce Engel, juror fee & mileage-\$178.27; Alic Fischer, juror fee & mileage-\$35.65; Jaime Fontanez, juror fee & mileage-\$36.31; Fernando Franco Jr, juror fee & mileage-\$39.71; Maria Garcia Lemus, juror fee &

mileage-\$37.62; Nyakia Gardner, juror fee & mileage-\$207.75; Khrystyna Gerke Heberer, juror fee & mileage-\$47.35; Georgette Gonshorowski, juror fee & mileage-\$35.65; Blaine Gunderson, juror fee & mileage-\$38.27; Jason Guthmiller, juror fee & mileage-\$37.62; David A Hawkins, juror fee & mileage-\$62.51; Neftali Hernandez, juror fee & mileage-\$40.37; Bryon L Hines, juror fee & mileage-\$36.31; Cynthia Hobbs, juror fee & mileage-\$214.30; Laura Holland, juror fee & mileage-\$214.30; Cameron Johnson, juror fee & mileage-\$178.27; Matthew Kaylor, juror fee & mileage-\$43.51; Jacob Kempers, juror fee & mileage-\$35.63; Jackie King-Coughlin, Bailiff fee & mileage-\$779.65; Lynn Krause, juror fee & mileage-\$45.48; Von Lee, juror fee & mileage-\$35.65; Alondra Lemus Magana, juror fee & mileage-\$36.31; Kyle Maffit, juror fee & mileage-\$41.94; Holley Merithew, juror fee & mileage-\$38.60; Chad Miller, juror fee & mileage-\$198.58; John Mullins, juror fee & mileage-\$48.10; Nahod Muzollo, juror fee & mileage-\$42.20; Christina Nelson, juror fee & mileage-\$49.41; Francisco Nuno-Romero, juror fee & mileage-\$38.93; Keith Offerman, juror fee & mileage-\$204.47; Viola Pearce, juror fee & mileage-\$41.94; Amy Reed, juror fee & mileage-\$194.65; Liliana Rios, juror fee & mileage-\$37.62; Kobie Straw, juror fee & mileage-\$35.65; Sandra Stork, juror fee & mileage-\$50.72; Samuel Swanson, juror fee & mileage-\$42.20; Chelsea Umscheid, juror fee & mileage-\$37.29; Elidia Valdivia, juror fee & mileage-\$184.82; Matthew Victoreen, juror fee & mileage-\$195.96; Jessica Ward, juror fee & mileage-\$201.30.

Chair Giese opened the Public Hearing at 3:05 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding a zoning change from AG to HSB(Highway Service Business). The proposed location is 1680 Hwy 110, Dakota City, Nebraska, Section 1, Township 28N, Range 8E. (Terry Kampfe) Chair Giese called for comments in support - there were no comments. Chair Giese called for comments of criticism - there were no comments. Chair Giese called for neutral comments—there were no comments. Chair Giese closed the hearing at 3:06 p.m.

Chair Giese advised that the Planning and Zoning Commission recommended approval of the amended zoning request. Jolene Gubbels advised this business is a graphic design business and working out of his shed and done mostly online. Commissioner Love moved, seconded by Commissioner Launsby to approve Resolution 23C-038 Adopting Amended Zoning Regulations changing Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business). ROLL CALL VOTE: Van Berkum – Yes, Hohenstein – Yes, Launsby – Yes, Giese – Yes, Love – Yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 23C-038

RESOLUTION ADOPTING AMENDED DAKOTA COUNTY ZONING REGULATIONS

WHEREAS, the County Board of Commissioners has the authority to amend zoning resolutions which shall have the force and effect of law pursuant to Section 508 of the Zoning Ordinances of Dakota County, Nebraska; and

WHEREAS, the County Board of Commissioners established the Dakota County Planning Commission pursuant to Regulation as set for by Neb. Rev. Stat. §23-114 to 23-114.05, 23-168.04, 23-172 to 23-174, 23-174.02, 23-373 and 23-376; and,

WHEREAS, the Commission has determined it reasonable and necessary to amend Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business); and

WHEREAS, it is the intent of the County Board to enact the proposed amendment to Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business);

NOW, THEREFORE, BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS that this Board makes the following findings of fact:

- I. A public hearing regarding the adoption of proposed amendment to Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business); was held on October 17, 2023 before the Dakota County Planning Commission as required by the State of Nebraska. The Planning Commission provided its recommendation of approval as noted in the Planning Department Report Exhibit "A".
- II. A public hearing regarding the adoption of the proposed amendment and revisions to the Dakota County Zoning Regulations, was held by this Board as required by §23-114.01(2).
- III. Notice of each of the Public Hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Dakota County Clerk.
- IV. Notice of the time and place of each hearing was also given in writing to the clerks of the local governments which have jurisdiction over land within three (3) miles of the property affected by such action as required by Neb. Rev. Stat. §23-164.
- V. The proposed amendment and revisions to be approved by this Resolution are within Section 302 District Maps of the Dakota County Zoning Regulations. Further the Planning Department report is attached hereto as Exhibit "A".
- VI. The proposed amendment and revisions to the Dakota County Zoning Regulations Section 302 District Maps are consistent with the Dakota County Comprehensive Development Plan and are designed to promote the health, safety and welfare of the present and future inhabitants of Dakota County.

FURTHER, BE IT RESOLVED THAT this Board, in light of the above, after due deliberation and consideration, upon the recommendation of the Planning Commission, adopts the proposed amendments to the Dakota County Zoning Regulations Section 302 District Maps, specifically approval of the amendment as shown in Exhibit "A", and directs the Planning Department to amend the Dakota County Zoning Regulations Section 302 District Maps, Section 1, Township 28N, Range 8E (1680 Hwy 110, Dakota City, Nebraska) from AG to HSB(Highway Service Business) and that the same have full force and effect of law, the effective date of the aforementioned Zoning Regulations shall be November 13, 2023.

BE IT ALSO RESOLVED THAT, pursuant to Neb. Rev. Stat. §23-114.03, the County Clerk is directed and instructed to, within fifteen (15) days of the date of this Resolution, publish these Regulations in book or pamphlet form or once in a legal newspaper published in and of general

circulation in the county, and the County Clerk is further directed to spread these regulations in the minutes of the proceedings of the county board.

FINALLY, BE IT RESOLVED THAT the regulations enacted by this Resolution are intended to be a complete revision of the existing Zoning Regulations, and all previous Resolutions or parts of Resolutions of the Dakota County Board of Commissioners on said subjects or in conflict with the provisions of this Resolution are hereby repealed. The above Resolution was approved by a vote of the Dakota County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 13th day of November, 2023.

PASSED and APPROVED this 13th day of November, 2023.

Exhibit A

Planning Department Report

DAKOTA COUNTY PLANNING COMMISSION: October 17, 2023 MINUTES

The regular meeting of the Dakota County Planning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins Tim Decker, Ron Gill, Gordon Hegge, Dick McCabe, and Harold Moes. Absent: Steven Lieber, and Martin Rohde. Also, present: Planning and Zoning Administrator Joe O'Neill and County Commissioner Brian Van Berkum. Public present: See attached list.

Motion made by Tim Decker, second by Scott Bousquet to excuse the absence of Steven Lieber and Martin Rohde. Consent unanimous. Motion carried.

Notice was made regarding the Open Meeting Act posted on the wall.

Moved by Gordon Hegge, second by Ron Gill, to approve the minutes of the September 19, 2023 meeting minutes. Consent unanimous. Motion carried.

Public Hearing was called order at 7:02pm for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comments regarding the following: To hear a request from Terry Kampfe to rezone his property AG to Highway Service Business at Section 1, Township 28N, Range 8E formally known as 1680 Hwy 110, Dakota City, NE for his graphic design business. The property is just shy of 2 acres. He has had the business for about 15 years with 10 being in his house and then he moved it out to the shed the last 5 years. To be up to date with the regulations he needs to rezone to Highway Business. Chuck Beermann was present and owns ground on the 3 sides of this property. He does not have a problem with the current use of the property but if Mr. Kampfe would sell, the new zoning would stay with the property and there is a bunch of permitted uses that it could become that he would not be in favor for. He also is not in favor of "spot zoning." Joe told him that with the size of the property that it would really limit what other type of business could go in there. Tim Decker asked if the zoning could stay the same and the business fall under a conditional use permit. Joe said that this business did not fall under the conditional uses allowed in the AG zoning. With no further comment the public hearing was closed at 7:14pm.

Motion was made by Ron Collins, second by Scott Bousquet to send a recommendation for approval of the rezoning from AG to Highway Service Business at Section 1, Township 28N, Range 8E formally known as 1680 Hwy 110, Dakota City, NE for his graphic design business to the Board of Commissioners. Roll Call Vote. Unanimous. Motion carried.

The board discussed commercial solar regulations. Ethan Frazier is with Mission Clean Energy. He spoke with the board regarding our regulations and some improvements the county could make to their regulations to streamline the permitting process. Mission is looking at a 1600 plus acre property north of Jackson with 250 megawatts. Ron Collins asked about the number of acres being taken out of crop production. Mr. Frazier said they are working on new ideas all the time like lifting the panels higher so allow for some type of crop production or animal grazing. Tim Decker asked about noise level. The panels don't make noise, but the transformer does. Each row would have their own transformer but would not really be heard once you get 50 feet away. Scott Bousquet asked why the Midwest was the place for all these solar projects and not closer to where the need is. Mr. Frazier said that the Midwest doesn't have as strict of regulations as the coastal states making it easier to do these projects and flatter land in the Midwest is ideal. Also only having to deal with a couple of landowners since the Midwest landowners can own a couple thousand acres as opposed to the coast where they may only own 100 acres. Gordon Hegge asked if there was available capacity in the transmission lines for this. Mr. Frazier said they look at the projected capacity requirements in an area and then try to fit in where they are needed. The ground is leased for 30 years. Life expectancy of panels is estimated to be 30 years. Ron Gill asked if they had setback regulations from residents. Mission does not but tries to stay as rural as possible to cut down on public concerns. They do fence all their panels for security reasons and the height of the fence is usually determined by local regulations. FAA has a website that allows them to put in their project and then the FAA lets them know if they need to conduct any glare studies and so forth. Tim Decker asked Mr. Frazier to send in suggestions on our regulations and to look at Gage County regulations as well. Tim also asked for information on the tax base of the land with the solar panels compared to ag land. Another question was brought up regarding the FAA. Mr. Frazier said they have projects pretty close to airports just depends on the angle of the approach in relation to the solar field.

Miscellaneous and old business. Tabled items: Conditional Use Permit for Summit Carbon Solutions will remain tabled. Joe let the board know that Summit is waiting on our county attorney to get feedback on our regulations. Ron Gill looked up the state statutes on eminent domain and presented them to the board.

Joe went over new zoning permits. Juan Torres- mobile home-Homer, Zach Kramper – new home- Jackson, Kevin Hohenstein – new home- Jackson. Informational statements were given to Brian Binnebose – detached garage- Jackson, and Duane Rohde – storage building - Hubbard

Harold opened up the floor for public comment. No comment.

Moved by Tim Decker, second by Ron Gill to adjourn. Consent unanimous. Motion carried.

Meeting was duly adjourned at 8:00 P.M.

Respectfully submitted,

Jolene Gubbels

Brent Neise with Summit Carbon Solutions gave an update on the progress of the project in Iowa, North Dakota and Nebraska and anticipates decisions the beginning of next year. He explained the opportunity for the use of ethanol in sustainable aviation fuel.

Ebony Cooksey and Nate Murray with Nextlink internet appeared via zoom providing updates regarding the broadband expansion in Dakota County and the funding made available by the FCC and other state monies. This project will bring employment opportunities to the community. They will provide follow-up towards the end of the 1st quarter of 2024.

Oakdale Rd and Fiddler Creek. Jolene Gubbels asked the Board to review the Road Haul agreement and stated it will be on the next agenda for approval. Commissioner Giese asked if she had any updates on the zoning and semi traffic on North Shore Drive. Jolene is waiting to hear back from the City of So Sioux City. Jolene informed that Commissioner Love and Launsby met with her and Gwen Jensen from Envirotech regarding the road stabilization product they have. She stated that she is checking with the NRD to go in on this product and perhaps this could be a test pilot and possible discount. The Board agreed to move forward with checking into applying this product on M Avenue in the Spring 2024.

Jolene Gubbels made the Board aware that residents on Oakdale Road north of Highway 20 have moved their fence lines right up against the road. Commissioner Hohenstein drove the road and confirmed this and there are 2 landowners (Kramper and Lieber) along this road. They've moved the fence about 15 feet from original fence line and the road cannot be maintained properly. Jolene showed the members pictures she had on her phone. Chief Deputy County Attorney, Debra Fergen, recommended the Board send letters to the residents informing them to move the fence lines back to their original places and give them ample amount of time to do so. The Board asked that the County Attorney's office send the letters with Ms. Gubbels providing the office with the necessary information to draft said letters.

Commissioner Love moved, seconded by Commissioner Giese to approve the quote from One Office Solutions for new office furniture for the Register of Deeds office to be paid for from ARPA funds. ROLL CALL VOTE: Giese-yes, Love-yes, Van Berkum-yes, Hohenstein-yes, Launsby-yes. UNANIMOUS MOTION CARRIED.

Rodney Soole, Building and Grounds Supervisor, advised the Board he has prepared a scope of work and sealed bid request for Door B making it handicap assessable and ADA compliant.

Commissioner Committee Reports: Commissioner Love reported the LEC had a Special Meeting to discuss insurance and will be changing companies due to drastic increase. He commented on the situation with the Road Department and a conversation he had with NIRMA Attorney, Pamela Bourne. Commissioner Launsby inquired about the County looking into a different insurance administrator. Commissioner Giese informed a feasibility study may be conducted on Crystal Lake.

Commissioner Van Berkum moved, seconded by Commissioner Love to adjourn the meeting. All in favor. Chair Giese adjourned the Board of Commissioners meeting of November 13, 2023, at 4:27 p.m.

Dakota County Board of Commissioners

Robert J. Giese, Chair

Cherie Conley, County Clerk/Board Secretary