

Dakota County Board of Commissioners
Tuesday, November 12, 2024 - 3:00 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Hohenstein called the meeting to order at 3:00 p.m. Present at Roll Call: Hohenstein, Love, Van Berkum, Giese, 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*

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 28, 2024
 - b. Approval of payroll claims for October 27 to November 9, 2024
 - c. Approval of payroll accounts payable claims
 - d. Approval of accounts payable claims (if any)
 - e. Veterans Office Quarterly Report for July to September 2024
 - f. Sheriff/Jail Quarterly Financial Reports for July – September, 2024.
3. NEW BUSINESS AND RESOLUTION
 - 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: Avantix L.L.C dba Circle S Stable Drive, 1501 Stable Drive, South Sioux City, Nebraska for a Class D Beer, Wine, Spirits Off Sale Only.
 - b. Board to approve or disapprove the issuance of a liquor license for Avantix L.L.C dba Circle S Stable Drive, 1501 Stable Drive, South Sioux City, Nebraska for a Class D Beer, Wine, Spirits Off Sale Only.
 - c. Stephanie Gatzemeyer, 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
 - d. Approve Resolution 24C-029 to certify Highway Superintendent for year calendar year 2024.
 - e. CEC and the Board to discuss the 647 Likuwanta Drive septic issue and Board to determine how to proceed.
 - f. CEC and the Board to discuss the driveway / front yard rock issue and Board to determine how to proceed.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
 - b. Discuss and approve or deny project/s or purchases with monies from the American Rescue Plan Act (ARPA) relief funding. (None)
 - c. County Board shall make quarterly visit to county jail. §47-109
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
Reminder next meeting November 25th is at 9:00 a.m.
7. ADJOURNMENT

Chair Hohenstein called for Public Comment on any item not on the agenda. Trudy Jepsen, Hubbard, expressed that she would still like to see M Avenue paved from the highway to the entrance of the State Park. The DOT will be doing a highway project going right through Hubbard and there may be some cost sharing opportunities available, but someone from the County would need to reach out. She also stated that lowering the speed limit on that road to 35 mph would be a safety benefit. Board Member Giese will reach out to the DOT to visit about options.

Chair Hohenstein explained that Commissioner Giese went through the payroll claims and accounts payable claims and everything was in order. Commissioner Love moved, seconded by Commissioner Van Berkum to approve the consent agenda items: (a) approval of the previous meeting minutes – October 28, 2024; (b) approval of payroll claims for October 27 to November 9, 2024; (c) approval of payroll accounts payable claims; (d) approval of accounts payable claim; and (e) Approval of Veterans Office quarterly report and the Sheriff/Jail quarterly reports for July – September 2024. ROLL CALL VOTE: Van Berkum-Yes, Giese-Yes, Launsby-Yes, Hohenstein-Yes, Love-Yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund: Gross Salaries-\$181,594.26; Net Pay-\$129,011.95; Total Retirement-\$13,071.62; Total FICA-\$13,409.91; Health Plan-\$44,800.00; Dental Plan-\$1,600.00; Life Insurance-\$210.39; Robert Giese-\$1,200.60; Martin Hohenstein-\$1,246.75; Troy Launsby-\$1,000.60; Scott Love-\$1,200.60; Brian Van Berkum-\$1,200.60; Cherie Conley-\$2,487.80; Robin Hansen-\$1,725.75; Paola Ledesma-\$2,119.94; Kathy Abbe-\$1,502.40; Maria Garcia-\$1,346.40; Stephanie Gatzemeyer-

\$3,704.57; Jalissa Hattig-\$1,616.80; Brenda Landaverde-\$1,420.00; Emily McNaughton-\$1,346.40; Debera Benton-\$1,612.20; Christy Abts-\$2,487.80; Melissa Collins-\$2,814.24; Joseph O'Neil-\$636.00; Karen Becerra-\$1,677.61; Katherine Wiltgen-\$2,487.80; Louvontree Hunter-\$3,527.63; Debra Jensen-\$1,781.60; Samantha Mitchell-\$1,378.40; Rodney Soole-\$2,307.20; Todd Uhl-\$2,100.00; Tammy Dunn Peterson-\$1,635.92; Angelica Antonio Flores-\$1,980.30; Shaun Bird-\$2,369.68; Timothy Decker-\$2,660.37; Brian Ellinger-\$2,673.83; Penny Epting-\$2,641.42; Brian Fernau-\$2,530.52; Tyler Fulkerth-\$2,496.31; Jeremy Gilpin-\$2,547.32; Martin Guerrero-\$2,573.12; Melvin Harrison III-\$2,630.04; Jason James-\$2,563.48; Kimberly Johnson-\$599.33; Jared Junge-\$2,674.10; Christopher Kleinberg-\$3,108.08; Jose Magana-\$2,491.00; Keaton Mueller-\$2,149.36; Gregory Nyhof-\$2,493.89; Jonathan Romo-Rodriguez-\$2,321.62; Mardi Schnee-\$1,397.78; Sarah Hammond-\$2,311.54; Shantel Krull-\$1,164.80; Debra Schmiedt-\$3,760.38; Kimberly Watson-\$3,884.44; Alexandra Wolf-\$1,239.50; Jacob Acero-\$1,744.22; Summer Adair-\$1,606.92; Shaelee Barreras-\$2,535.00; Dillon Blackbird Villacres-\$1,627.92; Rebecca Broer-\$1,981.89; Ismael Castro-\$1,790.00; Timathey Chamberlain-\$1,888.70; Charlotte Coleman-\$619.79; Ruby De La Torre-\$1,679.16; Adilene Delgadillo Alvarez-\$792.33; Elisabet DeRoin-\$2,346.05; Cody Epting-\$1,749.08; Rebekah Epting-\$1,749.08; Jennifer Fuentes-\$1,910.93; Jonathan Gray-\$1,870.82; Kara Groetken-\$1,787.20; McKenna Hammer-\$1,434.75; Todd Hammer-\$2,598.73; Adam Hough-\$1,836.12; Dustin Johnson-\$1,669.44; Terry Johnson-\$1,742.00; Brandon Long-\$1,995.06; Jennifer Marquez-\$1,953.74; Skyler Miner-\$1,831.08; Kelsey O'Neill-\$2,049.43; Jaime Perez-Rojas-\$1,377.36; Kimberly Peterson-\$1,803.31; Cesar Ponce Robles-\$1,606.92; Michele Rohde-\$1,720.79; Jeremy Russell-\$1,661.40; Jerry Santos-\$1,786.60; Jennifer Svendsen-\$3,506.24; Armando Valerio-\$1,627.92; Randall Walsh-\$2,662.58; Deanna Hagberg-\$2,266.37; Jolene Gubbels-\$2,196.54; Jennifer Ankerstjerne-\$1,834.86; Theresa Grove-\$2,529.60; Johanna Marquez-\$1,331.20; Courtney Swick-\$1,565.42; Nicholas Nieman-\$2,499.89; **General Fund Employee:** Federal Tax-\$11,124.07; State Tax-\$6,145.90; Soc Sec-\$10,868.15; Medicare-\$2,541.76; Extra Fit-\$1,481.00; Extra Sit-\$425.00; Retirement-\$9,035.55; Health Plan-\$3,800.00; Dental Plan-\$546.00; Colonial Health-\$194.73; Sheriff Union Dues-\$850.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$2,250.00; Garnishments-\$1,331.06; Flex Plan Medical-\$925.87; Flex Dependent Care-\$208.33; VSP Vision Prem-\$380.37; Legal Shield-\$128.64; Liberty Nat'l Pretax-\$112.07; Liberty Nat'l Post tax-\$41.97; VSP Vision Base-\$137.84; **Road Fund Employer:** Gross Salaries-\$18,671.20; Net Pay-\$12,973.27; Retirement-\$1,260.27; Total FICA-\$1,323.22; Health Plan-\$5,600.00; Dental Plan-\$200.00; Life Insurance-\$24.61; Robert Hacker-\$1,960.80; Lance Jacobsen-\$2,246.40; Scott Jorgneson-\$1,924.80; David Kneifl-\$1,948.80; Kimon Litras-\$1,984.80; Dean Pallas-\$2,028.80; Colton Stallbaum-\$1,844.80; Gunner Stanwick-\$1,924.80; Jeffrey Stanwick-\$962.40; Scott Stolze-\$1,844.80; **Road Fund Employee:** Federal Tax-\$1,224.66; State Tax-\$609.59; FICA-\$1,072.41; Medicare-\$250.81; Extra Fit-\$25.00; Retirement-\$870.24; Health Plan-\$1,050.00; Dental Plan-\$105.00; Colonial Health-PreTax-\$38.23; Colonial Health L/D-\$35.10; Flex Plan Medical-\$108.69; Road Union Dues-\$192.50; VSP Vision Prem-\$40.59; Legal Shield-\$58.36; Liberty National PreTax-\$6.50; VSP Vision Base-\$40.25; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,617.33; Net Pay-\$1,250.70; Retirement-\$109.17; Total FICA-\$123.72; Health Plan-\$560.00; Life Insurance-\$2.55; Chloe Coover-\$1,617.33; **Health Planning Grant Employee 2502:** Federal Tax-\$109.04; State Tax-\$61.09; FICA-\$100.27; Medicare-\$23.45; Retirement-\$72.78; **Health Program Grant Employer 2504:** Gross Salaries-\$1,833.35; Net Pay-\$1,436.14; Retirement-\$115.99; Total FICA-\$137.45; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Mohamud Ibrahim-\$114.98; Yesica Saldana Cisneros-\$1,718.37; **Health Program Grant Employee 2504:** Federal Tax-\$96.37; State Tax-\$49.40; FICA-\$111.40; Medicare-\$26.05; Retirement-\$77.33; Dental Plan-\$21.00; VSP Vision Base-\$15.66; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,620.00; Net Pay-\$1,312.65; Retirement-\$109.35; Total FICA-\$120.39; Dental Plan-\$20.00; Life Insurance-\$2.55; Kristin Robinette-\$1,620.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$37.78; State Tax-\$30.03; FICA-\$97.57; Medicare-\$22.82; Retirement-\$72.90; 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-\$248.73; Dental Account, premium-\$2,146.00; FSA Dep Care - \$208.33; FSA Medical - \$925.87; Health Plan, premium-\$48,600.00; Fraternal Order of Police #49, union dues-\$850.00; Federal Withholding, federal taxes-\$12,605.07; Globe Life Liberty, premium-\$154.04; Legalshield, premium-\$128.64; Life Insurance, premium-\$210.39; Nationwide Retirement Solutions, contributions-\$2,250.00; Nebraska Child Support, garnishments-\$766.61; Neb Dept of Revenue, state taxes-\$6,570.90; Ameritas Retirement, contributions-\$22,107.17; Social Security, FICA & MEDI-\$26,819.82; VSP, premium-\$518.21. **Road Fund:** Colonial Life & Accident, life insurance premium-\$73.33; Dental Account, premium-\$305.00; FSA Medical - \$108.69; Health Plan, premium-\$6,650.00; Federal Withholding, federal taxes-\$1,249.66; Globe Life Liberty, premium-\$6.50; Legalshield, premium-\$58.36; Life Insurance, premium-\$24.61; Neb Dept of Revenue, state taxes-\$609.59; Nebraska Public Empl Local 251, union dues-\$192.50; Ameritas Retirement, contributions-\$2,100.51; Social Security, FICA & MEDI-\$6,646.44; VSP, premium-\$80.74; **Insurance Fund 1275:** Mid-American Benefits, medical claims-\$27,744.71; **Health Fund 2502:** Medical Account, premium-\$560.00; Federal Withholding, federal taxes-\$109.04; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$61.09; Ameritas Retirement, contributions-\$181.95; Social Security, FICA & MEDI-\$247.44; **Health Fund 2504:** Dental Account, premium-\$41.00; Health Plan, premium-\$560.00; Federal Withholding, federal taxes-\$96.37; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$49.40; Ameritas Retirement, contributions-\$193.32; Social Security, FICA & MEDI-\$274.90; VSP, premium-\$15.66; **Juvenile Services Fund 2507:** Dental Account, premium-\$41.00; Federal Withholding, federal taxes-\$37.78; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$30.03; Ameritas Retirement, contributions-\$182.25; Social Security, FICA & MEDI-\$240.78; VSP, premium-\$25.24.

Accounts Payable: Hard Surfacing Fund: Steve Harris Construction Inc.- Likuwanta Drive partial payment - \$726,414.51.

Chair Hohenstein, at 3:12 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: Avantix L.L.C dba Circle S Stable Drive, 1501 Stable Drive, South Sioux City, Nebraska for a Class D Beer, Wine, Spirits Off Sale Only. There were no comments in favor, opposing or in neutral. Chair Hohenstein closed the public hearing at 3:13 p.m.

Commissioner Love moved, seconded by Commissioner Hohenstein to approve the issuance of a liquor license for Avantix L.L.C dba Circle S Stable Drive, 1501 Stable Drive, South Sioux City, Nebraska for a Class D Beer, Wine, Spirits, Off Sale Only. ROLL CALL VOTE: Van Berkum-Yes, Giese-Yes, Launsby-Yes, Hohenstein-Yes, Love-Yes. UNANIMOUS MOTION CARRIED.

Jalissa Hattig, Deputy County Treasurer, presented a report of the number of distress warrants and total amount of money involved upon turning the distress warrants over to the Sheriff. \$77-1718

Commissioner Love moved, seconded by Commissioner Giese to approve Resolution 24C-029 to certify Highway Superintendent for year calendar year 2024. ROLL CALL VOTE: Giese-Yes, Launsby-Yes, Hohenstein-Yes, Love-Yes, Van Berkum-Yes. UNANIMOUS MOTION CARRIED.

RESOLUTION

SIGNING OF THE YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT 2024

Resolution No. 24C-029

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that must be met in order for a county to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment(s) of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent's appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Dakota County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).
(Print Name of County)

Adopted this 12th day of November, 2024 at Dakota City, Nebraska.
(Date) (Month)

County Board Members

Brett Langley, CEC, explained to the Board that the issue at 647 Likuwanta Drive with the septic was holding up the ditch work progress. As discussed before this septic line goes under the road, is in the County ROW, and is shallow. The options would be to install a grinder, sump pit, pump, pressure line, and splitter box either on the owners property or the property across the street that he has easement on. It would be best if this septic was relocated to the property owner's property, if code allows it. Mr. Langley suggested someone design a plan to research this, the permitting, and to relocate it. The contractor will then price a change order, which would need to be approved. Commissioner Love moved, seconded by Commissioner Hohenstein to have CEC move forward with a design plan to relocate the septic at 647 Likuwanta Drive so that this project can be bid and a change order to the project come back before the Board for approval. ROLL CALL VOTE: Launsby-Yes, Hohenstein-Yes, Love-Yes, Van Berkum-Yes, Giese-Yes. UNANIMOUS MOTION CARRIED.

Brett Langley, CEC, explained to the Board that there are 2 property owners who had rock along the road frontage before that they used for parking. The project plan only has the paving of the road and the driveways of the property owners and to seed the edges/ditches. Mr. Langley offered up options on removing all rock (1) per the current plan, putting a smaller portion back(2) as a compromise, or putting all of the rock back to match how it was before the project (3). He suggested option 1 or 2 in his opinion. Currently the County does not allow parking in the County ROW as it becomes a liability. The Commissioners agreed to continue with the already agreed upon engineered plans and took no new action.

Jolene Gubbels, Highway Superintendent, presented the Road Report for October 27, 2024 to November 9, 2024. Total road maintenance-169 hours; Tree/Debris removal-11 hours; Culverts/Rd projects-75 hours 250th and 24 hours 110th; Gravel Hauling-106.25 hours; total tons hauled-874.89; sign repair/barricading-18 hours. Grading concerns- Fiddler Creek and L Ave, Gravel on Fiddler Creek and Jewel Ave. M Avenue bids will be brought to the Board and awarded at the 11-25-24 meeting. The S Avenue road project will be rocked and opened soon.

Commissioner Committee Reports: None.

Mail/Emergency business: Reminder meeting on 11-25-24 will start at 8:45 a.m. with BOE and 9:00 a.m. with BOC because it is a short holiday week.

County Board Members went on the quarterly visit to county jail. §47-109

Commissioner Van Berkum moved to adjourn the meeting. All in favor. Chair Hohenstein adjourned the Board of Commissioners meeting of November 12, 2024 at 4:59 p.m.

Dakota County Board of Commissioners

Martin Hohenstein, Chair

Cherie Conley, County Clerk/Board Secretary