

Dakota County Board of Commissioners
Monday, March 31, 2025
3:00 p.m. Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Hohenstein called the meeting to order at 3:00 p.m. The Pledge of Allegiance was recited. Present at Roll Call: Hohenstein, Rodriguez, Van Berkum, Bousquet, Reed. 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 – March 17, 2025
 - b. Approval of payroll claims for March 16 – March 29, 2025
 - c. Approval of payroll accounts payable claims
 - d. Approval of accounts payable claims (if any)
3. NEW BUSINESS AND RESOLUTIONS
 - a. 3:02 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding the addition of Solar Energy (Solar Farm) Overlay District (SOD) regulations to Section 600.7 Agricultural (AG) District of the Dakota County zoning ordinances.
 - b. Board to approve Resolution 25C-006 Dakota County Zoning Ordinances Addition to Section 600.7 - Solar Energy (Solar Farm) Overlay District.
 - c. Board to approve or not approve Resolution 25C-007 Grievance Board and list of members for 2025 as set forth in the Employee Handbook approved 1-22-2024.
 - d. Brenda Sale, Nebraska Extension office, presenting quarterly reports.
 - e. Kim Hansen and Elizabeth Reyes with Dakota County Victims Assistance requesting Board approval of Resolution 25C-008 Authorizing the Application for the Victims of Crime Act Grant (VOCA) under the Dakota County Victim Assistance Program (DCVAP).
 - f. Board to recognize the Emergency Declaration by Chair as authorized under 81-829-50 on behalf of Dakota County and approve Resolution 25C-009 Disaster Declaration due to blizzard and high winds in Dakota County on March 19, 2025 causing severe damage to power poles, disruption of utility service and causing endangerment of health and safety of the citizens of Dakota County within the disaster area. The Declaration also committed the expenditure of emergency funds, invoking mutual aid agreements and applying for assistance from Governor's Emergency Fund.
 - g. Stephanie Gatzemeyer, County Treasurer, presenting the Tax Sale report.
 - h. Board to approve the Storm Water Annual Report for 2024 and the Interlocal Agreement with City of South Sioux City, Dakota City, and Dakota County Stormwater Management Plan for 2025.
 - i. Board to acknowledge requests to open negotiations with the three (3) Unions and will work on setting dates and times to meet with each:
 - 1) Sheriff's Deputies Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49;
 - 2) Correctional Officers' Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49; and
 - 3) Road Department Comprehensive Master Agreement – Nebraska Public Employees Local 251 AFSCME.
 - j. Board to discuss, review and award bid for repairing the drainage issue (sunken concrete) around the jail and courthouse (back parking lot) areas.
 - k. Discussion regarding jail maintenance repairs and upkeep.
 - l. Board to review quotes on change orders for the M Avenue project and make decisions on how to proceed.
 - m. Board to make appointment to the Road Foreman position.
 - n. Jolene Gubbels, Highway Superintendent, requests Board to review and approve gravel pricing bid from new supplier for March 17, 2025 through March 2, 2026.
4. OLD BUSINESS AND MISCELLANEOUS
 - a. Jolene Gubbels, Highway Superintendent – Road Report
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Hohenstein called for Public Comment. There was none.

Chair Hohenstein called for approval of the consent agenda items. He stated that he had gone through the accounts payable claims and payroll. Everything was in order. Commissioner Van Berkum moved, seconded by Commissioner Reed to approve the consent agenda a) Approval of the previous meeting minutes – March 17 2025; b) Approval of payroll claims for March 16-29, 2025; c) Approval of payroll accounts payable claims; and d) Approval of accounts payable claims(if any). ROLL CALL VOTE: Rodriguez-Yes, Van Berkum-Yes, Bousquet-Yes, Reed-Yes, Hohenstein-Yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$183,099.56; Net Pay-\$131,809.07; Total Retirement-\$13,155.94; Total FICA-\$13,535.31; Health Plan-\$44,240.00; Dental Plan-\$1,600.00; Life Insurance-\$212.30; Richard Bousquet-\$1,225.62; Martin Hohenstein-\$1,271.77; Jeffrey Reed-\$1,225.62; Rogelio Rodriguez Villalobos-\$1,225.62; Brian Van Berkum-\$1,225.62; Cherie Conley-\$2,549.99; Robin Hansen-\$1,519.21; Paola Ledesma-\$1,679.04; Kathy Abbe-\$1,502.40; Khen Chu-\$1,280.00; Maria Garcia-\$1,346.40; Stephanie Gatzemeyer-\$2,549.99; Jalissa Hattig-\$1,657.60; Brenda Landaverde-\$1,420.00; Emily McNaughton-\$1,346.40; Debera Benton-\$1,540.00; Christy Abts-\$2,549.99; Melissa Collins-\$1,784.69; Joseph O'Neil-\$636.00; Karen Becerra-\$1,744.80; Katherine Wiltgen-\$2,549.99; Louvontree Hunter-\$3,615.82; Debra Jensen-\$1,781.60; Samantha Mitchell-\$1,378.40; Rodney Soole-\$2,307.20; Todd Uhl-\$2,262.00; Tammy Dunn Peterson-\$1,706.58; Angelica Antonio Flores-\$2,254.00; Shaun Bird-\$2,840.92; Timothy Decker-\$2,766.78; Brian Ellinger-\$2,592.80; Penny Epting-\$2,795.37; Brian Fernau-\$2,376.22; Tyler Fulkerth-\$2,480.80; Jeremy Gilpin-\$2,443.65; Martin Guerrero-\$2,393.60; Melvin Harrison III-\$2,598.73; Jason James-\$2,698.81; Kimberly Johnson-\$626.78; Jared Junge-\$2,516.80; Christopher Kleinberg-\$3,185.79; Jose Magana-\$2,477.06; Keaton Mueller-\$2,060.80; Gregory Nyhof-\$2,355.54; Jonathan Romo-Rodriguez-\$2,348.67; Mardi Schnee-\$1,384.80; Ryne Sell-\$464.60; Sarah Hammond-\$2,588.01; Shantel Krull-\$1,274.00; Jocelyn Rivera-\$1,411.19; Debra Schmiedt-\$3,910.80; Kimberly Watson-\$3,981.55; Jacob Acero-\$2,081.70; Summer Adair-\$1,709.15; Roberto Alvarez-Arreola-\$1,708.56; Shaelee Barreras-\$2,568.75; Ismael Castro-\$1,738.98; Timathey Chamberlain-\$1,733.76; Charlotte Coleman-\$884.42; Ruby De La Torre-\$1,773.79; Adilene Delgadillo Alvarez-\$790.01; Elisabeth DeRoin-\$2,346.05; Cody Epting-\$1,754.76; Rebekah Epting-\$1,748.76; Jennifer Fuentes-\$2,037.07; Jonathan Gray-\$2,398.65; Kara Groetken-\$1,875.20; McKenna Hammer-\$1,692.64; Todd Hammer-\$2,548.26; Adam Hough-\$2,042.19; Dustin Johnson-\$1,750.51; Terry Johnson-\$1,872.60; Brandon Long-\$1,984.70; Jennifer Marquez-\$1,978.85; Skyler Miner-\$1,966.00; Kelsey O'Neill-\$2,005.26; Jaime Perez-Rojas-\$803.60; Kimberly Peterson-\$1,880.21; Cesar Ponce Robles-\$1,446.48; Michele Rohde-\$1,726.11; Jeremy Russell-\$1,902.13; Jerry Santos-\$1,853.43; Jennifer Svendsen-\$3,806.48; Kyle Urbanec-\$493.18; Armando Valerio-\$1,708.56; Randall Walsh-\$2,662.58; Deanna Hagberg-\$2,266.37; Jolene Gubbels-\$2,322.27; Jennifer Ankerstjerne-\$1,552.13; Theresa Grove-\$2,529.60; Johanna Marquez-\$1,343.68; Courtney Swick-\$1,601.82; Nicholas Nieman-\$2,499.89; **General Fund Employee:** Federal Tax-\$10,695.87; State Tax-\$5,857.64; Soc Sec-\$10,969.84; Medicare-\$2,565.47; Extra Fit-\$1,516.00; Extra Sit-\$475.00; Retirement-\$9,096.41; Health Plan-\$3,550.00; Dental Plan-\$504.00; Colonial Health-\$194.73; Sheriff Union Dues-\$850.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,542.00; Garnishments-\$1,331.06; Flex Plan Medical-\$1,073.08; Flex Dependent Care-\$208.33; VSP Vision Prem-\$391.64; Legal Shield-\$128.61; Liberty Nat'l Pretax-\$112.05; Liberty Nat'l Post tax-\$41.96; VSP Vision Base-\$132.80; **Road Fund Employer:** Gross Salaries-\$16,889.33; Net Pay-\$12,712.44; Retirement-\$1,140.01; Total FICA-\$1,285.27; Health Plan-\$4,480.00; Dental Plan-\$160.00; Life Insurance-\$19.51; Michael Fuchser-\$207.54; Robert Hacker-\$1,960.80; Scott Jorgneson-\$1,924.80; David Kneifl-\$2,003.61; Kimon Litras-\$2,152.29; Andrew Miller-\$322.84; Tanya Orr-\$1,844.80; Dean Pallas-\$2,371.16; Robert Schmidt-\$17.30; Colton Stallbaum-\$1,924.80; Gunner Stanwick-\$2,159.39; **Road Fund Employee:** Federal Tax-\$1,238.18; State Tax-\$576.41; FICA-\$1,041.66; Medicare-\$243.61; Extra Fit-\$25.00; Retirement-\$760.03; Colonial Health-PreTax-\$38.23; Road Union Dues-\$165.00; VSP Vision Prem-\$28.74; Legal Shield-\$38.89; Liberty National PreTax-\$6.50; VSP Vision Base-\$14.64; **Health Planning Grant Employer 2502:** Gross Salaries-\$1,622.40; Net Pay-\$1,222.38; Retirement-\$109.51; Total FICA-\$120.29; Health Plan-\$560.00; Life Insurance-\$2.55; Chloe Coover-\$1,622.40; **Health Planning Grant Employee 2502:** Federal Tax-\$101.52; State Tax-\$55.20; FICA-\$97.49; Medicare-\$22.80; Retirement-\$73.01; Flex Plan Medical-\$50.00; **Health Program Grant Employer 2504:** Gross Salaries-\$1,756.80; Net Pay-\$1,362.24; Retirement-\$118.58; Total FICA-\$131.59; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yesica Saldana Cisneros-\$1,756.80; **Health Program Grant Employee 2504:** Federal Tax-\$98.68; State Tax-\$48.57; FICA-\$106.65; Medicare-\$24.94; Retirement-\$79.06; Dental Plan-\$21.00; VSP Vision Base-\$15.66; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,647.00; Net Pay-\$1,365.18; Retirement-\$111.17; Total FICA-\$123.19; Dental Plan-\$20.00; Life Insurance-\$2.55; Kristin Robinette-\$1,647.00; **Juvenile Services Aid Employee 2507:** State Tax-\$47.85; FICA-\$99.84; Medicare-\$23.35; Retirement-\$74.12; Dental Plan-\$21.00; VSP Vision Prem-\$15.66; **Payroll Accounts Payable: General Fund:** Collection Service Center, garnishment-\$564.45; Colonial Life & Accident, life insurance premium-\$248.73; Dental Account, premium-\$2,104.00; FSA Dep Care - \$208.33; FSA Medical - \$1,073.08; Health Plan, premium-\$47,790.00; Fraternal Order of Police #49, union dues-\$850.00; Federal Withholding, federal taxes-\$12,211.87; Globe Life Liberty, premium-\$154.01; Legalshield, premium-\$128.61; Life Insurance, premium-\$212.30; Nationwide Retirement Solutions, contributions-\$1542.00; Nebraska Child Support, garnishments-\$766.61; Neb Dept of Revenue, state taxes-\$6,332.64; Point C DOE-Flex admin fees-\$77.00; Principal Life-premiums-\$2717.99; Ameritas Retirement, contributions-\$22,252.35; Social Security, FICA & MEDI-\$27,070.62; VSP, premium-\$523.44. **Road Fund:** Colonial Life & Accident, life insurance premium-\$38.23; Dental Account, premium-\$160.00; Health Plan, premium-\$4,480.00; Federal Withholding, federal taxes-\$1,263.18; Globe Life Liberty, premium-\$6.50; Legalshield, premium-\$38.89; Life Insurance, premium-\$19.51; Neb Dept of Revenue, state taxes-\$576.41; Nebraska Public Empl Local 251, union dues-\$165.00; Ameritas Retirement, contributions-\$1,900.04; Social Security, FICA & MEDI-\$2,570.54; VSP, premium-\$43.38; **Insurance Fund 1275:** Mid-American Benefits-medical

claims \$43,453.12; Point C FSA-withdrawals-\$2880.91; PointC-administrative fees, \$26,803.74; VSP – Cobra - \$19.17; **Health Fund 2502:** DC FSA–medical claims-\$50.00; Medical Account, premium-\$560.00; Federal Withholding, federal taxes-\$101.52; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$55.20; Principal Life-premium-\$23.90; Ameritas Retirement, contributions-\$182.52; Social Security, FICA & MEDI-\$240.58; **Health Fund 2504:** Dental Account, premium-\$41.00; Health Plan, premium-\$560.00; Federal Withholding, federal taxes-\$98.68; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$48.57; Principal Life, premium-\$25.88; Ameritas Retirement, contributions-\$197.64; Social Security, FICA & MEDI-\$263.18; VSP, premium-\$15.66; **Juvenile Services Fund 2507:** Dental Account, premium-\$41.00; Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$47.85; Principal Life, premium-\$23.87; Ameritas Retirement, contributions-\$185.29; Social Security, FICA & MEDI-\$246.38; VSP, premium-\$15.66.

Chair Hohenstein opened the public hearing at 3:02 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comment regarding the addition of Solar Energy (Solar Farm) Overlay District (SOD) regulations to Section 600.7 Agricultural (AG) District of the Dakota County zoning ordinances. Ethan Frazier with Mission Clean Energy spoke in favor of the proposed changes to the zoning ordinance and explained the proposed changes of adding battery energy storage and clarifying the 250 foot setback. Joe O'Neill, Planning and Zoning Administrator did confirm that he had spoke with the Planning and Zoning commissioner and they were all in favor of the proposed changes and the "Solar Farm." He informed they had been working on this project since December of 2023 and have put a lot of work into this. There was no opposition or neutral comments. Chair Hohenstein closed the public hearing at 3:07 p.m.

Commissioner Bousquet moved, seconded by Commissioner Rodriguez to approve Resolution 25C-006 Dakota County Zoning Ordinances Addition to Section 600.7 - Solar Energy (Solar Farm) Overlay District. ROLL CALL VOTE: Van Berkum-Yes, Bousquet-Yes, Reed-Yes, Hohenstein-Yes, Rodriguez-Yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 25C-006

RESOLUTION ADOPTING ADDITION TO 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 add ordinance Section 600.7 Solar Energy (Solar Farm) Overlay District (SOD); and

WHEREAS, it is the intent of the County Board to enact the proposed addition of Section 600.7 Solar Energy (Solar Farm) Overlay District (SOD),

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 addition of Section 600.7 Solar Energy (Solar Farm) Overlay District (SOD) was held on February 18, 2025 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.
- VI. 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 600.7 of the Dakota County Zoning Regulations. Further the Planning Department report is attached hereto as Exhibit "A."
- IV. The proposed amendment and revisions to the Dakota County Zoning Regulations 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 addition to the Dakota County Zoning Regulations Section 600.7, specifically approval of the amendment as shown in Exhibit "A", and directs the Planning Department to amend the Dakota County Zoning Regulations by adding Section 600.7 and that the same have full force and effect of law, the effective date of the aforementioned Zoning Regulations shall be March 17, 2025.

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 31st day of March, 2025.

Commissioner Van Berkum moved, seconded by Commissioner Reed to approve Resolution 25C-007 Grievance Board and list of members for 2025 as set forth in the Employee Handbook approved 1-22-2024. ROLL CALL VOTE: Bousquet-Yes, Reed-Yes, Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 25C-007
2025 GRIEVANCE BOARD**

WHEREAS, the Dakota County Employee Handbook adopted on January 22, 2024 sets forth certain protocols for the formation of a Grievance Board; and

WHEREAS, Dakota County is required to annually designate a list of potential Grievance Board members who may be called to serve in the event that a matter or matters arise prompting the need for a Grievance Board;

THEREFORE, the following designated list of potential Grievance Board Members for Dakota County shall serve for a one year term or until his or her replacement has been selected by the County Board:

| | | |
|-----------------|---------------|--------------|
| Bill Rohde | Jana Adam | Dan Caskey |
| Dave Dziurawiec | Dawn Hanson | Nate Vajrt |
| Mike Schooley | Mike Elston | Tom Hinds |
| Bruno Galvan | Mike Schmiedt | Ron Gill |
| Rebeca Quezada | Mike Morton | Rick Jenkins |

APPROVED AND ADOPTED this 31st day of March, 2025.

Brenda Sale, Nebraska Extension office, presented the quarterly report for Dakota County. She provided a handout with the various activities going on in Dakota County and highlighted that Voices for Food celebrated 10 years in Dakota County and has made a huge economic impact. Dakota County produce and volunteers make up almost half of the whole state. Board thanked them for their work.

Kim Hansen and Elizabeth Reyes with Dakota County Victims Assistance informed the Board that they have no documentation to share yet as the government has put a hold on this grant. She is hoping to receive the same as last year \$70,000 which covers costs for victims. The City of SSC and Dakota County currently share costs for personnel costs. It will be sometime in the fall before they know of any funding. The Board asked if they had a backup plan should funding not come through. She does not and said it is not up to her, but up to the City and County. Commissioner Reed moved, seconded by Commissioner Rodriguez to approve Resolution 25C-008 Authorizing the Application for the Victims of Crime Act Grant (VOCA) under the Dakota County Victim Assistance Program (DCVAP). ROLL CALL VOTE: Reed-Yes, Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes, Bousquet-Yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 25C-008
RESOLUTION OF SUPPORT FROM DAKOTA COUNTY BOARD OF COMMISSIONERS
AUTHORIZING THE APPLICATION FOR THE VICTIMS OF CRIME ACT GRANT UNDER THE
DAKOTA COUNTY VICTIM ASSISTANCE PROGRAM (THE "DCVAP")**

WHEREAS, the DCVAP was established in 1989 to serve crime victims and witnesses in Dakota County, NE;

WHEREAS, the DCVAP provides a free service offering information, practical assistance, and supportive advocacy to crime victims and witnesses of felony or misdemeanor crimes;

WHEREAS, the DCVAP has been and presently is funded by the Victims of Crime Act grant through the Nebraska Commission on Law Enforcement and Criminal Justice;

WHEREAS, the Dakota County Board of Commissioners acknowledges and supports the application for the Victims of Crime Act grant funds to continue services to crime victims and witnesses of crime;

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners of Dakota County, NE, authorize the application and submission of the aforementioned Victims of Crime Act grant. DATED this 31st day of March 2025.

Commissioner Reed moved, seconded by Commissioner Bousquet to recognize the Emergency Declaration by Chair as authorized under 81-829-50 on behalf of Dakota County and approve Resolution 25C-009 Disaster Declaration due to blizzard and high winds in Dakota County on March 19, 2025 causing severe damage to power poles, disruption of utility service and causing endangerment of health and safety of the citizens of Dakota County within the disaster area. The Declaration also committed the expenditure of emergency funds, invoking mutual aid agreements and applying for assistance from Governor's Emergency Fund. ROLL CALL VOTE: Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes, Bousquet-Yes, Reed-Yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 25C-009

**DAKOTA COUNTY DISASTER DECLARATION
RESULTING FROM BLIZZARD CONDITIONS AND HIGH WINDS CAUSING SEVERE DAMAGE
TO POWER POLES, DISRUPTION OF UTILITY SERVICE AND CAUSING ENDANGERMENT OF
HEALTH AND SAFETY OF THE CITIZENS OF DAKOTA COUNTY WITHN THE DISASTER AREA.**

WHEREAS, Neb. Rev. Stat. § 81-829.50 authorizes the County Board of Commissioners to declare an emergency exists; and

WHEREAS, for purposes of the Emergency Management Act, Neb. Rev. Stat. §§ 81-829.36 through 81-829.75 ("Act"), local government means a county, village, or city of any class;

WHEREAS, for purposes of the Act, a "Disaster" means any event or the imminent threat thereof causing widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause;

WHEREAS, pursuant to Neb. Rev. Stat. §§ 22-155 and 23-101, the County of Dakota is a county in the State of Nebraska;

WHEREAS, Neb. Rev. Stat. § provides that the powers of a county as a body corporate or politic shall be exercised by a county board;

WHEREAS, the Dakota County Board of Commissioners ("Board") is the governing board of the County of Dakota ("County");

WHEREAS, upon the recommendation of the Dakota County Emergency Manager, the Board Chair did sign the attached Disaster Declaration on March 26, 2025, (see attachment);

WHEREAS, Neb. Rev. Stat. § 81-829.50 provides that a declaration of a Disaster or Emergency shall continue in effect until the Board finds that the Disaster or Emergency has been dealt with to the extent that those conditions no longer exist;

WHEREAS, the Dakota County Board of Commissioners do confirm the Emergency Declaration signed by the Chair as authorized under §81-829-50 on behalf of Dakota County for damage caused by blizzard and high winds. Declaration also committed the expenditure of emergency funds, invoking mutual aid agreements and applying for assistance from Governor's Emergency Fund.

THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the Emergency Declaration signed by the Chair as authorized under Nebraska Revised Statute § 81-829.50 on behalf of Dakota County for damage caused by the blizzard and high winds be affirmed and expenditure of emergency funds be committed, invoking mutual aid agreements and applying for assistance from the Governor's Emergency Fund, until such time that the Disaster or Emergency has been dealt with and the conditions no longer exist.

Resolved this 31st day of March, 2025.

Stephanie Gatzemeyer, County Treasurer, presented the Tax Sale report. There were 129 parcels sold for \$236,399.37, 48 parcels remain for \$2,146,004.80 of unpaid taxes.

Chair Hohenstein explained to the Board that the County, City of SSC, and Dakota City are working with JEO on the Storm Water Annual Report for 2024 and an updated Interlocal Agreement with City of South Sioux City, Dakota City, and Dakota County Stormwater Management Plan for 2025. Once these documents are completed a copy will be shared.

The Board acknowledged the requests to open negotiations with the three (3) Unions: 1) Sheriff's Deputies Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49; 2) Correctional Officers' Comprehensive Master Agreement – Fraternal Order of Police, Dakota County Lodge #49; and 3) Road Department Comprehensive Master Agreement – Nebraska Public Employees Local 251 AFSCME. Chair Hohenstein commented that decisions at the Legislature will make negotiations a little difficult until they are done but will work on setting dates and times to meet with each to get started with negotiations.

Commissioner Bousquet explained that the concrete next to the jail and the courthouse in the back parking lot has sunk and water is getting into the jail. He received 2 bids to have the concrete jacked up: Thrasher Foundation Repair-\$1544.84 and Comstock Concrete Lifting-\$4882.30. He received 2 bids to have the concrete replaced: MG Construction-\$4900.00 and Cisneros Construction LLC-\$5500.00. Commissioner Hohenstein moved, seconded by Commissioner Van Berkum to award the project to Thrasher Foundation Repair to have the concrete lifted for \$1,544.84 to be paid out of the Building and Grounds budget. ROLL CALL VOTE: Van Berkum-Yes, Bousquet-Yes, Reed-Yes, Hohenstein-Yes, Rodriguez-Yes. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet explained that he had met with Todd Uhl, Jail Maintenance, and they are working on a list of routine maintenance that needs to be addressed. The age of the jail is starting to show. Commissioner Hohenstein suggested putting this list together with some figures and try to work these routine maintenance repairs into the budget.

Jolene Gubbels, Highway Superintendent, M Avenue change orders. Josh Keithly with Midwest Engineering did not have the paperwork ready, but he did talk to Cooney and there would be no charge to change the width of the road from 28 to 30 feet. Change Order to do the gravel embedment would be around \$50,000. Ms. Gubbels said this could be paid for using the Federal Aid Road Fund. She informed that letters have been sent out to residents that live on that road regarding the start date of this project. Commissioner Bousquet moved, seconded by Commissioner Van Berkum to approve a Change Order for the M Avenue Road project from Cooney Construction for the gravel embedment to be paid for using Federal Aid Road Funds. ROLL CALL VOTE: Bousquet-Yes, Reed-Yes, Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes. UNANIMOUS MOTION CARRIED.

Commissioner Hohenstein moved, seconded by Commissioner Bousquet to appoint Dean Pallas to the Road Foreman position. ROLL CALL VOTE: Reed-Yes, Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes, Bousquet-Yes,. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, informed the Board that Boyer Sand & Rock out of Hawarden, IA submitted a gravel pricing bid from March 17, 2025 through March 2, 2026 and the prices are good. Finding places to purchase gravel is getting harder and further away. Commissioner Van Berkum moved, seconded by Commissioner Reed to approve the gravel bid from Boyer Sand & Rock out of Hawarden, IA from March 17, 2025 through March 2, 2026. ROLL CALL VOTE: Hohenstein-Yes, Rodriguez-Yes, Van Berkum-Yes, Bousquet-Yes, Reed-Yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Bi-weekly Road Report for March 16 to March 29, 2025. Total Road Maintenance – 152.5 hours; Overtime hours – 39 hours; Tree/Debris removal – 13 hours; Culverts – 15 hours (110th St); Snow removal – 112 hours; Magnet- 2 hours; Gravel hauling – 107 hours; 889.85 tons hauled on roads. Road concerns: Grading – G Ave, 230th, Millis beach, Wigle Creek. Hired weed/sign employee and 3 road employees. Board talked about the amount of tires and garbage that is being dumped in the county ditches. Suggested signs be placed with fine enforced and Sheriff's department checking into cameras on the worst roads.

Commissioner Committee Reports: Commissioner Rodriguez attended an Area on Aging meeting. Commissioner Bousquet attended an LEC meeting. They are having trouble hiring and retaining employees and are working on increased raises and benefits.

Mail and/or Emergency Business: Shared letter regarding road work this summer on Highway 110.

Commissioner Van Berkum moved, seconded by Commissioner Bousquet, to adjourn the meeting. All in favor. Chair Hohenstein adjourned the Board of Commissioners meeting of March 31, 2025, at 3:57 p.m.

Dakota County Board of Commissioners

Martin Hohenstein Chair

Cherie Conley, County Clerk/Secretary