

Dakota County Board of Commissioners  
Monday, November 27, 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 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 – November 13, 2023
  - b. Approval of payroll claims for November 12 to November 25, 2023
  - c. Approval of payroll accounts payable claims
  - d. Approval of accounts payable claims
  - e. Approval of Officials Reports- Register of Deeds, County Clerk and Clerk of District Court
3. NEW BUSINESS AND RESOLUTION
  - a. Approve/Disapprove annual renewal of Mid-American Benefits Flexible Spending Account Administrative Services partnering with Point C Consumer Driven Products effective January 1, 2024.
  - b. Approve/Disapprove opening bank account to accommodate the Flexible Spending Account funds giving Cherie Conley, Robin Hansen, and Paola Ledesma authorization to access the account, sign and monitor funds accordingly and balanced monthly.
  - c. Approve/Disapprove start-up/seed money from the Inheritance Tax Fund which will be reimbursed when the account gets established and can sustain funds.
  - d. Approve Resolution 23C-040 renewing the Dakota County Franchise agreement with Sparklight for a 10 year period.
  - e. Approve/Disapprove Summit Carbon Road Use and Maintenance Agreement.
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.
    - Building & Grounds – County Clerk Doors Quote – Builders FirstSource
    - Public Defender – Office furniture quote(s)
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Giese called for public comment. Rodney Soole, Building and Grounds Superintendent, advised the Board that Barkley Asphalt will not be able to get to the Old Fire Hall parking or the Frontage Road parking until Spring 2023. He also requested the Board consider changing the current approved bid of 2 inch asphalt of the Old Fire Hall parking area to 3 or 4 inches as he knows this area will get driven on. The Board will review request and come back to the Board.

Chair Giese called for approval of the consent agenda items and pulled 2 accounts payable claims for further review. Commissioner Hohenstein moved, seconded by Commissioner Launsby, to approve the consent agenda items: a) Approval of the previous meeting minutes – November 13, 2023; b) Approval of payroll claims for November 12 to November 25, 2023; c) Approval of payroll accounts payable claims; d) Approval of accounts payable claims, pulling Gill Construction and Nielsen Tree Farms; e) Approval of Officials Reports- Register of Deeds, County Clerk & Clerk of District Court. ROLL CALL VOTE: Love-yes, Van Berkum-yes, Hohenstein-yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Chair Giese advised that on the claim for Gill Construction when completing the concrete job on parking and sidewalk on the south side of the jail, more of the sidewalk needed replaced than was originally bid out and approved (\$19,962.00). The additional amount of work was \$2,548.00. Commissioner Hohenstein moved, seconded by Commissioner Launsby to approve the accounts payable claim to Gill Construction Inc. for the original bid amount of \$19,962.00 plus the additional work that was needed in the amount of \$2,548.00 for a total of \$22,510.00. ROLL CALL VOTE: Van Berkum-yes, Hohenstein-yes, Launsby- yes, Giese- yes, Love-yes. UNANIMOUS MOTION CARRIED.

Chair Giese advised that on the claim for Nielsen Tree Farms for 10 trees the original amount approved was for \$2100. That did not include the delivery cost of \$273.00. Commissioner Love, seconded by Commissioner Launsby to approve the accounts payable claim to Nielsen Tree Farms with the addition of the delivery fee of \$273.00 for a total of \$1,873.00. ROLL CALL VOTE: Hohenstein-yes, Launsby- yes, Giese- yes, Love-yes, Van Berkum-yes. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$191,178.25; Net Pay-\$136,586.13; Total Retirement-\$13,932.25; Total FICA-\$14,180.98; Health Plan-\$45,360.00; Dental Plan-\$1,620.00; Life Insurance-\$210.77; 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-\$1,567.74; Kathy Abbe-\$1,444.81; 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-\$1,712.80; Samantha Mitchell-\$1,325.60; Rodney Soole-\$2,240.00; Tammy Dunn Peterson-\$1,494.26; Shaun Bird-\$3,788.17; Timothy Decker-\$3,212.60; Brian Ellinger-\$3,777.60; Penny Epting-\$3,042.01; Brian Fernau-\$2,592.43; Tyler Fulkerth-\$3,146.90; Jeremy Gilpin-\$3,451.20; Martin Guerrero-\$3,232.93; Melvin Harrison III-\$3,361.41; Jason James-\$3,578.37; Douglas Johnson-\$2,559.34; Kimberly Johnson-\$470.80; Jared Junge-\$2,468.53; Christopher Kleinberg-\$3,032.28; Jose Magana-\$3,177.65; Gregory Nyhof-\$2,908.98; Jonathan Romo-Rodriguez-\$3,678.97; Mardi Schnee-\$1,331.20; Ryne Sell-\$575.11; Joshua Townsend-\$2,710.76; Sarah Hammond-\$2,244.21; Shantel Krull-\$1,085.00; Melinda Sandvick (Wicks)-\$1,538.46; Debra Schmiedt-\$3,580.95; Kimberly Watson-\$3,789.70; Emma Wiebelhaus-\$1,400.00; Jacob Acero-\$1,853.60; Angelica Antonio Flores-\$2,323.32; Shaelee Barreras-\$0.00; Rebecca Broer-\$2,016.66; Ismael Castro-\$1,742.76; Timathey Chamberlain-\$1,742.76; Chassidy Compton-\$1,033.08; Ruby De La Torre-\$2,378.86; Elisabet DeRoin-\$2,099.25; Jesse Doelle-\$1,802.80; Cody Epting-\$1,548.46; Rebekah Epting-\$1,548.46; Jennifer Fuentes-\$2,201.88; Jonathan Gray-\$2,571.64; Kara Groetken-\$2,589.09; Todd Hammer-\$2,433.60; Adam Hough-\$1,876.22; Joellen John-\$579.96; Dustin Johnson-\$1,781.02; Terry Johnson-\$2,201.88; Brandon Long-\$2,583.09; Jennifer Marquez-\$707.76; Skyler Miner-\$2,574.89; Keaton Mueller-\$2,262.24; Kelsey O'Neill-\$2,574.89; Jaime Perez-Rojas-\$766.95; Kimberly Peterson-\$1,841.66; Adrian Ramos-\$2,241.24; Adolfo Raya-\$1,742.76; Michele Rohde-\$1,554.46; Angel Ruelas Hernandez-\$774.77; Jeremy Russell-\$1,721.76; Jerry Santos-\$2,180.88; Jennifer Svendsen-\$3,014.99; Randall Walsh-\$2,560.17; Deanna Hagberg-\$2,143.20; Jolene Gubbels-\$2,298.26; Jana Adam-\$330.55; Jennifer Ankerstjerne-\$1,735.20; Theresa Grove-\$2,408.00; Johanna Marquez-\$1,024.00; Courtney Swick-\$1,546.28; Nicholas Nieman-\$2,000.22; **General Fund Employee:** Federal Tax-\$13,515.39; State Tax-\$7,189.03; Soc Sec-\$11,493.09; Medicare-\$2,687.89; Extra Fit-\$1,271.00; Extra Sit-\$410.00; Retirement-\$9,683.40; Health Plan-\$3,250.00; Dental Plan-\$483.00; Colonial Health-\$253.04; Sheriff Union Dues-\$390.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$590.00; Garnishments-\$1,331.06; Flex Plan Medical-\$957.31; Flex Dependent Care-\$208.33; VSP Vision Prem-\$414.62; Legal Shield-\$109.11; Liberty Nat'l Pretax-\$152.64; Liberty Nat'l Post tax-\$41.96; VSP Vision Base-\$107.25; **Road Fund Employer:** Gross Salaries-\$16,671.40; Net Pay-\$12,306.85; Retirement-\$1,125.32; Total FICA-\$1,253.25; Health Plan-\$5,040.00; Dental Plan-\$180.00; Life Insurance-\$22.06; Paul Arrowood-\$1,736.00; Chad Cockburn-\$1,816.00; Robert Hacker-\$1,852.00; Lance Jacobsen-\$1,816.00; David Kneifl-\$1,840.00; Daniel Konrad Lisenbee-\$1,816.00; Kimon Litras-\$2,139.40; Dean Pallas-\$1,840.00; Gunner Stanwick-\$1,816.00; **Road Fund Employee:** Federal Tax-\$1,153.81; State Tax-\$605.41; FICA-\$1,015.72; Medicare-\$237.53; Retirement-\$750.21; Health Plan-\$200.00; Dental Plan-\$42.00; Colonial Health-PreTax-\$38.23; Colonial Health L/D-\$80.67; Garnishments-\$0.00; Road Union Dues-\$165.00; VSP Vision Prem-\$9.58; Legal Shield-\$40.37; Liberty National PreTax-\$6.50; VSP Vision Base-\$19.52; **Health Program Grant Employer 2504:** Gross Salaries-\$1,989.60; Net Pay-\$1,308.22; Retirement-\$114.05; Total FICA-\$127.04; Health Plan-\$560.00; Dental Plan-\$20.00; Life Insurance-\$2.55; Yesica Saldana Cisneros-\$1,689.60; **Health Program Grant Employee 2504:** Federal Tax-\$97.92; State Tax-\$51.41; FICA-\$102.96; Medicare-\$24.08; Retirement-\$76.03; Dental Plan-\$21.00; VSP Vision Base-\$7.98; **Juvenile Services Aid Employer 2507:** Gross Salaries-\$1,781.00; Net Pay-\$1,423.49; Retirement-\$120.22; Total FICA-\$132.71; Dental Plan-\$20.00; Life Insurance-\$2.55; Kristin Robinette-\$1,781.00; **Juvenile Services Aid Employee 2507:** Federal Tax-\$58.92; State Tax-\$39.49; FICA-\$107.56; Medicare-\$25.15; Retirement-\$80.15; 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-307.04; Dakota County Dental Account, premium-\$2103.00; Dakota County Health Plan, premium-\$48,610.00; Fraternal Order of Police #49, union dues-\$390.00; Federal Withholding, federal taxes-\$14,786.39; Globe Life Liberty, premium-\$194.60; Legalshield, premium-\$109.11; Dakota County Life Insurance, premium-\$210.77; Mid-American Benefits, flex & dependent care-\$1,165.64; Nationwide Retirement Solutions, contributions-\$590.00; Nebraska Child Support, garnishments-\$766.61; Neb Dept of Revenue, state taxes-\$7,599.03; Principal Life Insurance, contributions-\$2,661.85; Ameritas Retirement, contributions-\$23,615.65; Social Security, FICA & MEDI-\$28,361.96; VSP, premium-\$521.87. **Road Fund:** Colonial Life & Accident, life insurance premium-\$118.90; Dakota County Dental Account, premium-\$222.00; Dakota County Health Plan, premium-\$5,240.00; Federal Withholding, federal taxes-\$1,153.81; Globe Life Liberty, premium-\$6.50; Legalshield, premium-\$40.37; Dakota County Life Insurance, premium-\$22.06; Neb Dept of Revenue, state taxes-\$605.41; Nebraska Public Empl Local 251, union dues-\$165.00; Ameritas Retirement, contributions-\$1,875.53; Social Security, FICA & MEDI-\$2,506.50; VSP, premium-\$29.10. **Insurance Fund 1275:** Mid-American Benefits-administrative costs-34,059.89, Mid-American Benefits-claims - \$27,206.97. **Health 2504 Fund:** Dakota County Dental Account, premium-\$41.00; Dakota County Health Plan, premium-\$560.00; Federal

Withholding, federal taxes-\$97.92; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$51.41; Principal Life Insurance, contributions-\$24.90; Ameritas Retirement, contributions-\$190.08; Social Security, FICA & MEDI-\$254.08; VSP, premium-\$7.98. **Juvenile Services Fund:** Dakota County Dental Account, premium-\$41.00; Federal Withholding, federal taxes-\$58.92; Dakota County Life Insurance, premium-\$2.55; Neb Dept of Revenue, state taxes-\$39.49; Principal Life Insurance, contributions-\$22.10; Ameritas Retirement, contributions-\$200.37; Social Security, FICA & MEDI-\$265.42; VSP, premium-\$25.24.

**Accounts Payable: General Fund: General Fund:** NACO, pre-registration-\$300.00; Pender Times, publications-\$401.96; Cherie Conley, mileage, conference-\$284.60; Des Moines Stamp, stamps-\$145.00; Hampton Inn, lodging-\$363.58; Leaf, copier contract-\$78.02; NE Notary Assoc, notary application-\$30.00; One Office Solutions, office supplies-\$454.19; Security Shredding, shredding-\$40.00; DAS State Acct, state printer/tech fees-\$201.75; MIPS, monthly software-\$1,016.13; One Office Solutions, office supplies-\$119.72; Security Shredding, shredding-\$60.00; US Bank, office supplies, misc-\$304.35; Irene Van Lent, prior year services-\$16.00; One Office Solutions, CD cases & packs-\$77.45; Margie Rahn, prior year service-\$12.00; Innovative Appraisal Service, re-assmt hrs-\$1,625.75; Leaf, copier contract-\$77.18; One Office Solutions, copies-\$49.72; Security Shredding, shredding-\$40.00; Stanard Appraisal Serv, residential reval-\$22,936.00; Cherie Conley, election training reimbursement-\$33.58; Holiday Inn, lodging-\$239.90; Leaf, copier contract-\$103.00; One Office Solutions, copies-\$15.78; Pender Times, publications-\$13.96; RTI, IT support-\$14,265.40; Cray Huff Law Firm, atty fees-\$190.00; Leaf, copier contract-\$94.03; MIPS, monthly software-\$128.90; One Office Solutions, copier lease, supplies-\$95.85; Security Shredding, shredding-\$40.00; Dakota County Star, subscription-\$65.00; Marco, copier lease-\$349.60; Microfilm Imaging System, scanning-\$177.00; Security Shredding, shredding-\$40.00; US Bank, exhibits, supplies, subscription-\$155.76; Perla Alacron-Flory, interpreter fees-\$487.50; Lou Hunter, mileage-\$153.27; M&M Court Reporting, depositions-\$490.00; One Office Solutions, copier lease, supplies-\$143.65; US Bank, meals, lodging-\$556.97; Cray Huff Law Firm, atty fees-\$38.00; Dakota County Court, court fees-\$3,264.63; Dakota County Sheriff, papers, warrants-\$1,307.67; Dakota County Treasurer, jury lunch payment-\$250.00; District Court, court costs-\$1,160.00; Egley Fullner Montag Morland & Easland PC, atty fees-\$1,007.30; Randy S. Hisey, atty fees-\$1,187.50; Stuart B Mills, atty fees-\$8,692.35; Blake Podany, witness fee-\$26.55; Douglas Roehrich, atty fees-\$741.00; Richard Thramer, atty fees-\$2,066.25; US Bank, jury-lunch, supplies,-\$963.14; Robert Wichser, atty fees-\$25,672.90; Kathy Wiltgen, reimbursement-\$20.00; Woodbury County Sheriff, subpoena fees-\$10.00; A-Team, building & grounds repairs-\$2,749.37; ADCRAFT, co treasurer signs-\$144.90; City of Dakota City, utilities-\$202.25; Easkes Office Solutions, cleaning supplies, melt ice-\$1,103.80; G&R Controls, training maintenance supervisor-\$1,424.14; Gill Hauling, dumpster service-\$194.99; Menards, shop supplies, shop tools,-\$376.48; MidAmerican Energy, utilities-\$441.31; Midwest Alarm Fire & Security Systems, access control-\$450.00; NPPD, utilities-\$1,419.47; NE State Fire Marshal, annual inspection-\$120.00; One Office Solutions, office supplies-\$22.94; Roto-Rooter, sewage in floor drains-\$405.00; TK Elevator, elevator maintenance-\$996.11; Trembly, pest control-\$110.00; US Bank, fuel-\$35.54; Wilmes Hardware, building supplies-\$19.93; Angela Abts, reimbursement-\$234.49; Julie Boyle, reimbursement-\$202.07; Holiday Inn, lodging-\$229.90; Leaf, copier contract-\$123.19; One Office Solution, copies-\$255.68; Tammy Peterson, reimbursement-\$332.63; PMRNRD, monthly rent-\$750.00; AT&T, phones-\$720.72; AutoZone, wipers-\$60.18; Billion, vehicle repair-\$824.06; Linda Carson, prior year service-\$11.00; City of So Sioux City, fuel-\$7,217.12; Consolidated Management Co, sheriff training-\$1,032.25; Crystal Oil, fuel-\$13.01; Digital Ally, Inc, 2 antenna-\$173.00; Farmers Bank & Trust, lease payments-\$12,671.26; Fremont Tire, tire repairs-\$994.28; Jack's Uniforms, uniforms-\$1,751.87; Keaton Mueller, reimbursement-\$20.00; NLETC, training-\$500.00; NE Public Health Environmental Lab, breath analysis-\$105.00; NSA/Poan, membership-\$730.00; Siouxland Federal Credit Union, fuel, lodging-\$400.41; Sunset Law Enforcement, LE supplies-\$1,925.00; Total Motors GMC, vehicle repair-\$287.10; TransUnion Risk & Alternative, search services-\$120.00; US Bank, vehicle repairs, LE supplies, trainings, fuel, office supplies-\$2,815.36; Wilmes Hardware, supplies-\$20.99; Douglas County Sheriff, sheriff fees-\$21.87; Marco, copier lease, copier contract-\$174.21; Nebraska.gov, records-\$9.50; Melinda Sandvick, reimbursement-\$318.01; Secretary of State, certified copy-\$20.00; Security Shredding, shredding-\$40.00; US Bank, phones, lodging-\$323.10; City of So Sioux City, LEC cost shares for Oct & Nov-\$100,022.50; Advanced Correctional Healthcare, doc fee & prescriptions-\$9,793.01; AT&T, phones-\$93.96; Bob Barker, supplies-\$1,330.66; Bunkers Feed & Supply, softner salt-\$380.98; Charm-Tex, supplies-\$749.90; City of Dakota City, utilities-\$2,873.33; City of So Sioux City, fuel-\$277.33; Cornerstone, camera system-\$2,987.00; Dept of Correctional Serv, inmate boarding-\$2,529.80; Easkes Office Solutions, prisoner & janitorial supplies, misc-\$5,683.50; Gill Hauling, dumpster service-\$395.31; GRP, disposal-\$186.00; HNH Auto Repair, replace HVAC knob-\$44.79; Hobart Sales & Serv, supplies-\$98.00; Holiday Inn, lodging-\$321.00; Hot Water Products, new water heater-\$8,282.14; Jack's Uniforms, uniforms-\$3,077.70; MidAmerican Energy, utilities-\$702.70; NPPD, utilities-\$2,158.71; Phoenix Plumbing, replace water heater-\$1,216.52; Redwood Toxicology Lab, drug testing-\$87.96; Security Shredding, shredding-\$40.00; Summit Food, food & beverages-\$37,939.25; Trembly, pest control-\$200.00; US Bank, medical& janitorial supplies, bldg repair, office supplies-\$1,931.69; Wells Fargo, office equipment-\$498.39; US Bank, training-\$5,000.00; Crown Plaza, lodging-\$121.95; US Bank, meals-\$19.34; Verizon, phones-\$42.87; Civil Engineers & Constructors, eagle drive easement-\$400.00; Archview Services, fit testing kit-\$12,845.00; Availity, medical billing-\$125.00; Marco Technologies, copier contract-\$228.02; McKesson, vaccines, medical supplies-\$826.60; US Bank, supplies, copier, misc-\$360.04; Dr Thomas Wentz, consulting physician fee-\$250.00; Nike Nieman, mileage-\$364.18; John Guina, grave markers-\$1,000.00; One Office Solutions, copier contract-\$29.04; Quill, office supplies-\$59.99; Tyler Technologies, vetraspec renewal-\$449.00; US Bank, office supplies-\$39.78; US Bank, online legal research-\$374.00; Beckner-Hunt Funeral Home, cremation-\$1,800.00; BOK NA, 2019 flood bond-\$15,571.25; City of Sioux City, hazmat agreement-\$1,204.00; DAS State Acct, payroll/acct payable-\$150.00; Electronic Engineering, monthly monitoring-\$735.90; F&M Bank, deposit only-\$32.71; Fibercomm, phones

system-\$732.33; Innovative Appraisal Service, TERC data collection-\$1,537.50; MercyOne, monthly EAP-\$210.90; MIPS, payroll/acct payable-\$668.75; NACO, county assoc dues-\$2,092.10; NACO, national asso of counties dues-\$450.00; NE Auditor of Public Accts, audit for year end-\$22,997.44; Wally Nelsen, hale cemetery maintenance-\$1,000.00; Norm Waitt Sr. YMCA, membership-\$164.00; Pender Times, publications-\$94.38; Quadiant Leasing USA, lease payment-\$782.61; Team Trouble Chaser Graphics, decal truck-\$350.00; Triview Communications, phone system-\$821.25; US Bank, postage ink, vehicle accessories-\$640.87; US Postal Service, monthly postage-\$4,000.00; Aaron Voss, general misc autos-\$510.00; **Road Improvement 0802:** 190th st culvert-\$120.00; **Road Fund:** Advance Auto, parts-\$28.49; American Underground Supply, solid hdpe wt/ip pipe-\$973.84; Blackstrap Inc, chemical salt-\$4,051.10; Bomgaars, shop supplies-\$563.20; Bosselman Pump & Pantry, fuel-\$3,712.87; C&H Truck Parts, barricade trailer-\$20.00; Chad Cockburn, clothing allowance-\$100.00; Dundee Bank, payment/interst-\$44,260.10; Engel's Heating & Cooling, building repairs-\$285.00; Fastenal, shop supplies-\$144.47; Gill Hauling, dumpster service-\$130.89; H204U, water service-\$49.00; Interstate All Battery, parts-\$871.80; J&J's Pronto, fuel-\$471.22; K&K Hubbard Mini Mart, fuel-\$393.56; Kevin O'Dell Electric, building repairs-\$1,587.00; L.G. Everist, gravel-\$23,802.94; LINDBLOM, bathroom services-\$110.00; Lux Bros Trucking, culverts-\$2,078.52; Matheson, oxy/acetylene-\$722.41; Medical Enterprises, drug testing-\$305.00; Arnie Mellick, prior year service-\$13.00; Menards, shop supplies, tools, misc-\$175.23; MidAmerican Energy, utilites-\$14.00; Midwest Svc & Sales, traffic signs-\$499.20; Midwest Wheel, supplies, tools-\$939.81; NPPD, utilites-\$85.12; Northeast NE Telephone, phones-\$135.78; Northeast Power, energy usage-\$264.59; O'Reilly Auto Parts, parts, supplies, oil/grease-\$94.76; Overhead Door, shop supplies-\$100.00; Power Plan/ Murphy, shop supplies-\$933.70; SAPP BROS, fuel-\$1,590.84; Security First Bank, payment/interst-\$45,919.56; Siouxland Hydraulics, parts-\$768.86; Stephan Welding Inc, steel products-\$2,127.00; Titan Machinery, shop supplies-\$344.50; UnityPoint Clinic OC Med, drug testing-\$64.00; US Bank, shop supplies, drug testing, misc-\$417.95; Veenstra & Kimm, old hwy 20 traffic study-\$2,503.89; Verizon Connect, GPS-\$376.95; Verizon Wireless, phones-\$82.88; Village of Emerson, electricity-\$70.37; Warren Oil, diesel-\$5,882.40; Wilmes Hardware, shop supplies-\$685.67; Ziegler's, parts, labor-\$3,131.28; **Road & Bridge Improvement:** Mainelli Wagner & Assoc, 190th st culvert-\$120.00; **Visitor Promo:** SSC Chamber of Commerce, visitor promo-\$26,971.37; **P&M Fund:** Microfilm Imaging System, Data processing equipment-\$210.00; MIPS, MIPS software-\$611.86; **Health Grant 2502:** Jennifer Ankerstjerne, conference meals, parking, reimbursement-\$340.74; US Bank, conference supplies, lodging-\$475.25; **Health Grant 2504:** Theresa Grove, mileage-\$206.32; Yesica Saldana, mileage-\$181.44; US Bank, lodging, supplies, misc-\$496.57; Verizon, phones-\$82.88; **2507 Juvenile Grant:** Community Monitoring Service, family support-\$1,845.25; Owens Educational Serv, electronic monitoring-\$950.00; **DCHD Covid fund 2508:** Ford Motor Credit Company, lease payment-\$912.16; US Bank, fuel, network-\$102.82; **ARPA Fund 2580:** City of So Sioux City, jail sewer reapi-\$392.00; Curry Floor & Acoustics, replaced the flooring-\$4,988.50; Daum Tree Service, tree removal-\$3,475.00; Easkes Office Solutions, County Attorney's furniture-\$2,135.00; EV Contracting, ssc senior center-\$20,222.00; Gill Construction, jail parking lot & sidewalk-\$22,510.00; Glover Painting, treasurer office painting-\$1,763.86; Husker Steel, johnston bridge-\$24,511.00; JC Roofing & Insulating Inc, homer roof on shop-\$14,950.00; Kevin O'Dell Electric, update & repair electricals in shop-\$4,400.00; Nielsen Tree Farms, tree removal-\$1,873.00; US Bank, deposit for courthouse trees-\$500.00; **Public Safety 2960:** Fund 7850 RFD Sales Tax, Rural Fire Dept collection-\$34,840.87

Chair Giese called for Approve/Disapprove annual renewal of Mid-American Benefits Flexible Spending Account Administrative Services partnering with Point C Consumer Driven Products effective January 1, 2024. County Clerk, Cherie Conley, explained the change this year is that MAB will no longer be "banking" the FSA money and the County will need to open a separate account for these funds to funnel in and out of. MAB and Point C will still be handling all the actual processing of the FSA employee accounts. Commissioner Giese moved, seconded by Commissioner Van Berkum to approve the renewal of Mid-American Benefits Flexible Spending Account Administrative Services partnering with Point C Consumer Driven Products effective January 1, 2024. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love-yes, Van Berkum-yes, Hohenstein-yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Barkum to approve opening a bank account at F & M Bank to accommodate the Flexible Spending Account funds giving County Clerk, Cherie Conley, Payroll Administrator, Robin Hansen and Deputy Clerk, Paola Ledesma authorization to access the account, sign and monitor funds accordingly and balance monthly. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love-yes, Van Berkum-yes, Hohenstein-yes. UNANIMOUS MOTION CARRIED.

County Clerk, Cherie Conley, explained that to accommodate the change in FSA funds being deposited and withdrawn from a County bank account at F & M Bank we will need to have startup money until the account gets established and suggested borrowing funds from the Inheritance Tax fund. Commissioner Love moved, seconded by Commissioner Van Berkum to approve borrowing start-up money from the Inheritance Tax Fund which will be reimbursed when the F & M Bank FSA account gets established and can sustain funds. ROLL CALL VOTE: Giese- yes, Love-yes, Van Berkum-yes, Hohenstein-yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve Resolution 23C-040 renewing the Dakota County Franchise Cable System agreement with Sparklight for a 10 year period. ROLL CALL VOTE: Love-yes, Van Berkum-yes, Hohenstein-yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

#### RESOLUTION 23C-040

A RESOLUTION RENEWING FOR A PERIOD OF TEN (10) YEARS, THE CABLE SYSTEM PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAKOTA COUNTY NEBRASKA "COUNTY", TO CABLE ONE, INC. "GRANTEE", A SUCCESSOR TO TELEPARTNERS L.L.C., A SUCCESSOR TO JONES INTERCABLE, SUCCESSOR IN INTEREST TO NORTHEAST NEBRASKA CABLEVISION LIMITED PARTNERSHIP, SUCCESSOR IN INTEREST TO APOLLO COMMUNICATIONS, INC. TO INSTALL, OPERATE AND MAINTAIN A CABLE SYSTEM WITHIN THE UNINCORPORATED PORTIONS OF DAKOTA COUNTY, NEBRASKA BY A RESOLUTION ADOPTED MAY 29, 1984.

WHEREAS, the term of the cable system permit expired on or about September 22, 2018 and has been on a month to month basis since, and the Grantee has requested and the County has agreed to extend the term of the permit for an additional period of ten (10) years and;

WHEREAS, the County has reviewed Grantee's performance under the permit; has considered the financial, technical, and legal qualifications of Grantee; and has considered all information Grantee has presented to it; and

WHEREAS, based on Grantee's representations and information, the County has determined that, subject to the terms and conditions set forth herein and the provisions of the permit, the renewal of the permit is consistent with the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA:

1. The cable system permit is hereby renewed for an additional period of ten (10) years from and after the date of this RESOLUTION adopted by the chairperson and the board. Grantee shall have thirty (30) days after adoption of the RESOLUTION to accept the permit in writing. This RESOLUTION shall be effective as of the date of adoption by the Board provided it is accepted by Grantee pursuant to the terms of this Paragraph 1.
2. BE IT FURTHER RESOLVED that Grantee shall pay to the County annually, not later than May 1<sup>st</sup> of each year, a franchise fee in the amount of \$400.00 or an amount equal to five percent (5%) of the annual gross revenue received by Grantee for basic cable service and expanded tier services, whichever is greater.
3. This Franchise shall be non-exclusive. The County reserves the right to grant a Franchise to another person or entity to construct, operate and repair a Cable System. The terms and conditions of such additional franchises or agreements shall be no more favorable nor less burdensome to such new Franchise than the terms and conditions herein.
4. With the exception of the amendment to the permit described in Paragraph 3 of this Resolution, the permit is renewed under the same terms and conditions set forth in the permit.
5. All RESOLUTIONS, or parts of RESOLUTIONS or RESOLUTIONS in conflict herewith are hereby repealed.
6. The Board further acknowledges that it is not aware of any breach by Grantee of the permit or applicable law, and that Grantee is presently operating its cable system in compliance with the terms and conditions of the current month to month permit.

Adopted by the Board of Commissioners of Dakota County, Nebraska on November 27, 2023.

Jolene Gubbels, Highway Superintendent, presented the revised Summit Carbon Road Use and Maintenance Agreement and informed she worked on condensing the initial agreement working with NIRMA and the County Attorney, Kim Watson, has approved it. If this agreement is approved, she'd like to use this from now on. Commissioner Love moved, seconded by Commissioner Van Berkum to approve the Summit Carbon Road Use and Maintenance Agreement as presented. ROLL CALL VOTE: Van Berkum-yes, Hohenstein-yes, Launsby- yes, Giese- yes, Love-yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, presented the Road Report for November 12 to November 25, 2023. Total road maintenance- 175.5 hours; overtime hours- 5; tree/debris removal- 8 hours; Asphalt- 4 hours; snow removal-5 hours, gravel hauling- 1 hour; total tons hauled- 25; sign repair/ barricading- 3 hours. Grading on Ireton Ave. The Johnston Bridge is done. 190<sup>th</sup> Street culvert work being done. Will start the process for bidding out for a new motor grader and asked what the board would like to do with old grader as far as trading in or list on Big Iron. Board discussed options and Chair Giese advised they would get back to her later this week. Chair Giese asked about the new fence around Dakota City yard and Jolene advised it was to be done this Fall and is checking on it. Commissioner Hohenstein asked about staffing, Jolene advised positions are filled, and the roof on Homer shop is complete. Chair Giese asked about purchasing the parcel below the County Shop; Commissioner Love advised he would reach out to Utech's. Jolene Gubbels provided some guidance on fences in county ROW and stated she is working with the County Attorney on getting letters out to landowners. She asked permission to put a notice in the paper regarding County ROW and fencing regulations.

ARPA projects discussed.

Commissioner Love moved, seconded by Commissioner Van Berkum, to approve the purchase of 2 new doors for the County Clerk's office with stain from Builders FirstSource for \$2,558.58 using ARPA funds. ROLL CALL VOTE: Hohenstein-yes, Launsby- yes, Giese- yes, Love-yes, Van Berkum-yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Van Berkum to approve the quote and purchase of office furniture for the new area for the Public Defender's Office from One Office Solutions for \$11,527.00 give or take depending on how set-up goes at time of installation. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love-yes, Van Berkum-yes, Hohenstein-yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Commissioner Hohenstein attended a Region IV meeting, Commissioner Launsby attended a Northstar meeting, Commissioner Giese noted the State Auditors sent a letter stating they will no longer be performing County Audits and mentioned Tony Gomez would be receiving an award at the City of SSC meeting.

No mail or emergency business.

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 27, 2023, at 3:40 p.m.

Dakota County Board of Commissioners

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Robert J. Giese, Chair

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Cherie Conley, County Clerk/Board Secretary