

To be officially published by the Rustler Sentinel

PROCEEDINGS OF THE DODGE COUNTY BOARD OF SUPERVISORS

Regular meeting of the Dodge County Board of Supervisors was called to order by Chairman Missel at 9:00 A.M. on Wednesday, April 24, 2019 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Beam, Backens, Strand, Bendig and Missel. Absent: Weddle. Prior to roll call, Chairman Missel announced the meeting to be an open public meeting and that the current open meeting laws were posted on the wall and available for anyone's review.

The Board unanimously declared the meeting legally convened.

The Board unanimously approve the agenda as printed; received and placed on file the County Sheriff Quarterly Report for 2019 and a report from LifeHouse for March of 2019, letter of correspondence from Charter Communications on their launching of Spectrum Originals on-demand on channel 2010, correspondence from Extension Office – summary of 2017-2018 budget expenditures, current fiscal year 2018-10 Budget, county impact report, brief program summary of each educator and assistant and samples of major program brochures that represent 2018 programming, correspondence from PSAP Governance Board of their agenda and minutes of April 4, 2019 meeting, budget of PSAP fiscal year 2019/2020 and budget of PSAP fiscal year 2020/2021, letters from American Legion Post 18 on their recommendation of Mr. Steve Snover and from Dodge Legion Post 122 on their recommendation of Nathan Luey, a notice of a public hearing for City of Fremont Planning Commission for request by NEBCO Inc. for a conditional use permit to construct a private campground on Lake Leba at 5:00 P.M. on April 15, 2019, correspondence from NDEQ (Nebraska Department of Environmental Quality) regarding Notice of Application received for Stately Poultry, LLC Concentrated Animal Feeding Operation located in the W ½ of the NE ¼ of Section 15, Township 18 North, Range 8 East, certificate of insurance of WSP USA Inc., Utility Installation Agreements for Black Hills/Nebraska Gas to install a 1" PE gas line crossing County Road T – TL 2, Section 3, T17N, R7E, Great Plains Communications to install fiber optic cable in Section 27 & 28, T20N, R6E, Steven Langemeier to install an irrigation pipe through road between Sections 13 & 24, T20N, R7E (Private Installation Agreement), Northern National Gas Co. to install pipeline in County Road 19 & S right-of-way and Moving Permit for Skillett & Sons, Inc. to move a tank over County Road S from County Road 7 to County Road 6 and south to Highway 30 on April 17, 2019; received and referred to the Finance Committee the 2019/2020 Budget request of ENHSA (Eastern Nebraska Human Services Agency) for ENCOR & ENOA in the amount of \$178,832 and letter from District Judge Geoffrey C. Hall and County Judge Kenneth Vampola regarding court-appointed defense counsel hourly rate increase in Dodge County, effective July 1, 2019; and received and referred to the Road Department a letter from Curt Becker, LENRD (Lower Elkhorn Natural Resources District) Projects Manager, regarding flood damages across the district.

The Board unanimously approved the minutes of the April 10, 2019 meeting as printed.

At 9:05 A.M., the Board recessed as a Board of Supervisors and convened as a Board of Corrections. Chairman Missel dispensed with roll all members being present except for Supervisor Weddle.

Under any items of discussion, County Attorney Glass commented on a procedure done in Saunders County when inmates are brought back to their jail, such as from court. The procedure is they go through their routine questioning and evaluation as if it was their first time being admitted into their facility.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, May 8, 2019 at 9:05 A.M.

Immediately thereafter, the Board reconvened as a Board of Supervisors. Chairman Missel dispensed with roll all members being present except for Supervisor Weddle.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$228,609.94.

The Board unanimously approved the financial claims as submitted in the amount of \$654,584.02.

Next, the County Board considered an Interlocal Cooperative Act Agreement forming a Joint Water Management Advisory Board. Chairman Missel explained there is an amended version of the agreement showing the addition of eight more political subdivisions who will be a part of the board. The original agreement consisted of the City of Fremont, Dodge County, Village of Inglewood and Lower Platte North NRD. The amended agreement added the City of North Bend, Cotterell Diking & Drainage District, Ames Diking & Drainage District, Elkhorn Township, Platte Township and Sanitary and Improvement Districts #3 and #5 – Lake Ventura & Timberwood. Chairman Missel explained the importance of the agreement, to conduct group discussions involving all of the entities and the seeking of possible available grant funds. The Board unanimously approved and authorized the Chairman to sign the Interlocal Cooperative Act Agreement as amended forming a Joint Water Management Advisory Board.

Dave Boschult, Regional Inspector of Nebraska Department of Agriculture, presented his Annual Report of the Noxious Weed Program in Dodge County. He commented, with a lot of weed control being done along the Platte River, the soil movement with the flooding may move weed problems to other areas. He presented a handout which indicated Dodge County's scores, rating above the state average of 3,200 with a score of 3,400. He commented Weed Superintendent Larry Klahn does a

good job. Supervisor Saalfeld commented on the weeds being so bad along the railroad tracks between North Bend and Fremont, that sometimes you can't see the train. He wrote the Union Pacific R.R. in Omaha many times, but received no response. It was suggested he contact a local representative at the depot.

The Board unanimously accepted the recommendation of County Veteran Service Officer Mark Schneck and appointed Steve Snover of Fremont, Nebraska as a member to the Veteran Service Committee to the remainder of a 5-year term expiring on June 30, 2020. The appointment was made due to the resignation of Leonard Brune of Dodge, Nebraska.

The Board unanimously approved the request of County Sheriff Hesperen to purchase three patrol vehicles and one unmarked vehicle as presented, two 2019 Chevrolet Tahoe PPV 4WD at unit price of \$36,550 each and one 2019 Ford F150 PPV 4WD at unit price of \$36,744 and a 2019 Chevrolet Impala at a unit price of \$20,678 off of state contract prices. Prior to action, County Sheriff Hesperen explained the Crown Victoria was now off the market. The new Ford Explorer, which has increased in price by about \$5,000, has been revamped and redesigned and cannot be equipped with their equipment.

The Board unanimously approved and authorized the Chairman to sign Interlocal Agreements with Nickerson Township, Elkhorn Township and Cuming Township for the cost of sharing of the Flood Disaster of 2019.

Brenda Gustafson, Inter Government Affairs Specialist with FEMA, was present to update the County Board. She commented the deadline to register and apply for disaster relief is May 20th. They are at the Fremont Community Center located at 130 E. 9th Street in Fremont to assist applicants with the process from 7 A.M. 'til 7 P.M. She commented each case is different. So far, the Small Business Administration has loaned \$17 million in 295 separate loans. Chairman Missel thanked Ms. Gustafson for daily information he receives.

Craig Jones, Managing Director of 1st National Capital Markets, was present to explain the County Board's options regarding bonding for additional funds to cover costs of the 2019 flood disaster. The targeted amount to bond is around \$10 million, but still unknown, due to township projects not all being tallied. They discussed five to 10 year bonds and balloon payments or level payments. It could be 2 to 3 years before FEMA funds could be reimbursed. Mr. Jones estimated interest rates on the bonds would pay around 2.2% for a 10 year bond or 1.90% for a 5 year bond with local banks showing an interest in buying the bonds. The Board unanimously passed a motion to move forward with the possibility of securing bonds for the 2019 flood disaster relief by entering into discussions with local banks.

The Board unanimously passed a motion to receive and place on file claims from landowners/residents along Highway 30, west of Fremont, regarding flood damages.

Chairman Missel welcomed any comments from those landowners or residents present. After the last meeting, Chairman Missel commented he and Highway Superintendent Huppert and Emergency Manager Smith met and discussed these claims and determined they could not assist with any private funding and led them to apply through Public Assistance Programs. Carolyn Moenning of 7185 W. Hwy 30, Ames, Nebraska commented on remarks made by a FEMA representative who commented it was serious what Dodge County done, referring to the temporary berm across Highway 30 that flooded their properties, and that the county should be accountable for their actions. She commented she is still homeless, has to wear a mask when reentering her home and her clothes have to be dry cleaned. She remarked they just wanted their lives back. Joseph Holeman, who lives on the very west end of the lake, commented his 300 feet of shoreline is totally decimated. His driveway will need 2 to 3 loads of gravel or rock. He remarked, the county purposely pushed water onto them and should be accountable for what happened. Patricia Holeman remarked the FEMA person who spoke earlier neglected to mention that if their assistance check for flood insurance was cashed, they would be required to have it for lifetime, whether they own the property or not. Jeff Davenport, commented on the 1978 flood plan where things were handled differently. He remarked, we all know we live in a river bottom and when it is angry it is trying to claim what belongs to it and we may not be able to stop it. Kim Mann-Davenport commented it would have been nice to have been notified. If notified, she remarked they could have removed more of their belongings. Jeanne Ward remarked that because of the dike across the highway, it kept water there and left it there and locked it there. They don't know what else to do and truly believes Dodge County is responsible for their losses. She asked about the dike inspection when the railroad put in a new bridge and tore out the dike by the cutoff ditch, because that is where it breached. Highway Superintendent Huppert remarked he investigated the issue and when the bridge was built years ago, the railroad was supposed to put the dike back, but it did not happen. He tried to talk to someone at the railroad to get the dike fixed, but just got the runaround. He wished he would had known it broke there. Residents told they had leases all the way to the railroad tracks and pay for the lease. Mr. Huppert commented he wished he would have known about the leases, because it is hard to get on the railroad's property without a permit. When asked what happened now that the claims were received, Chairman Missel responded any board member could take action to re-look at the claims in the future. Emergency Manager Tom Smith explained the county is working on a long-term recovery group to seek future assistance made up of local and national agencies. The County Board would be sharing these claims with that group.

The Board unanimously approved and authorized the Chairman to sign a "Right of Entry and Land Lease Agreement" with Jeremy Moss for debris pile.

Under any business brought by the public or discussion from the public, Julie Hindmarsh went through a testimonial she presented to the County Board. In her testimonial, she thanked the County Board and others for creating a Water Management Board to create a plan and system for comprehensive drainage in

Fremont and all of Dodge County which will benefit everyone in the county, both urban and rural areas.

Committee Reports – Supervisor Backens reported on the Three-Rivers Health Department meeting he attended last week and the NIRMA class he attended in Lincoln. Supervisor Saalfeld reported on an ENCOR meeting.

Zoning Administrator Andrews reported on inspections. Highway Superintendent Huppert gave the County Board a brief update of flood emergency projects and what work was being done by his crews and contractors.

At 10:52 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, May 8, 2019 at 9:00 A.M.

Immediately thereafter, the Board convened as a Board of Equalization. Chairman Missel dispensed with roll all members being present except for Supervisor Weddle.

The Board unanimously passed a motion to move forward with the hiring of referees for the upcoming 2019 protest season and approved forms to be used by the referees and the attachment to the protest form 422A. Prior to action, County Assessor Churchill briefly explained a bill introduced in the legislature, LB512 for possible relief to property owners caused by disasters.

The Board unanimously received and placed on file an Order to Show Cause & Notice of Hearing from Nebraska Tax Equalization & Review Commission in the Matter of Equalization of Value of Real Property within Dodge County, Nebraska, for Tax Year 2019.

At 11:00 A.M., Chairman Missel adjourned the Board as a Board of Equalization until 10:00 A.M. on Wednesday, May 8, 2019.

Fred Mytty
Dodge County Clerk