

To be officially published by the Dodge Criterion

## 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, September 11, 2019 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Beam, Strand, Bendig, Weddle, Backens and Missel. Absent: None. Prior to roll call, Chairman Missel called for a short moment of silence honoring those victims of the 9/11 tragedy. He then 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 approved the agenda as printed and received and placed on file various county officials' reports, a letter from Logan Township on the appointment of Bob Weitzenkamp taking the place of Mike Egbers on their board, two letters of correspondence from Charter communications regarding changes to their channel lineup and changes to their monthly prices for customers, a list from County Treasurer Bargstadt of distress warrants issued on personal property but not collected, two Staff Reports from Shelly Holzerland, Director of Communications, regarding the expansion of responsibility for the PSAP Joint Communication Policy Committee and the other regarding an Interlocal Agreement with West Point Police, NIRMA (Nebraska Intergovernmental Risk Management Association) correspondence regarding the Annual Membership Meeting to be held October 4, 2019 as well as the re-election of four board members as their terms are up December 31, 2019, NIRMA Safety Shorts for September 2019, a Notice of Public Hearing on Preliminary Plat and Amendment to Zoning Regulations for Saunders County Board of Supervisors at 9:30 A.M., Tuesday, September 10, 2019, Utility Installation Agreements with the following: Two with Northern Natural Gas Co. to install rectifiers in County Road O between County Roads 20 and 21 in Nickerson Township and in County Road O between Roads 20 and 21 in Hooper Township, Black Hills Energy to install 1" PE2406 Natural Gas Service in SE Section 29 and NE Section 32, Township 20 North, Range 7 East and with William Drilling to put a temporary culvert across Road 6 and lay pipe to Road S in the west ditch that will be surface pipe located between Sections 1 & 2 in South Union Township, and a receipt of Certificate of Insurance for Lyman-Richey Corporation.; received and referred to the County Attorney a claim filed by Patrick Cullan, M.D., J.D. of Cullan & Cullan, LLC on behalf of his clients Katie M. & Austin J. Owen against Dodge County, Fremont Community Health Resources, Fremont Health, etc.; and added an emergency item to the agenda, a closed session to discuss a pending TERC appeal, due to a possible hearing being held prior to the next scheduled county board meeting.

The Board unanimously approved the minutes of the August 28, 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 dispense with roll all members being present.

Under any items of discussion, Supervisor Beam reported 145 people were booked into the holding facility for the month of August, compared to 161 last year in August. Currently there are 65 Dodge County inmates in the Saunders County Facility with three housed elsewhere. Attorney Glass commented information received indicated the Dodge County Jail to be in full compliance with jail standards.

At 9:08 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, September 25, 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.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$227,644.97.

The Board unanimously approved the financial claims as submitted in the amount of \$1,405,292.21.

The Board unanimously approved the request of County Treasurer Bargstadt and authorized her to refund additional Inheritance Tax in the amount of \$48.24 due the Estate of Jeffrey L. Plahn.

Diane Emanuel and Bruce Ferguson present the Annual Report of the Summit Grove Preservation Group. Ms. Emanuel commented some headstones were placed at gravesites that did not previously have stones. Mr. Ferguson continues to mow the cemetery. He also commented the road still needs work, but understood the county's prioritizing with the recent flood damages. The Board unanimously received and placed on file their Annual Report and approved their request for funding in the 2019/2020 Budget.

The Board unanimously received a letter from the Nebraska Mediation Center requesting furnishings for the all-purpose meeting room on the 4<sup>th</sup> floor of the Courthouse and referred their request to the Property Committee.

At 9:15 A.M., the Public Hearing on the proposed 2019/2020 County Budget was held. Chairman Missel opened the hearing for any testimony. County Clerk suggested raising the "Flood Disaster Relief Fund of 2019" to \$8 million instead of \$4 million.

Other members of the Finance Committee thought the \$8 million is what they had proposed. With no further testimony given, Chairman Missel closed the hearing.

Next, the Board unanimously passed a motion amending the proposed 2019/2020 County Budget by amending the "Flood Disaster Relief Fund of 2019" from \$4,000,000 to \$8,000,000 in expenses and revenue as suggested from County Clerk Mytty.

In two separate motions, the Board unanimously approved adding the allowable 2.5% plus growth in excess of 2.5% of restricted funds (\$223,344.33) for carryover to the 2020/2021 County Budget and approved adding the allowable additional 1% of restricted funds (\$89,337.74) requiring a super majority vote. (With these actions, it adds a total of \$312,682.07 in the restricted funds limits in the 2019-2020 Budget, which leaves a restricted funds limit base of \$9,246,455.57.)

The Board unanimously adopted and authorized the proper signatures on a Resolution approving the 2019/2020 County Budget as amended.

The Board unanimously adopted and authorized the Chairman to sign a Resolution on transfers as outlined in the 2019/2020 County Budget in the amount of \$834,752.00.

A public hearing was then held on the proposed setting of Dodge County's tax request for fiscal year July 1, 2019 thru June 30, 2020. With no testimony for/or against the proposed tax request, the Board unanimously passed a motion adopting a Resolution setting Dodge County's tax request at \$11,097,133 for fiscal year July 1, 2019 thru June 30, 2020.

Paul Marsh of Fremont, a former County Supervisor and Chair of the Finance Committee, commended the County Board for their good work with cash flowing issues, due to the recent flood and still lowering the county's levy.

The Board unanimously passed a motion adopting a Resolution for Signing of the County Annual Certification of Program Compliance Form 2019 and authorized the required signatures on the Resolution of all County Supervisors.

The Board unanimously received a list from County Treasurer Bargstadt of delinquent personal taxes for years 2013 to 2015 and approved her request to strike the taxes from the tax roll.

The Board unanimously passed a motion adopting and authorizing the Chairman to sign a Resolution to update the PSAP Interlocal Agreement to expand the responsibilities of the Joint Communication Policy Committee to include managing the countywide radio system.

In another motion, the Board unanimously approved and authorized the Chairman to sign an Interlocal Agreement with West Point Police to share the PSAP's management system.

The Board unanimously passed a motion to reappoint Ken Molacek and Larry Ruzicka to another three-year terms to the Board of Adjustment.

Jean Andrews reminded County Board members of the upcoming NIRMA Self-Defense Conference in York to be held October 3<sup>rd</sup> and 4<sup>th</sup>.

Highway Superintendent Huppert updated the County Board on projects from the flooding.

At 10:19 A.M., the Board recessed as a Board of Supervisors and convened as a Board of Equalization. Chairman Missel dispensed with roll all members being present.

Immediately thereafter, a hearing was held on 2019 protests #5D thru #8D with Shannon Doering. Mr. Doering commented these four cabins were damaged in the flood. At that time, cabin #3 was red tagged and the other three were yellow tagged. He commented that they tried to get someone to present them with an estimate in a timely matter, but could not get it done by the deadline. An estimate was finally received from Emanuel & Son Construction of Fremont, Nebraska, which did not take into consideration rebuilding costs in a floodplain. He presented the estimate and indicated cabin #14 on the estimate should have read cabin #13. After receiving the estimate, County Assessor changed her recommendations, previously at no change, on the four cabins to a valuation "\$0" each. In separate motions, the Board unanimously received the estimates and accepted the recommendation of the County Assessor and removed the building valuations on all four parcels, for a total valuation of \$0 on each.

The Board unanimously received and placed on file a letter from Richard Fisher of Fremont, Nebraska appealing his 2019 Homestead Exemption.

Doug Washburn, tax preparer for Richard & Vanessa Fisher of Fremont, Nebraska was present in behalf of his clients, due to a surgery scheduled. He explained their flooded home could not be lived in and ended up selling it, because it would cost too much to fix. He received an extension on their tax forms, because his clients lost needed documents in the flood. The VA would only do one loan so their other home had to be sold and closed on prior to their new home. The homestead exemption application filed with the County Assessor did not include an address, because they were not living in the home at the time the application was submitted and

were advised by the Assessor's office not to use that address, because the new buyers would get the exemption. That lead Mr. Washburn to call the state where he was told they should qualify, since the application was filed. The Fisher's received their notice of rejection from the County Assessor, which was dated July 25<sup>th</sup>, but mailed by the postmark on August 21<sup>st</sup>. He commented, after the Fishers received their notice, they were told by the Assessor's office they were not going to accept their protest. County Assessor Churchill commended her recommendation to deny the exemption was based on state statute 77-3502 which states occupancy by the person who is owner of record thereof from January 1 through August 15 in each year. The Board unanimously accepted the recommendation of the County Assessor and denied the homestead exemption for Richard and Vanessa Fisher, due to state statute 77-3502 under the occupancy requirements.

The Board unanimously approved tax roll correction #5026.

At 10:50 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, September 25, 2019 at 10:00 A.M.

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

Committee Reports – Supervisor Strand commented on Property Committee projects, such as the finishing of the district court remodel, the occupancy of the new offices on 4<sup>th</sup> floor for CASA and projects at the Extension Office and Probation Office. Today, Supervisor Saalfeld will be attending a Region 6 meeting and Chairman Missel will be attending a hospital meeting. It was reported the Courthouse Blood Drive was a success.

At 10:55 A.M., the Board unanimously passed a motion to go into closed session to discuss a TERC appeal, which was declared an emergency item earlier in the meeting with the approval of the agenda.

At 11:07 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the TERC appeal. No action was taken as a result of the closed session.

At 11:08 A.M., Chairman Missel declared a short recess.

At 11:14 A.M., the Board reconvened as a Board of Supervisors. Chairman Missel dispensed with roll all members being present.

At 11:15 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of August, 2019.

At 11:25 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was taken as a result of the closed session.

At 11:26 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, September 25, 2019 at 9:00 A.M.

Fred Mytty  
Dodge County Clerk