

PROCEEDINGS OF THE DODGE COUNTY BOARD OF SUPERVISORS

Agenda Item # 4.
Date 2-14-2020

Regular meeting of the Dodge County Board of Supervisors was called to order by Chairman Missel at 9:00 A.M. on Wednesday, January 29, 2020 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Strand, Bendig, Weddle, Saalfeld, Backens and Missel. Absent: None. 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 approved the agenda as printed and received and placed on file various county officials' reports, Fremont Community Health Resources Board of Trustees minutes of their December 9, 2019 meeting and financial statement for month ending December 2019, Dodge County Audit covering fiscal year ended June 30, 2019, minutes of the Dodge County Planning Commission meeting of January 21, 2020, reorganization of Planning Commission Board of Officers for 2020, Certificates of Insurance of Arvig Enterprises, Inc. and City of Fremont, Department of Utilities, notice of Public Hearing for January 20, 2020 at 5:00 P.M. for City of Fremont Planning Commission for a request for Preliminary and Final Plat for 20 lots located south of 29th Street east of Fountain Springs Drive and correspondence from Nickerson Rural Fire Board accepting the offer of radios.

The Board unanimously approved the minutes of the January 15, 2020 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.

Under any items of discussion, Supervisor Beam reported Dodge County is currently housing 59 inmates. Deputy County Attorney Vaughan commented, because of the number of incompetent inmates with mental health issues you may see an increase in costs.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, February 12, 2020 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 \$244,803.30.

The Board unanimously approved the request for CDBG (Community Development Block Grant) Funds, #1 on Project 19-EM-001 of Ames Dike Repairs, for

\$3,501.54 reimbursed by the grant funds and authorized Chairman Missel and County Clerk Mytty to sign the request.

The Board unanimously approved the financial claims as submitted in the amount of \$1,076,650.91.

The Board unanimously approved the request of County Assessor Debbie Churchill for copies of any leases of property owned as of January 1, 2020 by Dodge County that were not being used or developed for use for a public purpose and passed a motion instructing the County Clerk to respond, that the old ENCOR building is being used by a non-profit organization, The United Way, at no cost to them.

The Board unanimously approved and accepted a list of financial institutions used for depositories for county funds for 2020 as request by County Treasurer Bargstadt.

Committee Report – Supervisor Backens reported on a meeting of the Solid Waste Coalition he attended yesterday. They talked about the hiring of engineers to study upgrading landfill issues for the next 20 to 25 years.

Dan Endorf, Superintendent of North Bend Central Public Schools, spoke in behalf of himself, the school board, and students regarding their concerns of traffic safety with the proposed Highway 30 Expressway by North Bend. He explained, since the flood of 2019, the expressway has been postponed and felt it was the right time to address safety and commented "let's slow down and rethink this". He suggested putting stop lights to slow down traffic like what was done along the expressway at the intersection of Highway 92 and 77 by Wahoo. He felt an overpass was considered to be not realistic anymore, but believed to be the most practical. The Board unanimously passed a motion to write a letter to District Engineer Tim Weander of the NDOT asking to consider the concerns brought up by Mr. Endorf and to reconsider the plans for the intersections from the expressway leading into the City of North Bend and to send traffic counts on the intersections along the expressway where overpasses or stop lights were used instead of turn lanes.

The Board unanimously approved and authorized the Chairman to sign an Interlocal Agreement with the City of Hooper to protect the county when assisting during emergencies and disasters.

At 9:30 A.M., a Public Hearing was held to consider the request of Domaxco, LLC of 16811 Burdette St. #126, Omaha NE 68116 to obtain Conditional Use and Fill Extraction Permits to excavate a borrow pit for the construction of new Highway 30 as per Article 12, Section 2.5 Conditional Uses located in the NW ¼ of Section 6, Township 18 North, Range 6 East in North Cotterell Township, Zoning District A-1, Intensive Ag. Chairman Missel opened and closed the public hearing with no comments from the public. The Board unanimously accepted the recommendation of the Planning Commission and granted the permits, based on the Conditional Use conforms to the

intent and purpose of the regulations and the use conforms to regulations of the district which it is located.

The Board unanimously accepted the recommendation of the Planning Commission and adopted and authorized the Chairman to sign a Resolution amending Zoning Regulation Fees to become effective March 1, 2020 (fee schedule attached to resolution).

The Board discussed correspondence received from the Center of Rural Affairs regarding ordinances for Wind Turbines. Supervisor Strand commented he sits on a board of 14 other counties and most of them have regulations in their zoning for wind turbines. He commented it to be a huge revenue and Dodge County needs to be prepared. The Board unanimously received the correspondence and passed a motion directing the Planning Commission to move forward with looking at adding regulations for wind turbines to Dodge County's Zoning Regulations.

At 9:40 A.M., a Public Hearing was held to consider the request of Western Integrated Seed Inc. of 1755 Hoegemeyer Rd., Hooper NE 68031-2125 to obtain a Conditional Use Permit to construct an Electricity Regulation Substation or Solar Farm as per Article 12, Section 2, Conditional Uses (Land Use Matrix) located in the SE corner of the SE ¼ of Section 17, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag. Chairman Missel opened the public hearing. Matt Robinette of Bluestem Energy Solutions of Omaha, Nebraska, representing Western Integrated Seed Inc., remarked the energy produced by the seven acre solar farm will be transmitted to Burt Public Power District where it will be used locally. It is a \$2.5 million dollar project and they will be paying approximately \$3,500 a year in taxes. They have a 30 year contract with Burt PPD and there is another farm in the making just north of Tekamah. Jon Dockhorn, General Manager of Burt PPD, urged the County Board to approve it, because he felt it was a way to maintain rates. With no further testimony, Chairman Missel closed the hearing. The Board unanimously accepted the recommendation on the Planning Commission and granted the permit, based on the conditional use conforms to the intent and the purpose of the regulations and the use conforms to regulations of the district which it is located.

The Board unanimously passed a motion to adopt and authorize the Chairman to sign an Amended Resolution to vacate a ¾ mile segment of road known as County Road P east from County Road 24 in NW ¼ and the NW ¼ of the NE ¼ of Section 19, Township 18 North, Range 9 East in Nickerson Township. The amended resolution was approved, because the original adopted at the last meeting read Range 8 instead of Range 9.

By consensus, the Board tabled correspondence from Caterpillar Financial Services Corporation requesting information for the purpose of paying personal property taxes to Cat on a leased Cat Excavator until more information regarding the lease documents were reviewed.

Highway Superintendent Huppert briefly discussed projects, two in the Bridge By-Back Program, the Logan Creek Project along the Scribner/Herman Road, Township projects, the County Road 19 Project problem issues with FEMA and the stabilization project going on with Elkhorn River by Scribner. He turned in seven ER Projects to the state with 5 more still to review before submitting. His audit with bridge reports went well.

At 10:03 A.M., Chairman Missel recessed the Board as a Board of Supervisors and convened the Board as a Board of Equalization with all members being present.

The Board unanimously approved tax roll corrections #5066 thru #5085.

At 10:08 A.M., the Board unanimously passed a motion to go into closed session to discuss TERC appeals.

At 10:24 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the appeals. No action was taken nor needed as a result of the closed session.

The Board unanimously received a list of Permissive Exemptions for 2020 from County Assessor Churchill and passed a motion setting the public hearing on the exemptions for 10:10 A.M. on March 11, 2020.

At 10:31 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, February 12, 2020 at 10:00 A.M.

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

The Board unanimously received and referred to the Finance Committee correspondence from Nebraska Loess Hills RC&D requesting the county's support.

The Board unanimously received a copy of an e-mailed letter and petition from Heather A. Carver of Cline Williams Wright Johnson & Oldfather, L.L.P. of Wholestone Farms II, LLC ("WholeStone") on Friday, January 24, 2020 requesting the removal of property from the Dodge County Industrial Area and authorized the County Clerk to set the hearing date and time.

At 10:37 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, February 12, 2020 at 9:00 A.M.

Fred Mytty
Dodge County Clerk