

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, February 26, 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 a report from Emergency Management (February 2020) \$13,568.72, correspondence from University of Nebraska Extension Service of local extension programming and financial summaries for 2019, minutes of the February 18, 2020 Planning Commission meeting, a letter from NE Department of Environment and Energy regarding a letter of warning to Tom Mullally of Mullally Plumbing & Heating for failure to meet requirements of the department and demonstrate compliance with Title 124 Rules and Regulations for Design, Operation and Maintenance on Onsite Wastewater Treatment Systems for 1580 County Road 11, North Bend, Certificates of Insurance for Hooper and Nickerson Townships and Charles Lange, dba Lange House Moving and a letter from County Clerk Mytty on the resignation of his Deputy, Sharon Neuhalphen, effective March 6, 2020, and the appointment of Micki Gilfry as his Deputy, effective March 7, 2020.

The Board unanimously approved the minutes of the February 12, 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 announced the county currently has 57 inmates in custody and booked 99 people into the holding facility so far this month.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, March 11, 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 & hour claims as submitted in the amount of \$226,870.07.

The Board unanimously approved the financial claims as submitted in the amount of \$1,703,801.67.

The Board unanimously approved the request of County Treasurer Bargstadt to proceed with a refund to MBEE LLC in the amount of \$599.21, Dodge County's portion, due to TERC decision for 2018.

The County Board discussed with Shelly Holzerland, PSAP Communications Director, an agreement to allow Colfax County to join the VIPER 911 Servers with the City of Fremont and Dodge County. She explained, since Colfax County has the same equipment, it would be a cost savings for them to join since the original system allowed for expansion. It also creates a better backup system with multiple users. The Board unanimously approved and authorized the Chairman to sign the Interlocal Cooperation Agreement with Colfax County to join the VIPER 911 Servers in a host/multimode 911 region.

The Board unanimously approved and authorized the Chairman to sign the 2020 Initial Boundary Validation Program (BVP).

The Board unanimously received a certification from County Clerk Mytty stating no written protests were received regarding the renewal of the liquor license of Fuel Express and passed a motion recommending approval of the renewal of the license to the Nebraska Liquor Control Commission.

A Public Hearing was held to consider the request of Wholestone Farms II, LLC to exclude properties from an Industrial Area. Chairman Missel opened the hearing asking for any testimony on the request. Heather Carver of the Law Firm of Cline Williams was present representing Wholestone Farms II, LLC. Ms. Carver commented that approximately \$300 million will be invested to expand to a double shift operation and by annexing to the City of Fremont, can apply for TIF (Tax Increment Financing). County Surveyor Clark Boschult commented that the County would no longer have to maintain the roads since the property would be annexed. With no further testimony, Chairman Missel closed the hearing. The Board unanimously passed a motion adopting and authorizing Chairman Missel to sign a resolution removing the contiguous tract of land from the Industrial Area.

The Board unanimously approved and authorized Chairman Missel to sign an Interlocal Agreement with the City of Hooper for cost sharing of the Radio System Linking Emergency Communications Together.

The Board unanimously received correspondence from the City of Hooper accepting free radios for the Hooper Police Department.

A Public Hearing was held to consider the request of Gene A. & Clara L. Havekost of 1055 Eastwood Drive, Fremont NE 68025 to subdivide a 7-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12 Section 2. Conditional Uses Exemptions 4.2 B. located in part of the NW ¼ of the NW ¼ and part of the NE ¼ of the NW ¼ of Section 25, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag. With no testimony given for or against the

subdivision and permit, the Board unanimously accepted the recommendation of the Planning Commission and approved the subdivision and conditional use permit, 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.

Jean Andrews explained that she has presented information to the Planning Commission to review proposed zoning regulations on Wind Energy.

The Board unanimously adopted and authorized Chairman Missel to sign Resolutions of March 2019 ER Resolution of Completion & Compliance for Project #ER-27(70) including DDIR Site #'s L27-09, L27-12 and L27-03. Highway Superintendent Scott Huppert explained that these are flood projects for the Dead Timber Road, County Road 13 and Winslow Dike.

By consensus, the Board tabled any action on an Interlocal Cooperation Agreement with Lower Elkhorn NRD, the City of Scribner and Dodge County for improvements and modifications of the Elkhorn River Bank Stabilization Project as a result of the March 2019 Flood.

The Board unanimously approved and authorized Chairman Missel to sign a Resolution of Agreement in duplicate for a Professional Services Agreement with Speece Lewis Engineers, Inc. for Preliminary Engineering Services for 22792, ER-3490(13), Hooper North – Logan Creek.

County Highway Superintendent Scott Huppert updated the County Board on what his employees are working on, such as brush & tree cleaning. As an update to the ice jam flooding, he noted that Ridge Road is now open, County Road 19 is still closed, and the ice jams up north on the Elkhorn River have cleared and water is free flowing.

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 #5102 thru #5107.

The Board unanimously approved the request of County Assessor Churchill and rescinded action taken at the February 12, 2020 meeting and voided four tax roll corrections #5098, #5099, #5100 & #5101.

At 10:07 A.M., Chairman Missel recessed the Board as a Board of Equalization and reconvened the Board as a Board of Supervisors, with all members being present.

Committee Report – Supervisor Saalfeld commented on the good job Highway Superintendent Huppert was doing. He also reported on an article in the NACO (National Association of County Officials) newspaper regarding Lancaster County Zoning Regulations. He reported on LB897, which would eliminate funding for

Behavioral Health Aid to ENCOR and encouraged communications with the Appropriations Committee.

Under item 25 on the agenda, County Clerk announced he has hired Lori Welbes as an office clerk to take over duties with the County Board meetings and correspondence. She previously worked for Bill Pook in the Civil Defense Office for 17 years. Supervisor Missel thanked Deputy County Clerk Sharon Neuhalfen for her service to Dodge County, the County Clerk's Office and the County Board.

At 10:13 A.M., the Board unanimously passed a motion to go into closed session with respect to threatened and imminent litigation.

At 10:32 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the litigation. No action was taken as a result of the closed session.

No closed session was needed on the discussion of general assistance claims for the month of January, 2020.

A Public Hearing was held to consider Dodge County's 2020 One & Six Year Road Improvement Program. Highway Superintendent Huppert pointed out on a map projects in his one year plan. Of the 16 projects, 7 were bridge related and the rest were ditch and road projects. He estimated the cost of the one year projects to be \$1.7 million. With no testimony given by the public for and/or against the program, the Board unanimously adopted and authorized Chairman Missel to sign a resolution approving the 2020 One & Six Year Road Improvement Program as presented.

At 11:00 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, March 11, 2020 at 9:00 A.M.

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

The Board unanimously received and placed on file a revised list of Permissive Exemptions for 2020 (public hearing set for March 11, 2020 at 10:10 a.m.)

At 11:04 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, 2020 at 10:00 A.M.

Fred Mytty
Dodge County Clerk