

Agenda Item #4
12/2/20

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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, November 18, 2020 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Backens, Missel, Saalfeld and Bendig. Absent: None. Prior to roll call, Chairman Missel announced the meeting to be an open public meeting and that the current open meeting laws are 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, correspondence from Charter Communications regarding a change in channel lineup, the October 12, 2020 Board of Trustees Minutes and Statement of Revenues and Expenses YTD comparison for the four months ending October 31, 2020 and 2019 from Fremont Community Health Resources, Judicial Center Site: Prime Site Improvements correspondence from Rey Freeman Communications Consulting (RFCC), NIRMA Safety Shorts for November 2020, correspondence from NIRMA regarding a Free Webinar on Thursday, November 19, 2020 from 10:00 – 11:30 a.m., Notice of Public Hearing with the City of Fremont Planning Commission on November 16, 2020 at 5:00 p.m. for a request by Mileydis Reyalado Artigas for a Conditional Use Permit to allow retail sales in a GI, General Industrial district located at 409 S. Main St., Fremont, NE; and a request by Paul Gifford on behalf of Fremont Area Land Company for a Re-Plat Final Plat of Morningside Pointe Addition to add radii to various corners, Dodge County Moving Permit for Barnhart Crane to move a self-propelled crane from 275, Morningside Road, Old Hwy 275, E. Cloverly Road to Wholestone Foods and return, Certificates of Insurance for West Iowa Telephone Company, Elkhorn Township and Larsen International, Inc. and a Utility Installation Agreement for Westel Systems/Hooper Telephone Company to install a buried fiber communications cable and conduit across and under T19, Sections 20 & 21 of Hooper Township.

The Board unanimously approved the minutes of the November 4, 2020 meeting as printed.

At 9:02 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, there was no report from the jail, therefore, nothing for Supervisor Beam to report and no additional information from the Dodge County Attorney's Office.

At 9:04 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, December 2, 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 \$240,550.91.

The Board unanimously approved the financial claims as submitted in the amount of \$1,703,203.17. The larger claims were once again for flood related projects.

Election worker pay was also included in these claims. \$1,370,000.00 was transferred from the flood fund to cover the flood related expenses. This leaves approximately \$400,000.00 on the last note that was acquired to cover flood expenses. Nickerson Township received \$535,521.64 from NEMA for flood reimbursement, which they paid to Dodge County. This is an indication that NEMA is starting to release some of the reimbursement funds. Chairman Missel commented that there are already claims for flood related expenses to be paid in two weeks. This will need to be monitored and the finance committee may want to meet sometime over the next two weeks to discuss alternatives to paying these claims if more flood reimbursement money doesn't come in before then.

Chairman Missel urged the rest of the Board to review the correspondence from Reye Freeman Communication Consulting (Judicial Center Site: Prime Site Improvements) that was received and placed on file. This is a compilation of the work to be completed for the Dodge County P25 Radio System.

The Board unanimously approved a list of designated official county newspapers for 2021.

In separate motions, the Board unanimously approved the tentative days for Dodge County Board meetings and Dodge County Courthouse Holidays for 2021.

The Board unanimously received Motorola Change Order #13 and authorized Chairman Missel to sign the Change Order. Tom Christensen of the Fremont Fire Department was present to answer questions about this change order. He said that the grounding in the judicial center is not sufficient and needs to be upgraded to support the new radio system. Chairman Missel commented that he remembers Reye Freeman talking about the grounding issue as being a project outside the scope of the original radio system project. Supervisor Strand commented that he finds it unusual that it hasn't been grounded in thirty years and there haven't been any problems until now, acknowledging that procedures/requirements for grounding have changed over the years. He also stated that he does not deny that the work needs to be done, but the price tag seems exorbitant for a little bit of grounding. Mr. Christensen reported that all of the towers are at the build out sites, fences are up and equipment is being installed. The Dodge tower site had some overhang damage from the ice storm, but Dodge County has not claimed possession of the building so the builder is fixing that damage at no charge to Dodge County. Completion projection for the tower sites is after the first of the year (2021); COVID-19 has pushed back projected completion dates.

At 9:18 A.M., the Board unanimously passed a motion to go into closed session with respect to threatened and imminent litigation.

At 9:24 A.M., the Board unanimously passed a motion to go back into open session from the discussion of threatened and imminent litigation. No action was needed or taken as a result of the closed session.

Committee Reports – Supervisor Saalfeld reported that Region 6 has a meeting this afternoon and have lots of issues to discuss because of COVID-19. Supervisor Missel reported that there will be a Safety Committee meeting at 11:00 A.M. today that he plans to attend.

A short recess was taken at this time.

At 9:30 A.M., a 2nd Public Hearing was held on the Application for Community Development Block Grant (CDBG) Program concerning Project 19-EM-001 - Ames Dike Repairs to obtain citizen input, comments or opinions with regard to the program performance. Lowell Schroeder, Community Planner for the Northeast Nebraska Economic Development District, was present to answer questions. Mr. Schroeder stated that this 2nd Public Hearing is one of the requirements of this type of grant. He also commented that the project has progressed well, but there will need to be some final budget amendments needed to pick up some of the project overages. There was more money spent for rock on the access road below the dike and once the structure was complete, more money needed for topsoil to finish the project. The permanent easement ended up costing less than estimated. The budget amendments will be addressed later in this meeting. Mr. Schroeder stated that it is his intention to submit the paperwork to close out this grant after the first of the year (2021). Chairman Missel thanked Mr. Schroeder for his role in this grant project. Hearing no testimony for and/or against the issue, Chairman Missel closed the public hearing at 9:34 A.M. No action was taken or needed as a result of this public hearing.

The Board unanimously approved the request for CDBG Funds on Project **19-EM-001** of Ames Dike Repairs and authorized Chairman Missel and County Clerk Mytty to sign the requests for Project Costs of \$40,164.44 (to Ames Diking District), Construction Mgmt. Costs of \$60.00 reimbursed by the grant funds (To NENEDD) and General Grant Administration Costs of \$1,800.00 (to NENEDD).

The Board unanimously approved the request to the Nebraska Department of Economic Department of Economic Development for project budget amendments on CDBG Funds for Project **19-EM-001** - Ames Dike Repairs by requesting that uncommitted funds of \$9,700.00 Construction Management, \$14,198.40 General Administration and \$18,409.00 Easement Costs budgeted amounts be transferred to Project Costs (to cover project cost overages). In the same motion, the Board unanimously authorized Chairman Missel to sign documents related to the budget amendment requests.

The Board unanimously approved the request for CDBG Funds on Project **19-EM-005** Fremont Rod & Gun Club – Breach Lake Repairs and authorized Chairman Missel and County Clerk Mytty to sign the request for General Administrative Costs of \$2,550.00 (To NENEDD). Lowell Schroeder commented that at this point, the environmental review will be initiated and JEO will be procured as the project engineer. The fill material from Lake Ventura is still being dredged for this project; the design phase should begin in late December or early January, with early spring construction as the goal.

Zoning Administrator Jean Andrews commented that she noticed after she put the information on the agenda for the NIRMA webinar that registrations were supposed to be made by yesterday (November 17, 2020). Ms. Andrews did send an email to all she had addresses for reminding them of the November 17, 2020 registration deadline.

The Board unanimously approved and authorized Highway Superintendent Huppert to advertise for bids for Calendar Year 2021 Culvert Quotations to be opened at 11:30 A.M. on Friday, December 11, 2020 in the Dodge County Highway Department Office.

The Board unanimously approved and authorized Chairman Missel and County Clerk Mytty to sign two (2) original agreements for the relinquishment of U.S. 275

outside Scribner Corporate Limits upon the completion of the US 275 Bypass around Scribner by the State of Nebraska Department of Transportation to Dodge County. Paul Vaughan from the County Attorney's Office asked for clarification on "The County's Response to State's Offer" on page three of the agreement. Dodge County can 1) accept the State's offer to relinquish jurisdictional control over the segment of US-275 from R.P. 129.64 to R.P. 129.82 and R.P. 130.71 to R.P. 131.02 to the County or 2) reject State's offer to relinquish jurisdictional control over the above described segment of US-275 to the County. In addition to the original motion, the Board unanimously approved acceptance of the State's offer to relinquish jurisdictional control over the aforementioned segment of US-275.

The Board unanimously received correspondence from the Nebraska Department of Transportation regarding year-end certification of County Highway Superintendent for 2020 and passed a motion adopting a Resolution authorizing the signing of the Year-End Certification of the County Highway Superintendent form by Chairman Missel.

Highway Superintendent Scott Huppert updated the Board on current highway projects. He reported that he has bypassed NEMA (Nebraska Emergency Management Agency) and contacted FEMA to find out what is going on regarding flood reimbursement money. The FEMA district representative told Superintendent Huppert that because it is "a very large project", it was sent to a federal committee and they want more information. The Dodge County projects are moving, but very slowly because they are looking at all of the details. Superintendent Huppert has been in contact with the townships as well to make sure they are keeping in touch with their NEMA representative. He told the NEMA rep to get all of the entities that need more information gathered so they can all hear what the status of these projects is. Hopefully more of the reimbursement money will be released now that Superintendent Huppert is putting a little more pressure on the process. He went on to report that his employees are working on cleaning out ditches and installing culverts. Snow equipment is ready for winter weather and they have salt and sand to treat the roads. One roads employee has tested positive for COVID-19 and will be at home for a while. They have been keeping up with disinfecting the trucks and other commonly used areas of those employees that have been in contact with the virus. Superintendent Huppert has completed 147 bridge inspections, which is half of the number of bridges in the county. He does half each year so that all of the bridges are inspected within a two year period. He rates the bridges and after this year's inspections he identified two that will need attention; one of those will be replaced with a culvert. He said the bridges are generally in good condition, but the salt is deteriorating them quicker than they should be. He plans to use more sand this year than he has in the past to help cut back on some of the road and bridge deterioration.

At 10:01 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.

The Board unanimously received correspondence from the Nebraska Tax Equalization and Review Commission (TERC) regarding Order for Hearing and Notice of Hearing for 2020 appealed valuations from the following: MF Eastgate LLC (Case Nos. 19C 0211 & 19C 0212), 2660 E. 23rd LLC (Case No. 20C 0092), 2700-2850 E. 23rd LLC (Case No. 20C 0091) and Eastgate Outlot LLC (Case No. 19C 0213). Paul Vaughan from the county attorney's office pointed out that these are TERC appeals from 2019 and 2020.

At 10:03 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, December 2, 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.

At 10:06 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of October, 2020.

At 10:16 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 10:17 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, December 2, 2020 at 9:00 A.M.