

Regular meeting of the Dodge County Board of Supervisors was called to order by Chairman Missel at 9:00 A.M. on Wednesday, February 9, 2022 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Backens, Missel, Tawney 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 county officials' reports, the FY20 Emergency Management Program Grant Monitoring Review compliance letter from the Nebraska Emergency Management Agency (NEMA), correspondence from Lower Elkhorn Natural Resources District regarding the Urban Conservation Assistance Program (refer to JEO Consulting Group) and the Recreation Area Development Program (refer to the Dodge County Convention and Visitor Bureau), local Extension Programming and Financial Summaries for 2021 from University of Nebraska Extension Service in Dodge County, Officials Bonds for the following: Brian J. Kloke, Treasurer North Bend Rural Fire Protection Dist., Ben J. Schole, Treasurer Hooper Rural Fire Dist., Michael Winterfeld, SID #3, Lake Ventura, Robin S. Custer, SID #3, Lake Ventura and Hooper Township Officials – Chairman, John VonSeggern Jr., Clerk, Larry Klahn & Treasurer, Garry Willnerd, American Rescue Plan Act applications for the following: Fremont/Dodge County 911, Fremont Rural Fire District, Dodge County Mutual Aid Association, Nebraska Trails Foundation, Northeast Nebraska Community Action Partnership, City of Fremont (3), City of Fremont – Department of Utilities, Fremont Area Art Association, Inc., Archbishop Bergan Catholic School, Fremont Area United Way (3), Dodge County Sheriff's Department, Dodge County Extension, Midland University, Trinity Lutheran School, Keene Memorial Library, Nickerson Fire & Rescue, The Digg Site Productions and Fremont Area Habitat for Humanity (all applications to be referred to the ARPA Steering Committee for a recommendation) and two Moving Permits for Barnhart Crane to move a self-propelled crane over county roads and return between January 27 and January 29, 2022.

The Board unanimously approved the minutes of the January 26, 2022 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 that there are currently 64 inmates in custody with 58 being held in Saunders County, 2 in Dodge County, 2 at the Nebraska Department of Correctional Services and 2 on house arrest. Female inmates were moved back to Saunders County starting on February 7, 2022.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, February 23, 2022 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 \$249,269.51.

The Board unanimously approved the financial claims as submitted in the amount of \$156,015.08.

The Board unanimously received a letter from Paul Vaughan announcing his retirement as the Dodge County Attorney, effective at the close of business March 4, 2022. Chairman Missel requested that Supervisor Strand and Supervisor Bendig join him in a meeting (after this board meeting) with the county attorney's office to discuss the transition. Chairman Missel also thanked County Attorney Vaughan for his many years of service to Dodge County in multiple capacities. County Attorney Vaughan said he has enjoyed working for Dodge County and has appreciated the community support given to the county attorney's office. He feels the office is running steady and is capable of fulfilling the rest of this term. He also said he thinks it's time for the community to decide who they want to lead the county attorney's office.

Committee Reports – Supervisor Strand reported that work on the county owned warehouse on Schneider Street will hopefully begin in two weeks. This warehouse will be a designated polling place for Dodge County as well as a storage area for the sheriff's department, roads department and Three Rivers Public Health. There will also be a meeting space in the remodeled building. Chairman Missel reported that the City of Omaha issued a permit for the broadcast tower located at the 911 Technical Building, 3603 N. 156<sup>th</sup> Street, Omaha, NE. This single pole will provide Dodge County with the redundancy and back-up capabilities needed for their radio system. Supervisor Tawney reported that he has been attending drainage district meetings and the project is moving forward; a presentation for this is scheduled in March.

At 9:15 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for January 2022.

At 9:24 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was taken on any of the claims as a result of the closed session.

Zoning Administrator Jean Andrews reported that the highway department safety committee submitted four quarters of meeting minutes to NIRMA and received a \$500 reward that will be used for safety related expenses in Dodge County. She also said she would be attending a regional law enforcement seminar on Friday.

The Board unanimously approved the request of Highway Superintendent Huppert to advertise for bids for the paving of County Road T west of Yager Road (County Project No. 636A) and to have the bids opened Monday, February 28, 2022 at 11:00 A.M. in the Dodge County Highway Superintendent's Office. Superintendent Huppert explained that they will tear out the existing concrete and pour new concrete on this nearly  $\frac{3}{4}$  mile stretch of roadway to the railroad tracks. They will also repair/replace culverts as needed. Supervisor Strand asked if the Yager Road project can be done at the same time. Superintendent Huppert said it would be possible to do this. Supervisor Backens asked about the approaches for businesses. Superintendent Huppert said they will pave to the right-of-way for businesses and the main driveway for a residence will be paved.

The Board unanimously adopted a Resolution For Emergency Relief Program-Emergency/Permanent Repairs (Project #ER-27(70), DDIR Site L27-04). These were two small projects that were combined, one located on County Road 20 between County Roads L and K and the other on County Road K between County Roads 19 and 20.

The Board unanimously received the Public Notice and approved setting a hearing date for February 23, 2022 at 10:15 A.M. on the 2022 One & Six Year Road Improvement Plan.

Under any items brought by the public, Don Paseka, Treasurer of Maple Township, was present to discuss the issue of Federal Emergency Management Agency (FEMA) money that was received by Maple Township. Mr. Paseka said he was the primary contact for FEMA during the flood event in March 2019. At the last Dodge County Board of Supervisors' meeting, there was a discussion about Maple Township and the handling of the FEMA money. Mr. Paseka felt that Maple Township was dragged through the mud during these discussions and in the articles that followed in the local newspaper. He went on to say that the township officials have always been available to anyone that had any questions about the disposition of FEMA funds. He said the last communication he had with Dodge County (prior to the last board meeting) was in August when he met with the finance committee and County Attorney Paul Vaughan. He recently provided bank statements for County Attorney Vaughan that show Maple Township did not receive any money from FEMA since that August meeting. Mr. Paseka thanked Dodge County for helping Maple Township get their roads back in working order. Chairman Missel said the county is satisfied that there was no FEMA money withheld from Maple Township. Highway Superintendent Scott Huppert said he thinks there was a lack of communication that led to the current situation; he would like to improve the communication between Maple Township and the highway department. Superintendent Huppert said he has talked to NEMA about what money Maple Township has received to no avail. He said a lot of the townships invited him to meetings to talk about how to handle the FEMA money they received. Mr. Paseka said the assertion was made that the highway department had tried to communicate with township officials and he wanted to know when and to whom this communication was directed. Superintendent Huppert said a letter was sent to them and no one replied. Mr. Paseka asked if he was referring to the letter they received in August. Superintendent Huppert confirmed that this is the letter he is referring to. Mr. Paseka then said that after receipt of this letter is when he met with the finance committee and county attorney. Superintendent Huppert said he didn't know anything about the meeting in August. He also said he had reached out to Maple Township board members (Alvin Kloke and Luke Kardell) in August, September and December and no one got back to him. Supervisor Tawney interrupted the conversation and said he thinks this situation should have been brought to an end. There were mistakes made on both sides and everyone needs to shake hands and move on. Chairman Missel concurred with this conclusion.

Highway Superintendent Scott Huppert gave an update on current highway department activities. He was happy to announce that Elkhorn Township has received roughly \$900,000 for a FEMA reimbursement and the remaining \$4.6 million should be arriving soon as well. He will be meeting with Elkhorn Township officials to plan how to get the money transferred over to Dodge County. Platte Township has also received some reimbursement money. Highway department employees are working with a plastic and aggregate product called Mastic to seal cracks; they will have the machine for two weeks. Employees are also working on equipment maintenance. The box is on the new dump truck, snow equipment is being added and undercoat and paint are next; the truck should be in the county's possession by the middle of April. Seven county signs on the 30 Bypass project have been shot up by vandals and will have to be replaced costing roughly \$300 each. Superintendent Huppert has been checking the abutments on the bridge going over the river by Winslow since 2019. He recently had an engineer come out to check the movement with a meter on the end abutments and they are still rocking, but he will address the issue when they redo the abutments. Graham

Construction is the contractor for the Yager Road project and he informed Superintendent Huppert that the increase in the price of concrete will drive up their final cost. They plan to start work on this project the last week in April and it should take approximately three weeks to complete.

At 9:49 A.M., the Board unanimously passed a motion to go into closed session to discuss strategy for threatened litigation against Dodge County.

At 10:02 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the threatened litigation. No action was taken as a result of this closed session.

At 10:02 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until February 23, 2022 at 9:00 A.M.

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

The Board unanimously approved tax roll corrections #5417 through #5420 and taxless tax roll correction #5421.

The Board unanimously accepted the recommendation of County Treasurer Bargstadt on form 457, Application for Exemption from Motor Vehicle Taxes, for 2022 on a 2007 Chevy Tahoe from Methodist Fremont Health, granted the exemption and authorized Chairman Missel to sign the form.

The Board tabled any action on the late filing fee assessed by Dodge County Assessor Debbie Churchill on the Statement of Reaffirmation of Tax Exemption (Form 451A) for 2022 of Kingdom Hall of Jehovah Witnesses located at TL 29 1.71A 25-17-8 and Lifegate Church located at TL 40 .63A (Church), TL74 .22A (Parking Lot), TL86 .89A (Parking Lot), TL89 1.03A In 10-17-8. Assessor Churchill explained to the Board that statutorily when the requesting party misses the filing deadline of December 31, they must write a letter to the Board requesting that the Board wave the deadline so the assessor can act on the application.

Regarding the matter of denying tax exempt status for 2022 for The Chamber of Commerce Foundation of Fremont (tabled at the January 26, 2022 meeting of the Dodge County Board of Supervisors), Assessor Churchill withdrew the request for denial. She now recommends reaffirming tax exempt status for The Chamber of Commerce Foundation of Fremont based on the fact that the State of Nebraska views chambers of commerce as tax exempt, of which she was not previously aware.

Assessor Churchill asked the Board if they have heard of the PACE Act. She said County Treasurer Bargstadt asked her if she knew anything about it because the legal department of the Nebraska Association of County Officials (NACO) had asked her about it. All that Assessor Churchill knows is that it has to do with a clean energy assessment. County Attorney Vaughan looked it up and found that the City of Fremont has created a PACE District. Assessor Churchill said she would let Treasurer Bargstadt know about the City of Fremont creating a PACE District.

At 10:10 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, February 23, 2022 at 10:00 A.M.

Fred Mytty  
Dodge County Clerk