

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, May 31, 2023 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Strand, Backens, Missel, Tawney and Bendig. Absent: Weddle. 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 official's report, Board of Trustees Minutes for April 10, 2023 meeting and Statement of Revenues and Expenses YTD Comparison for the ten months ending April 30, 2023 & 2022 from Fremont Community Health Resources, Notice of Public Open House meetings to review the draft Master Plan for the Northeast Nebraska Solid Waste Coalition's landfill north of Clarkson, Nebraska, Certificates of Insurance for Norm's Dozer Service of Waverly, NE and Webster Township, Minutes of the Dodge County Planning Commission's May 16, 2023 meeting, Notice of Public Hearings on a request of Mayor Spellerberg for a change to the text of the Unified Development Code to establish a Port Authority Zoning District, generally adding the district to Sections 11-403, 11-502, 11-603, 11-814 and 11-815 of the Fremont Municipal Code; and a request by Mayor Spellerberg for a Change of Zone from R, Rural to PA, Port Authority on property generally described as lying between Highway 275 on the west; the north-south ½ section line of Section 21, T17N, R9E and Section 28-17N, R9E on the east; the Union Pacific Rail Road on the north and the south section line of Section 29-17N R9E and 28-17N, R9E, Dodge County, Nebraska. Public Hearings will be held before the City Council on Tuesday, May 30, 2023 at 7:00 P.M. and Utility Installation Agreement with OPPD to install an underground distribution line in the Public Right-of-Way between Dutch Hall Road from County Road 29 to 685' east from N 282nd Street.

The Board unanimously approved the minutes of the May 17, 2023 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 except for Supervisor Weddle.

Under any items of discussion, Supervisor Beam reported that there are currently 77 inmates in custody with 59 being held in Saunders County, 15 in Washington County, 1 at the Nebraska Department of Correctional Services and 2 under house arrest. Over the Memorial Day weekend, 26 individuals were booked into custody.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, June 14, 2023 at 9:05 A.M.

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

The Board unanimously approved the wage & hour claims as submitted in the amount of \$278,458.24.

The Board unanimously approved the financial claims as submitted in the amount of \$751,674.41.

The Board unanimously approved the request for \$2,416.00 in funding for Medicare Education Support in Dodge County from Mary Loftis. Ms. Loftis is an independent contractor for the Nebraska State Health Insurance Assistance Program (SHIP) and Senior Medicare Patrol (SMP). The Medicare counseling provided includes helping individuals compare drug and health plans, health plan enrollments and fraud detection and reporting. Ms. Loftis has been offering this education support since 2006 in Burt, Dodge & Washington Counties.

The Board unanimously adopted the list of individuals that will form a special committee to address the distribution of funds that have been and will be received by Dodge County from the opioid settlements. County Attorney Hopkins reported that Dodge County has already received \$34,107.42 in opioid settlement funds and will be receiving another \$46,199.25 in fiscal year 2023 that will be used to mitigate harms from opioid abuse. The members of this committee were selected because of their public safety backgrounds and the fact that they regularly confront issues related to opioid abuse. Chairman Missel said he asked Emergency Manager Tom Smith to act as the facilitator for this committee and he has accepted this role.

Committee Reports – Supervisor Bendig reported that the Information Technology (IT) Committee is working on a Request for Proposal (RFP) for the phone system wiring and Wi-Fi throughout the courthouse. The RFP should be completed in the next 2-4 weeks.

Zoning Administrator Jean Andrews reported that she attended the NIRMA board meeting last week and found out how much Dodge County's insurance costs are going up for the 2023-2024 fiscal year. Dodge County's annual contribution will be \$356,443.00, which is up \$92,842 or 35.22% from last year. Minimum deductibles will be \$1,000 for auto physical damage and mobile equipment, \$2,500 for property and contents and \$1,000 for inland marine (equipment – motor graders, loaders, etc.). The increase in costs is the biggest in NIRMA's history, but it is a nationwide problem. There is still a possibility that Dodge County could receive a dividend towards the end of this calendar year.

Highway Superintendent Scott Huppert reported that he has employees working on ditch cleaning and installing culverts. Currently, a portion of Morningside Road is closed for rebuilding, ditch cleaning and culvert work. The paint strippers are out in the county painting the lines on the pavement. Graham Construction is supposed to be finishing Yager Road this week; they are meeting with the engineer at 10:00 this morning and Superintendent Huppert will be meeting with both after that meeting to confer about the project. There are concrete and gravel trucks working on the bridges on By-Pass 30; Superintendent Huppert is monitoring the routes they are taking on county roads to help control any damage. On the By-Pass 275 around Scribner, construction trucks are not using the haul roads; Superintendent Huppert contacts the

state about that issue. They are still waiting for OPPD to come and move power poles for the County Road 18 paving project. Superintendent Huppert is still working to acquire some of the right-of-way for the box culvert project on County Road F. The posts and signs for the 911 address project are in; Supervisor Backens said he would check into hiring a contractor to help install the signs.

At 9:30 A.M., a Public Hearing was held to consider the request of the Carolyn Macklin Estate c/o Susan Woita, Personal Representative at 8700 Pearl Rd., Lincoln, NE 68517 to subdivide a 7.62-acre tract and obtain a Conditional Use Permit (CUP) for an existing dwelling as per Article 12 Section 2. Conditional Uses 4.2 Exemptions B. located in SE ¼ Section 29, Township 18 North, Range 7 East in Maple Township, Zoning District A-1, Intensive Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this lot split and CUP for the Carolyn Macklin Estate. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

At 9:32 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, June 14, 2023 at 9:00 A.M.

At 10:00 A.M., the Board convened as a Board of Equalization with the following members present: Beam, Strand, Backens, Missel, Tawney and Bendig. Absent: Weddle.

The Board unanimously received certification from County Assessor Churchill, per state statutes 77-126, 77-129 and 77-1311, that the portion of the Property Record file substantiating the calculation of the protested value is maintained in her office in electronic or paper form.

The Board unanimously received and referred to the county attorney correspondence from the Nebraska Tax Equalization and Review Commission (TERC) regarding Findings and Order on Confession of Judgement for Case Nos. 20R 0151-20R 0305 (Gallery 23 East LLC).

The Board unanimously received a letter from County Treasurer Bargstadt and accepted her recommendation to approve a tax refund of \$17.78 for the Estate of Colleen F. Kahler as a result of "Order Determining Inheritance Tax".

The Board unanimously accepted the recommendation of County Treasurer Bargstadt on form 457, Application for Exemption from Motor Vehicle Taxes for 2023 on a 2000 Chevy Astro Van from Grants Wishes, 1825 N. Keene Avenue, Fremont, Nebraska, granted the exemption and authorized Chairman Missel to sign the form.

The Board unanimously approved referee agreements for the 2023 property valuation protest season with the following appraisers: Scott Brettmann, Nick Dizona, Jeff Quist and Jeff Reynolds and authorized the necessary signatures on the agreements.

At 10:08 A.M., the Board unanimously passed a motion to go into closed session to discuss legal issues related to Tax Equalization and Review Commission (TERC) appeals.

At 10:30 A.M., the Board unanimously passed a motion to go back into open session from the discussion of legal issues related to TERC appeals. In a separate motion, the Board unanimously approved directing Dodge County Attorney Hopkins to appeal the Decision and Order Reversing the Decisions of the Dodge County Board of Equalization for Case Nos.: 19C 0019 & 20C 0024 (Hy-Vee).

At 10:31 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, June 14, 2023 at 10:00 A.M.

Micki Gilfry
Dodge County Clerk