

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, July 28, 2021 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Missel, Tawney and Bendig. Absent: Backens. 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 change in channel lineup and pricing adjustments; June 7, 2021 Board of Trustees Minutes & Statement of Revenues and Expenses YTD Comparison for the twelve months ending June 30, 2021 and 2020 from Fremont Community Health Resources; Notice of Annual Inspection of the Dodge County Holding facility on August 10, 2021 for the Nebraska Jail Standards Board; City of Fremont and Dodge County Disaster Declarations for the 6/24/21 storm; Dodge County Zoning letter for Homeowner Mitigation Projects; documents regarding Dodge County Floodplain Management Ordinance Violations: Correspondence from FEMA regarding Floodplain Management Ordinance Violations, Correspondence from Nebraska Department of Natural Resources providing a timeline of dates and actions since the violations were identified and Correspondence from FEMA – Fact Sheet, Federal Insurance and Mitigation Administration; Receipt of 2021/2022 preliminary levy requests from Hooper Rural Fire District #2, Winslow Rural Fire, Elkhorn Township, Hooper Township, Nickerson Rural Fire, Uehling Fire District, and Maple Township (and referred them to the Finance Committee); Minutes of the July 20, 2021 Dodge County Planning Commission Meeting; Notice of Public Hearings for City of Fremont Planning Commission on Monday, July 19, 2021 at 5:00 P.M. for a request for Final Re-Plats of Ritz Lake Replat 7 located south of E. 32nd Blvd., along N. Ritz Pl. and E. Ritz Pl., Fremont, NE and Ritz Lake Replat 8 located along E. 34th Ct., Fremont, NE; Certificates of Insurance for NIRMA naming Caterpillar Financial Services Corporation as the holder for a 2021 M320F Excavator; Notice of Public Hearing for Douglas County Planning Commission to be held August 11, 2021 regarding the preliminary and final plans for a small subdivision at 5707 S. 234th St; Certificate of Insurance for Turnkey Holdings, LLC; Utility Installation Agreement with OPPD to install an overhead secondary crossing and pole in ROW at 2380 County Road H, Hooper, NE; and a Moving Permit for Barnhart Crane to move a self-propelled crane over county roads between July 23 and July 26, 2021.

The Board unanimously approved the minutes of the July 14, 2021 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 Backens.

Under any items of discussion, Supervisor Beam reported that there are currently 78 in custody with 2 being under house arrest, 1 with the Nebraska Department of

Correctional Services and 75 held in Saunders County. There have been 140 bookings since July 1. Supervisor Beam said the new contract with Saunders County will be on the next agenda.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, August 11, 2021 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 Backens.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$229,241.55.

The Board unanimously approved a transfer of \$111,000 from Inheritance Tax Fund to the Flood Control Fund.

The Board unanimously approved the financial claims as submitted in the amount of \$698,829.11.

The Board unanimously approved the request of Chief Deputy Sheriff Reynolds to declare one vehicle as surplus property and authorized the vehicle be taken to All Metals Market to be scrapped.

The Board unanimously received and approved the request of County Treasurer Bargstadt regarding David Ellis Wilt, c/o Patrick & Bambi Cleary (ETAL) tax roll corrections for 2018 and 2019 resulting in a tax refund of \$378.66.

Shannon Mullen, Tourism Director of Fremont & Dodge County Convention and Visitors Bureau, representatives of the Tourism Board and Keene Memorial Library were present to request \$100,000 from the Tourism Capital Improvements Fund to help with the 9 million dollars expansion project of the library. It was the Tourism Board's recommendation to give \$50,000 at groundbreaking and another \$50,000 at ribbon cutting for the project. The Board unanimously approved the request.

The next item was a Technology Assessment and Planning Proposal prepared for Dodge County from CoreTech, an Omaha IT consultant. Supervisor Bendig said this is the beginning point to assess the county's IT needs. Supervisor Beam said this step is unnecessary since the City of Fremont is willing to be the county's IT consultant through an interlocal agreement. He said they have a full time department that also does the IT work for the Department of Utilities. The Board by a 4 to 2 with Beam and Weddle dissenting, approved and authorized the Chairman to sign a proposal from CoreTech not to exceed \$15,000.

The Board unanimously reversed board action taken at the June 2, 2021 Dodge County Board of Supervisors meeting awarding a bid contract to the low bidder, Burns & McDonnell for the Rawhide Creek Watershed Work Plan – Environmental Assessment (NR216526XXXXC010) Project. Tom Smith, Emergency Manager, said this low bidder sent an addendum after the original bids were opened and it was the county attorney's opinion that it be rebid. The Board unanimously passed a motion to solicit new requests for proposal on this project.

The Board unanimously approved request for CDBG (Community Development Block Grant) Funds on Project 19-EM-005 of Fremont Rod & Gun Club and authorized Chairman Missel and County Clerk Mytty to sign the request for the following: General Grant Administration Costs of \$645.00 reimbursed by the grant funds (To NENEDD), Construction Management Costs of \$112.50 reimbursed by the grant funds (To NENEDD) and Project Costs of \$176,414.36 for flood control (To JEO Consulting). (After the meeting, the Clerk's office received corrected amounts from NENEDD: NENEDD, \$757.50, Yost Excavating, \$172,987.62, and JEO, \$3,426.74 which add up to the total amount of the original grants.)

The Board unanimously placed on file a letter from Attorney David Mitchell regarding application of Gary and Chris Reimers to build a 12,500 (5,000 unit) hog facility. (The letter outlines the history of the 1956 easement which is only to get to crops and is not intended as one for a livestock business.)

At 9:30 A.M., a Public Hearing was held to consider the request of Sharon Thernes of 1178 County Road 17, Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in West ½ SW ¼ Section 26, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District. The only testimony was from Scott Nun from the City of Fremont in favor of it and the rest of the City's requests in this meeting. The Board unanimously accepted the recommendation of the Planning Commission and approved the request 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.

At 9:35 A.M., a Public Hearing was held to consider the request of Terry Marquardt of 1077 County Road 19 Blvd., Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in South ½ NW ¼ Section 29, Township 19 North, Range 8 East in Hooper Township, Zoning District A-3, Transitional Ag and A-1, Intensive Ag Districts. No one spoke against the permit. The Board unanimously accepted the recommendation of the Planning Commission and approved the request 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.

At 9:40 A.M., a Public Hearing was held to consider the request of Tyler Thernes of 1782 County Road K, Hooper, NE 68031 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in East ½ NW ¼ Section 34, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District. No one spoke against the permit. The Board unanimously accepted the recommendation of the Planning Commission and approved the request 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.

At 9:45 A.M., a Public Hearing was held to consider the request of Randy Kreikemeier of 531 County Road F, Scribner, NE 68057 to subdivide a 11.35 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section

4.2 Exemptions, B. located in NE ¼ NW ¼ Section 35, Township 20 North, Range 5 East and Tax Lot 3 Section 26, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive Ag. No one spoke against the permit. The Board unanimously accepted the recommendation of the Planning Commission and approved the request 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 approved and authorized Chairman Missel and County Clerk Mytty to sign a contract with Dodge County and J & R Concrete & Construction LLC to repair concrete panels on Ridgeland Road.

Committee Reports – Supervisor Strand said the County is working with contractors as they agree to the Haul Road Agreement and still believe the agreement is necessary for public safety.

At 9:56 A.M. the Board unanimously passed a motion to go into closed session to discuss pending litigation regarding documents regarding Dodge County Floodplain Management Ordinance Violations.

At 10:08 A.M., the Board unanimously passed a motion to go back into open session. No action was taken.

At 10:09 A.M., the Board convened as a Board of Equalization. Chairman Missel dispensed with roll all members being present except for Supervisor Backens.

The Board unanimously approved tax roll corrections #5358.

The Board unanimously approved the requests for a waiver of the deadline of 2021 applications for homestead exemptions according to statute 77-3512 for the following applicants: Anton P. & Rita L. Jindra, Erik & Erin Kunzweiler, Richard & Joan Porter, Dennis C. & Connie K. Rowe, William D. & Judith A. Snyder, Ronald F. & Cheryl A. Wellman, John A. & Jolene A. Wiesen, and Michael J. & Linda J. Worley.

The Board unanimously approved a list from County Assessor Churchill of exempt cemeteries in Dodge County for 2021.

The Board unanimously approved County Assessor Churchill's Three-year Plan of Assessment as presented.

At 10:26 A.M., the Board adjourned as a Board of Equalization until 10:00 A.M. on Wednesday, August 11, 2021.

Immediately thereafter, a Public Hearing was held to hear testimony for or against the vacation of County Road U Blvd. and Road 29. Bryan Maschmeier from the Elkhorn Township Board said Road 29 is close to the Elkhorn River and it is a beautiful scenic view and vacating the road would produce a dumping area. He said the township wanted a study but was not in favor of vacating the roads. Since their request was withdrawn, no further action was needed.

Scott Hubbert, Highway Superintendent, gave an update on their work. They are still working on a large culvert/bridge project. He is doing traffic counts on Roads 28, 29,

Military, and Morningside to see if classification has changed. There are eight contractors doing projects throughout Dodge County which has caused many complaints of dust. He said he can adjust speed/weight limits on an emergency basis which he will do. He said they are creating soft spots in the road and when a car hits one it could go airborne. There are two NEMA township projects that have received another extension until mid-September. Otherwise, reimbursements from NEMA should be coming soon.

Mike Bechtel, Elkhorn Township, said truck traffic is still tearing up Morningside Road between the bypass and Sewage Plant and is requesting that it be paved. Mr. Maschmeier agreed. Supervisor Strand said he would like to see this become a cost sharing project with the City of Fremont.

At 10:41 A.M., the Board adjourned as a Board of Supervisors until Wednesday, August 11, 2021 at 9:00 A.M.

Fred Mytty
Dodge County Clerk