

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, September 22, 2021 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 official's report, correspondence from Charter Communications regarding a change in channel lineup, correspondence from Union Pacific regarding Bridge Replacement Project Kick Off, NIRMA correspondence regarding the Nomination/Election of NIRMA Board Members whose terms expire December 31, 2021 and NIRMA correspondence regarding the NIRMA Annual Membership Meeting/Luncheon and Dividend Distribution on October 22, 2021.

The Board, with Supervisor Strand abstaining since he was not present at the September 8 meeting, approved the minutes of the September 8, 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.

Under any items of discussion, the Board unanimously received the State of Nebraska Jail Standards Inspection Report from the Nebraska Commission on Law Enforcement and Criminal Justice Jail Standards Division. There is an issue of non-compliance with the Admissions/Release Form, which is electronic documentation. Chairman Missel asked Supervisor Beam to follow-up with Sheriff Hespen on this matter. It was also noted that this was an issue on last year's report as well. County Attorney Vaughan said it isn't clear whether this issue pertains to the holding facility in Fremont or the Saunders County Jail. Supervisor Beam said he would also clarify which facility the report is addressing. He also reported that Dodge County currently has 91 detainees with 1 being held under house arrest, 1 at the State of Nebraska, 20 in Washington County (presumably all females) and 69 in Saunders County. To date for the month of September, there have been 110 bookings.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, October 6, 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.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$244,386.41.

The Board unanimously approved the financial claims as submitted in the amount of \$320,065.33.

The Board unanimously approved declaring Wednesday, November 3, 2021 County Government Day at the request of Mark Schneck, Veterans Services Officer. It was noted that November 3rd is a Dodge County Board of Supervisors meeting day.

The Board unanimously received and placed on file a membership certificate from NENEDD (Northeast Nebraska Economic Development District). The Board members were instructed to inform the clerk's office of any changes to their contact information on the NENEDD Council of Officials Representative contact list.

The Board unanimously received a list from County Treasurer Bargstadt of delinquent taxes for years 2015 and prior and through 2019 which have been offered for sale at public sale and remain unsold and passed a motion adopting and authorizing the Chairman to sign a Resolution directing the County Treasurer to place Tax Sale Certificates on said delinquent taxes. Supervisor Strand noticed that a lot of the properties on this list are in Winslow. He has questions about how the taxation on those properties is being handled since the flooding. Chairman Missel referred him to County Treasurer Bargstadt to get answers to his questions. Supervisor Strand read the Resolution for the record.

The Board unanimously received Dodge County's Countywide Cost Allocation Plan from WJE Consulting LLC based on actual costs for fiscal year ended June 30, 2020 and Indirect Cost Rate Computations for July 1, 2021 through June 30, 2022 fiscal year and authorized Chairman Missel to sign the Certificate of Cost Allocation Plan. County Clerk Mytty explained that the Federal Government thinks welfare costs will go down if they support Child Support Enforcement efforts by the county. WJE Consulting looks at the county budget and determines what percentage of that is spent on child support enforcement. He then submits his report to the Federal Government for a reimbursement amount for Dodge County.

Committee Reports – Chairman Missel reported that Three Rivers Public Health is hosting drive-thru COVID testing at 210 E. Military Ave. in Fremont (the former US Bank location). He also distributed a handout regarding compliance for flood insurance. Dodge County received correspondence in April 2021 from the Nebraska Department of Natural Resources (DNR) regarding a violation of the Floodplain Management Ordinance. The DNR stated that if Dodge County did not get into compliance, their flood insurance standing could be taken away. Sara Sopinski with the Dodge County Attorney's Office has been working collaboratively with Zoning Administrator Jean Andrews, Chairman Missel and City of Scribner officials, to name a few, on a plan of action. That plan has been developed and was approved by the Federal Emergency Management Agency (FEMA). Chairman Missel referred this issue to the finance committee for consideration. County Clerk Mytty updated the Board on the progress made towards redistricting. He said the redistricting committee decided to move 100 from one precinct to another and 200 from one other precinct to another precinct to even out the numbers. No final decisions can be made until the Legislature finalizes the legislative districts because a legislative district cannot be split into two different precincts. The committee will meet on October 20th to hopefully finalize the plan. A resolution on the matter will be presented to the Board after the October 20 meeting.

Zoning Administrator Jean Andrews told the Board that the ASSIST grant application deadline is November 1, 2021; those interested can go to NIRMA.info to apply. The ASSIST grant provides funding to help pay for equipment, training or other initiatives to reduce losses. She also reminded the Board that the deadline to register for the self-defense seminar is October 1, 2021 on the NIRMA.info. website.

The Board unanimously received the Dodge County Highway Department 2021-2022 Road Fund Budget Forms, approved the documents and authorized the necessary signatures for submittal to the state.

Highway Superintendent Scott Huppert updated the Board on current road projects. The bridge work on Road 24 is at the point of being rocked and seeded. Since this is a bridge project, it has to be overseen by engineers and signed off by the state. The engineers have given it their approval. The ditch work at Eastgate is almost done; there are 30 culverts and they were thorough to make sure they are all draining to the north. The meeting with Sawyer Construction for the Hooper Logan Creek project is tomorrow; construction has been moved back to late October. He is meeting with J & R Construction tomorrow as well on the Ridge Road project; construction will begin the week of September 27. The design for the Scribner project has been approved; a few more permits need to be obtained and it will go out for letting by October. There will be approximately \$660,000 coming in from Pebble Township along with the additional 15% share coming back on multiple projects. Superintendent Huppert asked the Nebraska Emergency Management Agency (NEMA) for a list of what projects have been paid and what is yet to come and when. Chairman Missel said that would be helpful since he has a meeting with the FNBO bond council on Friday. Elkhorn Township projects are still in the loop of being finally signed off at the federal level and returned to NEMA. Dodge County should eventually receive approximately \$5 million for the Elkhorn Township projects. For the Yager Road project, there are two more right-of-way sign-offs needed. Superintendent Huppert said he and the engineers walked T Road from Yager to the railroad tracks; they will not be adding turning lanes, they will only widen the lanes which will cost about half the original plan.

The Board unanimously received an agreement between Dodge County, City of Fremont, Lower Platte North Natural Resource District and Papio-Missouri Natural Resource District for Platte River Monitoring Project, approved execution of said agreement and authorized the necessary signatures on the agreement. Chairman Missel explained that this was a project in response to the 2019 flooding. Dodge County has already entered into an interlocal agreement with City of Fremont and Lower Platte North NRD regarding the monitoring project. After a number of meetings, the Papio-Missouri River NRD (PMRNRD) was added because of their need for river data to the north. The interlocal presented today includes all of the original partners plus the PMRNRD. A partnership was also entered into with the United States Geological Survey (USGS) to receive information from them on the monitoring equipment.

At 9:47 A.M., the Board unanimously passed a motion to recess as a Board of Supervisors.

At 9:59 A.M., the Board unanimously passed a motion to reconvene as a Board of Supervisors.

At 10:00 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, October 6, 2021 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 #5359 through #5367.

The Board unanimously received the list of 2021 Dodge County Permissive Exemptions (including cemeteries) from County Assessor Churchill and instructed the County Clerk to publish the list in the month of September per Nebraska Statute #77-202.03(5).

The Board unanimously received correspondence from the Nebraska Tax Equalization and Review Commission (TERC) regarding Notice of Appeal for 2021 appealed valuations from the following: Hy-Vee Inc. (Case No. 21C 0117). This appeal was referred to the Dodge County Attorney's Office.

County Assessor Debbie Churchill presented the Board with information on President Biden's Executive Order #14008, which includes the 30 x 30 plan. Under this plan, 30% of the land and water in the United States would be under permanent protection (federal ownership) by 2030. Governor Ricketts is against this and has signed his own executive order against it; there are also at least 60 Nebraska counties that are against it and have added an addendum to their resolution against it. Right now people will sign an agreement with the Federal Government under the Conservation Reserve Program (CRP), which limits the use for this land, but the land owner still maintains ownership. Under this new executive order, the government would approach the land owner to sign a conservation easement which puts the land in the hands of the government and the owner loses all control. The Farm Service Agency would consider this land CRP land and it would not be taxable. However, now the conservation easement can be approved or denied by the county board and the Register of Deeds holds it until it is approved by the board. If the board would deny it, the assessor would not change the value on the land, even though the FSA would still consider it CRP land. This is going to cause cases to go to the Nebraska Supreme Court and eventually the United States Supreme Court because of the conflicting views on the status of the land in question. Assessor Churchill recommended that the Board move forward with adoption of a resolution to address this. She said she has sample resolutions that the Board can consider and modify to meet the needs of Dodge County. The Board will work on crafting a resolution that can be presented at the next Dodge County Board of Supervisors meeting. County Attorney Vaughan asked if the Board currently signs off on conservation easements. Assessor Churchill said they do not, but it is part of the new executive order from the state. County Attorney Vaughan said farmers need to be educated not to sign the conservation easement if it has the loss of control provision. Assessor Churchill will share the documents that were discussed and the county clerk will send them to all of the members of the Dodge County Board of Supervisors.

At 10:12 A.M., the Board adjourned as a Board of Equalization until 10:00 A.M. on Wednesday, October 6, 2021

Fred Mytty
Dodge County Clerk