

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, August 10, 2022 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Backens, Missel and Bendig. Absent: Tawney. 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 preliminary levy requests from the following: Cotterell Township, Cuming Township, Everett Township, Maple Township, Nickerson Township, Pebble Township, Platte Township, Pleasant Valley Township, Ridgeley Township, Union Township, Webster Township, Dodge Rural Fire District, Fremont Rural Fire District, Hooper Rural Fire, North Bend Rural Fire District, Scribner Rural Fire District, Snyder Rural Fire District, Uehling Fire District and Dodge County Agricultural Society, Region 6 Behavioral Healthcare 2022-2023 additional budget request in the amount of \$247 (Total amended request is \$97,496) due to an additional allocation of state funds which requires an increase in county matching funds, county officials' reports, correspondence from Charter Communications regarding a change in channel lineup, Utility Installation Agreement with OPPD to install underground setting pole in right-of-way and primary cable to customer property at 2237 County Road O, Moving Permits for Barnhart Crane to move a self-propelled crane over county roads on July 28 – August 1, August 2 and August 4, 2022 and Certificate of Insurance for Logan Township.

The Board unanimously approved the minutes of the July 20 & 25, 2022 Board of Equalization meetings as printed.

The Board unanimously approved the minutes of the July 27, 2022 Board of Supervisor's 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 Tawney.

Under any items of discussion, Supervisor Beam reported that there are currently 83 inmates in custody with 78 being held in Saunders County, 1 under house arrest, 3 at the Nebraska Department of Correctional Services and 1 at the Lincoln Regional Center. There have been 47 inmates booked since August 1, 2022.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, August 24, 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 except for Supervisor Tawney.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$269,325.83.

The Board unanimously approved a transfer of \$100,000 from the Inheritance Tax Fund to the Building Fund.

The Board unanimously approved the financial claims as submitted in the amount of \$2,255,847.08. There were payments made on the principal of the notes that were obtained to pay for 2019 flood expenses. County Clerk Mytty said there is approximately \$2 million left to pay off on these notes.

The Board unanimously approved as presented and authorized Chairman Missel and County Clerk Mytty to sign a Resolution setting the final levy allocations for fiscal year 2022/2023 to political subdivisions subject to the county's levy authority as follows: Fire Districts at a levy of 4.8 cents per \$100 of valuation, Townships at a levy of 9.7225 cents per \$100 of valuation, Agricultural Society at a levy of .23875 per \$100 of valuation and Historical Society at a levy of .23875 cents per \$100 of valuation. These districts will not exceed 15 cents per \$100 of valuation in total of any area of Dodge County without further approval by voters of the district.

The Board unanimously approved the request of Molly Paden, Executive Director, Fremont & Dodge County Convention & Visitors Bureau (CVB), for \$14,659 to purchase a 16' tower tree for 6th and Park Ave., Fremont, NE. Since the purchase amount exceeds \$10,000, the CVB Board must seek approval from the Dodge County Board of Supervisors. County Clerk Mytty pointed out that these are tourism dollars from taxes on lodging, not tax dollars from Dodge County.

The Board unanimously approved the request of Dodge County Treasurer Gail Bargstadt to close the following county funds due to inactivity and zero balances: Fund 4600 – Probation Office Construction & Fund 5400 – Noxious Weed Control. Treasurer Bargstadt said the Probation Office Construction Fund has had a zero balance for at least 2 years and the Noxious Weed Control Fund has had no activity for over 12 years.

At 9:13 A.M., the Board unanimously passed a motion to go into closed session to discuss the terms of a proposed settlement.

At 9:18 A.M., the Board unanimously passed a motion to go back into open session from the discussion of terms of a proposed settlement. In a separate motion, the Board unanimously accepted the separation agreement and general release and authorized the chairman to sign the agreement based on a recommendation from NIRMA.

At 9:15 A.M., a public hearing was held to consider the approval of a Class D Liquor License, Beer, Wine & Distilled Spirits Off Sale Only, for Saga Properties Fremont, LLC dba "Dual Stop Fremont". Hearing no testimony for or against the license, the Board unanimously approved the liquor license.

Prior to hearing from Professor David Clements, an electronic voting machine expert, and a lawyer from New Mexico, Larry Ortega, co-founder of the Nebraska Voter Accuracy Project, addressed the Board with findings regarding election issues in

Nebraska. Mr. Ortega shared some of his credentials and then explained that the statistics they are presenting about voter fraud are fact based. He said he was shocked to hear that there was voter fraud occurring in Nebraska and outlined some easy ways individuals are cheating the system in this state. At this time, David Clements arrived and began his presentation to the Board. He said he started investigating election fraud after the 2020 presidential election. He cited a July 7, 2022 Rasmussen Poll that showed that 50% of all voters believe the 2022 midterm election will be compromised and 59% of all voters think the 2020 presidential election was stolen. Public trust is broken, and Mr. Clements said he is here to inform the Board of the vulnerabilities of the election system. In the past, hand tabulations were the norm, but today technology has infiltrated the system and made it easier to compromise. Any of the election equipment that is networked is a major vulnerability, such as the electronic poll books that some jurisdictions use. County Clerk Mytty spoke up to say that Dodge County does not use the electronic poll books. Mr. Clements said ballot boxes, of which many are not surveilled, are another point of vulnerability and those are in use all over the state of Nebraska. Another vulnerability is the tabulator; in Nebraska most counties use Election Systems & Software (ES&S). Mr. Clements said they have found chip modems in machines in Nebraska, which means they have internet access capabilities. He said the source code for the vote tabulators by law must be held in escrow; ES&S has the source code, but no county clerks in the state of Nebraska have reviewed the source code. Cast vote records, which show how votes are cast, are another way to see if fraudulent activity is occurring. Mr. Ortega interjected that they have not been able to obtain any cast vote records in Nebraska. Mr. Clements reminded the Board that they work for the public and the burden is on them to certify the election, which is essentially stating that the election results are trustworthy. He said the county could save a lot of money by going back to hand tabulations and this would also ensure a legitimate election. He encouraged the Board to stand between ES&S and the voters and demand cast vote records and the source code for the vote tabulation equipment. Larry Ortega handed out copies of background information to the Board. Pastor Brad Reinke, Lancaster County, NE said the greatest concern here is our children and grandchildren and he thanked the Board for caring enough to consider what has been presented today. Larry Store, Omaha, NE commended the Board for listening to their constituents and not national associations and others outside their jurisdiction. Doug Wittmann, Dodge County resident, said the statistics that have been presented today are shocking and somehow the public trust in the system needs to be renewed. He said he trusts County Clerk Mytty, but he doesn't know if he knows what's going on with the ES&S system. Mr. Wittmann said he thinks Dodge County needs to revert to paper ballots and hand tabulation. Sheryl Baker, Antelope County, is a member of the Antelope County Patriots, and she reported that Antelope County is considering getting rid of ballot counting machines and drop boxes, limiting mail-in ballots and surveilling the ballot hand counting process. She said there are 8 or 9 more counties, including Cedar, Knox and Holt that are thinking about making these changes as well. Connie Reinke, Lincoln, NE said her curiosity in the integrity of the election system led her to get involved in a project to survey how voters voted in the 2020 election. She said this project revealed many discrepancies in the voter rolls and there is much more information specific to Nebraska that could be shared with the Board if they would like to see it. Paul Von Behren, 2046 E. 30th St., Fremont, NE, said the Secretary of State's Office has been firm that there are no issues with the election system in Nebraska, but they have offered no facts to refute the accusations. Gene Schultz, 2306 Jean Dr., Fremont, NE, said he is all for going back to hand ballot counting and it might even speed up how soon

election results are available. He said he would like to send a link leading to the *2000 Mules Documentary* to one of the Board members so they can understand that point of view.

(Mr. Clements was referring to DS 200 machines. These machines are at polling locations and are used only in small counties (21 in Nebraska). Dodge County uses the DS450, and ballots are centrally counted at the courthouse. Three different test decks are prepared by ES&S, the county clerk, and the deputy county clerk or anyone else not the same party. These test decks are hand counted before scanning and the results are compared before any voter ballots are counted. After every election, the Secretary of State picks 2% of the polls statewide and have their county officials hand count the ballots and give the results to the state. Finally, Dodge County only uses one drop box and it is monitored by cameras. Reverting back to hand counting would be like reverting back to using a horse and buggy for transportation.)

The Board unanimously passed a motion to reappoint Larry Ruzicka to another three-year term to the Board of Adjustment.

Zoning Administrator Jean Andrews reported that she will be attending the NIRMA Board meeting next week, Wednesday through Friday. She also encouraged the board to sign up for the self defense course to be held in October.

The Board unanimously received bids opened for the Elkhorn River Streambank Repair at Scribner and accepted the recommendation of FYRA Engineering and Highway Superintendent Huppert to take the low bid and award the contract to Pruss Excavation Co. Superintendent Huppert said he is hoping this project can be started in October or November of this year.

The Board unanimously approved the request of Highway Superintendent Huppert to advertise for bids for rehabilitation of Bridge No. C002732025 located between Sections 13 & 24, Township 19 North, Range 9 East to be opened on August 29th, 2022 at 11:00 A.M. Superintendent Huppert said this project will be completed next year and will take 2-3 months to complete.

Highway Superintendent Scott Huppert updated the Board on current projects going on in the highway department. Work on Q Road is almost complete. Employees will add some rip rap and extend culverts at the Logan Creek bridge at Uehling to fix some problems there. After completion of the bridge work, employees will be moving to Front Street in Fremont to dig out a tension pond; they will be working with the City on this project. Crews are replacing concrete panels near the Village of Dodge. Superintendent Huppert said he is meeting with an engineer regarding this project to see what can be done to improve the roadways around Dodge. There were issues at the By-Pass 275 Scribner project last week; cars got run off the road. Superintendent Huppert met with the contractor and they are supposed to be addressing any problems. By-Pass 30 paving is complete up to Road 18. Dump trucks will be running county roads around a bridge on the cutoff that was supposed to be complete. By-Pass 77 on and off ramps will be shut down for about 17-18 days starting after September 6 to complete the work on it. Graham Construction will be starting the Yager Road project in 2 weeks. T Road will be shut down today so culverts can be placed under the roadway. Sawyer will be tearing out the asphalt next week for about 2 days, then Graham can come in to pave it. Superintendent Huppert said he is working with Emergency Manager

Tom Smith to secure the grant to help pay for interest accrued on the loans taken for flood damage.

At 10:48 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 except for Supervisor Tawney.

The Board unanimously approved tax roll corrections #5466 & #5467.

The Board unanimously received August 10, 2022 Board Notices from County Assessor Churchill for changes to valuations of parcels for 2022 and passed a motion approving and authorizing the County Clerk to mail notices to the owners of the properties.

The Board unanimously received a list from County Assessor Churchill of exempt cemeteries in Dodge County for 2022.

At 10:51 A.M., Supervisor Weddle excused himself from the meeting.

The Board unanimously received 2022 Valuation Protest #279 filed on July 27, 2022.

The Board acted on 2022 property valuation protest #279 and unanimously authorized approval of the assessor's recommendation of no change, which agrees with the referee's recommendation.

At 10:53 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, August 24, 2022 at 10:00 A.M.

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

The Board unanimously received and approved the Dodge County Sheriff's Department Distress Warrant Report.

At 10:54 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims.

At 11:04 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.

Committee Reports – Supervisor Bendig reported that the email migration is complete and IRONSCALES has been implemented, which offers protection against email phishing attacks. Supervisor Strand reported that they are still having issues with the cleaning staff and he encouraged anyone with complaints to let the facilities staff know.

As an extension of the earlier discussion about election issues in Nebraska, Larry Store of Omaha addressed the Board one last time. He told the Board that there are non-profit organizations working against the system behind the scenes. He said they hire people to deliver ballots under the guise of non-profit organizations. He said state elected officials cannot be trusted and it is the right and duty of the people to replace the government if they are not working for the people.

At 11:11 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, August 24, 2022 at 9:00 A.M.

Fred Mytty
Dodge County Clerk