

## **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, April 10, 2019 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Beam, Backens, Strand, Bendig and Missel. Absent: Weddle. Prior to roll call, Chairman Missel announced the meeting to be an open public meeting and that the current open meeting laws were 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, two letters of correspondence from Charter Communications on changes to channel lineups for customers, Dodge County's Disaster Declaration, due to flooding occurring in March of 2019, Courthouse Safety Committee Meeting Minutes of March 27, 2019, Certificate of Insurance for Eriksen Construction Co., Inc., NIRMA Safety Shorts for April, 2019, Notice of Public Hearing from Saunders County Board of Supervisors to amend Zoning Regulations regarding storage units, Notices of Public Hearings for City of Fremont Planning Commission to be held on April 15, 2019 on the request of Heather A. Carver on behalf of WCBS, LLC to amend the Morningside Area Redevelopment Plan to specifically identify the WCBS project generally located 440' northeast of the intersection of Morningside Road and Luther Road; on the request of Doug Whitehead on behalf of NEBCO Inc. for a Conditional Use Permit to construct a private campground on Lake Leba, generally located 800' southwest of the intersection of Ridge Road and W. Military Avenue; on the request of Heather A. Carver on behalf of Morningside Commercial L.L.C. for an amendment to the Redevelopment Plan for the Morningside Road Redevelopment Area to identify a specific project, the Morningside Crossing Redevelopment Project; and the request of Stephen Dodd on behalf of the property owners for a Conditional Use Permit to expand a nonstandard use to allow two houses on a single nonstandard lot to be split into two nonstandard lots on property located at 315 N. Linden Avenue and 1250 N. "D" Street, Certificates of Insurance for Cuming Township and Everett Township and from NIRMA for Murphy Tractor & Equipment and Utility Installation Agreement for Black Hills/Nebraska Gas to install a 1" PE gas line crossing County Road O – TL 25 in Section 11, T18N, R8E.

The Board unanimously approved the minutes of the March 27, 2019 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 139 people were booked into the holding facility in the month of March. As of today, there are 55 Dodge County inmates in the Saunders County Jail Facility.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, April 24, 2019 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 received Real Estate Purchase Agreements for radio tower sites with Vernon & Becky Vodvarka Shirley VonSeggren Trust and Kurt & Melissa Dunker and passed a motion authorizing the County Clerk to issue checks for the land purchases at the time of the closings.

At 9:10 A.M., a Public Hearing was held to consider amending the 2018/2019 County Budget by creating a new fund, "Flood Disaster Relief Fund of 2019" of \$4,000,000 in expenses and \$4,000,000 in revenue from transfers from other funds. County Clerk Mytty began by commenting that by law we must have a hearing to amend the budget. Chairman Missel remarked he has talked to Craig Jones of First National Bank of Omaha who will more likely be available at the next meeting to discuss bonding issues going forward to fund flood costs over the \$4,000,000. Speaking from the public was Rick Ward of 7845 W. Hwy 30, Ames, Nebraska. He asked what the funds were being used for and Chairman Missel commented mostly for roads and bridges. Mr. Ward commented he was instructed to file a claim against Dodge County for the damages done to his property, due to a dike built across Highway 30 supposedly by the county, since he noticed the county's equipment. Chairman Missel expressed his sorrows to those residents and thanked Mr. Ward for his comments. He informed others present that they could speak later in the meeting under any business brought by the public or discussion with the public. With no further testimony, Chairman Missel closed the public hearing. The Board unanimously passed a motion to amend the 2018/2019 County Budget by creating a new fund, "Flood Disaster Relief Fund of 2019" of \$4,000,000 in expenses and \$4,000,000 in revenue from transfers from other funds.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$243,711.79.

The Board unanimously approved the financial claims as submitted in the amount of \$420,940.74.

Next, the Board discussed the setting up of a committee to address the potential of a Public Defenders Office in Dodge County. Chairman Missel gave an overview of what led to this item being considered. He commented he talked with Judge Hall who indicated other counties paying court appointed attorneys for criminal cases a fee of

\$95 per hour, \$25 more than what Dodge County was paying of \$70 per hour. He also remarked Dodge County needs to look at raising their rate-of-pay and incorporating it into next year's fiscal budget cycle, which would increase expenses by a quarter million dollars. Chairman Missel proposes a committee made of himself and Supervisors Stand and Beam to discuss with County Attorney Glass to research the feasibility of a Public Defenders Office in Dodge County. The Board unanimously passed a motion to form a committee of Chairman Missel, Supervisors Beam and Strand and County Attorney Glass to research a potential Public Defenders Office in Dodge County and to report back to the entire board their findings.

Under any business brought by the public or discussion from the public, residents and landowners along Highway 30 west of Fremont spoke and presented claims to the county for consideration, due to their loss they claimed was caused by an emergency dike constructed across Highway 30 to prevent floodwaters from entering the City of Fremont. Kim Mann-Davenport of 7325 W. Hwy 30, Ames, Nebraska commented no one was notified along the entire road of a berm dike being constructed over the highway. She commented they woke up at 5:30 A.M. to check on the cut-off ditch and alerted the neighbors to get things out, because the water was coming. She remarked they noticed county vehicles coming and when they returned they couldn't get into their property to get other items out. Chairman Missel commented it was a collective decision made by himself, Highway Superintendent Huppert, E.O.C., Emergency Manager Tom Smith and others due to information received that levies were failing upstream. Permission was granted by the State Department of Transportation to take multiple emergency measures throughout the county and understood the County Sheriff was to notify residents. Fremont would have flooded if something was not done. He again expressed his sorrows. Jeame Ward commented the water was going to go over the highway with the dike breached. They lost farm equipment and vehicles and were only subsidized \$4,000 from FEMA. Patricia Holeman of 7055 West Highway 30, Ames, Nebraska was concerned whether there would be relief with their property taxes. He commented it was not their fault and they were not prepared. It took five days before a state patrolman came to check on them. Charles Schwanke of 7731 W. Hwy 30, Ames, Nebraska remarked they were not notified of the dike being constructed in the middle of the state highway. He commented he lost a lot of stuff with an estimate of \$12,000 damage to his house. He commented FEMA to be a joke, receiving a check for only \$2,000. Rick Ward remarked he bought his property in 1995 and it did not require flood insurance. He commented they pay taxes to maintain the cutoff ditch. Jeff Davenport of 7325 W. Hwy 30 commented the water would try to run north across the highway. Once the dike was built over the highway, it forced the water on us. Marilyn Ramsey, who lives 10 miles away, commented they bought the property as an investment and could not get into their property located at 7079 W. Hwy 30. When they did, they found a boat in their basement. Keith Ramsey commented they would appreciate every bit of help they could get. Joe Holeman commented they will be back at the meeting in two weeks. Claims from six of these property owners were presented to County Clerk Mytty.

Committee Report – Supervisor Strand commented ENCOR opted to leave their building on Schneider Street. The building is being cleaned up and then the county needs to decide what to do with it.

Chairman Missel read into the records a proposed Interlocal Agreement with the Townships to help them with the cost sharing of the Flood Disaster of 2019. The agreement would be for FEMA approved projects with reimbursement when FEMA dollars are paid. County Clerk Mytty received a call from Sequoia Consulting Group offering their services to public entities. The Board unanimously passed a motion to approve the agreement as to form and content as presented and instructed the County Clerk to mail to each of the Townships a copy of the agreement for their consideration along with contact information for Sequoia Consulting Group in case they needed their services.

Executive Director of Greater Fremont Development Council Garry Clark was present to ask for the county's support in the participation in ACT Work Ready Communities. He commented it provides training and invests in people preparing for jobs in the community. Referring to Costco, he commented they will be hiring 250 to 400 this fall and 800 workers overall. The Board unanimously passed a motion authorizing Chairman Missel to sign a letter of support for the ACT Work Ready Communities Initiative.

The Board unanimously received two bids for 2019 Applied Paint Striping opened on April 8, 2019 at 11:00 A.M. from Straight-Line Striping and Highway Signing Inc. and passed a motion awarding a bid contract to the lowest bidder, Straight-Line Striping of Grand Island, Nebraska at a price of \$17.05 per applied gallon.

Next, the Board considered a bill of Sawyer Construction Co. invoicing for flood work on County Road 19, Site 2. Highway Superintendent Huppert remarked this would be considered an Emergency Response Project. There is approximately \$10,000 yet to be billed. The Board unanimously passed a motion to approve the claim and authorize the County Clerk to cut the check in the amount of \$988,189.56 to Sawyer Construction Co.

Highway Superintendent Scott Huppert reported on Emergency Routes in the county inspected by the state for possible state relief. Some of the routes denied for state assistance could qualify for FEMA assistance. The Winslow east road to the river was declared an emergency route and he has a contractor tentatively starting work on the road on Monday with plans to continue work on the Dead Timber Road and a bridge on Road 20. He estimated all county projects at \$4,314,063 with 10 to 12 townships estimating repairs at \$450,000 each for at least \$4 million.

At 11:25 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of March, 2019.

At 11:32 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.

Immediately thereafter, Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, April 24, 2019 at 9:00 A.M.

At 11:34 A.M., the Board convened s a Board of Equalization. Chairman Missel dispensed with roll all members being present except for Supervisor Weddle.

The Board unanimously approved tax roll correction #4988.

At 11:35 A.M., Chairman Missel adjourned the Board as a Board of Equalization until 10:00 A.M. on Wednesday, April 24, 2019.

Fred Mytty  
Dodge County Clerk