

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 23, 2020 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Strand, Weddle, Backens, Missel, Saalfeld 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 the Dodge Volunteer Fire and Rescue Department accepting the offer of free radios, correspondence from the Federal Communications Commission (FCC) regarding a New Tower Submission Packet, Applicant is Union Pacific Railroad, location in Dodge County, the August 10, 2020 Board of Trustees Minutes, Statement of Revenues & Expenses YTD Comparison for two months ending August 31, 2020 & 2019, & Board of Trustees Oath of Office for Linda McClain from Fremont Community Health Resources, Minutes of the Dodge County Planning Commission meeting of September 15, 2020, Certificate of Insurance for Northern Natural Gas Company and a Utility Installation Agreement with Thompson Construction to install a sanitary sewer at the SW and SE corners of County Road T and Luther Road.

The Board unanimously approved the minutes of the September 9, 2020 meeting as printed.

At 9:03 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, Supervisor Beam stated that he had not gotten a jail report so he had no information to share. Paul Vaughan from the Dodge County Attorney's office reported that the numbers of incarcerated individuals is going up as activity increases. The courts are moving at their regular pace, but with jury trials coming up and safety being a prime concern, it will be a challenge to stay at that pace.

At 9:05 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, October 7, 2020 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 & hour claims as submitted in the amount of \$249,447.28.

The Board unanimously approved the financial claims in the amount of \$876,220.28. Chairman Missel explained that the majority of the large claims were flood related. He went on to say that he transferred \$435,000 from the loan account to the flood fund to cover expenses. This loan account is the third \$5 million note that was established to help with flood expenses; there is approximately \$3.5 million available on this note which should be the final one needed since the flood related projects are to be completed in September.

The Board unanimously approved declaring Tuesday, November 10, 2020 County Government Day at the request of Mark Schneck, Veterans Services Officer. The approval is contingent on the understanding that no more than 30 students can participate, the board room will be reserved for that day, Mr. Schneck will coordinate with various county department heads to address the students, participants will be required to wear masks and expenses for food and beverages will be allowed not to exceed \$200.00.

The Board unanimously received a list from County Treasurer Bargstadt of delinquent taxes for years 2014 and prior and through 2018 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

The Board unanimously accepted the recommendation of the advisory committee and reappointed Vince O'Connor and Christopher Bristol to the Convention & Visitors Promotion Committee for another four-year term expiring October 29, 2024.

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.

Committee Reports – Supervisor Strand reported that the rocks were vacuumed off of the top of the courthouse roof and this multi-stage project will be ongoing, so there will be crane activity in the future as well. Supervisor Beam reported that he attended the Dodge County Historical Society's quarterly meeting. The May Museum is still not open, but they are planning an outdoor Christmas Extravaganza. He went on to state that he obtained some farming pictures dated back to 1910 that were originally on glass negatives that are now hanging on the 2nd and 3rd floor walls of the Dodge County Courthouse. Supervisor Backens reported that education for the public on the joint law enforcement center has been ongoing. There is a newsletter that has been created weekly that is distributed around the city and there have been informational meetings held for the public to attend. Supervisor Saalfeld reported that Patti Jurjevich from Region 6 Behavioral Healthcare will be attending a Dodge County Board of Supervisors meeting in the near future. Chairman Missel reported that he attended a meeting with Three Rivers Public Health Department that was a general community update that involved the schools. The area has moved into phase 4 in regards to COVID-19; this drops the ability to cite anyone for noncompliance. The health department is still recommending taking all of the previous precautions for the virus and they reported that it is now thought immunity to the virus is approximately 90 days. Chairman Missel also gave project updates he received from Dodge County Emergency Manager Tom Smith: the east Fremont Elkhorn Drainage Project has been approved by NEMA, sent to FEMA on August 3rd and is under review, the Platte River Monitoring Project has been approved by NEMA, sent to FEMA on August 25th and is under review, the North Bend Drainage District Cutoff Project has been approved by NEMA, sent to FEMA on September 16th, the Dodge County Residential Construction Project was approved by NEMA, sent to FEMA on September 16th, and the Winslow Acquisition Project was sent to NEMA on September 15th for submission to FEMA.

A short recess was taken at this time.

A Public Hearing was held to consider the request of Larry and Lois Koglin of 817 County Road 14, Scribner, NE 68057 to subdivide a 10.52 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12 Section 2 Conditional Uses 4.2 Exemptions B. (1-3) located in NE ¼ NE ¼ Section 7, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved Larry and Lois Koglin's request for a lot split and Conditional Use Permit in NE ¼ NE ¼ Section 7, Township 19 North, Range 7 East in Everett Township, 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.

A Public Hearing was held to consider the request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to obtain a Conditional Use Permit to apply and store Bio-Solids as per Article 13 Section 2. Conditional Uses 2.18 in NW ¼ & N ½ SW ¼ Section 26, Township 19 North, Range 8 East in Hooper Township, Zoning District A-2, General Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved the Conditional Use Permit to apply and store Bio-Solids in the NW ¼ & N ½ SW ¼ Section 26, Township 19 North, Range 8 East in Hooper Township, 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. It was noted that this is a continuation of a Conditional Use Permit that was obtained in 2016. Mr. Christianson is reapplying to extend the Conditional Use Permit for five more years.

A Public Hearing was held to consider the request of Nextera Properties, LLC (aka Platte Valley Equip.) P.O. Box 230, Fargo, ND 58107-0230 to apply for a Change of Zoning from A-3, Transitional Ag to C-1, Commercial and obtain a Conditional Use Permit on a 40.60 acre parcel located in the West ½ NW ¼ Section 26, Township 18 North, Range 8 East and Part of Tax Lot 8 and Part of Tax Lot 26 in Nickerson Township. Offering testimony for the request was Jeff Ray from JEO Consulting on behalf of Nextera. Mr. Ray told the Board that this request would make the southern portion of the 40.60 acre parcel compatible with the northern portion of the parcel. There is Highway 77 frontage on this property so it would be complimentary with what is already there (Platte Valley Equipment). Offering testimony against the request was Kirk Brand (2190 Rosedale Road) who is a property owner right across from the property in question. Mr. Brand provided the board with a map of the area and commented that when he built his house he was expecting to have residential neighbors, not commercial businesses as neighbors. His main concerns are the devaluation of his property and the danger the increased traffic will impose on the area. He stated that the turn lane off of Highway 77 onto County Road Q is too short and may pose traffic issues for individuals heading north on Highway 77. He also said the speed limit in this area is too fast to accommodate the potential increase in traffic. He requested that if the Board does grant Nextera's request, he would like to see a traffic study done to see about changing the speed limit and he would like a buffer of trees to block lights, sights and trash. Chairman Missel told Mr. Brand he would have no problem talking to the District Highway Engineer for the Nebraska Department of Roads about a traffic study and he would hope that Nextera would be good neighbors and oblige the request for a tree barrier or something similar. With no more testimony for or against this request, Chairman Missel closed the hearing. The Board, by a 6 to 1 vote, with Supervisor Beam dissenting, passed a motion to accept the recommendation of the Planning Commission and approved the request for a Change of Zoning from A-3, Transitional Ag to C-1,

Commercial and Conditional Use Permit on a 40.60 acre parcel located in the West ½ NW ¼ Section 26, Township 18 North, Range 8 East and Part of Tax Lot 8 and Part of Tax Lot 26 in Nickerson Township, 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.

Zoning Administrator Jean Andrews told the Board that the NIRMA Board will be meeting on October 1 and on October 2, 2020, the meeting to appoint or reappoint new board members will take place. Ms. Andrews thanked the Board again for their support of her reappointment to the NIRMA Board.

The Board unanimously received the Dodge County Highway Department 2020-2021 Road Fund Budget Forms and passed a motion approving and authorizing the County Board Chairman to sign the forms.

The Board unanimously passed a motion adopting a Resolution for Signing of the County Annual Certification of Program Compliance Form 2020 and authorized the required signatures on the Resolution of all County Supervisors

Highway Superintendent Scott Huppert updated the Board on current highway department projects. He has been working with the developers of Bluestem Commons (by Ritz Lake) and has asked them to bore under the roadway for the water, sewer, etc. They plan to widen the road for turning traffic and expand the ditch for better drainage. County Road T will be paved out to the turn into this new development. FEMA projects deadline was September 21, 2020. Superintendent Huppert has talked with all of the townships to make sure they have the correct and complete information in their portals. He has asked for a 60 day extension on projects that are not complete. There is a new requirement for the county to receive reimbursement money that no one was aware of until recently. The townships now have to request the reimbursement funds and there is a specific form that the county needs to send to the townships so they can formally request the funds. Chairman Missel suggested that these forms be sent by certified mail because of the importance of the request. Funds for FHWA projects also have to be requested now. The last NRCS project on Road 10 on Maple Creek is nearing completion. Work on County Road 19 is being done by Superintendent Huppert's crews and should be complete by mid next week. The Scribner bank stabilization project needs to be obligated since there are multiple entities involved and Scribner needs to know how much their portion of the project will cost. Superintendent Huppert thinks the cost will be less than estimates because he has some of the material already. They have until March 2021 to complete this project. On Friday, September 25, the concrete will be poured on the north section of Ridge Road. Once this is done the southern section will close to finish work on the bridge; he anticipates that section of Ridge Road to be closed for at least 5 days. When the work on Big Island Road will be done is still being negotiated with Omni construction. The residents there would like to be able to get out in the morning and come back in late afternoon. This project has to be completed by October 15, 2020 and Superintendent Huppert is offering no extensions on this time line. The Platte and Elkhorn Township roads are being maintained by the county roads crews and many of the residents don't like how they do the blading and scraping. Superintendent Huppert has told these townships that they need to hire someone to do the work and they are looking, but whoever they hire needs to get some practice in before snow falls. Supervisor Strand said the township boards are going to have to take responsibility for finding someone to do this work or contract with the county to keep the roads maintained. County Road 3 between road E and Road F is

shut down and will be for about 7 days. County road employees are working on installing culverts and they have had many requests from farmers for these. Northern Natural Gas has been putting in new pipe and they are tearing up roads and ditches. Superintendent Huppert has threatened to close the roads around where they are working unless they clean up after completing their work. Superintendent Huppert has been doing bridge inspections and mentioned the Winslow Bridge specifically that he is planning to replace the bearings on by lifting the bridge up. This will be an expensive project, but he thinks this bridge will last another 20 years if they do this maintenance on it now. Chairman Missel thanked Superintendent Huppert for attending the first meeting of the newly appointed Elkhorn Township Board.

At 10:17 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, October 7, 2020 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 #5175 – 5177.

At 10:19 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, October 7, 2020 at 10:00 A.M.

Fred Mytty
Dodge County Clerk