

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, December 2, 2020 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, 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 Journal Entry from the District Court of Dodge County, Nebraska in the matter of Rick and Jeanne Ward vs Dodge County, Case No. CI 20-558 and referred it to the County Attorney, Community Development Block Grant (CDBG) Contract Amendment Request Form and supporting documents from Northeast Nebraska Economic Development District regarding a Budget/Sources and Uses Amendment for Project 19-EM-001 – Ames Dike Repairs, Notice of Public Hearing with the Fremont City Council on November 24th, 2020 at 7:00 P.M. for request by Mileydis Reyalado Artigas for a Conditional Use Permit to allow retail sales in a GI, General Industrial District located at 409 S. Main St., Fremont, Nebraska, Minutes of the Dodge County Safety Committee for an emergency meeting that was held November 18, 2020 at 11:00 A.M., Certificates of Insurance from NIRMA with Caterpillar Financial Services Corporation as the Certificate Holder for a 2020 Caterpillar 259D3 Compact Track Loader and a 2019 Caterpillar 257D Multi Terrain Loader, Certificates of Insurance for Skywave Wireless, Inc. and Barnhart Crane and Rigging Co.; Barnhart Northeast, Inc., Dodge County Utility Installation Agreement, Public Utilities for ADI (Ag Drainage Inc.) to install a drain tile in the Public Right-of-Way between County Road E and County Road 19 South 510' to 610', and Dodge County Moving Permit for Barnhart Crane & Rigging Co. to move a self-propelled crane to Costco Plant and return November 24-25, 2020.

The Board unanimously approved the minutes of the November 18, 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 reported that there are currently 61 inmates in custody with 52 being held in Saunders County, 6 with Dodge County, and 3 being held with the Nebraska Department of Correctional Services (NDCS). There were 113 bookings in the month of November with 23 of those being over the Thanksgiving weekend.

At 9:04 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, December 16, 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 certified that Scott P. Huppert was Dodge County Highway Superintendent (License No. S-1402) for the period January 1, 2020 through December 31, 2020 for the purpose of receiving the 2020 calendar year Incentive Payment to be issued to the county by the Nebraska Department of Transportation in February 2021.

The Board unanimously approved the renewal and authorized Chairman Missel to sign the Master Group Application of Blue Freedom Group Health Plan through BlueCross/BlueShield of Nebraska. (The group's cost went up 15%.)

The Board unanimously received and referred to the Road and Bridge Committee correspondence from the Nebraska Department of Transportation requesting review of and input on the FY2022 through FY2025 transportation projects included in the State Transportation Improvement Plan (STIP).

At 9:15 A.M., a Public Hearing was held to consider amending the 2020-2021 County Budget, specifically to increase the appropriation in the Flood Disaster Relief Fund of 2019 from \$6,285,050 to \$11,285,050 in expenses and increase revenue from \$6,285,050 to \$11,285,050. Grand totals of the budget and revenue will also increase by \$5,000,000. County Clerk Mytty started the testimony saying that with a September 1 completion date by FEMA (Federal Emergency Management Agency), 6.2 million would have been enough. The deadline was extended and there is still work to be completed. As of today, the County has spent \$23,278,442.88 on the flood repairs and interest. Chairman Missel said our Emergency Manager, Tom Smith, said FEMA may help with borrowing money costs and wants to meet with the Finance Committee to look at options to continue to pay for finishing projects. Supervisor Strand suggested all state senators in the flood damaged areas be contacted to put pressure on NEMA (Nebraska Emergency Management Agency). No one spoke against the proposal. The Board unanimously amended the 2020-2021 County Budget as presented.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$241,166.78.

The Board unanimously approved the financial claims in the amount of \$1,329,211.49.

The Board unanimously received a letter from County Treasurer Bargstadt on the request for a refund of Inheritance Tax and authorized the refund in the amount of \$340.95 due the Estate of Gary J. May.

The Board unanimously placed on file and set December 30 as the date for public hearings at 9:10 A.M. for removal of properties from the Dodge County Industrial Area designation of Mid America Truck Wash, LLC – Lots 2 and 4, Block 2, L J Abbott Subdivision, Dodge County, Nebraska, and at 9:30 A.M., of Fabrication Holdings LLC

DBA Elemetal Fabrication and Machine purchasing property consisting of Parcel Numbers 270102116, 270137675 and 270137676 (AKA Platte Valley Equipment 2263 Business Park Drive).

The Board unanimously placed on file correspondence from Scribner City Attorney Jim McNally regarding a request for relief from an odor coming from storage of fertilizer near the Scribner Airport. Elmer Armstrong, representing the City and as a landowner, said the odor is a nasty smell and the owner is stockpiling the fertilizer year round instead of temporarily. The Board unanimously placed on file a letter dated 9/29/20 from the Nebraska Department of Environment and Energy to landowner Donald Witte of noncompliance of "ELM LLC materials storage site is not managed to minimize pollutants in storm water discharges resulting in a violation of 81-1506(1)(a)" (State Statutes) and a response from Nate Hansen, Director of Environmental Land Management, LLC, (ELM LLC) said they used seals to prevent leakage into drains and the storage on Mr. Witte's land is temporary and once its returned to agricultural use, "We do not plan to use this agricultural land as a Materials Storage Facility in the future." Mr. Armstrong added the flies are terrible and the only solution is the frost. LaVern Pfeiffer, Tom Wiese, Steve Swanson, and Leha Manderson spoke about various problems with the fertilizer including the enormous amount of flies, which killed Mr. Pfeiffer's baby goats, the excessive unsafe truck traffic, and water contamination. Chairman Missel said Nate Hansen could not attend today's meeting and suggested it be continued to the next meeting. Supervisor Strand agreed and said this fertilizer stockpiling is not covered by Dodge County Zoning like biosolids are, roads are being destroyed by the truck traffic, and there's litigation from a nearby landowner pending and agreed it should be continued and have the Zoning Committee study the matter. By consensus, it will be on the December 16th meeting agenda.

The Board unanimously authorized the appropriate signatures on a Governmental Equipment Lease-Purchase Agreement (Contract #001-70013555) between Dodge County Highway Department and Caterpillar Financial Services Corporation on a Used 2017 Caterpillar 323FL Medium Hydraulic Excavator for a payment of \$68,914.90 in the FY2020-2021 budget and another payment of \$68,914.90 in the FY2021-2022 budget.

Scott Huppert, Highway Superintendent, gave his biweekly report. He said he talked to the district representative in the FEMA Kansas City office and after showing many photos they are starting to understand the damages in Elkhorn Township. One of his employee's son tested positive for Covid19 and is quarantining, their equipment is ready for winter, and he's holding the check on the Big Island Road Project because the contractor did not build up the shoulders and seed it which was included in the contract.

At 10:20 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, December 16, 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 #5221 through 5229.

County Assessor Debbie Churchill said she has a staff member quarantined due to Covid19 and their office is reviewing property in Dodge and also acreages in the county.

At 10:24 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, December 16, 2020 at 10:00 A.M.

Fred Mytty
Dodge County Clerk