

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, March 10, 2021 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 various county officials' reports, correspondence from Charter Communications regarding a change in channel lineup, Northeast Nebraska Community Action Partnership (NENCAP) Annual Report (October 1, 2019 – September 30, 2020), Nebraska Intergovernmental Risk Management Association (NIRMA) 2020 Annual Report, the January 11, 2021 Board of Trustees Minutes and Statement of Revenues and Expenses YTD Comparison for the seven months ending January 31, 2021 and 2020 from Fremont Community Health Resources, correspondence from Koley Jessen P.C., L.L.O. Attorneys at Law regarding Notice of Claim Pursuant to Section 45-1210 of the Nebraska Construction Prompt Pay Act (referred to Dodge County Attorney's office), Notice of Public Hearing for Douglas County Planning Commission at 6:00 P.M. on Wednesday, March 10, 2021 in the Douglas Room, First Floor, 15335 West Maple Road, Omaha, NE for a request of Hexagon Helicopters, Inc. to make text changes to add "Preferred Permission Required Heliport" as a special use in the AG District, under commercial uses and "Preferred Permission Required Heliport" to be added to Article 3, Use Types and request for Special Use Permit to allow preferred permission for Hexagon Helicopters, Inc. on approximately 5 acres at Section 12, Township 16 North, Range 9 East approximate address 280th St. and Highway 36, Minutes of Dodge County Planning Commission held on February 23, 2021 at 4:30 P.M., NIRMA Safety Shorts for March 2021, a flyer regarding NIRMA *Inspection Techniques to Prevent Property Losses* free webinar to be held on Thursday, March 18, 2021 at 10:00 – 11:00 A.M. – advance registration required by Tuesday, March 16, 2021, NIRMA 2021 *Virtual Labor & Employment Law Seminar* to be held Wednesday, March 31, 2021 from 8:30 A.M. – 1:00 P.M. with Pam Bourne and attorneys from Woods/Aitken, Certificates of Insurance for Nickerson Township, Ridgeley Township and Northeast Nebraska Telephone Company, Moving Permits for Barnhart Crane to move a self-propelled crane and a truck and trailer over Dodge County roads on February 26 – March 6, 2021 to Wholestone Foods and return, and a Moving Permit for Barnhart Crane to move a self-propelled crane on March 2 – March 4, 2021 over Dodge County roads to North Valley Sand 10710 N. 312 Circle and back.

The Board unanimously approved the minutes of the February 24, 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 except Tawney.

Under any items of discussion, Supervisor Beam had not gotten an update from Corrections personnel, so there was no information to report. Sara Sopinski, Interim Dodge County Attorney, had nothing to add.

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

The Board unanimously approved the wage & hour claims submitted in the amount of \$245,988.27

The Board unanimously approved the financial claims as submitted in the amount of \$338,379.41

The Board discussed the possibility of creating the position of IT (Information Technology) coordinator for all Dodge County departments. Chairman Missel said there have been many discussions about this over the years. It is a commonly known fact that the hard wiring into the building is not well identified and the technology throughout the Dodge County offices is fragmented. There needs to be some leadership taken in this role and Chairman Missel would like to have the Board's input as to how to move forward. Supervisor Beam shared results of a survey that were gathered to gauge interest in having a centralized IT department. Consistency and removing the IT responsibility from department heads' functions were two of the perceived benefits of having a dedicated IT department. Supervisor Beam also said that each employee needs to take responsibility for the vulnerabilities and dangers associated with technology, especially in regards to email. Chairman Missel said he has spoken with Fremont City Administrator Brian Newton about how the city handles this function; he obtained the city's job description for this position, which can be referred to if Dodge County decides to pursue this. Supervisor Strand said the potential cost of doing this needs to be determined. Supervisor Beam said that currently there is over \$98,000.00 being spent annually on IT contracts for departments throughout the courthouse. There are a lot of extras that are not covered by these contracts that can end up costing as much as \$175.00 per hour to get the work completed. Supervisor Strand said that it would stand to reason that a lot of these extras would go away if there was one IT department. He also said there are some offices that want their own IT people and they won't be happy about going to one centralized department. The Board unanimously approved the formation of a committee consisting of Supervisors Beam, Bendig and Backens to investigate the potential of creating an IT coordinator position and plan for all Dodge County departments.

The Board unanimously received cover letters and resumes from three potential candidates seeking consideration for appointment as Dodge County Attorney to finish the term of Oliver Glass. State Statute 84-712.05 (17) says finalists of three or less are public record; the three applicants are Pam Hopkins (Fremont, NE), Christian Mirch (Omaha, NE) and Paul Vaughan (Fremont, NE). The Board also unanimously approved the formation of a committee consisting of Supervisors Bendig, Strand and Weddle to review and process the three applications and provide a recommendation to the rest of the Board at the March 24, 2021 meeting of the Dodge County Board of Supervisors.

Terra Uhing, Director of Three Rivers Public Health Department, was present to give an update on their efforts related to COVID-19, community vaccines and related topics. To date there have been 37,942 tests completed in the health district. Of those completed tests, Dodge County residents represent 50.3% of those being tested. The cumulative number of cases in the district to date is 9,065 of which 4,688 were Dodge County residents or 51.7%. It was noted that Dodge County consistently represents roughly 50% of all the statistics reported. The number of cases has declined over the past month, but Ms. Uhing stressed that we are still not in a good place. Testing numbers have dropped and she attributed this to people being tired of the whole thing and the increase in the availability of the vaccines. Ms. Uhing also praised the role Methodist Fremont Health has taken in battling the virus, noting that they sponsor the Test Nebraska site at Christiansen Field on Mondays, Wednesdays and Fridays. Three Rivers has hosted 73 different vaccination clinics since December 22, 2020. The number of vaccines allocated has been up and down and Ms. Uhing stressed that it is not the health department that prioritizes who gets the vaccine. The government sets the guidelines and the Department of Health & Human Services set the priorities for the state. The Federal Pharmacy Program, which launched on February 1, 2021, allocated 25,500 doses to the state of Nebraska this week. People interested in receiving the vaccination can go to vaccinate.ne.gov or they can call the health department to check the guidelines and availability.

Nate Hansen from Environmental Land Management (ELM) was present to initiate a discussion regarding the last Dodge County Planning Commission meeting held on February 23, 2021. Mr. Hansen said he attended this meeting to provide input on the storage and application by ELM of Gypsum and Biomass in Dodge County. It was his intention to clarify some of the information that was in the minutes of this meeting. He said it was stated in the planning commission minutes that 1,000 to 2,000 tons of Biomass did not get applied and was stored at the Scribner Air Base. He said they stored 20,000 tons of Biomass at the Scribner Air Base and all of it was removed and applied as of December 11, 2020. The planning commission minutes also stated that Mr. Hansen said ELM could not stock pile due to possible run-off. He said this is incorrect, they use inert barriers (per EPA regulations) such as Gypsum or Ag lime that act as a barrier to prevent run-off. He also said they stockpiled their product in Iowa and Burt County and land applied their products in Iowa, Burt County, Cuming County, Saunders County and Washington County all in Nebraska, not just Iowa and Burt County, NE. Mr. Hansen noted that the planning commission minutes had a question from Steve Swanson (Scribner, NE) "why can't we just end it like other counties have?" Mr. Hansen said to his knowledge no counties have ended the storage/application of Biomass. Referencing Leha Manderson's concerns about the effect on the well water, Mr. Hansen stated that all waste water facilities have to obtain a NPDES permit from the Nebraska Department of Environment and Energy. These permits are granted when state regulations have been met and included in these regulations are what has been established for set-backs on wells. Chairman Missel reminded Mr. Hansen that the Board just received the minutes of the Dodge County Planning Commission meeting, there would be no action taken by the Dodge County Board of Supervisors. Mr. Hansen said he understood this, but was concerned with some of the information presented in the planning commission minutes and wanted to clear that up. Mr. Hansen pointed out that the minutes said the last time ELM drove trucks in Dodge County was September 11, 2020 when, in fact, the last time was December 11, 2020. Addressing the statement

by Brad Fooker that “Biomass is different from the Biosolids or Sludge as it is not anaerobic”, Mr. Hansen said Biomass, Biosolids and Sludge are all the same thing. Supervisor Strand then spoke about the planning commission working through these issues to come up with some regulations. He reminded Mr. Hansen that the issue exists because of something ELM did that caused problems, acknowledging that without regulations in place it would be hard to know what rules to follow. Supervisor Strand also asked Mr. Hansen to be patient as they work through this process. Mr. Hansen said he is willing to be any help he can be to set some guidelines.

Zoning Administrator Jean Andrews reiterated the dates and details of the NIRMA webinar and seminar to be held later this month. She also said there will be NIRMA sponsored employment practices seminars held throughout the state and she will have more information on those as the dates get closer.

The Board unanimously received the two bids for the 2002 – 624H John Deere loader that were opened March 1, 2021 at 11:00 A.M., accepted the recommendation of the Dodge County Highway Department and awarded the bid to Taylor Farms General Partnership of Ames, NE.

At 10:06 Supervisor Backens left the meeting.

Highway Superintendent Scott Huppert gave an update on flood damage to Ridge Road and Ridgeland Avenue and other issues within his department. He said he had the Federal Emergency Management Agency (FEMA) come and inspect Ridge Road and it appears approximately 45 panels of concrete will need to be replaced because of water getting under the roadway. There was also culvert damage, but the bridge was not compromised. Nebraska Emergency Management Agency (NEMA) has also inspected the damage and estimate it to cost \$350,000.00 (Dodge County share) to repair. Dodge County will use sand from the Fremont Rod & Gun Club to fill ditches once they are cleaned out. They will also tear out the damaged panels and fill them with sand, dirt and gravel. The fill material will have to settle for a couple of months before the concrete can be replaced. Superintendent Huppert thanked the Sheriff’s Department for their help over the last week keeping pedestrian and vehicle traffic off of the road. Reimbursement money from FEMA for the 2019 flooding should be received soon in the range of \$3 to \$3.5 million. Superintendent Huppert has been interviewing; they will eventually need to fill 3 vacancies. Supervisor Bendig asked about the integrity of Big Island road after the recent flooding and Superintendent Huppert said it held up surprisingly well.

At 10:23 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 Tawney and Backens.

The Board unanimously approved tax roll corrections #5178 through #5218, with #5213 being voided. Most of these corrections were for Ritz Lake as the result of a TERC order.

Dodge County Assessor Churchill said her staff is working on certifying values and they will present them at the next Dodge County Board of Supervisors meeting.

At 10:25 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, March 24, 2021 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 Tawney and Backens.

Committee Reports – Supervisor Beam reported that there are currently 61 inmates in custody with 4 being held in Dodge County, 1 under House Arrest, 1 with the State of Nebraska (NDCS) and 55 in Saunders County. Supervisor Strand urged the rest of the Board to review the Northeast Nebraska Community Action Partnership (NENCAP) Annual Report that was received earlier in this meeting. County Clerk Mytty told the Board that the election budget will be expended before June 30, 2021, therefore an appropriation will be needed. Also, the Secretary of State's office announced that 2020 census data won't be available until September 1, 2021 (typically available April 1). Political filings begin December 1, 2021, which means a redistricting plan will need to be completed in the three month period of time between September 1 and December 1. Supervisor Strand asked County Clerk Mytty who helps with the process of redistricting. He said he will send a letter to Chairman Missel and Mayor Spellerberg and request that three members of the Dodge County Board of Supervisors and three members of the Fremont City Council form a committee to work on redistricting.

At 10:29 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of February 2021.

At 10:43 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was needed or taken on any of the claims as a result of the closed session.

At 10:44 A.M., the Board adjourned as a Board of Supervisors until Wednesday, March 24, 2021 at 9:00 A.M.

Fred Mytty
Dodge County Clerk