

## 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, June 2, 2021 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Strand, Backens, Missel, Tawney and Bendig. Absent: Weddle. 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 Stanly Vyhldal expressing his interest in continuing to serve on the Veterans Service Committee; his current term expires June 30, 2021, Notice of Public Hearing to be held before the Fremont City Council on May 25, 2021 regarding a request for a Conditional Use Permit by Jacob Hoppe to convert a former nursing home into multi-family dwellings on property located at 2550 N. Nye Ave., Notice of Public Hearings to be held before the Douglas County Planning Commission at 6:00 P.M. on Wednesday, June 9, 2021 for Judith A. Batten for preliminary and final plat of proposed Lot 1 Batten's Place, subdivision in SW ¼ & SE ¼ Section 7, T16N, R10 at 26970 Bennington Road, Valley and also a request to rezone from AG Agricultural to RR Rural Residential and Certificate of Liability Insurance for Scrib's House Moving, Inc.

The Board unanimously approved the minutes of the May 19, 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 Weddle.

Under any items of discussion, Supervisor Beam reported that there are currently 82 inmates in custody with 2 being under house arrest, 1 being held in Douglas County Corrections and 79 in Saunders County. He said the jail committees from Saunders County and Dodge County met to discuss what the rate adjustment for housing inmates will be starting July 1, 2021. In the original contract effective July 1, 2016 through June 30, 2026, it states that "the daily rates Saunders County charges Dodge County for housing inmates shall be reviewed and renegotiated every five years. The first rate review and adjustment will be July 1, 2021." Supervisor Beam said they are gathering more input before making a recommendation to the Board on the contract. County Attorney Paul Vaughan said he is still working with jail staff on a more extensive house arrest program. The judges have not given their input on expanding this program; they will ultimately be the ones to make the decision on any changes to the house arrest program.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, June 16, 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 Weddle.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$226,037.65.

The Board unanimously approved the financial claims in the amount of \$533,846.23.

The Board unanimously accepted the recommendation of the Visitors Promotion Committee and appointed Molly Paden, General Manager of the Holiday Inn Express, to the Convention & Visitors Promotion Committee to fulfill Stephen Dorsey's term that expires December 31, 2022.

Shannon Mullen (Executive Director, Fremont & Dodge County Convention and Visitors Bureau) was present and reported that CVB receipts were down 40% in 2020 compared to 2019. They are seeing a rebound and the pre-pandemic numbers are returning. She said they feel fortunate given the fact that I-80 corridor tourism receipts were down 75% for the same period.

The Board unanimously received proposals for the Rawhide Creek Watershed Work Plan – Environmental Assessment (NR216526XXXXC010) Project that were opened on June 1, 2021, accepted the recommendation of the Joint Water Management Advisory Board and awarded a bid contract to the low bidder, Burns & McDonnell. Dodge County Emergency Manager (EM) Tom Smith was present to explain that the three engineering firms that submitted proposals are all very qualified and understand the scope of the work needed to complete the project.

The Board unanimously received proposals for the Drainage Improvement (DR4420-0019) Project in Elkhorn Township/East Fremont opened on June 1, 2021. Emergency Manager Smith said the Joint Water Management Advisory Board also reviewed the proposals for this project. The same three engineering firms that bid on the Rawhide Creek Watershed Work Plan submitted bids for this project as well. Costs were not a part of this contract; EM Smith will ask the three bidding entities to submit a task breakdown and a cost breakdown so the review committee can make a more informed decision. The awarding of a bid contract was tabled by the Board. EM Smith will put the item back on the agenda after he has gathered the additional information.

The Board tabled any action on a Resolution declaring Dodge County a "Second Amendment Sanctuary". Paul Von Behren (2046 E. 30<sup>th</sup> St., Fremont, NE) was present and said he had requested this item be put on the agenda. He said Supervisor Weddle supports this resolution and Chief Deputy Bob Reynolds (Dodge County Sheriff's Department) has presented a copy to Sheriff Hespen, but he has not responded. Mr. Von Behren said this resolution basically states that local authority would override any attempts by the Federal Government to violate Second Amendment rights. He went on to say that 85-88 counties of the 93 in Nebraska have adopted similar resolutions. Supervisor Missel said he would like to receive a response from Sheriff Hespen before the Board takes any formal action on the resolution. Supervisor Tawney said he has received many phone calls expressing support of this resolution and pointed out that the State of Nebraska has been declared a Second Amendment Sanctuary. Supervisor Strand said that when an oath of office is taken, it includes upholding the United States Constitution and the Constitution of the State of Nebraska. He asked what this resolution will add to that. Mr. Von Behren said that the oath is to the Constitution not the government; if the government chooses to drift away from upholding the Second Amendment, this declaration will lead them back to the Constitution. Chairman Missel said he not only would like the Sheriff's input, but also the County Attorney's input since both of those elected offices are cited in the resolution. County Attorney Paul Vaughan said the wording of the resolution is fine and noted that in his opinion this resolution does not change the obligations of the Board or Sheriff.

The Board unanimously approved and authorized signatures for renewal of a Work/Financial Plan with the United States Department of Agriculture Animal & Plant Health Inspection Service Wildlife Services (APHIS-WS) for expenses not to exceed \$14,272.96 for the period July 1, 2021 through June 30, 2022. Scot Rosendahl, Wildlife Specialist with APHIS-WS, was present and told the Board that the main issues he continues to deal with are keeping the turkey vulture nuisance to a minimum out at the airport, controlling the pigeon population in Fremont and addressing issues with beavers in drainage ditches and at golf courses. He also said the only change in the contract compared to the prior year is a 4% cost of living increase.

The Board unanimously authorized Chairman Missel to sign an agreement with the State of Nebraska, Department of Transportation (DOT) defining the terms and conditions applicable for utilizing State Economic Opportunity Program Funds (EOP) used to finance transportation improvements to attract and support new businesses and business expansion. This agreement will allow EOP Funds to flow through Dodge County as an economic incentive for a cold storage facility to build in Fremont. Dodge County has entered into a 50% cost share agreement with the cold storage facility to pave 1500 ft of N Yager RD from County Road T north to the SE corner of the business property. The State DOT will reimburse up to \$350,000.00 of the transportation project costs, which will be allocated for the cold storage facility's 50% cost share.

The Board unanimously authorized Chairman Missel to sign an agreement with VCS Fremont Property I, LLC defining the terms and conditions applicable for utilizing State Economic Opportunity Program Funds (EOP) used to finance transportation improvements to attract and support new businesses and business expansion. According to County Attorney Vaughan, this agreement is in conjunction with the aforementioned agreement with the State of Nebraska DOT and should provide what the State needs to move forward with the project.

Zoning Administrator Jean Andrews reported that she attended the NIRMA Board meeting last week. She gave the Board advance warning that letters would be going out about insurance premium increases. Chairman Missel said he already received the letter.

Highway Superintendent Scott Huppert provided the Board with an update on projects. County Road L between CR 8 & 9 is still closed, culvert installations continue, workers are trimming weeds around bridges; many FEMA projects have been closed out and turned over to the Nebraska Emergency Management Agency (NEMA); the Scribner/Elkhorn River Bank Stabilization project, the Yager Road project, the Ridgeland Road project and the Hooper North/Logan Creek project are all coming up for letting in June. Superintendent Huppert attended the State Highway Commission meeting on May 21 and voiced his frustrations about having to put rock on roads that are being torn up by contractors, especially ones that are not traveling on their haul routes. He said they have money to replace the gravel and it was mentioned at a meeting he had with contractors regarding ongoing projects that they should be replacing what they're tearing up. Superintendent Huppert said the FEMA project completions are due on July 1, 2021. Chairman Missel said he would like for the finance committee to meet with the bank after July 1 to make a plan of action to pay off some of the highway bond debt. He then asked Superintendent Huppert about the status of paving County Road T from Yager Road to the west. Superintendent Huppert said they will be shaving off the shoulders, cleaning out the ditches and hauling that debris away. He also said he would like to organize a meeting between the grain company, the City

and the County to discuss sharing road construction costs. Supervisor Tawney said rail cars blocking the road is an issue that should be mentioned at this meeting.

At 10:01 A.M., the Board adjourned as a Board of Supervisors until Wednesday, June 16, 2021 at 9:00 A.M.

Immediately thereafter, the Board convened as a Board of Equalization. Chairman Missel dispensed with roll all members being present except Weddle.

The Board unanimously approved tax roll corrections #5338 through #5340.

The Board unanimously accepted the recommendation of Dodge County Treasurer Gail Bargstadt and approved the 2021 Application for Exemption (form 457) from Three Rivers Public Health Department, 2400 N Lincoln Ave., Fremont, Nebraska on a 2021 Ram 1500 Pickup.

The Board unanimously approved an agreement with Scott Brettmann to serve as a referee for the upcoming 2021 protest season.

The Board unanimously received a list from County Assessor Churchill of her request for changes to valuations of parcels for 2021 and passed a motion approving and authorizing the County Clerk to mail notices to the owners of the properties.

The Board unanimously received 2021 valuation protests #1 and #2.

At 10:08 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, June 16, 2021 at 10:00 A.M.

Fred Mytty  
Dodge County Clerk