

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 23, 2022 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Backens, Missel, Tawney 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 Charter Communications regarding changes in pricing, certificate of insurance for Pleasant Valley Township, Notice of Public Hearings for City of Fremont Planning Commission meeting of March 21, 2022 to hear a request by Jennifer Bixby on behalf of Don Peterson & Assoc. to revise and replat Preliminary Plat and Final Plat of Sunridge Place Second Addition consisting of 120 lots; Requests of Brian Wiese for change to Future Land Use Map of City of Fremont's Comprehensive Plan to Industrial, and to request a change of zoning from GC, General Commercial to LI, Light Industrial and a request for Preliminary Plat for Copperhead Subdivision consisting of 19 lots on property located at West Military Ave. and Business Park Drive; Also a request by Jamey Jaeger for a Change of Zone from R, Rural to LI, Light Industrial property and a request for a Conditional Use Permit to develop a self-storage facility on property located at 3327 N. Yager Road, Minutes of the March 15, 2022 Planning Commission Meeting, utility installation agreement for OPPD to install underground primary cable at the SE corner Sec. 20, T18N, R8E and moving permit for Boss Ventures LLC to move an excavator over old Highway 275 on March 14, 2022.

The Board, with Supervisor Strand abstaining since he was not at the March 9, 2022 meeting, unanimously approved the minutes of the March 9, 2022 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.

Under any items of discussion, Supervisor Beam reported that the average daily inmate count is 61. Currently there are 55 inmates in custody with 50 being held in Saunders County, 3 with the Nebraska Department of Correctional Services and 2 under house arrest.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, April 6, 2022 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 \$236,786.13.

The Board unanimously approved a transfer of \$37,500.00 from the Inheritance Tax Fund to the Flood Control Fund. The amount of the transfer will be returned to the Inheritance Tax Fund after grant monies are received.

The Board unanimously approved the financial claims as submitted in the amount of \$8,434,570.26. Two of the large claims were to pay off loans that were obtained to pay flood damage expenses. There is one loan left to pay off; it is the smallest of the three that were obtained.

The Board unanimously received a letter from Shannon Mullen announcing her resignation as the Executive Director of the Fremont & Dodge County Convention and Visitors Bureau (CVB) effective at the close of business April 1, 2022. Chairman Missel said Ms. Mullen was good at her job and was great to work with; he was sorry to see her resignation letter. County Clerk Mytty said that by state statute, the Board has total authority to appoint someone to that position. Chairman Missel said he would like to advertise for the position using Ms. Mullen's help to craft the advertisement and then turn the applications over to the CVB Committee to select a candidate. Ms. Mullen did send a copy of the job description to the county clerk's office. Chairman Missel also said that there are members of the CVB Committee that are interested in the position. Supervisor Bendig asked if there are enough remaining members to form a selection committee for this position. Chairman Missel said that there are enough members and that Ms. Mullen may be willing to serve on that committee as well. In a separate motion, the Board unanimously authorized the county clerk's office to advertise the position and take the applications with a deadline of April 22, 2022 for candidates to apply.

The Board unanimously received the request of Sheriff Reynolds to declare three vehicles as surplus property and authorized the vehicles be taken to Jack Nitz & Associates for public auction.

The Board unanimously approved the request for CDBG (Community Development Block Grant) Funds on Project 19-EM-001 Ames Dike Repairs and authorized Chairman Missel and County Clerk Mytty to sign the request for General Administration Costs of \$915.00 (to NENEDD).

The Board unanimously approved the request for CDBG funds on Project 19-EM-005 Rod & Gun Club Repairs and authorized Chairman Missel and County Clerk Mytty to sign the request for General Administration Costs of \$2,900.78 and Construction Management Costs of \$75.00.

The Board unanimously approved adding Washington County to the Interlocal Agreement to create the Lower Platte Weed Management Area, A Separate Legal Entity and authorized the necessary signatures on the agreement. Weed Superintendent Larry Klahn was present to explain that this agreement was created in the early 2000's. The addition of Washington County will benefit Dodge County because of the shared miles of river. It's easier to control weed infestations if the problem can be addressed on both sides of the river.

Committee Reports – Chairman Missel reported that Emergency Manager Tom Smith had prepared a press release regarding a public meeting for the Rawhide Creek Watershed project that will be held on April 14, 2022 at 6:00 p.m. at the North Bend Auditorium. Supervisor Backens reported that the tower in Omaha for the radio system is going up. They are continuing to work on creating a position for an administrator

position that would provide support for the radio system. County Clerk Mytty reported on information presented at the NACO conference regarding the American Rescue Fund Act (ARPA). The second half of the funding was in doubt, but is now moving forward. Counties may have to reapply for this funding. The first report on the expenditures made with the first half of ARPA funds is due April 30 for the reporting period of March 2021 – March 2022. Dodge County has not spent any of the ARPA funds received. Supervisor Bendig reported that the new managed service provider, Applied Connective Technologies, was here last Thursday and did a walk through at the courthouse. The tentative date for them to take over service is May 1, 2022.

Zoning Administrator Jean Andrews reported that the reorganization of the Planning Commission resulted in the same leaders: Marlin Brabec, Chairman, Brad Fooker, Vice-Chairman and Alan Rolf, Secretary

At 9:30 A.M., a Public Hearing was held to consider the request of Marlin Brabec of 1030 Timberwood Dr., Ames, NE 68621 to obtain a Conditional Use Permit (CUP) to store and apply biosolids as per Article 13, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in NE 2/3 NE ¼ Section 14, Township 18 North, Range 7 East in Maple Township, Zoning District A-2, General Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this CUP for Mr. Brabec. Scott Nun from the City of Fremont was present to provide testimony for the request. He reaffirmed to the Board that they follow all guidelines for applying biosolids. They will not stockpile before August 1, they will make sure that the material is either spread or off the field by January 31 and they will follow all setbacks. Hearing no other testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

At 9:35 A.M., a Public Hearing was held to consider the request of Marlin Brabec of 1030 Timberwood Dr., Ames, NE 68621 to obtain a Conditional Use Permit (CUP) to store and apply biosolids as per Article 13, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in NW ¼ SW ¼ Section 2, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this CUP for Mr. Brabec. The same testimony provided by Mr. Nun from the City of Fremont for the aforementioned request from Marlin Brabec applies to this request. Hearing no other testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

At 9:40 A.M., a Public Hearing was held to consider the request of Lon Strand of 2239 County Road E, Hooper, NE 68031 to obtain a Conditional Use Permit (CUP) to store and apply biosolids as per Article 12, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in E ½ SW ¼ SW ¼ and Pt Tax Lot 7 Section 23, Township 20 North, Range 8 East in Logan Township, Zoning District A-2, Intensive Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this CUP for Mr. Strand. The same testimony provided by Mr. Nun from the City of Fremont for the

aforementioned requests from Marlin Brabec applies to this request. Hearing no other testimony for or against the request, the Board, with Supervisor Strand abstaining, unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

At 9:45 A.M., a Public Hearing was held to consider the request of Tyler Thernes of 1782 County Road K, Hooper, NE 68031 to obtain a Conditional Use Permit (CUP) to store and apply biosolids as per Article 13, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in West ½ SW ¼ SW ¼ and East ½ SW ¼ SW ¼, East ½ NE ¼ SW ¼ and Tax Lot 5, all in Section 13, Township 18 North, Range 7 East in Maple Township, Zoning District A-2, General Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this CUP for Mr. Thernes. The same testimony provided by Mr. Nun from the City of Fremont for the aforementioned requests applies to this request. Hearing no other testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

At 9:50 A.M., a Public Hearing was held to consider the request of GKR, LLC – Gary, Kyle, Ross Kroenke of 529 County Road G, Scribner, NE 68057 to subdivide a 10.52 acre tract and obtain a Conditional Use Permit (CUP) to construct a new single-family dwelling as per Article 12, Section 2.1 Conditional Uses located in SE ¼ SW ¼ Section 35, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive Ag. Zoning Administrator Jean Andrews reported that the Planning Commission unanimously recommended approval of this CUP for GKR, LLC. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the CUP based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

Zoning Administrator Jean Andrews reminded the Board the registration deadline for the Regional Cyber Security Seminars sponsored by NIRMA is April 4. She encouraged everyone to attend.

The Board unanimously approved the contract with Cedar Valley Paving LLC for the County Road T West Paving Project and authorized the necessary signatures on the contract. Cedar Valley will be starting this project the end of May or first part of June after Graham Construction finishes the Yager Road Project 636. Cedar Valley is working on the Bypass 30 project as well, so it will be easy for them to set up for the County Road T West Paving Project.

Highway Superintendent Scott Huppert updated the Board on projects going on in the Roads Department. Employees are working on cleaning out ditches. Today all employees will be attending a traffic accident management class facilitated by Emergency Manager Tom Smith. Gravel requests are coming in due to the recent rain; Superintendent Huppert has called the quarries and they do have gravel available. He talked with Cedar Valley and the state about when the paving can start on the east side of the Bypass 30 and it should be within the next 3 weeks. Next Monday he will be meeting with EM Tom Smith and JEO about the Elkhorn Township (East Fremont)

Drainage Improvement project. The dump truck is in and will be delivered this week or next week.

At 10:02 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, April 6, 2022 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 correction #5425.

The Board unanimously received a letter from Kingdom Hall of Jehovah's Witnesses of 2530 Old Hwy 8, Fremont, NE asking the Board to waive the denial of their Form 451A, Statement of Reaffirmation of Tax Exemption, which was filed after the filing deadline of December 31, 2021. In a separate motion, the Board unanimously waived the denial of tax exempt status for Kingdom Hall of Jehovah's Witnesses as well as the \$100.00 late fee and instructed County Assessor Churchill to process the application. Assessor Churchill said this is the first time they have been late filing their Form 451A. She added that state statute requires her to assess the late fee and the Board has the authority to waive that fee.

Assessor Churchill reported that the assessor website (gWorks) will not be updated from now until 6/2/22.

At 10:06 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, April 6, 2022 at 10:00 A.M.

Fred Mytty
Dodge County Clerk