

**PROCEEDINGS OF THE DODGE COUNTY BOARD OF SUPERVISORS**

The 2024 Reorganizational Meeting of the Dodge County Board of Supervisors was called to order by County Clerk Micki Gilfry at 9:00 A.M. on Wednesday, January 10, 2024 in the Board Room of the Courthouse, Fremont, Nebraska, with the following members present: Beam, Weddle, Strand, Backens, Missel, Tawney and Bendig. Absent: None.

County Clerk Gilfry announced the meeting to be an open public meeting and that the open meeting laws are posted on the wall and available for anyone to review.

The Board unanimously declared the meeting legally convened.

Bob Missel was nominated as Chairman for 2024. Receiving no other nominations, the Board elected Supervisor Missel to be the Chairman by unanimous consent.

Lon Strand was nominated as Vice-Chairman for 2024. Receiving no other nominations, the Board elected Supervisor Strand to be the Vice-Chairman by unanimous consent.

The Board unanimously passed a motion appointing County Clerk Micki Gilfry and her office as "keeper of the agenda" for the Board of Supervisors for 2024.

The Board unanimously approved the agenda as printed and received and placed on file county officials' reports, correspondence from Charter Communications regarding changes in pricing, correspondence from Nebraska State Probation, Sixth Probation District, Patty Lyon, Chief Probation Officer, regarding Probation – Quarterly County Billings 2023/2024 and reimbursement of expenses to Dodge County for the period October 1, 2023 to December 31, 2023, correspondence from Nebraska Intergovernmental Risk Management Association (NIRMA) regarding the receipt of an ASSIST grant in the amount of \$7,500 that was used for panic buttons and security cameras, correspondence from the Nebraska Department of Economic Development regarding Community Development Block Grant (CDBG) Contract #19EM005/Dodge County/UEI: NV86LL2EHH8 (Rod & Gun Club breached lake flood damage repair project) Certificate of Completion, correspondence from Dodge County Treasurer Gail Bargstadt regarding Fremont Mall LLC (Hy Vee) 2019 Tax Roll Correction #5644 and 2020 Tax Roll Correction #5645, correspondence from the Nebraska Department of Environment and Energy regarding a Design Change Request Response for David Schnoor's Feedyard North, Concentrated Animal Feeding Operation, Certificates of Insurance for Meier Construction Corp and Koss Construction Co., Notice of Public Hearings with the Community Development Authority and the City Council of the City of Fremont on an application request by Brian Reilly on behalf of the Fremont Mall LLC to amend the 23<sup>rd</sup> and Bell St. Redevelopment Plan to identify a project to rehabilitate the Fremont Mall and to designate an Enhanced Employment Area for the imposition of a 2% occupation tax on sales on property described as Lots 5 & 6, Rodamar Addition Replat 1; Lots 1 & 2 Rodamar Addition Replat 2 and generally located at the northwest corner of 23<sup>rd</sup> St. and Yager Road and a Resolution to establish an Enhanced Employment Area for the purpose of imposing a 2% occupation tax on property as described above; and a request by Brian Reilly on behalf of Fremont Mall LLC for

approval of a Redevelopment Contract to implement the amendment to the 23<sup>rd</sup> & Bell Street Redevelopment Plan to rehabilitate the Fremont Mall and to designate an Enhanced Employment Area for the imposition of a 2% occupation tax on sales, Dodge County Highway Department Safety Committee Meeting Minutes of December 21, 2023, Dodge County Courthouse Safety Committee Meeting Minutes of December 27, 2023, Nebraska Department of Agriculture *Annual Report of a Livestock Friendly County* and Utility Installation Agreement with Cox Communications to install fiber in conduit and vaults in Sec. 9, T 17N, R 8E / S 16 T 17N R 8E County Road 20 Ave.

The Board unanimously approved the minutes of the December 27, 2023 meeting as printed.

At 9:07 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.

Supervisor Beam said he did not receive a report from the Corrections Department. County Attorney Hopkins reported that there are currently 49 inmates in custody.

At 9:09 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, January 24, 2024 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 \$295,022.04.

The Board unanimously approved the financial claims as submitted in the amount of \$432,173.39.

The Board unanimously approved the amendment to the service agreement for EMK\_2020\_BR\_13 (Platte Township/West Fremont-BRIC) – Dodge project between JEO Consulting Group and Dodge County for professional services and authorized Chairman Missel's signature on the amended agreement. Emergency Manager Tom Smith told the Board that this amendment is still within the scope of the overall project and will not require additional funding from Dodge County. The additional work JEO will conduct will include more public outreach and research of the flood plain ordinances and regulations in Dodge County. They will be considering non-structural elevation strategies and will be attempting to work with homeowners that are receptive to these mitigation strategies.

The Board unanimously approved all bank depositories for Dodge County funds listed on the 2024 Approved Dodge County Depositories list received from County Treasurer Bargstadt. Included in the motion was authorization for Chairman Missel and County Clerk Gilfry to sign the 2024 Approved Dodge County Depositories list.

Committee Reports – Supervisor Bendig reported for the Finance Committee that the fire departments have been billed for the purchase of their radios and equipment above what the county provided for the Motorola radio project. The departments have 5

years to repay the radios. The Board instructed County Clerk Gilfry to send a reminder letter to the fire departments and a copy to the rural fire board presidents. Supervisor Bendig also reported that the IT Committee will be meeting today to discuss the new phone system and any issues that may exist. The phone project has gone over the original approved amount of \$113,041.30 by \$3,028.70. The amount of ARPA dollars that were approved for the phone project was \$150,000, which is enough to cover the overage in Applied Technology's original approved bid.

Supervisor Backens reported for the Personnel Committee that the Sheriff's Department is advertising for civilian courthouse security positions. He also reported that the 911 sign project group has been in contact with private lakes around Fremont to notify property owners that there will be 911 signs installed on their property and to determine how to proceed with this.

Supervisor Strand initiated a conversation about closing the courthouse because of the snowstorm yesterday. Dana needs to be made aware of any decisions to close the courthouse because he controls the locking and unlocking of the doors. Chairman Missel clarified that the Board dictates whether the courthouse is open. The elected or appointed officials in each office make the decision as to how they staff their office. The Board did state that they believe there should be at least one person in each office if the courthouse is open.

A public hearing was held to consider the approval of a Class C – "Beer, Wine & Distilled Spirits On and Off Sale" liquor license for Cole Biesecker, dba Tavern 30, 7026 Platte River Road, Ames, Nebraska, Dodge County. Hearing no testimony for or against the license, the Board approved the liquor license, with Supervisor Bendig voting against the issuance of the liquor license.

The Board unanimously approved an agreement between the Nebraska Department of Transportation (NDOT) and Dodge County regarding the replacement of bridges and re-construction of Old US Highway 30 and the detouring of the traffic to Dodge County gravel roads. Included in the motion was authorization for Chairman Missel and County Clerk Gilfry to sign the agreement. This agenda item was tabled at the December 27, 2023 meeting of the Dodge County Board of Supervisors so the Road and Bridge Committee could meet with the Nebraska Department of Transportation's District 2 Engineer Thomas Goodbarn. The committee was hoping to gain clarification as to the details of the relinquishment of Old US Hwy 30 from NDOT to Dodge County. Supervisor Strand said there was never a clear answer given as to when relinquishment occurred and when Dodge County became responsible for the maintenance of Old US Hwy 30. Mr. Goodbarn said NDOT would help the county with snow removal, but there was no State assistance during the snowstorm on January 8-9, 2024. Highway Superintendent Huppert requested documentation to clarify these questions and has not received it as of today's meeting.

Highway Superintendent Scott Huppert reported that he also discussed the need for turn lanes on Highway 275 at Luther Road with NDOT District 2 Engineer Thomas Goodbarn. He said this is a subject he will not back down on because of the number of accidents that have occurred at this location. Chairman Missel asked if it would be beneficial to send a letter from the Board to NDOT; Superintendent Huppert said he thinks it would be beneficial. There will be a letter drafted by Supervisor Strand and presented to the Board for approval at the January 24, 2024 board meeting.

Superintendent Huppert also reported that his department went out on Christmas and yesterday to remove snow. He told the Board that he will not send his employees out all night unless it's an emergency; he has also communicated this to the Sheriff's Department and the 911 communications center. The townships have called looking for help maintaining the roads; Superintendent Huppert said they can help, but only after they get the county roads done first.

At 9:45 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims.

At 10:13 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was taken on any of the claims as a result of the closed session.

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

The Board unanimously received correspondence from the Nebraska Tax Equalization and Review Commission regarding Certification of Final Decision and Order for Robert L. Kucera, Case No. 23H 0611.

The Board unanimously approved a three-year service contract *Vanguard Computer Systems – Assessor Web Site* with Vanguard Appraisals, Inc. and authorized Chairman Missel and Assessor Churchill's signatures on the contract. Assessor Churchill's recommendation to the Board was to enter into a five-year service contract. Her reasoning is that her department will not go through another conversion; it's too time-consuming and stressful. Supervisor Bendig voiced concerns that there is no way to get out of the contract early without paying the remainder of the per month charges on the contract.

Assessor Churchill told the Board that she sent them all an email about the penalty letters that were mailed out to deedholders that made improvements to their property without obtaining a permit. The tax list corrections will go before the Board during the January 24, 2024 Board of Supervisors meeting. Penalty statements will then be mailed out from the treasurer's office. If the property owner is not satisfied with the process, they can file an appeal of the penalty with the county clerk's office and the Board will decide whether to waive the penalty.

Assessor Churchill reported that she is contracting with Bryan E. Hill, Appraiser with Lake Mac Assessment, LLC to do appraisals retroactive to 2022 of Hy-Vee and Bakers grocery stores. There are Nebraska Tax Equalization & Review Commission (TERC) appeals by both entities and Assessor Churchill said the TERC will not look at these seriously without an appraisal.

At 10:21 A.M., the Board adjourned as a Board of Equalization until Wednesday, January 24, 2024 at 10:00 A.M.

Immediately thereafter, the Board reconvened as a Board of Supervisors.

The Board unanimously approved the Interlocal Cooperation Act Agreement for Elkhorn Township/Fremont East Drainage Improvements by Dodge County, City of Fremont and Lower Platte North Natural Resources District and authorized Chairman Missel's signature on the agreement. If awarded by the Federal Emergency Management Agency (FEMA), it would be a six-year project that would greatly improve what happens to Fremont and Elkhorn Township during a flooding event. Costs will be shared with the City of Fremont, Lower Platte North NRD and the State of Nebraska who stepped up with a commitment to fund a 50% match of the local cost share. The approval is not a sure thing, but with the State's involvement, the chances are better.

County Attorney Pam Hopkins provided an update regarding the Dodge County Attorney's Office. She gave statistics on the number of cases handled in 2023 and said they are now working with the hospital on regular case reviews for mental health cases. She currently has 5 deputy county attorneys working with her that have varying degrees of experience. Her office is implementing a major policy shift in how truancy cases are managed. Historically, the student is the focus of attention in failing to attend school. The county attorney's office will now be citing parents for the failure of their children to meet school attendance guidelines. Her office has been working closely with the sheriff's Department, Fremont Police Department and the Fremont Public Schools to implement this new policy that they hope will reduce the number of juvenile cases. Technology improvements have been a focus of this first year for her office. All of the attorneys have laptops and can work from all locations. The office is shifting from paper based to electronic documentation; procedures are being implemented internally and with external entities, with attention to meeting confidentiality requirements. She said her office manages STOP funds and they use that money to enhance the equipment needs of local law enforcement. They also manage juvenile diversion funds and use those not only to divert youth from the court system, but also for gaps in the system such as transportation of juveniles in special cases. Her office participates in the Drug Court program. County Attorney Hopkins said she is striving for her office to be effective, efficient and ethical in the way they handle the matters that come to them. The supervisors expressed their appreciation for the update and for County Attorney Hopkin's leadership over the past year.

At 10:51 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, January 24, 2024 at 9:00 A.M.

Micki Gilfry  
Dodge County Clerk