

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, August 26, 2020 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Strand, Weddle, 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 official bonds & oath of officials of the newly formed SID #9 for F. Ward Hoppe, Chairman and Jacob Hoppe, Clerk, the July 13, 2020 Board of Trustees Minutes & Financial Report from Fremont Community Health Resources for the month ending July 31, 2020, correspondence from NIRMA identifying the coverage that would be applicable and the defense NIRMA could provide regarding a Summons filed in District Court of Dodge County, Nebraska by West Gate Bank vs. the Estate of Elsie L. Booze; the Heirs, Legatees, devisees, Personal Representatives, and all other persons interested in the estate of Elsie L. Booze, Deceased, real names unknown; Ken Booze, Jr., Heir, Roger Booze, Heir; Ronald Booze, Heir; Ty Booze, Heir; Glenyce Booze Opfer, Heir; County of Dodge; John Doe and Jane Doe, real names and marital status unknown (referred to County Attorney), Certification of Taxable Value & Value Attributable to Growth for Tax Year 2020 for Dodge County, a list from County Treasurer Bargstadt of distress warrants issued on personal property but not collected, Minutes of the Dodge County Planning Commission meeting of August 18, 2020, Certificates of Insurance for Fremont Electric, Inc. & Microfilm Imaging Systems, Inc., NDEE correspondence regarding a Letter of Warning to Mullally Plumbing & Heating concerning an existing onsite wastewater treatment system being brought into compliance located at 1580 County Road 11, North Bend, NE, Notice of Public Hearings from Douglas County Environmental Services for a Special Use Permit submitted by Jennifer and Jeffrey Karls; Subdivision Regulations Text Amendments and the adoption of the 2018 International Energy Conservation Code to be held Wednesday, August 19th, 2020 at 6:00 P.M. at 15335 West Maple Road, Omaha, Notice of Public Hearings of the City of Fremont Planning Commission to be held August 17, 2020 and of the City of Fremont City Council to be held August 25, 2020 for: Request for Conditional Use Permit from Jerry Nelson on behalf of SDC, LLC also known as Sid Dillon Chevrolet to expand a Non-Standard Use to construct a canopy over the existing sales lot north of the main building located at 2405 N. Luther Road and Request for Preliminary and Final Plat from Steven Dodd on behalf of RD Leasing, LLC consisting of 16 lots on property located at the northwest corner of Morningside and Howard Streets, correspondence from FEMA regarding a Conditional Letter of Map Revision (CLOMR) on a proposed project in Scribner that, if constructed as proposed, could revise the effective Flood Insurance Study report and Flood Insurance Rate Map for the community and seven (7) Moving Permits for Barnhart Crane to move a self-propelled crane over County Roads between August 10 and 21, 2020.

The Board unanimously approved the minutes of the August 12, 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 stated that the county currently has 56 detainees in custody with 6 being held in Dodge County, 3 with the State of Nebraska, 2 under house arrest and 45 in Saunders County. In July, 127 individuals were booked and so far in August, 88 bookings have been processed.

At 9:04 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, September 9, 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 approved the wage and hour claims as submitted in the amount of \$237,649.62.

The Board unanimously approved the financial claims as submitted in the amount of \$776,337.86. Most of the large claims were flood related. Approximately \$540,000.00 came in for flood reimbursements and saved a transfer of funds to cover expenses that was about to be made for nearly the same amount.

The Board unanimously approved the reappointment of Mary Le Arneal and Ryan Bojanski to the Three Rivers Public Health Board for a three-year term expiring August 31, 2023.

The Board unanimously approved the reappointment of Linda McClain as a Trustee of the Fremont Community Health Resources Board for a six-year term ending 10/1/2026.

The Board unanimously received a list of names of individuals interested in serving on the Elkhorn Township Board. The list was read into the record by Supervisor Backens and included the following: Linda Delaney, 2125 N. County Road 28, Alan Fanning, 502 Johnson Road, Tim Jorn, 2683 Eastgate Road, Roxie Kracl, 2821 S. County Road 26, Bryan Maschmeier, 5685 Old Hwy 8, Robert Reed, 6000 E. Military Ave., Jeremy Dillon, 7618 E. Hwy 30 and Robert Ryan, 5025 Morningside Road. A selection committee will be established consisting of three board members and they will bring a recommendation back to the full board at the next board meeting on September 9, 2020. County Clerk Mytty informed the Board that he sent a certified letter to Jody Delaney (Elkhorn Township Board member) to determine her status on the Elkhorn Township Board. The certified letter was received and signed by Ms. Delaney in Sargent, NE. Since Ms. Delaney's address is no longer Dodge County, she cannot serve on the Elkhorn Township Board; the Board will have to appoint three new members to the Elkhorn Township Board. Supervisors Saalfeld, Backens and Bendig volunteered to be part of the selection committee for the appointment of the three members needed for the Elkhorn Township Board.

The Board unanimously finalized the 2020/2021 County Budget for a public hearing on September 9, 2020 at 9:15 A.M. County Clerk Mytty told the Board that one of the main concerns was with the Road & Bridge Fund. He has been overly optimistic regarding the receipts coming into the Road & Bridge Fund from FEMA and motor vehicle taxes. As a safety net, County Clerk Mytty added \$500,000.00 to the General Fund that could be transferred to the Road & Bridge Fund if needed. In the end, this year's tax asking is 1.55% below last year, valuations increased 9.71% and the levy

went down 10.26%. Supervisor Strand asked if most of the change in the budget can be attributed to the flooding. County Clerk Mytty said that it was definitely a big factor.

The Board unanimously adopted a Resolution as submitted to place a \$7,783,000 bond issue on the November 3, 2020 General Election ballot to pay for a joint law enforcement center for Dodge County and the City of Fremont. Adopting this Resolution is contingent on the City of Fremont adopting a similar resolution. Chairman Missel said that he thinks being a part of this project is a good idea for Dodge County and for the efficiency of government. Due to the large scope and dollar amount for this project, it is necessary to take this to a public vote. Supervisor Strand voiced his support for this project saying that the growing pains that have been going on for a while need to be addressed. Shane Wimer was at the meeting as a representative for the City of Fremont and said that an emergency meeting will most likely be held on Friday, August 28 for City leaders to revisit this issue that was not passed at the Fremont City Council meeting on Tuesday, August 25, 2020.

The Board unanimously received a list from County Treasurer Bargstadt of delinquent personal taxes for years 2008 to 2017 and accepted her recommendation to strike them from the tax rolls. County Treasurer Bargstadt said striking them from the tax rolls doesn't mean they cannot still collect the taxes. This is a maintenance issue cleaning up the tax rolls. Supervisor Bendig asked whether Ron & Sons of Scribner, NE (a business on the list) was out of business. Treasurer Bargstadt said they could not find them to collect the taxes. Supervisor Strand suggested that Treasurer Bargstadt look into all property owned by the same individual to see about collecting that tax.

The Board unanimously approved and authorized the necessary signatures on an Agreement between the Dodge County Sheriff's Department and the Fraternal Order of Police, Lodge #17 effective September 1, 2020 – June 30, 2022.

The Board unanimously approved and authorized Sheriff Hespen to sign the Agreement for the Provision of Health Care to Incarcerated Patients with Advanced Correctional Healthcare, Inc. effective July 1, 2020 – June 30, 2021. Sheriff Hespen spoke to address the substantial increase in the price of care. Dodge County was paying what Saunders County was paying as a booking center (similar to a supplemental policy); when Dodge County took over in 2017, Advanced Correctional Healthcare, Inc. didn't adjust their rates until they recently discovered the oversight in what they had been charging. Sheriff Hespen said they have checked into using other healthcare providers but, due to the small size of the agency, no other providers are interested. Saunders County also uses Advanced Correctional Healthcare, which is advantageous to both counties in regards to their healthcare protocols and procedures.

The Board unanimously approved and authorized the necessary signatures on an Interlocal Agreement with North Bend Central and Logan View Schools with Dodge County to provide a school resource officer. Sheriff Hespen pointed out that there is a clause in the agreement that states if the SRO is not doing their job, the compensation can be adjusted on a monthly basis. The current SRO is in the National Guard and has informed Dodge County that he will be gone for Guard duty for two weeks in two consecutive months. The compensation for those two months will be adjusted accordingly.

The Board unanimously approved and authorized the necessary signatures on a contract for Dodge County Sheriff to provide law enforcement services to the City of

North Bend. In fall of 2019, the City of North Bend stopped paying the bill for the law enforcement services that the Dodge County Sheriff's Office was providing for them. Since that time, Dodge County and the City of North Bend have been working on this agreement, which will go into effect on September 1, 2020. This agreement will be in force for one year and may continue on a year to year basis with the agreement of both parties.

A Public Hearing was held to consider the request of Vaughn & Christine Gross-Rhode of 1219 County Road 4, North Bend, NE 68649 to subdivide a 5.42 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12 Section 2 Conditional Uses 4.2 Exemptions B. (1-3) located in NE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 33, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved Vaughn & Christine Gross-Rhode's request for a lot split and Conditional Use Permit in the NE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 33, Township 19 North, Range 5 East in Pleasant Valley Township, based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located.

A Public Hearing was held to consider the request of Ryan Kuester of 1225 County Road B, Scribner, NE 68057 to obtain a Conditional Use Permit to operate a home occupation for Federal Firearms as per Article 13 Section 2. Conditional Uses 2.3 located in NW $\frac{1}{4}$ Section 12, Township 20 North, Range 6 East in Pebble Township, Zoning District A-2, General Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved Ryan Kuester's request for a Conditional Use Permit in the NW $\frac{1}{4}$ Section 12, Township 20 North, Range 6 East in Pebble Township, based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Mr. Kuester recently moved to Dodge County from Cuming County and the ATF requires this Conditional Use Permit in order for Mr. Kuester to continue operating this business out of his home.

A Public Hearing was held to consider the request of Clayton Wacker of 1753 County Road 17, Ames, NE 68621 to obtain a Conditional Use Permit to apply and store Bio-Solids as per Article 13 Section 2. Conditional Uses 2.18 located in NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Pt NW $\frac{1}{4}$ SE $\frac{1}{4}$, Pt SW $\frac{1}{4}$ NE $\frac{1}{4}$, TL 11 & Pt TL in Maple Township, Zoning District A-2, General Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved the Conditional Use Permit to apply and store Bio-Solids in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Pt NW $\frac{1}{4}$ SE $\frac{1}{4}$, Pt SW $\frac{1}{4}$ NE $\frac{1}{4}$, TL 11 & Pt TL in Maple Township, based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located.

A Public Hearing was held to consider the request of Clayton Wacker of 1753 County Road 17, Ames, NE 68621 to obtain a Conditional Use Permit to apply and store Bio-Solids as per Article 13 Section 2. Conditional Uses 2.18 located in N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 2, Township 17 North, Range 7 East in West Platte Township, Zoning District A-2, General Ag. Hearing no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and approved the Conditional Use Permit to apply and store Bio-Solids in the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 2, Township 17 North, Range 7 East in West Platte Township,

based on the conditional use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located.

The Board unanimously approved the reappointment of Vernon Brandert to the Board of Adjustment for another 3-year term expiring August 31, 2023.

Zoning Administrator Jean Andrews reminded the Board that the NIRMA conference that was to be held in October has been cancelled. Elections will be done virtually this year and it is a recommitment year for Ms. Andrews for the NIRMA Board. She said she is willing to serve another three years and would appreciate the Dodge County Board of Supervisors' support for her reappointment. Chairman Missel said he already has the official approval of Ms. Andrews' reappointment as an agenda item for the next board meeting. Ms. Andrews also said she will be conducting a CPR/First Aid class for the Roads Department employees since their certifications will be expiring in October.

Highway Superintendent Scott Huppert updated the Board on current highway department projects. The towers are being erected at the tower sites. At one of the sites, the driveway had to be revamped by the highway department so the truck with the tower building could get onto the site. There have been issues with the sand at the Elkhorn bank stabilization project in Scribner. FEMA mitigation and environmentalists want the sand that was displaced in the 2019 flood event to be pushed back where it was before the flood. They are still questioning the satellite pictures from 2016 that show trees and a mark already starting in the bank. Superintendent Huppert told them again that they can't rely on satellite photos to determine what happened between 2016 and 2019. Another issue is that Scribner won't be able to afford much of their part of the 25% that will be split for expenses on this project, so the second half of this project may have to wait. NRCS bridge projects are in progress; right now the roads workers are working on the fifth bridge on County Road F between County Road 10 and 11. Work on County Road 19 will be starting on Friday, which is another NRCS project. The work on Ridge Road continues and the public is not cooperating regarding traffic issues. People are moving the barricades that have been put in place and have been driving on the bike path. Superintendent Huppert has barricaded the entire bike path and will start taking license plate numbers of the people who are ignoring the barricades. There is a bridge on County Road E near Scribner that the State of Nebraska Department of Roads is doing construction on, specifically, moving the ditch and building a box that they told Superintendent Huppert will become Dodge County's box once the work is complete. There are four highway department employees with kids in school that are worried about losing their jobs if their kids become infected with COVID-19 or need to be quarantined because of it. Chairman Missel told Superintendent Huppert to reassure these employees that they don't need to worry about losing their job. This is an unprecedented event and as long as they have documentation as to the cause of the illness, they cannot lose their job.

At 10:20 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.

The Board unanimously received a list from County Assessor Churchill of her request for a change to a valuation of a parcel for 2020 and passed a motion approving and authorizing the County Clerk to mail a notice to the owner of the property.

At 10:23 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, September 9, 2020 at 10:00 A.M.

Immediately thereafter, the Board reconvened as a Board of Supervisors. Chairman Missel dispensed with roll all members being present.

Committee reports included information from Supervisor Backens regarding Three Rivers Public Health hiring more employees. The agency is receiving a lot of funding right now from various sources because of COVID-19. When they are hiring, they will have to keep in mind the stability of that funding in the future.

At 10:25 A.M., the Board adjourned as a Board of Supervisors until Wednesday, September 9, 2020 at 9:00 A.M.

Fred Mytty
Dodge County Clerk