

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, April 21, 2021 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 a quit claim deed confirming real estate transfer from General Services Administration to Burt County for a microwave tower located in Decatur, NE that was purchased with grant funds prior to the disbandment of Region 5/6 Emergency Management (of which Dodge County was a member county), NEMA Subgrant Award Letter & Project Worksheet (FEMA Form 90-91) regarding an amendment to Public Assistance subgrant PW 0043 (COVID-19 cleaning services for Dodge Co.), NEMA Subgrant Award Letter & Project Worksheet (FEMA Form 90-91) regarding an amendment to Public Assistance subgrant PW 0070 (COVID-19 protective barriers for Dodge Co.), a flyer regarding Dodge County Local Emergency Planning Committee (LEPC) Annual Meeting on April 26, 2021 @ Dodge Volunteer Fire Department, Certificates of Insurance for WSP USA Inc. and Getzschman Service Corp, Notices of Public Hearings to the City of Fremont Planning Commission to be held on Monday, April 19, 2021 at 5:00 P.M. for the following requests: Conditional Use Permit for an auto-body shop on Lot 2, Fremont Technology Park 2nd Addition; Conditional Use Permit to expand a non-standard use to replace an existing garage on property located at 351 W. 11th St.; Conditional Use Permit to convert a former nursing home into multi-family dwellings located at 2550 N. Nye Ave.; Revised Preliminary Plat at Fremont Technology Park located at 29th St. and N. Lincoln Ave. and a Final Plat for Fremont Technology Park 3rd Addition at 29th and N. Lincoln Ave.; Conditional Use Permit for a self-storage facility on property located at 333 W. 23rd St.; Conditional Use Permit for a storage facility at 1405 W. Military; Revisions to Planned Development at Bluestem Commons to allow single family detached units as a use type in addition to the already approved duplex use type on Lots 1-24, Block 4; Lots 1-2, 6-7, 11-12, Block 5; and, Lots 1-16, Block 8 Bluestem Commons generally located west of N. Luther Rd and 36th St.; and Final Plat for Bluestem Commons Replat2 which replats 12 lots into 10 lots on property generally located on the west side of N. Luther Rd and 36th St., Certificates of Insurance for Hornbacher House Moving, Inc. and Everett Township, and Public Utility Installation Agreement for Great Plains Communications to install a fiber optic line under Roads F & N, Section 1, T18N, R5E.

The Board, with Bendig abstaining since he was not present at the April 7 meeting, approved the minutes of the April 7, 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.

Under any items of discussion Supervisor Beam said he had not gotten a report from Corrections. County Attorney Vaughan reported that they are still working on ways

to expand the use of house arrest and pre-trial detention in an effort to reduce the number of inmates in custody.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, May 5, 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.

The Board unanimously authorized the county clerk to deposit the amount of preliminary payroll net pay on the day before Board approval of payroll. County Clerk Mytty explained that there is always a minimal balance in the payroll bank account. On the day of payroll, a senior bank officer approves the dollar amount of the payment, in essence borrowing Dodge County the money. On April 7, 2021, the senior officer forgot to approve the amount of the payment, which resulted in a delay of direct deposits of payroll until late in the day on Thursday. Supervisor Weddle asked if this is basically cleaning up the bookkeeping on this transaction. Supervisor Bendig said that this "prefunding" is a normal bank procedure. County Clerk Mytty asked the Board if the motion could also include authorizing the county clerk to deposit the amount of the accounts payable claims on the day before Board approval of the claims. The motion was amended to include this request. Supervisor Bendig asked if there are any statutes that would prohibit this procedure. County Attorney Vaughan said that pre-deposits are acceptable and the Board could still deny a claim during the board meeting.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$240,710.31.

The Board unanimously approved the financial claims as submitted in the amount of \$389,300.38.

The Board unanimously approved a supplementary appropriation of \$20,000 in County Clerk Mytty's Elections Budget due to a budget shortage in FY2020-2021. The budget shortage was due to overtime caused by early voter ballot applications and replacement of personal computers and a server that crashed. The \$20,000 supplementary appropriation will come from the General Miscellaneous budget line item. Supervisor Strand asked if the COVID-19 funding would cover any of these costs. County Clerk Mytty said that no personnel costs incurred because of the election could be recouped with COVID-19 funding. Supervisor Bendig asked if there is any funding received from the state and/or federal government for elections. County Clerk Mytty said Dodge County receives approximately \$30,000 from political subdivisions in Dodge County for their share of the election ballots, but there is no other funding coming from the state or federal government.

The Board then discussed the federal funds Dodge County is to receive from the American Rescue Plan Act (ARPA) which is intended to combat the COVID-19 pandemic, including the public health and economic impacts. The Nebraska Association of County Officials website shows an estimated funding amount of \$7,091,557 for Dodge County. At this point there is very little guidance as to what the funds can be spent on and what the distribution time lines will be. Emergency Manager (EM) Tom Smith said some general expenditure categories might be waste management or

broadband services. He went on to say that there will be a cost match and the turn-around time for applications will be quick. Chairman Missel said he didn't think any action needed to be taken today other than confirming that County Clerk Mytty and EM Smith will keep the finance committee informed as the process moves forward. County Clerk Mytty asked if permission to schedule a Public Hearing to amend the FY2020-2021 county budget to spend the ARPA funds (once they are confirmed) should be approved today. Supervisor Strand said we won't be able to spend the money right away so we can wait until we get more information. No action was taken.

The Board unanimously received letters from Village of Winslow residents that don't want to relocate the Village of Winslow. Emergency Manager (EM) Smith said he will support Winslow no matter what the final decision on relocation is. The acquisition process is now with FEMA and there are other parts of the process that are still progressing. Supervisor Strand said he encouraged the Winslow residents to write these letters to the Dodge County Board. He said a lot of the residents don't feel like the whole story is being told about the village relocating or staying where it is. Don Heinke (403 Washington St., Winslow, NE) spoke about his frustrations dealing with FEMA and not knowing what the ultimate destiny is for Winslow. Mr. Heinke said he has lived in Winslow for 32 years and the flood of 2019 (one of many he has lived through) was definitely the worst. He said living there is expensive due to the taxes and the cost of water since flood repairs were made on the water system. But he also said the option of leaving Winslow is not appealing because of the buyout options for the sellers and flood insurance requirements that would strap a potential home buyer. He then talked about frustrations with FEMA coming in and fixing the dike, but not paying for a flood gate and FEMA repairing some of the streets the current residents want repaired in Winslow, but not all. Mr. Heinke asked if the Village of Winslow had asked Dodge County about zoning at the new location. Zoning Administrator Jean Andrews and Supervisor Strand both said that, to their knowledge, no inquiries have been made about zoning at the new location. There have been discrepancies as to whether zoning would be required, but Supervisor Strand said it would have to go through a lengthy process to establish zoning. The Dodge County Planning Commission would have a hearing on the matter and they would refer their decision on to the Dodge County Board of Supervisors. A public hearing would then be held for citizens to voice their opinions on the matter before the Board. Supervisor Strand said he didn't think anything would be finalized during this calendar year. Rick Addink (404 Dodge Ave., Winslow, NE) said that a majority of the residents still living in Winslow are elderly living on a limited income who have their mortgages paid off. The amount they would receive for a buyout would not replace what they have and a mortgage at this stage of life for them is not an option. Katie Carlson said she doesn't live in Winslow, but has a friend who lives near Winslow and she asked who will make the final decision on whether Winslow relocates and when would that decision be made. Chairman Missel said the final decision would be made by the governing body of the Village of Winslow. EM Smith said it ultimately comes down to the individual homeowner; they can either accept the buyout (acquisition) or not. FEMA and the state Department of Natural Resources (DNR) would like to see repetitive loss properties removed. The DNR will be remapping the floodways and it is unknown if Winslow will be in a floodway. Ms. Carlson asked if mitigation (i.e. filling in basement, raising the home) is an option. EM Smith said it is an option, but the priority was acquisitions. Supervisor Tawney asked what the numbers of people still living in Winslow are and how many want to move to the new location. Mr. Addink said there are three families wanting to move (2 village board members & 1 new village committee

member who currently do not live in Winslow) and there are 12 houses being lived in with a few more coming soon after repairs are completed. Mr. Heinke said he and Mr. Addink are on the village board, but they are not the majority; the majority does not actually live in Winslow. John Wagner, who is a business owner in Winslow, asked how the money to do studies and other tasks related to relocation can be spent without there being any kind of approval to do so. EM Smith said it was his understanding that the money being spent is donated money.

Dodge County Emergency Management Director Tom Smith pointed out to the Board that the two Public Assistance subgrants awarded to Dodge County for COVID-19 cleaning services and protective barriers (agenda items #18a and #18b) will reimburse 100% of the qualifying costs incurred. He added that there are approximately \$24,000 in expenses for things such as cleaning courthouse properties and vehicles that are still on the back burner due to changes that were made in September of 2020 in the guidance for these grants. EM Smith also briefed the Board on the upcoming Local Emergency Planning Commission (LEPC) meeting that will be held April 26, 2021 at the Dodge Volunteer Fire Department; he presented the agenda for this annual meeting to the Board. Chairman Missel asked who would be in attendance at this meeting. EM Smith said representatives from the Dodge County Mutual Aid Association and local industrial facilities such as CF Industries and Lincoln Premium Poultry would be in attendance. The LEPC is responsible for maintaining the Local Emergency Operations Plan (LEOP) for hazardous material accidents, receiving chemical reports from industrial facilities and making that information available to the public. EM Smith also provided some updates for other emergency management related projects: The State of Nebraska bought a new software system for the LEOP and would like all plan revisions completed by the end of 2021. EM Smith has scheduled a meeting with stakeholders in the plan for April 28 & 29 to get started with the revisions; there is a Community Emergency Response Team (CERT) conference in July that 7 local individuals will be attending; there has been interest expressed locally about forming a Teen CERT as well; there are 9 home owners still interested in elevating their property and a request for more information from FEMA was completed and sent back last week; the river gauge project hit a snag regarding whether the project was a cost share project or a grant. It is a cost share program and will be moving forward as such; Requests for Proposals for the Fremont Rod & Gun Club breach lake project will be sent this week with May 12 being the bid opening date; there was a meeting held April 9 regarding the Maple Watershed project which was well attended by Nickerson residents concerned about mitigating flooding around that community.

The Board unanimously authorized Sheriff Hesperen to purchase two 2021 Chevrolet Tahoe PPV 4WD's at a unit price of \$37,155.50 from Karl Chevrolet in Ankeny, IA. Sheriff Hesperen explained that due to the microchip shortage, he had a difficult time finding vehicles to purchase. Chairman Missel said he would prefer to purchase patrol vehicles in Nebraska, but understands Sheriff Hesperen was fortunate to find these. The Board also authorized Sheriff Hesperen to pay the invoice when it comes instead of having to wait for the first board meeting after the invoice is received to get authorization to pay it. He said because of the shortage in supply, the commitment to pay for the vehicles in a timely manner needs to be made to the dealer.

Zoning Administrator Jean Andrews said the Dodge County Planning Commission had a meeting on April 20 and they finalized the amendments to the guidelines for the storage and application/disposal of Gypsum and biomass in and around Dodge County. Ms. Andrews will present those amendments to the Dodge County Board of Supervisors at the next meeting on May 5, 2021.

Committee Reports - Supervisor Beam received a report from Corrections that there are currently 65 inmates in custody with 56 being held in Saunders County, 6 in Dodge County, 2 under house arrest and 1 at the Nebraska Department of Correctional Services. It was also reported that they continue to work on the noncompliance issue regarding the admission/release form. There are several jails that use the same booking system and they are having similar problems.

The Board unanimously received the bid for the 2021 Applied Traffic Paint Striping opened on April 12, 2021 at 11:00 A.M. and authorized Chairman Missel to sign the contract awarded to Straight-Line Striping of Grand Island, NE.

The Board unanimously received the agreement for S-275-6(1054) CN 32302B, Dodge County, State of Nebraska Department of Transportation Registered Land Surveying and Resolution adopting and approving the execution of said agreement and authorized the proper signatures on the agreement and resolution. Zoning Administrator Andrews said Clark Boschult (Dodge County Surveyor) got a copy of this agreement and he has not voiced any concerns about the terms. This agreement insures that the surveyor identify and perpetuate the location of a monument for the purpose of re-establishing the monument in the event it is disturbed during construction. It was noted that a City Resolution from the City of Scribner is also required for this agreement.

Highway Superintendent Scott Huppert updated the Board on current projects. Ridge Road work is done for now as they let the ground settle, but the barricades will remain. Concrete will be completed in a couple of months; there are approximately 40 11'x12' panels that need to be replaced. Superintendent Huppert is also working with the City of Fremont on the drainage issues in and around Hormel Park. The work on the Highway 30 By-Pass may begin as early as next week. This project will require road closures so culverts can be installed. The Elkhorn River Bank Stabilization project is progressing; right now the project estimate is \$949,676, but Superintendent Huppert thinks this is a high estimate. He said depending on what is approved, he may already have a lot of the material to complete the project, which would reduce the cost to the county. Payments of a little over \$500,000 will be coming in soon for some of the FEMA project completions. The need for gravel is an ongoing issue for the townships as the roads are carrying a lot more truck traffic throughout the county. Superintendent Huppert voiced his frustrations that the townships don't want to hire maintainers.

At 10:10 A.M., the Board adjourned as a Board of Supervisors until Wednesday, May 5, 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.

The Board unanimously approved tax roll corrections #5317 through 5325.

The Board unanimously approved the Referee Agreement and letter used to solicit protest referees for the 2021 protest season.

At 10:12 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, May 5, 2021 at 10:00 A.M.

Fred Mytty
Dodge County Clerk