

## 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, May 5, 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 various county officials' reports, the March 8, 2021 Board of Trustees Minutes and Statement of Revenues and Expenses YTD Comparison for the nine months ending March 31, 2021 and 2020 from Fremont Community Health Resources, Region 6 Behavioral Healthcare 2021-2022 budget request in the amount of \$93,967, Northeast Nebraska Economic Development District 2021-2022 annual membership request in the amount of \$905.00, Eastern Nebraska Human Services Agency 2021-2022 budget requests in the amount of \$88,508.00 for ENCOR & \$90,324.00 for ENOA – total \$178,832.00 (all budget requests were referred to the finance committee), Minutes of the April 20, 2021 Dodge County Planning Commission meeting, Certificates of Insurance for Eriksen Construction Co. Inc. and Dick's Electric Company, Inc., Moving Permit for Barnhart Crane to move a self-propelled crane over county roads on April 19, 2021 and Norm's Dozer Service to move a 40' x 60' building over county roads to Boone County and Certificates of Insurance for Webster and Pebble Townships.

The Board unanimously approved the minutes of the April 21, 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 reported that there are currently 78 inmates in custody with 69 being held in Saunders County, 7 in Dodge County, 1 under house arrest and 1 at the Nebraska Department of Correctional Services. The number of bookings per month has steadily increased in 2021 and the expectation is that this trend will continue. So far in the month of May (4 days), there have been 22 bookings. County Attorney Paul Vaughan said he is fully staffed now, which will help with the heavier case load.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, May 19, 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 approved the wage & hour claims as submitted in the amount of \$244,695.66.

The Board unanimously approved financial claims as submitted in the amount of \$246,325.39.

The Board unanimously approved and authorized Chairman Missel and County Clerk Mytty to sign the resolution from County Treasurer Bargstadt to foreclose and sell real estate on tax sale certificates on Numbers 180127 and 180128.

The Board unanimously received the "Reports and Requirements Summary" from Mitch Coffin, Program Manager, Nebraska Department of Agriculture Noxious Weed Program regarding annual evaluation of the County Weed Control Authority and authorized Chairman Missel to sign the summary.

The Board unanimously approved the request for CDBG (Community Development Block Grant) Funds on Project 19-EM-005 of Fremont Rod & Gun Club and authorized Chairman Missel and County Clerk Mytty to sign the request for General Grant Administration Costs of \$810.00 reimbursed by the grant funds (To NENEDD).

The Board unanimously received a Temporary Construction Easement with Fremont Rod & Gun Club for construction of the levee, Community Development Block Grant (CDBG) 19-EM-005 Project. No signatures were needed from the Dodge County Board; no further action was needed or taken.

The Board unanimously approved the request from Dodge County Emergency Manager Tom Smith on behalf of the Joint Water Management Advisory Board to advertise for Floodplain Engineering Firms to submit Drainage Improvement Project Proposals for the Elkhorn Township/East Fremont drainage area to be opened at 2:00 P.M. Tuesday, June 1, 2021. This is a FEMA Hazard Mitigation Grant Program Advanced Assistance project.

Dodge County Emergency Manager Tom Smith said the City of North Bend, Lower Platte North NRD and Dodge County met with JEO Engineers about the levee south of North Bend. Ownership of the levee was in question because the United States Army Corp of Engineers built it as an emergency protective action years ago. The City of North Bend and Lower Platte North NRD have jurisdiction over the levee now and they are working on securing the easements. Emergency Manager Smith reported that there were 20 people in attendance at the LECP meeting on April 26 and they reviewed 66 Tier II Reports from hazardous materials facilities. A report was turned in to the State Emergency Response Committee regarding the LEPC meeting.

At 9:17 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of April 2021.

At 9:28 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.

A Public Hearing was held to consider the request of Carroll D. & Mary L. Hasemann of 261 County Road 16 Blvd., Scribner, NE 68057 to subdivide a 6.22 acre tract as per Article 14. Section 1. Permitted Principal Uses 1.3 located in E ½ SE ¼ Section 27, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-

3, Transitional District. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Dodge County Planning Commission and approved the aforementioned lot split.

A Public Hearing was held to consider amendments to the Dodge County Zoning Regulations to include text to be inserted into Article 25: Supplemental Regulations, Section 22 addressing Industrial Wastewater – Bio solids – Sludge (Liquid and or Cake Form). Zoning Administrator Jean Andrews said the Planning Commission has been working on these amendments since December 2020. They took some time to receive input from those opposed to storing and applying bio solids and those who like the product and want to continue using it. Ms. Andrews pointed out the proposed amendments to the Board. Nate Hansen with Environmental Land Management (Austin, MN) was present and thanked Ms. Andrews and the Planning Commission for their work on getting the regulations amended. He said ELM is excited to get back to recycling a beneficial product for farmers and said ELM supports these amendments and will comply with how Dodge County wants them to store and use bio solids safely and effectively. Supervisor Strand asked Ms. Andrews if the Planning Commission meetings had been well attended regarding this issue. She said that the meeting in January had a lot of representation from Scribner residents. Supervisor Strand then asked Elmer Armstrong, City Administrator, City of Scribner who was present at the Board meeting if these amendments satisfy their concerns. Mr. Armstrong said there are a few issues that still need to be addressed. The first issue being the composition of the Dodge County Planning Commission; he said the cities and villages in Dodge County are not well represented. Ms. Andrews said the planning commission is not a city/county planning commission, it is the Dodge County Planning Commission and they have trouble getting people who are willing to serve on it. He also said the Dodge County Board of Supervisors had asked the Planning Commission for regulations on gypsum and there were none included in these amendments. Chairman Missel said the storage of the bio solids was the main problem and these amendments are a good step forward in controlling the storage issues. Supervisor Strand said there were previously no regulations in place to address the storage. He also said the reason gypsum was not addressed in these amendments is because it is not a bio solid. Elmer Armstrong spoke again and thanked Ms. Andrews for the work they put into these amendments. He also asked the Board to be open to requests/input from other cities/villages if this problem persists. Mr. Armstrong (1295 County Road H, Scribner, NE), speaking as a citizen, told the Board he would like there to be regulations on mixing the bio solids into the soil and the long term stockpiles being 1500' from a residential well. Anne Poppe and Leha Manderson (both of Scribner) spoke about the horrendous fly issue associated with the stockpiles. Ms. Manderson asked who would ultimately be responsible for "policing" the flies. Ms. Andrews said the person applying for the Conditional Use Permit (CUP) to apply/store bio solids would be responsible; a CUP could be revoked by the county board. Hearing no more testimony for or against these amendments, Supervisor Strand read the resolution for the record. The Board unanimously adopted the resolution approving amendments to Article 25: Supplemental Regulation, Section 22 as written including a change to the wording in the following sections: Section 2 "Long Term Stockpile", item #5 to read "The Stockpile shall not be located within 1500 feet of a residential well." and Section 5 "Regulations", item #3 adding the words "residential well" after "inhabited residence".

The Board, with Supervisor Strand voting no, received the bids for (2) 2020 or 2021 ¾ Ton 4x4 pickups that were opened on April 26, 2021 at 11:00 A.M. and awarded a bid contract to Diers Ford, Fremont, NE with the option of 18 inch wheels. Assistant Highway Superintendent Jean Andrews pointed out that all of the bids received were for 2022 pickups since there are no 2020 or 2021's available. The pickups will not be available until fall.

Highway Superintendent Scott Huppert updated the Board on current Highway Department projects. They have a new employee starting on May 10, 2021. He has employees working on a bridge on County Road 19 that the water went over the top. Obtaining gravel is still a slow process and the townships need it. Superintendent Huppert has been in constant contact with the engineers on the Yager Road project. They are working out the right-of-way and he wants to go out for bid on the concrete soon. The repaving on Ridgeland Road will likely begin in July. There should be roughly \$2 million reimbursed by FEMA in the coming weeks. The FEMA flood related projects in the townships are near completion; the FEMA deadline is July 1, but Superintendent Huppert wants them done by June 1.

At 10:07 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 approved tax roll corrections #5326 through #5333.

At 10:08 A.M., the Board adjourned as a Board of Equalization until Wednesday, May 19, 2021 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 – Chairman Missel inquired about the status of the county audit. County Clerk Mytty said Bland and Associates has been requesting a lot of information on it this week and they are shooting for a June 1, 2021 completion date.

At 10:10 A.M., the Board adjourned as a Board of Supervisors until Wednesday, May 19, 2021 at 9:00 A.M.

Fred Mytty  
Dodge County Clerk