

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, July 14, 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, Fremont Community Health Resources Board of Trustees operating budget for fiscal year July 2021 – June 2022, correspondence from Nebraska State Probation, Sixth Probation District, Patty Lyon, Chief Probation Officer, regarding Probation – Quarterly County Billings 2020/2021 and reimbursement of expenses to Dodge County for the period April 1, 2021 to June 30, 2021, Certificate of Insurance for Felsburg Holt & Ullevig, Inc., NIRMA Safety Shorts for July 2021, correspondence from NDEE regarding letter of non-compliance for failure to register an onsite wastewater treatment system serving a dwelling at 1580 County Road 11, North Bend, NE within 45 days of installation, Utility Installation Agreements with NE Conservation & Survey Division to do 4 borings along County Road 17 between County Road R and Highway 30 and OPPD to install underground electrical cable at the NE corner Section 23, T19N, R7E, Private Utility Installation Agreement with Certified Testing Services, Inc., Certificates of Insurance for Certified Testing Services Inc. and Black Hills Corporation and Minutes of the June 29, 2021 Highway Department Safety Committee meeting. The Board also unanimously approved the addition of an emergency item regarding a Haul Roads Use Agreement. The emergency exists due to \$1,000/day worth of damages being done to county roads by contractors using roads that are not designated haul roads.

The Board unanimously approved the minutes of the June 30, 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 85 in custody with 3 being under house arrest, 1 with the Nebraska Department of Correctional Services and 81 held in Saunders County. There have been 73 bookings since July 1. Supervisor Beam also said there has been a request for a new phone line in a new office that is being set up to accommodate the needs of inmates under house arrest. County Attorney Paul Vaughan concurred that the phone line is for the house arrest program; there is a need for additional capacity to monitor the individuals under house arrest.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, July 28, 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 \$227,173.93.

The Board unanimously approved the financial claims as submitted in the amount of \$389,620.53.

The Board unanimously received a Professional Services Agreement between the City of North Bend and JEO Consulting Group for North Bend Levee Easement Preparation and approved Dodge County's commitment to pay 1/3 of the \$39,000 fee (\$13,000). Theresa Busse, North Bend City Clerk, was present and told the Board that this agreement will help get the easements around the dike in line for any future work that may be necessary. During the 2019 flood, work on the dike was slowed down because the easements were not clear.

The Board unanimously received the Professional Services Agreement between Dodge County and JEO Consulting Group for Elkhorn Township Drainage Improvement – Project DR4420-0019 and authorized Chairman Missel to sign the agreement. The drainage system east of Fremont has been identified as a key piece of water control for east Fremont. These grant funds made available by the Natural Resources Conservation Service will be used towards what is estimated to be at least a \$6 million dollar project to improve the drainage system.

Mike Bechtel, Elkhorn Township resident, was present to ask the Board for assistance addressing the heavy truck traffic on Morningside Road and County Road 28 due to the expansion of the City of Fremont's waste water treatment plant. Mr. Bechtel said there are large trucks traveling 50-60mph past his home on County Road 28, at times as many as 124/day. These trucks are tearing up the roads that the county spent \$14 million to repair after the 2019 flood. He asked the Board if the county would consider paving Morningside Road from Highway 275 to the waste water treatment plant. Supervisor Strand said the road and bridge committee met earlier in the morning and gave Highway Superintendent Huppert the authorization to take over grading Morningside Road at the request of the Elkhorn Township Board. Mr. Bechtel also said the dust from the truck traffic is worse than what they see at harvest time. Highway Superintendent Huppert said he has talked to the City of Fremont about getting water on the road and getting the trucks to slow down. Chairman Missel suggested contacting the Sheriff's Department to get more law enforcement presence in that area.

The Board took up the emergency agenda item. Highway Superintendent Scott Huppert is proposing implementing the use of a Haul Roads Use Agreement that would be between Dodge County and contractors using county roads to complete construction projects or to distribute bio solids. The reason for entering into this type of agreement is to reduce the damage being done to county roads as a result of contractors traveling on roads that are not deemed haul routes. Superintendent Huppert has conferred with NIRMA, the Dodge County Attorney's office and the road and bridge committee on this agreement. If approved by the Board, he plans to take the agreement to all current contractors and he will use it going forward with any other future contractors. This agreement would require the contractor to work with Superintendent Huppert to determine haul roads for their project. If a contractor's vehicle travels on a road not

deemed a haul road, they could be charged \$5,000 per day for damages done to that road. Contractors would also be responsible for dust control among other obligations. County Attorney Vaughan asked Superintendent Huppert about a change he had suggested be made to the contract template he presented to the Board. That change would be to the wording on page 11, item 31 where it says the contractor would provide the county with a bond in the amount of \$2,000,000. He proposed changing that dollar amount to \$200,000. The Board unanimously approved the Haul Roads Use Agreement, with the noted change to the dollar amount on page 11, item 31, and the Haul Road Agreement Release Resolution. The latter will be signed by the Board after the contractors' work is complete and Superintendent Huppert has signed off on the condition of the haul roads.

Committee Reports – Supervisor Backens reported that the Merit Commission is working on hiring some deputies for the Sheriff's office; they began some testing last week.

Zoning Administrator Jean Andrews reminded the Board that the deadline to sign up for the NIRMA employment practice seminar is Friday, July 23. The seminar will be held in Norfolk on August 4 and in Lincoln on August 5.

The Board unanimously received three (3) copies of the contract for Yager Road Project 636 received from Speece Lewis Engineers and authorized the appropriate signatures on the contracts.

Highway Superintendent Scott Huppert updated the Board on current roads projects. His crews are working on the bridge project on County Road 24 between County Roads G & H; a 9' by 120' culvert will be set here next week. The heavy equipment being used by Valley Corp. on the Highway 30 by-pass project is expanding the roads. Superintendent Huppert showed the Board pictures of the roads; 28' is normal road width and these roads (County Roads S, 18 and 19) are now 36'-40' wide. All of the landowners have been contacted regarding the right-of-way for the Yager Road project; right-of-way stakes are being placed. He will be meeting with the contractor on the Ridge Road project in a couple of weeks to get that paving job started. The Scribner/Elkhorn River bank stabilization project hit a snag with environmentalists, but they are on track with the final plans with the engineers. There are still two FEMA projects in Webster Township (estimated 65% complete) and Pleasant Valley Township (estimated 60% complete) that are outstanding; the time extension granted on these is about to end. A demo of a mastic tar machine was to be done today, but the rain interrupted it; the highway department will use this equipment later this fall when the machine is available. The weight limit enforcement on Military Avenue between County Roads 18 & 19 will begin as soon as Superintendent Huppert can get signage up for it. Initially there will be some problems with trucks coming off of Highway 30 and traveling on County Road 18 to get to Military Avenue. Signage cannot be placed on Highway 30 informing truck drivers about the weight limit on Military Avenue because it's not a continuous route. The question was asked about making a four way stop on Military Avenue and County Road 19 because of the truck traffic there; this would require a resolution by the Board.

At 9:49 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims.

At 10:03 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was needed or taken on any of the claims as a result of the closed session.

At 10:04 A.M., the Board adjourned as a Board of Supervisors until Wednesday, July 28, 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 #5348 thru #5357.

The Board unanimously approved a waiver of the deadline of 2021 applications for homestead exemptions according to statute 77-3512 for the following applicants: Joan D. Anderson, 1640 N. Maxwell Ave., Fremont, NE 68025 and Christine O. Miller, 1326 Iowa St., Fremont, NE 68025.

The Board unanimously received a list from County Assessor Churchill of her request for changes to valuations of parcels for 2021 and passed a motion approving and authorizing the County Clerk to mail notices to the owners of the properties.

The Board unanimously received 2021 valuation protests #286 – 399.

The Board then took action on 2021 valuation protests. Of the 53 acted on, the Board denied any change to the valuations of 32, lowered the valuations to 21 and raised the valuations to none.

Assessor Churchill asked the Board if they would be open to charging money for filing a protest. She said the Tax Equalization and Review Commission charges and she thinks it might reduce the number of frivolous protests filed. Chairman Missel said he would suggest she check to see if any other counties are doing this and what the statutes say.

At 10:26 A.M., the Board adjourned as a Board of Equalization until **9:00 A.M. on Wednesday, July 21, 2021.**

Fred Mytty
Dodge County Clerk