

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

The 2022 Reorganizational Meeting of the Dodge County Board of Supervisors was called to order by County Clerk Fred Mytty at 9:00 A.M. on Wednesday, January 12, 2022 in the Board Room of the Courthouse, Fremont, Nebraska, with the following members present: Beam, Weddle, Strand, Backens, Missel, and Tawney. Absent: Bendig.

County Clerk Mytty 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 2022. The Board passed a motion declaring nominations cease and that Mr. Missel be elected Chairman by unanimous consent.

Lon Strand was nominated as Vice-Chairman for 2022. The Board passed a motion declaring the nominations cease and that Mr. Strand be elected Vice-Chairman by unanimous consent.

The Board unanimously passed a motion appointing County Clerk Fred Mytty and his office as “keeper of the agenda” for the Board and instructed the agendas to be posted on the main floor of the courthouse and on the county’s website and also making it available in the board room in paper form the day of the meeting.

The Board unanimously approved the agenda as printed and received and placed on file various county officials’ reports, the November 15, 2021 Board of Trustees Minutes and Statement of Revenues and Expenses YTD Comparison for the five months ending November 30, 2021 and 2020 for Fremont Community Health Resources, correspondence from Nebraska State Probation, Sixth Probation District, Patty Lyon, Chief Probation Officer, regarding Probation – Quarterly County Billings 2021/2022 and reimbursement of expenses to Dodge County for the period October 1, 2021 to December 31, 2021, agreement drafted and signed between the Nebraska Trails Foundation, FEVR Rail to Trail Foundation and Dodge County on land owned by the Fremont Northern Railroad, LLC authorized at the last Board meeting of December 29, 2021, certificates of insurance for Thompson Construction Inc., Koss Construction Co. , Getzman Heating, LLC and Platte Township, NIRMA Safety Shorts for January 2022, and certificate of insurance for A & R Construction.

The Board unanimously approved the minutes of the December 29, 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 except Supervisor Bendig.

Under any items of discussion, Supervisor Beam reported that he had made inquiries about the non-compliance issue regarding the Admissions/Release Form submissions to the state and he found out yesterday that Central Square (the software vendor) has resolved the issue. He also reported that there are currently 80 inmates in

custody with 57 being held in Saunders County, 19 in Washington County (female only), 2 with the State of Nebraska and 2 under house arrest.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, January 26, 2022 at 9:05 A.M.

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

The Board unanimously approved the wage & hour claims as submitted in the amount of \$257,550.08.

The Board unanimously approved a transfer of \$54,000 from the Inheritance Tax Fund to the Flood Control Fund. The amount of the transfer will be returned to the Inheritance Tax Fund when grant monies are received.

The Board unanimously approved the financial claims as submitted in the amount of \$831,520.87. There were multiple principal and interest payments on money borrowed for the 2019 flood disaster. Chairman Missel said it's frustrating to have to make these payments when the state still has the money tied up in projects that are flood related.

The Board then took comments from the public regarding the proposed hiking and biking trail on the old FEVR Railroad. Kirk Brand (2190 Rosedale Road, Fremont, NE) presented the Board with an article he wrote (printed in the Fremont Tribune in March 2015) addressing the safety concerns he had if such a trail came to fruition. He said it would be dangerous for people using the trail to cross Highway 77 on the North side of Fremont, Highway 30 Bypass northeast of Fremont, Highway 91 at Nickerson and Highway 77 again south of Winslow. He also stated his concerns about possible exposure to agricultural chemicals adding that it would affect the way the farmers with ground along the trail could apply these chemicals, if they would be able to at all. Chemical applicators have specific rules they must follow when applying these chemicals, one of the most notable is that aerial application companies will not apply any products within one half mile of a public use area. Approximately 6,000 acres would no longer be able to be treated by aerial chemical application. Another concern Mr. Brand has is the cost of building and maintaining such a trail, which seems unnecessary with the State Lakes and the Fremont Parks and trail system being so close. The Board unanimously received the March 2015 article presented by Mr. Brand. Chairman Missel assured Mr. Brand that he would share the article with the FEVR Rail to Trail Foundation. Robert Mulliken (1336 Wilmont St., Fremont, NE) also addressed the Board with concerns about the potential hiking and biking trail. The main concern being how the trail will be maintained. It is his assumption that volunteers will be used to maintain it similar to how the FEVR rail line was maintained while in use. Mr. Mulliken said this is a good project in theory, but thinks after the newness wears off, the volunteer base will drop off. He also shared his concerns about the manner in which the land acquisition was handled. It was his understanding that the Fremont Area Community Foundation was behind this project. He said the three groups the deed was filed against have not paid their biennial dues, which prevents them from being legitimate business entities. He presented a report that he obtained from the Nebraska Secretary of State's website showing that biennial dues for these groups have not been paid. Chairman Missel clarified to Mr. Mulliken that this group has nothing to do with the Fremont Area

Community Foundation. The FEVR Rail to Trail Foundation is a new group of community leaders interested in promoting this project. Mr. Mulliken said the issue of land acquisition was not on the December agendas and he feels the tax payers need to know what is happening and why. He went on to say that the land owners removed all of the rail last summer and the iron they removed could have paid for the new trail. Chairman Missel said the group that has been interested in acquiring this land tried to purchase it years ago with the rail included, but the price was too high. The land owners removed the rail and decided to donate the land to the Nebraska Trails Foundation before the end of 2021. Mr. Mulliken said the railroad ties, square plugs and spikes are still there and it will take a lot of work to clean that up. Chairman Missel thanked Mr. Mulliken for presenting his opinion and said he would share his information with the FEVR Rail to Trail Foundation.

The Board unanimously received a letter from County Treasurer Gail Bargstadt and accepted her recommendation to approve a tax refund of \$228.05 for CLD LLC as a result of a Tax Equalization & Review Commission (TERC) appeal of their property valuation for 2019.

The Board unanimously received a letter from County Treasurer Bargstadt and accepted her recommendation to approve a tax refund of \$5,290.15 for Fremont Beef Company as a result of a (TERC) appeal of their property valuation for 2020.

The Board unanimously received a Memorandum of Understanding (MOU) between the Nebraska Department of Veterans Affairs and Dodge County for use of the VetraSpec software by the Dodge County Veterans Service Office and authorized Chairman Missel to sign the MOU.

The Board unanimously received information from Nebraska Loess Hills Resource Conservation & Development Council summarizing 2021 projects and approved renewing Dodge County's Sponsor Membership of \$350.

The Board unanimously received two American Rescue Plan Act (ARPA) applications from Dodge County Clerk Fred Mytty for an election office and for reimbursement of increased cremations and coroner costs during the pandemic and referred them to the ARPA Steering Committee for a recommendation. Supervisor Strand reported that County Clerk Mytty had approached him about acquiring an offsite building to be used as an election office. Several locations have been considered and more information is being gathered on their feasibility. County Clerk Mytty asked the Board if they would make a commitment today on moving forward with plans to acquire a property utilizing other funds for the time being. He said the ARPA committee does not meet again until February and waiting for approval of these funds would push back getting a building ready by the Primary Election in May. Chairman Missel said he thinks more information should be gathered and presented at the January 26, 2022 Dodge County Board of Supervisors meeting. County Attorney Paul Vaughan asked if there are any other county expenses that could be considered by ARPA. Chairman Missel said the possibilities are far reaching and there most likely are other expenses that could be considered. The ARPA subcommittee will recommend the approval of the expense requests (including county expense requests) submitted and the Board will make the final approval.

Committee Reports – Chairman Missel reported, on behalf of Supervisor Bendig, that the IT Committee would like to expand the committee to include at a minimum the

following county offices: Treasurer, Clerk, Sheriff, Assessor, Attorney, Register of Deeds, Clerk of District Court and Roads. County Clerk Mytty reported that Requests for Proposals were sent out last week with bids being due by January 29, 2022. Chairman Missel reported that members of the Dodge County Board and Fremont City Council met on January 11, 2022 to discuss the future of the joint law enforcement center. The information presented by Prochaska and Associates will be reviewed and discussed at a later date. Supervisor Backens reported that the committee tasked to consider applications for interim Sheriff will be meeting later this morning and will make a recommendation for an appointment to the Board at the next meeting.

Zoning Administrator Jean Andrews reported there are four (4) scheduled law enforcement training sessions in February 2022, the closest one being held in Norfolk. She explained that LB-51 made changes to the law enforcement landscape including more required education hours. Interested individuals should go to [NIRMA.info](http://NIRMA.info) to register.

Highway Superintendent Scott Huppert reported that his employees are out cutting tree limbs at intersections where there are safety concerns. Employees are also working on equipment maintenance and waiting for snow. Supervisor Backens asked if the pipeline over the Platte River has been removed. Superintendent Huppert said the company working on that had to go out for bid and they didn't advertise correctly, so the process started over.

At 10:00 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 except Supervisor Bendig.

The Board unanimously approved tax roll corrections #5397 through #5413 and taxless tax roll correction #5414.

At 10:01 A.M., the Board adjourned as a Board of Equalization until Wednesday, January 26, 2022 at 10:00 A.M.

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

At 10:02 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims.

At 10:09 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was taken or needed as a result of the closed session.

At 10:10 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, January 26, 2022 at 9:00 A.M.

Fred Mytty  
Dodge County Clerk