

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 6, 2022 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Beam, Weddle, Strand, Missel, Tawney and Bendig. Absent: Backens. 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 county officials' reports, correspondence from Charter Communications regarding changes in channel lineup, Northeast Nebraska Community Action Partnership (NENCAP) Annual Report - October 2020 to September 2021, Board of Trustees Minutes for February 14, 2022 meeting & Statement of Revenues & Expenses YTD Comparison for the eight months ending February 28, 2022 and 2021 for Fremont Community Health Resources, correspondence from Nebraska Emergency Management (NEMA) regarding time extension approval for DR 4420 Project 98103, 935 S. Schneider (old ENCOR Building), Certification from County Treasurer Bargstadt of Return of Tax Sale Proceedings, Minutes of the Dodge County Courthouse Safety Committee meeting held on March 23, 2022, Notice of Public Hearings for Burt County Planning Commission and County Board of Supervisors for a request of a Conditional Use Permit to place Biomass from Cargill and to update the Zoning Regulations to be held on April 4, 2022 and April 12, 2022 respectively, Notice of Public Hearing for Saunders County Board of Supervisors at 9:15 A.M. Tuesday, April 12, 2022 for a request by Tanner Almerly (Valley Corp) to amend section 6.02.03 of the Saunders County Zoning Regulation Text to add "Mining and extraction of mineral, water, or raw material and the manufacturing, processing, treating and storing of mineral, water, or raw materials" to the Transitional Agricultural Zone: Conditional Uses, Notice of Public Hearings for Douglas County Planning Commission on April 13, 2022 for application for Preliminary and Final Plat of proposed Two Rivers Farmsteads Replat Five located at 25902 Douglas Street, Omaha, NE as well as a Special Use Permit request by AmericanTower/ANG Technology Investment Group dba Nextlink to install new internet equipment to an existing tower at 317988 Pawnee Road, Valley, NE, Utility Installation Agreements with OPPD to install underground primary cable at County Road 5 and County Road 12 going south 500 feet along County Road 5 and at NE Corner Section 14, T18N, R9E, Minutes of the Dodge County Highway Department Safety meeting held March 24, 2022 and Certificate of Insurance for The L.E. Myers Co.

The Board unanimously approved the minutes of the March 23, 2022 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 for Supervisor Backens.

Under any items of discussion, Supervisor Beam reported that the average daily inmate count is 58. Currently there are 55 inmates in custody with 48 being held in Saunders County, 1 at the Nebraska Department of Correctional Services, 1 in Butler County, 1 at the regional center and 4 under house arrest.

At 9:06 A.M., the Board adjourned as a Board of Corrections until Wednesday, April 20, 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 for Supervisor Backens.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$257,220.83.

The Board unanimously approved the financial claims as submitted in the amount of \$350,788.25.

The Board unanimously received a Verified Petition for Access Road and Affidavit of Robert A. Johnson from Robert A. Johnson and Sharon G. Johnson, Husband and Wife. Chairman Missel said the main question is whether it's Dodge County's responsibility to see that a property owner has access to their land. If this is the county's responsibility, the appropriate actions to take at this time need to be determined. Dodge County Attorney Sara Sopinski said she has reviewed the relevant statutes and it is her opinion that it is within the county's obligations to give notice to the adjacent landowners and give them a chance to speak. Supervisor Strand said he has spoken to Robert Johnson and another landowner involved in this situation and it is his opinion that they are at a stalemate. He also thinks a public hearing is needed to give the landowners an opportunity to talk about this. In a separate motion, the Board unanimously approved setting a public hearing. County Clerk Mytty said the public hearing has been set for April 20, 2022 at 9:15 A.M. at the request of the Johnson's attorney.

The Board unanimously accepted the recommendation of County Treasurer Bargstadt to foreclose and sell real estate on tax sale certificate Number 190150, adopted and authorized Chairman Missel and County Clerk Mytty to sign the resolution and authorized the County Attorney to proceed with such foreclosure and sale.

The Board unanimously accepted the recommendation of the Fremont & Dodge County Convention and Visitors Bureau Advisory Committee and approved granting \$10,000 in funding to the Project Dream Field project in the City of Hooper.

The Board unanimously granted the request of Sheriff Reynolds for funding to purchase four patrol vehicles and one investigator's vehicle. Sheriff Reynolds was present and explained that they have fallen behind over the past two years acquiring vehicles. He also said there is a chance they won't be able to get the ones that he'll be ordering this April. He thanked the Board for granting them the funding to make these purchases. Chairman Missel asked how long it takes to get the vehicles outfitted with all of the necessary equipment after they get them. Sheriff Reynolds said it takes about 3 months to get them outfitted. He added that they will be competing with Omaha for places to take them to get outfitted because they are getting vehicles at the same time.

The Board unanimously granted the request from the Dodge County Sheriff's Department to use up to \$105,000 in American Rescue Plan Act (ARPA) funds to upgrade the current WatchGuard system for in-car video to cloud based and add Body Cam Video (\$90,000) and a Network Server (\$15,000). Chairman Missel explained that the Finance Committee received a recommendation from the ARPA Sub-committee to

fund this project. The ARPA Sub-committee will bring other recommendations to the Board in the near future; they were hesitant to make any commitments because the 2nd payment of the ARPA funds has not been received. Supervisor Bendig said they would like to get this project going now since Applied Connective Technologies (the new managed service provider) will be starting their service on May 1, 2022. The upgrade to the WatchGuard Video system will take it to the Cloud instead of there being an internal hardware server to run the system. Sergeant Bri Frank was also present and said they need body cams to provide a complete picture when they respond to incidents. She also thanked the Board for approving these funds, so they can be proactive and purchase the body cams now without using tax payer dollars. Sheriff Reynolds said he thinks body cams will be a requirement for all deputies in the near future. County Attorney Sopinski said it is helpful for her office to have video instead of just audio; these videos can be encrypted and sent to the county attorney's office.

Committee Reports – Supervisor Bendig reported that Applied Connective Technologies will be here next week to start working on the switch over to them as Dodge County's managed service provider. County Clerk Mytty reported that his election budget is being depleted this year because of the special election on June 28, 2022 to vote-in a replacement for Congressman Jeff Fortenberry who resigned. The state has told him that they will not be reimbursing the counties for this special election which he estimates will cost Dodge County approximately \$70,000.

Zoning Administrator Jean Andrews said she hopes to see some elected officials at the Regional Cyber Security Seminars sponsored by NIRMA this month.

The Board unanimously received the bid for the 2022 Applied Traffic Paint Striping opened on March 28, 2022 at 11:00 A.M. and authorized Chairman Missel to sign the contract awarded to Straight-Line Striping Inc. of Grand Island, NE. Assistant Highway Superintendent Jean Andrews pointed out that the price per gallon went from \$18.96 in 2021 to \$20.90 per gallon for 2022.

The Board unanimously approved declaring #58 John Deere 4450 tractor S/N RW4450P029864 as surplus property and authorized it to be sold back to John Deere. Highway Superintendent Scott Huppert said that the county will be considering a four-year rental agreement with Platte Valley Equipment for a new tractor/loader combo later in this meeting. He added that since this is a rental agreement, Platte Valley cannot simply trade in the John Deere 4450 tractor. That is why it has to be declared surplus first and then sold back to John Deere.

The Board unanimously approved declaring #10 Sterling 10-yd. Dump Truck Vin# 2FZHATBSX9AAM4871 as surplus property and authorized it be advertised for sale and sold directly by the county. Superintendent Huppert explained that when the new dump truck was purchased, a trade-in on the aforementioned dump truck was not in the contract with Mack Truck; they were not going to give the county much for the old dump truck.

The Board unanimously approved a total contract amount of \$128,666 on the Professional Services Agreement - Amendment 1 with FYRA Engineering for the Elkhorn River Bank Stabilization at Scribner.

The Board unanimously approved a four-year rental agreement with Platte Valley Equipment for a new tractor/loader combo. Superintendent Huppert said this is a

heavier tractor with more horse power. He added that at the end of the four-year agreement with Platte Valley Equipment, if they are no longer offering this rental program, Dodge County would have the option to buy the final tractor over a two year period. It was also noted that the money from the sale of the #58 John Deere 4450 tractor mentioned previously in this meeting will be put into the Road Fund.

Highway Superintendent Scott Huppert updated the Board on projects going on in the roads department. Employees are cleaning out ditches on the North Bend project and they are using some of the good dirt for the project on Foot Hill Road that will be starting up again for this year. Another group of employees is working on installing rip rap to channel embankments around bridges. The City of Fremont is moving poles for the Yager Road project and they are waiting on the corner property owner because the guy wire needs to be taken down. Superintendent Huppert has been in communications with Graham Construction (Yager Road Project 636) and Cedar Valley Paving (County Road T West paving project) and they have decided to push the start of those projects back to May; they will do these projects simultaneously. Superintendent Huppert also met with the state, Graham Construction and the dirt contractor regarding the By-Pass 275 project around Scribner. The state will take over and close County Road 14 at Eveland Supply Co. south to County Road G so this will be their responsibility. They will be starting this paving project on Monday, April 11, 2022. NEMA & FEMA inspections continue and as these are completed, more money will be coming in to Dodge County. There are still some loose ends on project completions and there is more reimbursement money tied to these projects.

At 9:47 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of March 2022.

At 9:58 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.

At 9:59 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, April 20, 2022 at 9:00 A.M.

Immediately thereafter, the Board convened as a Board of Equalization. Chairman Missel dispensed with roll all members being present except for Supervisor Backens.

The Board unanimously approved tax roll corrections #5426 and #5427.

At 10:01 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, April 20, 2022 at 10:00 A.M.

Fred Mytty
Dodge County Clerk