

## 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, June 29, 2022 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 Board of Trustees Minutes for the May 9, 2022 meeting and Statement of Revenue & Expenses YTD Comparison for the nine months ending May 31, 2022 and 2021, official bonds Continuation Certificate for F. Ward Hoppe, Chairman for SID #9 and Jacob Hoppe, Clerk for SID #9, Certificates of Insurance for NIRMA from Mainstreet of Fremont, Metropolitan Community College, Papio-Missouri River NRD, Rupert Dunklau Foundation, Inc. and (8) Caterpillar Financial Services Corporation, Notice of Public Hearing for the City of Fremont Planning Commission on request for a Final Plat for the Copperhead Subdivision consisting of 19 lots and an outlot on property located at Business Park Drive and West Military Ave., Minutes of the June 21, 2022 Dodge County Planning Commission Meeting, Certificates of Insurance for Eveland Supply Co. Inc. and Dolezal Sand & Gravel, Utility Installation Agreement for OPPD to install an overhead secondary crossing at 315 S. County Road 26, Fremont, NE in Section 20, T17N, R9E, Moving Permit for Barnhart Crane to move a self-propelled crane over county roads – US Hwy 30 to Cut-Off Road right before Ames 2 miles & return on June 23-25, 2022 and Highway Department Safety Committee meeting minutes of June 23, 2022.

The Board unanimously approved the minutes of the June 15, 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.

Under any items of discussion, Supervisor Beam reported that the average daily inmate count is 57. Currently there are 64 inmates in custody with 56 being held in Saunders County, 2 at the Lincoln Regional Center, 4 at the Nebraska Department of Correctional Services and 2 under house arrest.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, July 13, 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.

The Board unanimously approved transferring \$1,000 from the General Miscellaneous budget to the election budget. County Clerk Mytty said his election budget went over budget because of the special election for the Fremont Schools bond

issue. The remainder of expenses for the special congressional election and the general election in November will come out of next year's budget.

The Board unanimously approved the wage & hour claims as submitted in the amount of \$250,423.87.

The Board unanimously approved the financial claims as submitted in the amount of \$930,300.08

The Board unanimously received Correspondence from Charter Communications regarding a change in channel lineup.

The Board unanimously received 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 April 1, 2022 to June 30, 2022.

Javier Fernandez, Omaha Public Power District (OPPD) President and CEO was present to update the Board on strategic initiatives OPPD is undertaking to meet the unprecedented load growth they are experiencing. He attributed the increased growth to data centers, residential usage and increases in commercial and industrial usage. He said in 2019 OPPD launched a program called Power with Purpose to address the oldest power generating units in their system. They are also building two new natural gas generation facilities, one in Sarpy County and one in Omaha. In addition, OPPD is increasing their solar generation and they have 81 megawatts out of an eventual 600 megawatts of solar generation under construction in Saunders County. Chairman Missel asked about the nuclear power station that was decommissioned in October of 2016. Mr. Fernandez said they shut down this plant because it was too expensive to maintain for the limited power it generated.

The Board unanimously received and accepted the recommendation of the Scribner Legion Post and approved the appointment of Josh Kaup to the Dodge County Veterans Service Board for a 5-year term expiring on June 30, 2027.

The Board unanimously approved a Grant Agreement with Nebraska Emergency Management Agency (NEMA) for federal funds to be used for the 25% cost share of expenses for West Fremont Project Scoping – Flood Hazard (Grant Agreement No. EMK-2020-BR-013) and authorized the necessary signatures on the agreement. Dodge County Emergency Manager Tom Smith told the Board this is a scoping project to determine what projects to pursue to lessen the flood risk in Platte Township/West Fremont. He added that millions of dollars have been spent in this area over the last 3 years to fix the flood damage from 2019.

The Board unanimously approved an Interlocal Agreement with City of Fremont and Lower Platte North Natural Resources District for cost sharing of the Platte Township/Fremont West Flood Reduction Improvements and authorized Chairman Missel's signature on the agreement.

The Board unanimously accepted the recommendation of the American Rescue Plan Act (ARPA) Dodge County subcommittee and authorized the finance committee to

award ARPA – State and Local Fiscal Recovery Funds (SLFRF) in the amount of \$6,419,855.32 to twenty-two applicants out of the thirty-three applications that were received, with the remainder of the funding (\$682,467.68) going toward general government services (roads, bridges). The motion specifically stated that the finance committee is to award recipients up to the dollar amount listed on the *Summary of Recommended ARPA-SLFRF Projects*. Chairman Missel explained that the ARPA Funds were made available because of COVID-19. He was concerned about how the funding could be spent solely on COVID-19 related expenses, but the federal government relaxed the rules making expenditure requirements more flexible. Dodge County formed an ARPA subcommittee made up of representatives from many different agencies in Dodge County. Emergency Manager Smith explained that the group started meeting in August of 2021 to understand the ARPA and they followed guidance provided by the Nebraska Association of County Officials (NACO). The subcommittee did a county needs assessment and developed an application to be used by those entities requesting funding. Initially highway road projects were not an eligible expense, but they are now. Supervisor Strand said he was a member of the committee, and he thinks they did a good job of reducing the tax ask of the county through the projects that were approved while also considering other agencies that are not taxable.

The Board tabled the closed session to discuss terms of a proposed settlement until further notice from the Dodge County Attorney's Office.

A Public Hearing was held to consider the request of Marcy K. Eason of 2095 County Road 10, North Bend, NE 68649 to subdivide a 5.04 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 20, Section 2. Conditional Uses, Section 3.10 Exemptions located in E ½ NW ¼, NW ¼, NW ¼, Government Lot 4, Section 15, Township 17 North, Range 6 East in South Cotterell Township, Zoning District PRC, Platte River Corridor. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the lot split and Conditional Use Permit (CUP) based on the use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

A Public Hearing was held to consider the request of 242 River's Edge, LLC – Randy Reznicek of 1571 County Road 2, North Bend, NE 68649 to obtain a Conditional Use Permit to extract raw materials as per Article 20, Section 2. Conditional Uses, Section 2.9 A thru G located in NW ¼ Section 11, Township 17 North, Range 5 East in South Union Township, Zoning District PRC, Platte River Corridor. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the Conditional Use Permit (CUP) based on the use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

A Public Hearing to consider the request of Gerad Brichacek of 1765 County Road Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Bio-Solids located in West ½ SE ¼ Section 19, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved

the Conditional Use Permit (CUP) based on the use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

A Public Hearing to consider the request of Jordan Brichacek of 1765 County Road Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Bio-Solids located in West ½ SE ¼ Section 19, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag. Hearing no testimony for or against the request, the Board unanimously accepted the recommendation of the Planning Commission and approved the Conditional Use Permit (CUP) based on the use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district in which it is located.

Mike Bechtel, Elkhorn Township resident, was present to ask the Board about the status of the studies that JEO Consulting Group is doing on drainage issues in the East Fremont/Elkhorn Township area. Chairman Missel said the work is ongoing and the county hopes to get the final approval for funding identified projects. Mr. Bechtel also told the Board that he still thinks Morningside Road needs to be paved out to the City of Fremont's Wastewater Treatment Plant. He attended a Dodge County Board of Supervisors meeting last year and voiced the same concerns about this stretch of road. He said the dust is horrendous from the trucks traveling to the wastewater treatment plant to work on construction projects. He thinks Dodge County needs to discuss this with the city and get something done.

Committee Reports – Supervisor Strand reported that the work on the old ENCOR building will be done by the end of next v month, if not sooner. He also reported that the contract with the current cleaning company will be relinquished, and a new company will be starting next week. There have been complaints for the past 6-9 months about the lack of cleanliness in the bathrooms. Chairman Missel reported that the insurance committee met with Lisa Daniels from North Risk Partners for a mid-year review.

The Board unanimously approved the proposal from Speece Lewis Engineers to perform engineering services for Dodge County Bridge Replacement Project #640, Structure No. C002701225, which will replace the bridge with a concrete box culvert and authorized Chairman Missel to sign the proposal. Assistant Dodge County Highway Superintendent Jean Andrews pointed out that this is one of the roads projects to receive ARPA funding.

The Board unanimously approved the proposal from Speece Lewis Engineers to perform engineering services for a Dodge County Road Grading and Paving Project 642, Road 18 from County Road T to new Highway 30 and authorized Chairman Missel to sign the proposal. Ms. Andrews also noted that this is another roads project to receive ARPA funding. This project will be completed this year and will provide another way for travelers to get into Fremont to the new Highway 30 By-Pass.

Assistant Dodge County Highway Superintendent Jean Andrews reported that the Foothill Road project will be completed soon. Also, there is approximately one mile left on the ditch clean-out project east of North Bend.

At 10:02 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 #5452 through #5463.

The Board unanimously accepted the recommendation of County Treasurer Bargstadt on form 457, Application for Exemption from Motor Vehicle Taxes, for 2022 on a 2000 Chevy Van from Grants Wishes Pet Rescue, granted the exemption and authorized Chairman Missel to sign the form.

The Board unanimously received 2022 Valuation Protests #36 - #127.

The Board unanimously received June 29, 2022 Board Notices from County Assessor Churchill of her request for changes to valuations of parcels for 2022 and passed a motion approving and authorizing the County Clerk to mail notices to the owners of the properties. Dodge County Assessor Churchill also asked the Board to approve an amended spreadsheet for the June 1, 2022 Board Notices. She explained that the way the dollar amounts rounded up on this spreadsheet made it necessary to amend the dollar amounts of three properties by lowering them by \$1.00. The original motion was amended to include this request from Assessor Churchill.

At 10:08 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, July 13, 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.

At 10:09 A.M., the Board unanimously passed a motion to go into closed session to negotiate property lease/purchase options for an election office.

At 10:34 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the election office.

The Board unanimously gave approval to County Clerk Fred Mytty to continue research on the lease/purchase options for an election office.

At 10:36 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, July 13, 2022 at 9:00 A.M.

Fred Mytty  
Dodge County Clerk