

## **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 8, 2019 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Beam, Backens, Strand, Bendig and Missel. Absent: Weddle. Prior to roll call, Chairman Missel announced the meeting to be an open public meeting and that the current open meeting laws were 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, Agreement for Easement in Fall Zone of Dodge Tower Site with Cletus B. & Alice C. Rolf (Trustee), NIRMA's Safety Shorts for May 2019, Certificates of Insurance for Charles Lange, dba Lange House of Scribner, Nebraska and for Frost Fiber Tech, Inc. of Blair, Nebraska, Moving Permit for Charles Lange Movers to move a barn over county right-of-way, Utility Installation Agreement for Midstates Data Transport to install conduit with fiber under county right-of-way and the Annual Report from the City of Fremont on Tax Increment Financing (TIF) Projects.

The Board unanimously approved the minutes of the April 24, 2019 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 Weddle.

Under any items of discussion, Supervisor Beam reported 126 people were booked into the holding facility in April. There is a total of 51 Dodge County inmates with 46 in the Saunders County Jail, four being housed by the state and one in a regional center.

At 9:07 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, May 22, 2019 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 Weddle.

The Board unanimously received the Real Estate Purchase Agreement for a radio tower site with Chad R. Rebbe et al and passed a motion authorizing the County Clerk to issue a check for the land purchase at the time of the closing.

The Board unanimously approved and authorized the Chairman to sign an Interlocal Agreement for the cost of sharing of the Flood Disaster of 2019 between Dodge County, Nebraska and Ridgeley Township.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$221,879.82.

The Board unanimously approved the financial claims as submitted in the amount of \$556,732.51.

Committee Reports – Chairman Missel commented on the North Bend City Council meeting he attended last evening with Fremont Mayor Getzschman and Fremont Administrator Newton where the City of North Bend approved joining the Joint Water Management Advisory Board. Supervisor Beam commented he needed someone else to attend the non-profit meeting on Friday at the United Way Building where they are working on the formation of a Long Term Recovery Group to help flood victims. Supervisor Backens attended the Winslow Village meeting and was quite amazed at how rough the village appeared. Some residents thought they could continue, some thought they couldn't. He also attended a Three-Rivers Mental Health meeting where the Chancellor of UNO spoke. Chairman Missel reported the county could help by offering their ENCOR building for storing flood donations. He was contacted by Kyle Jensen of the American Red Cross asking permission to do a blood drive at the courthouse.

The Board unanimously approved the 2019-2020 Budget Calendar as submitted.

The Board unanimously approved the request of Chief Deputy Robert D. Reynolds to declare a 2011 Chevrolet Caprice as surplus property and authorized the vehicle be taken to Jack Nitz and Associates for auction.

The Board unanimously approved the request of Highway Superintendent Huppert to advertise for bids for 2019-2020 Crushed Limestone Road Rock and to have the bids opened on June 3, 2019 at 11:00 A.M. in the Highway Department.

The Board unanimously approved the request of Highway Superintendent Huppert to advertise for bids for 2019-2020 Road Gravel and to have the bids opened on June 3, 2019 at 11:15 A.M. in the Highway Department.

In one motion, the Board unanimously approved and authorized the Chairman to sign Proposals for Work Authorization with Speece Lewis Engineers, Inc. for the Winslow East, Project #ER-7, Scribner East, Project #ER-4, Hooper South Project, #ER-9 and for the Dead Timber Flood Repair Project, ER-25.

Highway Superintendent Huppert showed an overhead of some of his projects from the flood disaster. The 505 Bridge Project on Road 6 should be done today or

tomorrow. They are milling right now on the Winslow East project. When done there, the contractor will move to the Dead Timber project. He also reported on the Hooper South Project, Road 20. The ER Projects should be funded 100%, except for the paving which is funded with 80% state funds and 20% county funds. Superintendent Huppert will be attending portal training this afternoon from 1:00 p.m. to 3 p.m. He commented, the Riverbank Stabilization Project will be led by the City of Scribner and they may need to apply for an extension from FEMA, due to the shortage of contractors. They are waiting for a new motor from MAC to fix the wrecked truck with hopes of being fully repaired within a couple of weeks.

At 9:53 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of April, 2019.

At 10:06 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 10:07 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, May 22, 2019 at 9:00 A.M.

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

The Board unanimously approved tax roll corrections #4989 thru #4995.

The Board unanimously approved and authorized the Chairman to sign Agreements with Jeff Quist and Scott Brettmann to serve as referees for the upcoming 2019 protest season. County Assessor Churchill reported she would be sending out approximately 11,000 notices of valuation changes prior to June 1<sup>st</sup>.

A Public Hearing was held on the request of VSL Hooper, LLC for a 2019 exemption on their property, Grandview Heights Lots 13-21 in Hooper, Nebraska (parcel #270074165). With no testimony for or against the exemptions, the Board unanimously accepted the recommendation of the County Assessor and granted the exemption for 2019.

The Board unanimously received a form 457, an application for exemption for 2019 on a C & M trailer for Rebuilding Together Platte Valley East, Fremont, Nebraska, and passed a motion granting the exemption for 2019.

A Public Hearing was held on the request of Fremont Airboat Club for a 2019 exemption on their property, TL 16 & 17, 1.85 acres in Section 12, T17, R8 and TL 18, 1.5 acres in Section 21, T17, R8 (parcel #'s 270102487 & 270102445). Testimony was received from Attorney Leo Eskey and Ken Troost, Secretary/Treasurer for the club. Attorney Eskey commented he has been their attorney since formed back in the 70's as

a non-profit organization, but has been utilized very little. He commented he is not a member but a supporter. Attorney Eskey commented the case in Sarpy County submitted under County Assessor Churchill's recommendation of denial does not compare to this one, because it was denied based on their site was not open to the public. He presented a more recent case that went to the Nebraska Supreme Court, Platte River Whooping Crane Maintenance Trust, Inc. vs. Hall County, where they said the trust basically provided and supported conservation and would be considered a charitable organization, similar to theirs. They rescued 70 people when flooding was going on and asked the County Board to take that into consideration when acting on the exemption. Mr. Troost commented that when they applied three years, they were not prepared by not meeting the criteria for ownership and exclusive use. There was misrepresentation on the website at that time and now they have an official site. He quoted right from Title 350 of Nebraska Department of Revenue, Property Assessment Division, Chapter 40 – Property Tax Exemption Regulations, Section 002.02 – “Property tax exemptions may be allowed based on the inherent nature of the property, the ownership of the property, the use of the property, or a combination of these factors.” Some things their funds were used for are for keeping up their premises, many different safety courses and a scholarship fund which they give each year. All is at no cost to the public. County Assessor commented that statutorily she had to deny their exemption and felt it was very similar to the Bellevue Rod & Gun Club, which she also based her decision on. Attorney also presented a copy of another Supreme Court Ruling, Harold Warp Pioneer Village Foundation, vs. Doug Ewald Tax Commissioner. The Board unanimously passed a motion to continue the hearing until the next meeting at 10:15 A.M. with possible action to follow.

The Board unanimously received and placed on file the two Supreme Court Cases submitted by Attorney Leo Eskey on behalf of The Fremont Airboat Club of Platte River Whooping Crane Maintenance Trust, Inc. vs. Hall County and Harold Warp Pioneer Village Foundation, vs. Doug Ewald Tax Commissioner.

At 10:35 A.M., Chairman Missel adjourned the Board as a Board of Equalization until 10:00 A.M. on Wednesday, May 22, 2019.

Fred Mytty  
Dodge County Clerk

