

## **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, September 25, 2019 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Beam, Strand, Bendig, Weddle, Backens and Missel. Absent: None. 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; received and placed on file Fremont Community Health Resources Board of Trustees minutes of their August 12, 2019 meeting and financial statement for month ending August 31, 2019, minutes of the Dodge County Planning Commission meeting of September 17<sup>th</sup>, Certificates of Insurance of NIRMA – Caterpillar Financial Services Corporation, Notices of Public Hearings by the Fremont Planning Commission on September 16<sup>th</sup> on the request of Jerry Nelson to obtain a Conditional Use Permit to construct a 6-foot addition on behalf of Elemental Fabrication and Machine and an application for Voluntary Annexation of the north 220 of Lot 1, Fountain Springs Fourth Subdivision, west of the intersection of N. Yager and 32<sup>nd</sup> Street on the south side of 32<sup>nd</sup> Street, and certificates of Insurance for Webster Township and Microfilm Imaging Systems, Inc.; and received and referred to the County Attorney Summons in a Civil Action in United States District Court of Serina Bowen vs. Methodist Fremont Health; Fremont Health; Dodge County, Nebraska; Midland University; Fremont Community Health Resources; Karen Hasses; and KSB School Law, PC, LLO, First Amended Complaint & Demand for Jury & Complaint & Jury Demand.

The Board unanimously approved the minutes of the September 11, 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.

The Board unanimously received and placed on file the annual jail inspection of Dodge County's Facility from Nebraska Jail Standards Division stating the jail to be in full compliance with Nebraska Minimum Jail Standards at the time of the inspection on August 12, 2019.

With no further discussion under Board of Corrections, at 9:07 A.M. Chairman Missel adjourned the Board until Wednesday, October 9, 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.

The Board unanimously approved the wage and hour claims as submitted in the amount of \$241,193.23.

The Board unanimously approved the financial claims as submitted in the amount of \$1,217,495.12. Chairman Missel explained, after paying today's claims, there is \$800,000 left in the line-of-credit at the bank for flood expenses.

The Board unanimously passed a motion to transfer \$85,000 from the Inheritance Tax Fund to the Road Fund, due to a misunderstanding of the repairs of the dump truck being paid directly from NIRMA and not a reimbursement.

The Board unanimously approved and authorized the Chairman to sign a three-year contract to provide law enforcement services to the City of North Bend, effective October 1, 2019 in the sum of \$85,000.00 annually, payable \$7,083.00 per month. County Sheriff Hespen was present and remarked he went through actual costs for the county to provide the services to determine his recommendation.

Under any business brought by the public or discussion from the public, Julie Hindmarsh of Fremont handed out information and questioned why the ditches in Section 14 of Elkhorn Township had not been cleaned as she requested two months ago. Supervisor Strand asked for her to wait with her questions until Highway Superintendent Huppert was present. The Board unanimously passed a motion to receive and place on file the written information Ms. Hindmarsh presented.

Committee Reports – Supervisor Weddle remarked on problems with the scanner at the front door. Chairman Missel commented Lisa Daniels of North Risk Partners has agreed to allow the county to solicit competitive bids for employee health insurance, since it has not been done for quite some time.

The Board unanimously received the Countywide Cost Allocation Plan based on actual cost for the fiscal year ended June 30, 2018 from Sequoia Consulting Group of Henderson, Nebraska and passed a motion authorizing the Chairman to sign the certification of cost allocation plan and the County Clerk to apply for reimbursement for costs.

The Board unanimously approved the request of Patty Lyon, District Six Chief Probation Officer, to apply for a credit card for her office from First State Bank in the limit amount of \$10,000.

Chairman Missel opened the Public Hearing to consider an application to the Nebraska Department of Economic Development for a Community Development Block Grant for Emergent Threat Disaster Funds for flood damage repairs to the Ames Dike Drainage System. Lowell Schroeder, the Project Manager for the CDBG from the Nebraska Department of Economic Development, explained he was approached by Chairman Missel two months ago about possible funding. Since this was considered an emergent threat, funds could be applied for through the grant. The City of Fremont was

doing a similar application. ~~If the grant is approved, the \$2,118,000 estimated cost of the project will provide funding of approximately \$1,633,000 to the Ames Drainage District and the CORP towards the costs to fix the levy.~~ If the CDBG's grant of \$485,000 is approved of the \$2,118,000 estimated cost of the project, the CORP will provide the remaining funding of approximately \$1,633,000 to the Ames Diking & Drainage District towards fixing the levy. He explained the CORP's 80%, does not take into consideration a percentage of the project for dirt fill and easements, which is the district's expense. The County's role is to apply for the grant funds with a sub recipient agreement between Dodge County and the Ames Diking and Drainage District. Greg Mellema, Project Manager for the CORP in Omaha, remarked there was approximately a one-thousand foot breach in the dike with a large scour hole. When asked by Supervisor Saalfeld why sheet piling was not being used, he explained it would be very expensive, but instead are looking to install a seepage berm. He commented the design of the dike is 90% complete right now and are looking at a goal for completion of construction by March 1<sup>st</sup> of next year. Nancy Watters, board member of the Ames Diking and Drainage District, presented easements from adjacent property owners for access to repair the dike and other information on units of benefits of the dike. She said the district has been in existence since 1950. With no further comments from the public, Chairman Missel closed the hearing and thanked Mr. Schroeder for all his help.

The Board unanimously passed a motion to receive and place on file the documents regarding the Ames Diking & Drainage District presented by Nancy Watters.

The Board unanimously passed a motion adopting and authorizing Chairman Missel to sign a Resolution directing him to proceed with any and all contracts, documents or other memoranda between Dodge County and the Nebraska Department of Economic Development so as to effect acceptance of the application for the Community Development Block Grant for Emergent Threat Disaster Funds for flood damage repairs to the Ames Dike Drainage System. The Resolution was for funding in the amount of \$485,000 to the district for drainage/flood control to their levy.

Next, a Public Hearing was held to consider the request of Nextera Properties, LLC (Platte Valley Equipment) of PO Box 230, Fargo, N.D. to request a Change of Zoning from A-2 General Ag to C-1, Commercial and a Conditional Use Permit on a 25.97 acre parcel of ground located in the West ½ of the NW ¼ of Section 26, Township 18 North, Range 8 East in Nickerson Township, Dodge County. Jeff Ray of JEO Consulting Group was present who has been working with Nextera Properties, LLC (Platte Valley Equipment) for their new site location off of County Road Q and Highway 275. The site will include a 55,000 square foot building, with an additional 18,000 square feet for cold storage in the rear. The rest of the parcel will remain in agriculture. Matt Lamb, General Manager of Platte Valley Equipment, commented their old site will probably be sold, with prospects already inquiring. With no further testimony, Chairman Missel closed the hearing. The Board unanimously accepted the recommendation of the Planning Commission and passed a motion to approve the request of Nextera Properties to change the zoning from A-2 General Ag to C-1, Commercial and to grant them a Conditional Use Permit for the 25.97 acre parcel, based on the conditional use

conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located.

The Board unanimously adopted and authorized the Chairman to sign a Resolution to amend the Dodge County Zoning Map from A-2, General Agriculture to C-1, Commercial, for a 25.97 acre tract of land in the West ½ of the NW ¼ of Section 26, Township 18 North, Range 8 East.

The Board unanimously approved the request of Highway Superintendent Huppert to advertise for bids for construction of three concrete box culverts, one bridge rehabilitation and associated grading located between Sections 2/3-18N-R6E and Sections 1/2-T17N-R8E in Dodge County, Nebraska and between Sections 5/8-T18N-R11E and Sections 3/10-T18N-R9E in Washington County, Nebraska and other work incidental. Bids will be taken until 11:00 A.M. on Wednesday, October 23, 2019 at the County Clerk's Office. Specifications can be obtained from Speece Lewis Engineers, Inc.

The Board unanimously received the Dodge County Highway Department 2019-2020 Road Fund Budget Forms and passed a motion approving and authorizing the County Chairman to sign the forms.

Highway Superintendent Huppert addressed Julie Hindmarsh's concerns that were brought up earlier in the meeting of why the ditch running through her property in Section 14 of Elkhorn Township was still not cleaned out. Mr. Huppert responded his job was to keep road ditches clean in order for water to drain off of the roads and was not to clean drainage ditches. He commented that the county would give her access on both sides of her property. Chairman Missel responded he would share Ms. Hindmarsh's information with JEO, who has contracted with the JWMA Board to look at all of these ditches in the area. He explained drainage ditches were formed back in the days to take the water off the land in order for it to be farmed. Ms. Hindmarsh commented what work has been done has put her farm at risk. Supervisor Strand, who is a farmer, commented he puts about \$5,000 a year into cleaning ditches on his property.

The Board unanimously received a list from County Treasurer Bargstadt of delinquent taxes for years 2013 and prior and through 2017 which have been offered for sale at public sale and remain unsold and passed a motion adopting and authorizing the Chairman to sign a Resolution directing the County Treasurer to place Tax Sale Certificates on said delinquent taxes.

At 10:26 A.M., Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, October 9, 2019 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 received a list of 2019 Dodge County Permissive Exemptions from County Assessor Churchill and passed a motion instructing the publishing of the list in the month of September per Nebraska Statute #77-202.03(5).

At 10:29 A.M., Chairman Missel adjourned the Board as a Board of Equalization until Wednesday, October 9, 2019 at 10:00 A.M.

Fred Mytty  
Dodge County Clerk