

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 Tuesday, ~~June~~ July 3, 2018 in the Board Room of the Courthouse, Fremont, Nebraska with the following members present: Saalfeld, Weddle, Strand, Vaughan, George, Beam 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 and received and placed on file various county officials' reports, Fremont Health Board of Trustees System Board minutes of their April 23, 2018 and May 21, 2018 meetings and financial statements for months ending April & May, 2018, a CD transcript from Kutak Rock LLP for Limited Tax County Building Bonds, Series 2017 for Dodge County, Nebraska in the amount of \$1,015,000, Courthouse Safety Committee minutes of June 20, 2018, minutes of Dodge County Planning Commission meeting of July 3, 2018, the request of City of Fremont to make comments on a Final Plat known as Heartland Addition approximately 20.97 acres located in part of Lot "E", Howard Williams etal Re-Subdivision located in the S ½ of the SE ¼ of Section 12, Township 17 North, Range 8 East, Dodge County, Nebraska, Certificates of Insurance from NIRMA for the following: Titan Machinery, Caterpillar Financial for (2) Multi Terrain Loaders, Caterpillar Financial for 323FL Hydraulic Excavator, Papio-Missouri River NRD and Mainstreet of Fremont, Public Hearing Notices by the Fremont Planning Commission on July 16, 2018 at 5:00 P.M. to hear the following: Approval of Final Plat for Lincoln Park Second Subdivision, request to rezone R Rural to GC General Commercial by Pure Properties, at the NE corner of Morningside Road, request for approval of Preliminary Plat Morningside Pointe Addition, approval of Final Plat Morningside Pointe Addition, request for Conditional Use Permit Application to allow a Child Care Center at 3200 E. Military Avenue, request for approval of Final Plat of Heartland Addition, application for Re-zone of property located 2575 North Luther Road from R Rural to GC General Commercial and conditional request for Voluntary Annexation of behalf of PCD, L.L.C. Lot "E", Howard William Etal, Certificate for Insurance for Anchor Trucking Service Inc. and Highway Department Safety Committee minutes of June 27, 2018 meeting.

The Board unanimously approved the minutes of the June 20, 2018 meeting as printed.

At 9:05 A.M., Chairman Missel recessed the Board as a Board of Supervisors and convened the Board as a Board of Corrections with all members present.

Under any items of discussion, Supervisor Beam commented on the transition of the doors and videos in the jail back to Dodge County. County Attorney Glass

remarked there is currently 86 Dodge County inmates in the jail with 2,641 over-night stays accounted for in the month of June.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, July 18, 2018 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 in the amount of \$185,835.99, which excluded a claim to Dawn Peters, due to a discrepancy in hours paid out for vacation.

The Board unanimously approved the financial claims as submitted in the amount of \$240,870.52.

The Board unanimously accepted the recommendation of the Personnel Committee and passed a motion to appoint Thomas Smith as the new Emergency Manager for Dodge County, effective July 23, 2018.

At 9:18 A.M., the Board unanimously passed a motion to go into closed session to discuss threatened litigation against Dodge County.

At 9:29 A.M., the Board unanimously passed a motion to go back into open session from the discussion of the threatened litigation. No action was taken as a result of the closed session.

At 9:30 A.M., a Public Hearing was held to consider the request of John VonSeggern, Jr., etal, 427 County Road 23, Hooper, Nebraska to subdivide a 5.75 acre parcel and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 20 North, Range 8 East in Logan Township, Zoning District A-1, Intensive Ag. With no testimony for or against the request, the Board unanimously passed a motion to accept the recommendation of the Planning Commission and to approve the subdivision of the 5.75 acre parcel and to grant the conditional use permit, 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.

A Public Hearing was held to consider the request of Jeffrey R. Hartman of 2106 Rosedale Road, Fremont, Nebraska to obtain a Conditional Use Permit to sell dirt as per Article 25 Supplemental Regulations Section 17, Extraction of Fill and Raw Materials located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 18 North, Range 7 East in Maple Township, Zoning District A-2, General Ag. Zoning Administrator Andrews explained the Planning Commission voted 6 to 2 to recommend approval of the permit. Jeffrey Hartman explained they want to remove the top soil of the terrace

and sell the remaining dirt. Amy Hartman remarked they want to extend their aronia berry patch up the hill and has consulted with Jeromy Schutz of NRCS (Natural Resources Conservation Service). Jack Aspy, Board member for Maple Township, commented this was not a good place to remove the terrace, because a lot of water drains through the ground. He commented there are three 4-foot tubes and at times they can't hold the flow of the water. Mr. Hartman explained Mr. Aspy farms 80 acres that drains water towards their property. The Board, by a 6 to 1 vote, with Saalfeld dissenting, passed a motion to accept the recommendation of the Planning Commission and to grant the conditional use to sell dirt as requested, 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.

A Public Hearing was held to consider the request of Dee-Virg Inc. of 1581 County Road L, Hooper, Nebraska to obtain a Conditional Use Permit for a new livestock Feeding Operation (Poultry) 650 Animal Units as per Article 12, Conditional Uses Section 2.19 located in the NE ¼ of Section 33, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag. Scott Wagner was present and commented they have consulted with Jeromy at the NRCS and will be constructing a wind brake around the barns. He remarked they are 7 ½ feet above the flood plain. Jessica Coulter of Lincoln Premium Poultry was present to support Mr. Wagner's request. Also present was Matt Rasmussen of Fremont who has known Scott for a long time and commented he was an agronomy consultant for him. He explained fertilizer versus chicken manure and remarked organic matter is like a sponge. Andy Scholting of Nutrient Advisors commented Mr. Wagner had more than enough property to spread his chicken manure. Mr. Wagner scored a total of 111% on his MATRIX. With no further testimony, the Board unanimously accepted the recommendation of the Planning Commission and granted the permit, 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, with George abstaining, passed a motion to receive and place on file a request of the City of Fremont to make comments on a Final Plat known as SunRidge Place approximately 15.58 acres located in the NW ¼ of Section 19, Township 17 North, Range 9 East in Dodge County, Nebraska.

The Board unanimously, with George abstaining, passed a motion to adopt and authorize the proper signatures on a Resolution authorizing the Chairman to sign agreements in duplicate between Dodge County and Nebraska Department of Transportation for the 2018 Fracture Critical Bridge Inspection.

The Board unanimously passed a motion to award and authorize the Chairman to sign a contract for 2018-2019 Crushed Limestone Road Rock with Martin Marietta of Fort Calhoun, Nebraska.

The Board unanimously passed a motion to adopt and authorize the Chairman to sign Resolutions for Signing Agreements regarding the following projects: RRX-NFG-27(66); RRX-NFG-27(67) and RRX-NFG-27(68) between Dodge County, Union Pacific Railroad and Nebraska Department of Transportation for the installation of Flashing Light Signals and Gates.

At 10:07 A.M., Chairman Missel called for a short recess to allow the setting up for the next item on the agenda, a presentation by Fremont Health Strategic Partnership.

At 10:12 A.M., the Board reconvened as a Board of Supervisors. Chairman Missel dispensed with roll all members being present.

Next, a presentation of Fremont Health Strategic Partnership was given by members of the Fremont Health Board and others. Dr. Monty Sellon, Fremont Health President & CEO Patrick Booth, Dr. Tom Waring, Attorney Tom Thomsen and Bob Cohen from Kutak Rock spoke about the proposal to join together two hospitals to form the Fremont Health and Nebraska Methodist Health System. Certain key items that led to a decision to form a Planning Committee in early 2017 were the decrease in admissions of Fremont Health, competition from other hospitals in the area, reduction in annual Medicare fee increases and reduced hospital utilization, market share and reimbursement pushing the hospital into the red in FY 2016. The committee, with the help of Juniper Advisory, came up with the proposal to discuss options with other health systems, which led them to consider partnering with the Methodist Health System. Fremont Health will lease to a new subsidiary, Methodist Fremont Health for a period of 50 years, with a buy out option at the end of 20 years. The rents from the lease will go into the pension plan obligations of Fremont Health. Fremont Health will be renamed Fremont Community Health Resources to manage net proceeds and the pension plan. It was pointed out Fremont Health is the only community hospital in the greater Omaha region that is not yet a part of a health system. When asked by Supervisor Vaughan why the lease and not a purchase, it was explained no health system would purchase a pension plan. Attorney Thomsen explained there are three documents the county needs to approve in order to go forward with the proposal, an Affiliated Agreement, Purchase Agreement and Lease Agreement. The Board unanimously, with George abstaining, passed a motion to receive what information was presented at today's meeting and table further discussion and input from the public for the next meeting with possible action.

County Attorney Oliver Glass, Chief Deputy Attorney Sara Sopinski and Deputy Attorney Bri McLarty were present to discuss the need for additional funding for another attorney in the office. Handouts were presented showing the caseloads compared to comparable sized counties. Chief Deputy Sopinski commented she has worked all types of caseloads during her six years of employment in the office and felt she has to do things too quickly and also has to take work home with her. County Attorney Glass commented that when he was first hired in 2005, there were anywhere from 30 to 40

inmates in jail in a month and currently there are 86 inmates in jail. The inmates have more than doubled which doubles the caseloads compared to what it was back in 2005. He also remarked that he can't continue to afford these highly qualified attorneys leaving his office due to the overload of work. Deputy Attorney McLarty, who began employment in October of 2017, also went through parts of the handout expressing her concerns. The Board unanimously received and placed on file the handout and passed a motion referring the request for funding an additional attorney to the Finance Committee for a recommendation at the next meeting of July 18th.

At 11:40 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 received a list of 2018 changes to real property valuations requested by County Assessor Churchill and passed a motion instructing the County Clerk to mail Notices of Valuation Changes to the property owners reflecting these changes.

The Board unanimously approved tax roll corrections #4896 and #4897.

The Board unanimously received form 457, Application for Exemption of Archbishop Bergan Catholic School of Fremont, Nebraska on two Ford 2015 Expedition Sport Utilities and passed a motion to accept the recommendation of the County Treasurer and granted the exemption.

The Board unanimously, with Weddle abstaining, received form 457, Application for Exemption of Masonic-Eastern Star Home for Children of Fremont, Nebraska on a 2016 Chevrolet Van and passed a motion to accept the recommendation of the County Treasurer and granted the exemption.

The Board unanimously received and placed on file 2018 valuation protests #61 thru #421.

At 11:40 A.M., Chairman Missel recessed the Board as a Board of Equalization and reconvened the Board as a Board of Supervisors. Chairman Missel dispensed with roll all members being present.

Committee Report – Supervisor Strand commented on a rural meeting he and Mr. Beam attended to provide information to rural fire and rescue departments on the proposed new Dodge County Radio System. They plan on having another one next week.

At 11:50 A.M., Supervisor Strand departed the meeting.

At 11:51 A.M., the Board unanimously passed a motion to go into closed session to discuss general assistance claims for the month of June, 2018.

At 12:00 P.M., the Board unanimously passed a motion to go back into open session from the discussion of the claims. No action was needed on any of the claims.

Immediately thereafter, Chairman Missel adjourned the Board as a Board of Supervisors until Wednesday, July 18, 2018 at 9:00 A.M.

At 12:01 P.M., the Board reconvened as a Board of Equalization. Chairman Missel dispensed with roll all members being present except for Supervisor Strand.

At 12:02 P.M., the Board unanimously passed a motion to go into closed session to discuss TERC appeals.

At 12:10 P.M., the Board unanimously passed a motion to go back into closed session from the discussion of the appeals. No action was needed as a result of the closed session.

At 12:13 A.M., Chairman Missel adjourned the Board as a Board of Equalization until 10:00 A.M. on Wednesday, July 18, 2018.

Fred Mytty
Dodge County Clerk

