

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 9:01 A.M. on Wednesday, July 10, 2024 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 county officials' reports, correspondence from Nebraska State Probation, Sixth Probation District, Patty Lyon, Chief Probation Officer, regarding Probation – Quarterly County Billings 2023/2024 and reimbursement of expenses to Dodge County for the period April 1, 2024 to June 30, 2024, correspondence from Dodge County Firefighters, Mutual-Aid-Association thanking the County for American Rescue Plan Act (ARPA) funding for the making, delivery and installation of hundreds of address signs for all rural addresses in Dodge County, Certificates of Liability Insurance for Sawyer Construction, Inc. and Anchor Trucking Service, Inc., Notice of Public Hearings for the Fremont City Council for request of Dave Brakenhoff on behalf of Nebco Inc. and Western Sand & Gravel for the Hills Farm Lake Addition Final Plat and to annex property located southeast of Hills Farm Road & the BNRR; Request of Mary Ann Diers Yost for Final Plat for the Brooks Hollow 3rd, a Change of Zone from R, Rural to SR, Suburban Residential and to annex the property located at Heatherwood Dr. and Peterson Ave. Both hearings held July 9th, 2024 at 7:00 P.M., June 27, 2024 Dodge County Highway Department Safety Committee meeting minutes, 2 Utility Installation Agreements with OPPD to install underground electric distribution lines at the NW Corner Section 12, T18N, R5E and S ¼ Corner Section 6, T18N, R6E and Moving Permit for Barnhart Crane to move a self-propelled crane over county roads on July 8 and return July 10.

The Board, with Chairman Missel abstaining since he was not present at the June 26, 2024 meeting, unanimously approved the minutes of the June 26, 2024 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 there are currently 61 inmates in custody with 45 being held in Saunders County, 13 in Washington County and 3 at the Nebraska Department of Correctional Services. Over the 4th of July holiday weekend, 30 individuals were booked into custody.

At 9:06 A.M., Chairman Missel adjourned the Board as a Board of Corrections until Wednesday, July 24, 2024 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 & hour claims as submitted in the amount of \$290,869.40.

The Board unanimously approved the financial claims as submitted in the amount of \$248,881.92.

The Board unanimously authorized the necessary signatures on the county disaster declaration authorized under Nebraska State Statute R.R.S. 81-829.50 for Dodge County due to multiple severe weather incidents that occurred during the period of May 20th to June 3, 2024. Dodge County Emergency Manager Tom Smith reported that Dodge County's preliminary damage assessment was estimated at nearly \$171,000. This amount did not meet the threshold to be eligible for the Governor's Emergency Fund. To meet the State's threshold to make a Federal Disaster Declaration, thirteen counties, including Dodge, combined their damage costs.

The Board unanimously received documents from the Ridgeley Township Board regarding reimbursements to Dodge County for expenditures related to the 2019 flood. Chairman Steve Helgenberger was present and told the Board that after they received the letter informing them that they had not reimbursed the county \$341,773.55 for flood related expenses, the Ridgeley Township Board met to review their records. Mr. Helgenberger eventually contacted the Nebraska Emergency Management Agency (NEMA) and had them investigate the matter. After NEMA reviewed the records they determined that Ridgeley Township did not receive any money from FEMA or NEMA. Mr. Helgenberger said the Township has been audited the past 3 years and no discrepancies have been found. He said Ridgeley Township Secretary Amanda Johnson received paperwork from NEMA stating the three projects for Ridgeley Township were still in progress with no indication of when the process would be complete. Supervisor Strand asked if the 3 projects equaled the \$341,773.55 previously mentioned. He also asked if the county or township hired the contractors that did the work on these projects. Mr. Helgenberger said the county told Ridgeley Township to hire the contractors and pay the bills. County Attorney Hopkins asked if anyone with Ridgeley Township registered with FEMA on the portal. Ms. Johnson said she did register with FEMA on the portal but did not know what the portal was for and she never heard anything else about it and has not been on the portal since. Mr. Helgenberger said the Ridgeley Township Board believes they have researched the issue as far as they can and they're not going to pursue it anymore; Mr. Helgenberger added that he thinks this is an issue the county needs to resolve with FEMA and NEMA.

Committee Reports – Supervisor Bendig reported that the Information Technology (IT) Committee will meet on July 17 about the server upgrade. Supervisor Backens reported that the unusually large PSAP payment that was approved at the June 26, 2024 meeting was the result of the PSAP payments being behind due to staff shortages at the city.

The Board unanimously approved the request of Highway Superintendent Scott Huppert to declare a 2003 Freightliner Flatbed truck VIN #1FVABTBV03DK81565 as surplus property. The engine in this truck was blown and estimates to fix it are \$12,000 - \$16,000. The box will be reused by the county and chassis cab will be taken to the Nitz Auction.

The Board unanimously approved the request of Highway Superintendent Scott Huppert to advertise for bids for County Road F in Scribner, Project C-27 (637) for roadway grading and paving to be opened July 31, 2024 at 11:00 A.M. in the Dodge County Highway Department.

The Board unanimously approved the request of Highway Superintendent Scott Huppert to advertise for bids for Old Nebraska Highway 275 Overlay Project C-27 (645) to be opened July 31, 2024 at 11:10 A.M. in the Dodge County Highway Department. The last time Old Highway 275 (from the Bell St. viaduct to the county line) was overlaid was 2005.

Highway Superintendent Scott Huppert reported that employees are working on replacing culverts that washed out during the recent heavy rains. He said he estimates \$520,000 in storm expenses between replacing culverts, laying gravel and cleaning out ditches. They are using 3 trucks and 1 excavator to clean cornstalks out of ditches. They stockpile the corn stalks in the Dodge County Highway Department yard and will use them in a few years as base for driveways. Project 593 near Uehling is done; this was a road rebuild project. Project 641 near Nickerson is another road rebuild and ditch clean out; this road has consistent problems with snow drifts in the winter. Project 651 at CR 11 north of CR T is a bridge replacement; the bridge is torn out, but the new culverts can't be set because of water standing in this area. At the pre-conference meeting for the Platte River Road reconstruction, Superintendent Huppert was told by the State that the county haul road agreement didn't get placed into the contract for the reconstruction work. Dust is already a problem on the detour roads and the county will be responsible for watering these areas to keep the dust down. Superintendent Huppert said he has told the State that trucks must use the 4 lanes. Grinding on Platte River Road will begin within the next week and will begin at CR 4 and progress towards the bridge on CR 13. The State also told Superintendent Huppert that the county will be responsible for ditch cleaning and drainage issues regarding culverts in the county right-of-way. He doesn't think the county should be responsible for the drainage issues; he will set up a meeting with the NDOT district representative. Superintendent Huppert had a conference with Graham Construction about the completion of construction on Highway 275. He was told they were done and they had pulled all of their barricades. He went up to the location early Tuesday morning and saw trucks traveling on roads they should not be according to the county haul road agreement. Chairman Missel asked Superintendent Huppert to draft a letter to the State about the drainage issues on Platte River Road.

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

At 10:02 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.

Immediately thereafter, 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 #5690 – #5698.

The Board unanimously received 2024 Property Valuation Protests #303 – #776.

The Board unanimously received July 10, 2024 Board Notices from County Assessor Churchill for changes to valuations of parcels for 2024 and approved and authorized the County Clerk to mail the notices to the owners of the properties.

The Board unanimously approved using the State Print Shop to print the postcards for LB644 - the "Property Tax Request Act" joint public hearing.

Motion was made by Supervisor Bendig to take the Assessor's recommendation to uphold the 2023 personal property return as filed by J & S Farms by Steven Langemeier. Mr. Langemeier is protesting that the equipment destroyed by the May 2023 tornado should not have been included on his 2023 personal property return. The Assessor's office was not notified that said property was destroyed, therefore it was included on the 2023 personal property return. County Attorney Hopkins pointed out that since Mr. Langemeier requested a hearing in front of the Dodge County Board of Equalization, the Board cannot act on this matter before Mr. Langemeier has a chance to state his case. Mr. Langemeier was not notified of this item being placed on today's agenda; therefore, Supervisor Bendig withdrew his motion to accept the Assessor's recommendation. County Clerk Gilfry will mail notification to Mr. Langemeier about this issue being placed on the agenda for the July 24, 2024 Dodge County Board of Equalization meeting.

The Board unanimously received and upheld the Assessor's recommendation to uphold a 10% penalty on taxes due December 2024 for Royal Canin USA due to the 2024 personal property return being filed 46 days past the May 1, 2024 deadline. Assessor Churchill said Royal Canin USA has filed late before and it was noted they filed the wrong form this year; they filed a 422A Property Valuation Protest form and marked that they did not want to appear for a hearing.

The Board unanimously received 2024 Reports of Destroyed Real Property (Form 425) from the following: Rochelle R. Adame – parcel #270035350 and Broad Street Properties LLC - parcel #270031766.

At 10:19 A.M., the Board recessed as a Board of Equalization and reconvened as a Board of Supervisors.

At 10:20 A.M., a Public Hearing was held to consider a Resolution to vacate a 470-ft. segment of County Road 29 north of the Union Pacific Railroad Bridge and 1,000 feet south of said bridge located in the SE ¼ Section 14, Township 17 North, Range 9 East in Elkhorn Township, Dodge County, Nebraska. Superintendent Huppert said Elkhorn Township would like this portion of road closed due to trash consistently being dumped here. It was not clear if Elkhorn Township has notified the Union Pacific Railroad of their intentions to vacate this segment of County Road 29; Elkhorn Township was notified of this public hearing. The Board tabled action on the adoption of this resolution pending the receipt of written correspondence from the Union Pacific Railroad that they are in favor of this proposed road vacation. The public hearing will be rescheduled after the railroad is notified and has a chance to respond to the request.

At 10:26 A.M., the Board adjourned as a Board of Supervisors until Wednesday, July 24, 2024 at 10:00 A.M.

At 10:35 A.M., the Board reconvened as a Board of Equalization with the following members present: Beam, Backens, Missel, Tawney and Bendig. Absent: Weddle and Strand.

The Board, with Supervisor Backens dissenting, authorized approval of the assessor's recommendation on all protests that the assessor and the referee were in agreement. The Board acted on 91 of the property valuation protests for 2024. Of the 91 parcels protested, the Board denied any change to valuation on 48 parcels, lowered the building value on 41 parcels and lowered the land value on 2 parcels.

At 11:04 A.M., the Board adjourned as a Board of Equalization until Wednesday, July 17, 2024 at 9:00 A.M.

Micki Gilfry
Dodge County Clerk