



# Gage County Board Minutes



Board of Supervisors Meeting – January 11, 2023

1

The Gage County Board of Supervisors met on January 11, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn and Dave Swavely present, Gary Lytle absent.

Notice of said meeting was posted at the County Clerk’s Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

No old business to discuss.

Chairman Tiemann turned control of the meeting over to County Clerk Dawn Hill who led the reorganization of the Board of Supervisors and Board of Equalization for 2023. Hill asked for nominations for Chairman of both the Board of Supervisors and Board of Equalization. Jurgens nominated Erich Tiemann for Chairman of both the Board of Supervisors and Board of Equalization for the year 2023 and made a motion to cease nominations and cast a unanimous ballot for Tiemann, Dorn seconded the motion. Motion carried 6-0.

Hill turned the meeting back over to Chairman Tiemann.

Tiemann asked for nominations for Vice Chairman of the Board of Supervisors and Board of Equalization. Dorn nominated Emily Haxby for Chairman of both the Board of Supervisors and Board of Equalization for the year 2023 and made a motion to cease nominations and cast a unanimous ballot for Haxby, Swavely seconded the motion. Motion carried 6-0.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$480,206.20 except claim #23010069 to Johnny’s Welding Inc. in the amount of 455.84 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve appointing Patti Milligan to prepare levy requests; 6. Approve appointing Dawn Hill to prepare the County Budget; 7. Approve designation of official County Newspaper(s); 8. Approve designating Gage County’s website ([www.gagecountynebraska.us](http://www.gagecountynebraska.us)) as an official method of providing notice of any meetings/public notices; 9. Approve Dawn Hill as the NIRMA contact person; 10. Approve reappointing Mark Kuhnke as Gage Co. Highway Superintendent for 2023; 11. Approve Bank Depositories: a. Security First Bank; b. Adams State Bank; c. State Bank of Odell; d. First State Bank; e. Pinnacle Bank; f. Mainstreet Bank; g. First National Bank of Omaha; h. Great Western Bank /First Interstate Bank; i. NFIT – Union Bank & Trust; j. NPAIT; k. Bank of the West; l. US Bank; m. Great Western Bank; 12. Approve Pledged Securities: a. Pinnacle Bank – ICS (Insured Cash Sweep); b. Security First Bank – ICS (Insured Cash Sweep); 13. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of December, 2022; 14. Approve Specifications and call for bids on County Fuel. Bids to be opened on February 8, 2023 at 9:15 a.m.; 15. Approve 2022 Annual Noxious Weed report and having Chairman sign report; 16. Approve board meeting change to December 12<sup>th</sup> instead of 13<sup>th</sup> due to scheduling conflict.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	160,093.65
A.R.E. Pest Control	Pest control	170.00
All Copy Products, Inc.	Copier leases	874.69
Beatrice Public Library	Funding	23,000.00
Black Hills Energy	Utilities	333.49
Blue Valley Community Action	2 <sup>nd</sup> qtr funding	3725.00
Bob Barker Co., Inc.	Inmate provisions	64.66



# Gage County Board Minutes



Board of Supervisors Meeting – January 11, 2023

2

Chapin Law Office	Atty fees	2278.25
Charter Communications	Jail cable TV	176.01
Charter Communications – Prob	Phones	192.96
Clerk of District Court	St. & svc. fees	572.31
Community Physicians Clinic Wym.	Pre-empl physicals	242.00
Crowne Plaza, Kearney	Lodging	1689.35
Marian DeBuhr	Prior svc. retirement	69.24
Deluxe	Dist Ct checks	539.92
Des Moines Stamp Mfg.	Courts stamps	591.00
Diode Communications	Monitoring	80.85
Diode Technologies	Ext Offc supplies	383.04
Eakes Office Solutions	Offc supplies	4298.34
Echo Group	Light bulbs	296.40
Sandra Eltiste	Prior svc. retirement	12.00
Extreme Motorsports	“Restricted Area” signs	396.00
First Wireless	Shf tower rental	440.00
Government Forms & Supplies	Treas. date stamper	78.70
Hometown Leasing	Prob copier leases	313.22
Joyce A. Kassing	Prior svc. retirement	20.00
Lincoln Journal Star	Publications	590.06
Thelma Loemker	Prior svc. retirement	57.70
Meta Insight	Court svcs	7169.72
Midwest Process Services	Civil process fees	282.06
MIPS, Inc.	Treas tax stmts., computer support	4144.66
Murray Law	Atty fees	3448.50
Nelson, Clark & Timan	Public Defender, NCDAA Mbrshp	6546.15
Theodore Paben	Ext Offc snow removal	50.00
Paper Tiger Shredding	Doc shredding	204.88
PIP Marketing Signs & Print	Lic. plate envelopes	1544.52
Priority Printing	Prob bus cards, envelopes	423.33
Quill – Ext.	Offc supplies	36.28
Quill – EMS	Offc supplies	149.76
Quill – Prob.	Offc supplies	603.23
Region V Systems	Qtrly funding	14,344.25
SE Nebr. Communications	Prob phones	109.26
Soap Opera Laundry	Mop & rag cleaning	19.25
Stephen Kraviec, PC LLO	Child Suppt Enf Atty	2398.05
Summit Food Svc., LLC	Jail meal svc.	2752.98
Thomas & Thomas Court Reporters	Deposition transcript	162.99
TK Elevator Corp.	Elevator maint.	240.21
U.S. Bank – Purchase cards	Supplies	1326.81
U.S. Post Svc – Postmaster	ROD PO box	170.00
Verizon Wireless – GCSO	Cell phones	480.12
Washington Co. Shf, NE	Boarding inmates	520.00
Westlake Hardware	Supplies	784.68
Windstream – Prob Fillmore Co	Phones	404.26
Windstream – Shf.	Phones	602.80
Windstream – Gen Info	Phones	1932.66
Windstream – Vets	Phones	246.43

## Road Fund

Highway Department Employees	Salaries	44,239.35
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# Gage County Board Minutes



Board of Supervisors Meeting – January 11, 2023

3

All Copy Products	Copier lease	60.46
Beatrice Concrete Sand & Gravel	Rock & gravel	11,008.29
Bomgaars	Supplies, tools	205.98
Capital One, NA	Supplies	145.98
City of Wymore	Utilities	175.94
Constellation NewEnergy Gas Div.	Utilities	46.04
Contech Engineered Solutions	Project pipe	20,593.54
Eakes Office Solutions	Offc supplies	207.70
Echo Group	Thermostat	40.75
Fastenal	Supplies	45.24
First Wireless	Repeater rental	350.00
Gus Construction Co., Inc.	Adams SW, C-34(1133)	15,992.77
Inland Truck Parts	Parts	1326.53
Johnny’s Welding	Parts, labor	455.84
Landmark Implement, Inc.	Part	21.36
Mead Lumber	Supplies	36.17
MIPS, Inc.	Hwy program	192.32
Motor Fuels Division	Diesel tax	1428.00
NE Dept. of Revenue	State sales tax	110.48
T.O. Haas Tire	Tires	258.34
Tractor Supply	Bolts	8.78
Truck Equipment Svc.	Parts	436.78
Westlake Hardware	Supplies, tools	368.13

### Visitor’s Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	6997.61
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### Register of Deeds Preservation & Modernization Fund

Capital Business Systems, Inc.	Copier lease/maint.	235.87
MIPS, Inc.	Deeds online w/ numerical indexes	220.08

### Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	53,725.88
Mutual of Omaha	Premiums	375.37

### Inheritance Fund

Janet M Wendt Trust Estate	Inher. tax refund	51.90
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### General Fund

Ameritas	County share of Employees Retirement	11,104.09
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,672.62
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,707.59

### Road Fund

Ameritas	County share of Employees Retirement	2,986.17
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,216.15
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,736.10

Motion made by Swavelly, seconded by Dorn to approve the consent agenda. Motion carried 6-0.

Lytle joined meeting at 8:55 a.m.



# Gage County Board Minutes



Board of Supervisors Meeting – January 11, 2023

4

Motion made by Dorn, seconded by Swavely to approve claim #23010069 to Johnny’s Welding Inc. in the amount of 455.84, bringing the total amount of claims approved thru January 11, 2023 to \$480,662.04. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely on Bldg. & Grounds, Jurgens on Finance/Insurance, Lytle on Law Enf./Emergency Management, and Haxby on Road & Bridge. Topics of discussion were Buss bridge and boot reimbursement.

Executive Director of Gage County Tourism Angie Bruna presented the Tourism report. She said they have had several applicants to fill the Tourism position that is vacant due to Tourism Coordinator Megan Bartz taking a position at NGage.

Motion made by Lytle, seconded by Dorn to approve receiving the tourism report and placing it on file. Motion carried 7-0.

Haxby gave an update on the broadband map, missing locations, surchargable locations, and areas unserved by broadband. Haxby said that there is a broadband map on the website [broadbandmap.fcc.gov](http://broadbandmap.fcc.gov) and information on her Emily Haxby Supervisor facebook page.

Short break at 9:27 a.m. Back in session at 9:36 a.m. with all members previously listed present.

Motion made by Lytle, seconded by Swavely to move into closed session at 9:36 a.m. for negotiations. Motion carried 7-0.

Haxby & Jurgens left during closed session.

Motion made by Lytle, seconded by Swavely to move out of closed session at 11:03 a.m. Motion carried 5-0.

Motion made by Dorn, seconded by Swavely to adjourn Board of Supervisors meeting at 11:03 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 11:03 a.m. until January 25, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 11<sup>th</sup> day of January, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes



Board of Supervisors Meeting – January 25, 2023

1

The Gage County Board of Supervisors met on January 25, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk’s Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,220,871.04 which does not include claim #23010119 to Beatrice Lawn Care in the amount of 775.00 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Bank balances, Securities & 6-month Board Settlement reports for Gage County Funds ending December 31, 2022; 6. Approve reappointing Richard Douglas to the Blue Rivers Area Agency on Aging Governing Board for another term; 7. Approve Specs and call for bids for Rock and Gravel for a period beginning March 10, 2023 and ending March 9, 2024. Bids to be opened February 22, 2023 at 9:15 a.m.; 8. Approve Utility Permit 1259 to Duane Siems. Mr. Siems will be installing a new electrical service line for a new well on the east side of SW 100<sup>th</sup> Road, approximately 1200’ south of Chestnut Road. Mr. Siems will be trenching a line 6” wide by 36” deep starting in the West grader ditch trenching east to East grader ditch then trench to new well on property. All other work will be on private property. Located on the East side of section 21 and West side of Section 22, T-5-N, R-5-E, Grant Twp.; 9. Approve receiving and place on file the 2022 Annual report for Clatonia Rescue Squad; 10. Approve declaring 2014 Dodge Charger (Silver) 149,682 miles – VIN# 2C3DXAGXE366853 & 1989 AM General Humvee (Green) 43,493 miles – VIN# ALTHD00020005ZF4 as surplus and selling on Purple Wave; 11. Approve Gage County balances of Liability as of 1/10/2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	152,346.75
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail on-site medical svcs.	7919.98
All Copy Products	Ext Offc & EM copier leases	293.15
AT&T Mobility Accounts	Shf FirstNet phone svc	526.21
Beatrice Board of Public Works	Utilities	6572.54
Beatrice Lawn Care, Inc.	Snow removal	775.00
Beatrice Public Schools	Juvenile diversion	8310.88
Black Hills Energy	Utilities	2280.01
Blue Rivers AAA	Funding	8715.00
Burke, Brown Law, LLC	Atty fees	1976.00
Charm-Tex, Inc.	Inmate provisions	74.40
Charter Communications	Prob. internet	192.96
City Motor Supply	Parts	1100.58
City of Beatrice	Gbg svc	310.96
Clerk of Dist. Court Assn.	Wkshp fee, dues	125.00
CMH Clinics	Pre-empl. physical	123.00
Correctional Risk Svcs.	Inmate medical	647.56
Credit Information Systems	Data searches, mbrshp	50.00
Wendy C Cutting	Transcript	438.50
DAS St Accntng Cntrl Fin 6507	Dist Ct & Clk data processing	54.60
Election Systems & Software	UPS for elec computer	198.43
Sandra Eltiste	Prior svc retirement	12.00



# Gage County Board Minutes



Board of Supervisors Meeting – January 25, 2023

2

Fankhauser, Nelsen, Werts, et al	Atty fees	3538.75
Farmers Cooperative	Fuel – Shf	81.13
First Wireless	EM svc. maint agrmt	655.20
Gage County	Fund transfer, Gen to Judgment	400,000.00
Garcia Clinical Lab	Inmate medical	5.00
Gleason Dental Clinic	Inmate medical	115.57
Hometown Leasing	Atty & Prob copier leases	452.04
IAPE	Shf mbrshp	65.00
ISolved Benefit Svcs.	Admin fees	141.48
Jerry Shelton Atty	Atty fees	213.75
Joyce A Kassing	Prior svc retirement	20.00
Lammel Plumbing	Parts, labor	505.74
Lancaster Co. Shf.	Court costs	18.66
Land Survey Tech	Co Surveyor operating expns	5084.85
Lincoln Journal Star	Publications	951.82
Lynn Peavey Co.	Shf supplies	184.42
Matthew Kosmicki Law	Atty fees	3905.08
Mead Lumber	Supplies	57.25
Microfilm Imaging Systems	Scanning equip rent	457.00
Mid-States Organized Crime Info Ctr	Shf mbrshp	150.00
Midwest Process Svcs.	Process svc	20.76
Murray Law	Atty fees	4313.00
NACO Planning & Zoning	P&Z dues	40.00
NE Assn of Emergency Managers	Dues, conf. regis.	160.00
Naylor, Rappl Law Offc.	Atty fees	399.00
NE Supreme Court	Publications for law library	215.55
NE Co. Assessor's Assn.	Dues	60.00
NE Law Enf. Training Center	Shf trng	266.00
Nelson, Clark & Timan	Public Defender	6346.15
Nestor & Mercure, Atty's	Atty fees	299.25
Norris Public Power	Tower utilities	45.01
Northeast Auto	Veh lease	550.00
O'Reilly Auto Parts	Parts	37.98
Paper Tiger Shredding	Doc shredding	140.00
Philippi Electric	Shf outdoor lights, labor	360.00
Priority Printing	Treas business cards	55.00
Quadient, Inc.	Env opener maint agrmt	786.48
Quill – Ext.	Offc supplies	36.89
Quill – EM	Offc supplies	399.46
Quill – Prob.	Offc supplies	73.55
Region V Svcs, Cntrl Offc	Funding	9928.40
Region V Systems	EPC billing	1070.00
Ron's Repair	Adhesive removal	305.38
Sapp Bros.	Shf/Jail fuel	4959.82
SE Nebr. Communications	Prob phones	110.16
Secretary of State	Atty Title 177 subscr.	40.00
Security Safety Products, LLC	Jail supplies	91.75
Security Services	Monitor shf fire alarm	35.50
Sheridan Industries	Ext. Offc janitorial svcs.	120.00
Sherwin Williams	Paint	58.85
Spectrum	EM cable TV	10.52
Stanard Appraisal Svcs.	Appraisal maint., pickup work	17,862.00



# Gage County Board Minutes



Board of Supervisors Meeting – January 25, 2023

3

Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2459.21
Summit Food Svc.	Jail meal svc.	10,920.07
T. O. Haas Tire	Oil changes, tires	1476.19
The Home Depot Pro	Restroom supplies	743.26
The Voice News	Publications	1368.77
U.S. Bank – Purchase cards	Supplies	934.09
U.S. Cellular	Investigative expns	150.00
Verizon Wireless – EMS 8923-1	Emer Mgmt cell phones	433.61
Verizon Wireless – EMS 6384-1	Emer Mgmt ipad, hotspot, pager	207.86
Verizon Wireless – Prob.	Prob cell phones	393.40
Washington Co., NE Shf.	Boarding inmates	1365.00
Washington Co., KS Shf.	Boarding inmates, medical	14,451.72
Westlake Ace Hardware	Supplies	156.16
Windstream – Wilber Prob.	Phones	52.56
Windstream – Ext.	Phones	311.40
Windstream – Fillmore Co Prob.	Phones	406.61
Windstream – Hwy	Phones	311.38
Windstream – Shf.	Phones	609.77
Windstream – Cths.	Phones	2131.12

## Road Fund

Highway Department Employees	Salaries	44,149.24
BASWA – Beatrice Area Solid Waste	Landfill fee	27.00
Beatrice Board of Public Works	Utilities	935.89
Beatrice Concrete Sand & Gravel	Rock & gravel	3176.41
Beatrice Iron & Metal	Parts, tools, supplies	591.84
Black Hills Energy	Utilities	1469.56
City of Beatrice	Gbg svc	74.24
Concrete Industries	Asphalt sealant	10,412.50
Contech Engineered Solutions	Materials	81,140.73
Cornhusker Intl. Trucks	Parts	207.07
Huls Body Shop	Towing	196.50
Jim Hawk Truck Trailers	Brake cleaner	473.04
Midwest Petroleum Equipment	Repair fuel pump	633.75
NMC Exchange	Parts, oil	4904.40
Norris Public Power	Utilities	572.31
O’Reilly Auto Parts	Parts, supplies	1162.26
Rockmount Research & Alloys	Tools	269.71
Rose Equipment, LLC	Part	1100.17
Sapp Bros.	Fuel	20,788.90
The Voice News	Publications	26.34
U.S. Bank – Purchase cards	Repellent	30.71
Verizon Connect NWF, Inc.	Veh GPS	518.08

## Insurance Fund

Sarah Williams	Ins. reimb.	424.62
Gage County Health Insurance	Employee health ins claims paid	72,775.91

## Diversion Program Fund

Beatrice Public Schools	Diversion fees	3505.00
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## Community/Economic Development Fund



# Gage County Board Minutes



Board of Supervisors Meeting – January 25, 2023

4

NGage – Gage Area Growth Ent.	Qtrly funding	24,038.37
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### 911 – Emergency Management Fund

City of Beatrice	Qtrly 911 svc	57,947.22
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### County Buildings Fund

Masonry Construction, Inc.	Cths exterior restoration, phases 10 & 11	124,893.00
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### General Fund

Ameritas	County share of Employees Retirement	10,583.24
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,065.20
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	28,393.93

### Road Fund

Ameritas	County share of Employees Retirement	2,980.10
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,209.27
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,736.10

### Insurance Fund

Ameritas	County share of Employees Retirement	28.66
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	32.49

Motion made by Lytle, seconded by Swavely to approve the consent agenda. Motion carried 7-0.

Motion made by Swavely, seconded by Jurgens to approve claim #23010119 to Beatrice Lawn Care in the amount of 775.00, bringing the total amount of claims approved thru January 25, 2023 to \$1,221,646.04. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Speaking during public comments were several people with concerns about a 3-mile stretch of 162<sup>nd</sup> Road by Virginia – they are as follows: Steve Knoche, Steve Fulton, Trevor Husa (for Larry Husa), Rebecca Snyder, Lenhart Fritzen, Linda Searcey, Tracy Zimmerman, John Snyder and Ashley Mason. Comments included that they would like to see a bond initiated; finding funding for road project; the road also has issues when it’s wet; accidents due to dust issue; suggestion to get a tax-free bond with low interest; using inheritance funds to make the payments; fear that the issues are keeping people out of the area, driving population numbers down; being able to get over far enough when meeting vehicles or semi-trucks; suggesting the board go drive that road; and looking at results of traffic studies and paving accordingly.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Shf. Gustafson and Lytle on Law Enforcement/Emergency Management, and Haxby, Jurgens and Mark Kuhnke on Road & Bridge. Topics included having Dean Settle here, who’s taking photos of art in the 93 county courthouses for a book or video; display in courthouse hallway was changed out by the museum; Ext. Offc. restroom remodel project; bids for work at Veterans Office; safety meeting; security improvement; 3 vehicles are on transport from dealer; expecting 2 trucks to be delivered before the end of February.

Short recess at 9:51 a.m. Reconvened at 9:59 a.m. with all members previously listed present.

NGage Executive Director Rachel Kreikemeier presented the NGage quarterly report.

Motion made by Lytle, seconded by Swavely to receive the NGage report and place it on file. Motion carried 7-0.

Discussion on designating the Gage County Board Chairman as the voting member for the NGage Annual Meeting to be held on February 28, 2023.



# Gage County Board Minutes



Motion made by Jurgens, seconded by Lytle to approve designating Gage County Board Chairman Erich Tiemann as the voting member for the NGage Annual Meeting to be held on February 28, 2023. Motion carried 7-0.

Discussion on hiring an engineer to present ideas relating to the East ramp entrance to the courthouse. Swavely explained issues that have come up, including problems with sump pump and wind causing problems with the doors, among others. He stated that we need to look to the future and see what needs to be done and what can be done since the building is on the Historical Registry. He asked for ideas from the board.

Motion made by Haxby, seconded by Lytle to approve having Dave Swavely and Dave Jones request proposals for conceptual options for updates to the East entrance to the courthouse. Motion carried 7-0.

Motion made by Lytle, seconded by Haxby to approve changing the county handbook boot allowance to state that the reimbursement allowance will be 50% of the boot cost, up to a maximum of \$100.00 reimbursed. Motion carried 7-0.

Motion made by Lytle, seconded by Haxby to approve the 2023 board committees and appointments. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to approve the 2023 Board of Supervisors Standing Rules as written and presented. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to adjourn Board of Supervisors Meeting at 10:28 a.m. Motion carried 7-0.

Chairman declared Board of Supervisors meeting adjourned at 10:28 a.m. until February 8, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 25<sup>th</sup> day of January, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes



The Gage County Board of Supervisors met on February 8, 2023, at 8:51 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

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Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$536,054.26; 4. approve correspondence received and place on file; 5. Approve cancelling check #23010045 to Thomas & Thomas Court Reporters in the amount of \$162.99; 6. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of January, 2023; 7. Approve Caretakers for the Pioneer Cemeteries for 2023; 8. Approve Utility Permit #1260 to Northern Natural Gas. Northern Gas will be repairing a gas Line section on South 12<sup>th</sup> street just north of Cortland. Northern Gas will have an excavation on both East and West sides of the road in Right-of-way to repair gas line. Once completed Northern Gas will backfill all excavated areas back to existing grade. Located on the East side of Section 2 and West side of Section 1, T-6-N, R-6-E, Highland Twp.; 9. Approve Utility Permit #1261 to Norris Public Power. Norris will be boring a new electrical line on South 23<sup>rd</sup> Road approximately 1800’ South of the intersection of Hoyt and South 23<sup>rd</sup> Road. Norris will bore a 2” line, 8’ deep under the road from the West grader ditch to the East grader ditch continuing the bore on private property. Located East side of Section 36, T-4-N, R-6-E Midland Twp and West side of Section 31, T-4-N, R-7-E, Logan Twp.; 10. approve Utility Permit #1262 to Diller Telephone. Diller Telephone will be adding new fiber line to current fiber that are installed in the Southwest part of the county. Diller Telephone will plow at the edge of the roadway and bore a 3” line 10’-15’ under all creeks, road crossings, and culverts/concrete structures. Project #1, Diller Telephone will be installing new fiber line on Hwy 4 between Sargent and SW 131<sup>st</sup> Road (State Permit Required) and on Sargent Road between Hwy 4 and SW 117<sup>th</sup>. Located Northwest quarter of section 27 and North of section 28, T-4-N, R-5-E, Blakely Twp.; 11. Approve Utility Permit #1263 to Diller Telephone. Diller Telephone will be adding new fiber line to current fiber that are installed in the southwest part of the county. Diller Telephone will plow at the edge of the roadway and bore a 3” line 10’-15’ under all creeks, road crossings, and culverts/concrete structures. Project #2, Diller Telephone will be installing new fiber line on Scott Road between SW 117<sup>th</sup> to SW 142<sup>nd</sup> Road and on SW 142<sup>nd</sup> Road between Belvidere to ½ mile South of Hoyt Road, and on Belvidere and SW 142<sup>nd</sup> going East ½ mile. Located West side of Section 31, T-4-N R-5-E, Blakley Township and North side of Section 5, North, West, and East side of Section 6, and North side of Section 7, T-3-N, R-5-E, Lincoln Twp.; 12. Approve Utility Permit #1264 to Diller Telephone. Diller Telephone will be adding new fiber line to current fiber that are installed in the Southwest part of the county. Diller Telephone will plow at the edge of the roadway and bore a 3” line 10’-15’ under all creeks, road crossings, and culverts/concrete structures. Project #3, Diller Telephone will be installing new fiber line at intersection of SW 142<sup>nd</sup> and Lilac going South a ½ mile and on SW 131<sup>st</sup> Road between Lilac to ½ mile South of Hwy 136 and on Hwy 136 between SW 117<sup>th</sup> to SW 131<sup>st</sup> Road (State Permit) and SW 61<sup>st</sup> Road between Hwy 136 to ½ mile north. Located West side and East side of Section 18, East side of Section 19, and North side of Section 20 and East side of Section 13, T-3-N, R-5-E, Lincoln Twp.; 13. Approve quote with Gene Roeber Const. for storm damage repair (roof & gutter and siding) on the County Tri Plex including updating the building to LP siding from vinyl siding for an additional cost of \$10,395.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	155,620.13
Advanced Auto Dealers	Shf website maint.	29.00
All Copy Products	EM copier lease	140.00
Kylie Steuben	Labor	1820.00
Beatrice Board of Public Works	Annl. fire sprinkler tap	245.00



# Gage County Board Minutes



Beatrice Fire Protection, LLC	Fire extinguisher & recharges	472.02
Beatrice Public Schools	Juvenile svcs. aid	6432.19
Black Hills Energy	Utilities	868.20
C & W Rollin Smoke	Empl recog dinner	2988.00
Capital Business Systems	ROD copy overage	2.83
Charm-Tex, Inc.	Inmate provisions	1500.80
Charter Communications	Shf cable TV	175.82
Clerk of District Court	St. & svc fees	777.76
Correctional Risk Services	Inmate medical	634.63
Diode Communications	Monitoring security	80.85
Eakes Office Solutions	Office equip., supplies	3069.94
Echo Group	Ballasts, bulbs	462.11
First Wireless, Inc.	Tower rental	440.00
Gage County Court	Cert. copies	6.00
Garcia Clinical Laboratory	Inmate medical	30.00
Garrison Law Firm	Atty fees	15,100.25
Griffiths Hovendick Chapel, Inc.	County cremation	1200.00
Lepant Law Office	Atty fees	332.50
Mahloch Law Office	Atty fees	992.75
Matthew Kosmicki Law, LLC	Atty fees	2933.71
Midwest Process Services	Civil process fees	352.38
MIPS, Inc.	Computer support, 2 uninterrupted power source	4073.78
NE Assn. of Co. Treasurers	Dues	50.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Northeast Auto	Veh lease	550.00
Pottawattamie Co. Shf.	Shf fees, civil svcs.	72.00
Priority Printing	Treas env., Clk letterhead	392.83
Quill – Ext.	Offc supplies	649.44
Quill – Prob.	Offc supplies	264.76
Rixstine Recognition	Empl. recognition awards	988.50
SMPC, LLC	On-site IT svcs.	255.00
Staples Business Credit	Shf offc supplies	370.84
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Svc.	Jail meal svc.	5482.28
TK Elevator Corp.	Elevator maint.	240.21
Tri County Credit Bulletin	6 mo subscr.	168.30
U.S. Bank – Purchase cards	Supplies, uniforms, janitorial, etc.	1576.49
Verizon Wireless – Shf	Wireless phones	480.12
Verizon Wireless – Prob.	Wireless phones	393.52
Willet & Carothers Law Offc.	Atty fees	243.00
Windstream – Vets	Phones	246.97

## Road Fund

Highway Department Employees	Salaries	43,757.43
All Copy Products	Copier lease	16.25
Beatrice Concrete Sand & Gravel	Rock & gravel	2861.97
Bomgaars	Tools	21.38
Capital One, NA	Batteries	18.55
Dultmeier Sales, LLC	Pump hose	154.28
Fastenal Co.	Bolts, hard hat	81.49
First Wireless, Inc.	Repeater rental	350.00
Inland Truck Parts, Inc.	Parts	176.28



# Gage County Board Minutes



Board of Supervisors Meeting – February 8, 2023

3

MIPS, Inc.	Road program	192.32
Truck Equip. Svc. Co.	Rock pup	51,217.83

### Visitor’s Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	6145.60
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### Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	220.08
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### Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	46,534.91
Lucent Health Solutions	Premiums, Ins. fund admin. fees	93,940.10

### Covid American Rescue Plan Fund

Universal Broadband Consulting, Ltd.	Consulting svcs.	1982.50
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### General Fund

Ameritas	County share of Employees Retirement	10,834.25
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,322.99
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,671.09

### Road Fund

Ameritas	County share of Employees Retirement	2,953.65
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,187.26
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,392.93

Motion made by Swavely, seconded by Lytle to approve the consent agenda. Motion carried 7-0.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Jurgens on Finance/Insurance, and Lisa Wiegand on Emergency Management. Break in committee reports for timed agenda item.

Motion made by Haxby, seconded by Swavely to close bidding at 9:15 a.m. for 2023 county fuel and accept, reject or award bid. Motion carried 7-0.

One bid was received from Sapp Bros. for 72,000 gallons of #2 Premium Diesel with additive pkg. at \$3.13 per gallon, and for 38,000 gallons of Unleaded 87 (E10) gasoline at \$2.773 per gallon.

Motion made by Jurgens, seconded by Haxby to approve bid from Sapp Bros. for 2023 Gage County fuel for 72,000 gallons of #2 Premium Diesel with additive pkg. at \$3.13 per gallon, and for 38,000 gallons of Unleaded 87 (E10) gasoline at \$2.773 per gallon. Motion carried 7-0.

Committee reports continued with Jurgens on Road & Bridge. Topics of discussion during committee reports were completion of Extension Offc. restrooms, ideas for courthouse East ramp entrance restructure, P&Z mtg. on Feb 15<sup>th</sup>, solar regs, P&Z public hearings on March 2<sup>nd</sup> for greenhouse and swine operation, storm spotting, 3 & 33 Mutual Aid mtg, update on Buss bridge, and discussion on Virginia Road.

## **RESOLUTION #23-01**

WHEREAS, the County of Gage is the owner and holder of several certificates of tax sale of several parcels of real estate, Certificate #11308 issued to the County of



# Gage County Board Minutes



Gage for all delinquent regular taxes thereon, and which having been regularly advertised and offered for sale at tax sale, and remaining unsold for want of bidders, or having been sold to the County of Gage and certificates of tax sale issued thereon under provisions of Nebraska Revised Statutes, Section 77-1809 (1943); and,

WHEREAS, as of October 1, 2022, more than Three (3) years and less than Three (3) years Nine (9) months have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tracts has expired.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that Roger L. Harris, Gage County Attorney, by and through his Deputy County Attorneys, be and hereby is directed, as promptly under the circumstances as it is reasonably possible to do so, to institute action to foreclose the lien of all taxes delinquent, whether regular or special, on all real estate within Gage County, Nebraska, which having been heretofore advertised and offered for sale and remaining unsold for want of bidders, were sold to the County of Gage, and Certificates of Tax Sale issued thereon, and that the costs of abstracting be paid from the General Fund.

BE IT FURTHER RESOLVED that the Gage County Treasurer be and is hereby directed to issue Treasurer’s certificates of tax sale in favor of Gage County on all parcels of real estate offered for sale for less than Three (3) consecutive years that were not sold for want of bidders.

Motion made by Haxby, seconded by Swavely to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle  
Nay: None

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 8<sup>th</sup> day of February, 2023.

/s/ Dawn Hill  
Gage County Clerk

Motion made by Haxby, seconded by Swavely to approve adopting Resolution #23-01 directing the Gage County Attorney to institute action to foreclose delinquent real estate taxes. Motion carried 7-0.

Motion made by Jurgens, seconded by Haxby to approve County Bridge Match Program Agreement between Gage County and State of Nebraska. Project Number: STWD-CBMP(7) State Control Number: 00974F, CBMP Control Number: 00974F(e). Motion carried 7-0.

**RESOLUTION #23-02**  
**SIGNING OF THE PROJECT PROGRAM AGREEMENT – BL2346**

Gage County  
Resolution No. 23-02

**Whereas:** Gage County is proposing a transportation project for which it would like



# Gage County Board Minutes



to obtain County Bridge Match funds; and,

**Whereas:** Gage County understands that it must strictly follow all State and local laws, rules, regulations, policies, and guidelines applicable to the funding of the project; and,

**Whereas:** Gage County and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the project.

**Be It Resolved:** by the Board of Supervisors of Gage County that:

Chair of the Gage County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between Gage County and the NDOT.

Gage County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: STWD-CBMP(7)  
NDOT Control Number: 00974F  
NDOT Project Name: County Bridge Match Program

Adopted this 8<sup>th</sup> day of February, 2023 at Beatrice, Nebraska.

<u>/s/ Terry Jurgens</u>	<u>/s/ Emily M. Haxby</u>
<u>/s/ Don Schuller</u>	<u>/s/ Eddie Dorn</u>
<u>/s/ Erich Tiemann</u>	<u>/s/ David L. Swavely</u>
	<u>/s/ Gary Lytle</u>

Board member Lytle moved the adoption of said resolution  
Member Swavely seconded the motion  
Roll Call: 7 Yes 0 No 0 Abstained 0 Absent  
Resolution adopted, signed and billed as adopted.

Attest:

/s/ Dawn Hill  
Signature County Clerk

Motion made by Lytle, seconded by Swavely to approve adopting Resolution #23-02 for the Signing of the Project Program Agreement – BL2346 for Project Number: STWD-CBMP(7), State Control Number: 00974F, CBMP Control Number: 00974F(e). Motion carried 7-0.

Hwy Supt. Mark Kuhnke discussed the substitution of rock vs. gravel on roads for the Townships.

Chairman declared Board of Supervisors meeting adjourned at 9:52 a.m. until February 22, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors



# Gage County Board Minutes



Board of Supervisors Meeting – February 8, 2023

6

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 8<sup>th</sup> day of February, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on February 22, 2023, at 8:47 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Haxby temporarily out.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,280,208.50 which did not include claim #23020096 to Beatrice Lawn Care, Inc. in the amount of \$1,355.00 and claim #23020201 to Johnny's Welding in the amount of \$220.00 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving and place on file the 2022 Annual report for Adams Rescue Squad; 6. Approve receiving and place on file Sheriff statement on the collection of Distress Warrants for December 2022 & January 2023; 7. Approve Utility Permit #1265 to Windstream Nebraska LLC. Windstream will be adding a new service drop to residence at 27672 South 66<sup>th</sup> road. Windstream will bore a 2" by 60" line for a new service line from pedestal 134VH located in the west grader ditch under South 66<sup>th</sup> road to east grader ditch and continue the bore on private property. Located on the East side of Section 4 and West side of Section 3, T-3-N, R-7-E, Rockford Twp.; 8. Approve Utility Permit #1266 to Windstream Nebraska LLC. Windstream will be installing new fiber lines and duct in the North part of Gage County. Windstream will plow a 3" by 48" line at the edge of roadway and bore a 2" by 48" line under road, intersections, culverts and concrete structures. Windstream will be working in Lancaster and Gage County for this project, Windstream will be installing fiber lines between Gage Road to West Ash Road between SW 114<sup>th</sup> to SW 42<sup>nd</sup> Road (Windstream's plan for locations will be available in Highway Departments Office). Located in T-6-N, R-6-E Highland Twp. and T-6-N, R-5-E Clatonia Twp.; 9. Approve Utility Permit #1267 to Windstream Nebraska LLC. Windstream will be installing new fiber lines and duct in the North part of Gage County. Windstream will plow a 3" by 48" line at the edge of roadway and bore a 2" by 48" line under roads, intersections, culverts and concrete structures. Windstream will be working in Lancaster and Gage County for this project, Windstream will be installing fiber lines between Gage Road to West Ash Road between SW 58<sup>th</sup> to SW 29<sup>th</sup> Road (Windstream's plan for locations will be available in Highway Departments Office). Located in T-6-N, R-6-E Highland Twp.; 10. Approve 2023 Gage Co. Highway Dept. Policy with Townships; 11. Approve sending letters of support for capital project applications for fiber in Clatonia, Cortland, Adams, Filley and Pickrell, and to approve Chairman signing letters.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	152,735.23
Adams Rescue	Qtrly EMS svcs.	4500.00
Advanced Correctional Healthcare	On-site jail medical svcs	8457.70
All Copy Products	Copier leases	425.93
AT&T Mobility	Shf FirstNet phone svc.	526.21
BASWA	Brush disposal	15.00
Beatrice Board of Public Works	Utilities	6127.95
Beatrice Lawn Care, Inc.	Snow removal	1355.00
Black Hills Energy	Utilities	2049.89
Blackburn Technologies	Equip, labor	1280.01
Bob Barker Co.	Inmate provisions	35.90
Bryan LGH East	Patient records	48.50
Burke, Brown Law	Atty fees	1368.00
C & C Detailing	Wash Shf vehicles	45.00
Capital City Transfer Svc.	Autopsy expns	459.25
Charter Communications	Prob. phones	192.96
City of Beatrice	Prob. utilities, Cths & Shf gbg svc.	2079.88
City of Wymore	Qtrly EMS svc.	10,000.00

Coast to Coast Computer Prod.	Toner	429.98
Correctional Risk Svcs.	Inmate medical	44,183.60
Countryside Event Center	Rent	300.00
Credit Information Systems	Mbrshp	50.00
Culligan of Lincoln	Water cooler	29.75
DAS St. Acctng Cntrl Fin 6507	Data processing	109.20
Datashield Corp	Doc shredding	16.32
Douglas Co. Shf.	Svc fees	30.74
Duval Ford, LLC	3 Shf. vehicles	124,770.70
Eakes Office Solutions	Copies, offc supplies	1308.35
Sandra Eltiste	Prior svc retirement	12.00
Fankhauser, Nelsen, Werts, et al	Atty fees	1567.50
First Wireless	Svc contract, equip rental	1649.70
Gage County	Fund trnsfrs to Co Bldg, Ins, Rd/Brdg Snk	441,313.00
Gage County Court	Court costs	2875.00
Gage County Sheriff	Shf fees & mlg.	2369.44
Gage County Treasurer	Titles, tire tax	45.00
Gleason Dental Clinic	Inmate medical	211.27
Global Auto Transportation, Inc.	Transport new Shf vehicles	2575.00
Hall Co. Shf.	Shf fees	8.00
David Henning	Cemetery care	1000.00
ISolved Benefit Svcs.	Admin fees	141.48
Jerry Shelton Atty	Atty fees	1686.25
Jones Automotive	Changeout Shf veh.	980.00
Joyce Kassing	Prior svc retirement	20.00
Lammel Plumbing, Inc.	Restroom supplies	303.62
Leo's Jewelry	Recognition awards	1588.95
Lincoln Journal Star	Publications	820.16
Lynn Peavey Co.	Law Enf supplies	82.18
Mahloch Law Office	Atty fees	1282.50
Mead Lumber	Supplies	227.30
Microfilm Imaging Systems	Scanning equip rent	457.00
MIPS, Inc.	Checks, forms	429.34
Murray Law, PC LLO	Atty fees	3111.25
NACO	Dues	160.00
Naylor, Rappl Law Offc.	Atty fees	2075.75
NE Assn. of Co. Clerks, ROD, Elec	Dues	50.00
NE Weed Control Assn.	Dues, training	275.00
Nelson, Clark & Timan	Public Defender	6346.15
Noakes Htng. & A/C	Supplies, labor	297.89
Norris Public Power	Tower utilities	48.71
Northeast Auto	Veh lease	271.00
O'Reilly Auto Parts	Supplies	66.70
Theodore Paben	Snow removal	100.00
Paper Tiger	Doc shredding	186.20
Physicians Laboratory	Autopsy expns	780.00
Priority Printing	Paper	1880.00
Quadient, Inc.	Opener lease	786.48
Quill – Ext.	Offc supplies	15.28
Quill – Prob.	Offc supplies	158.34
Quill – Treas.	Offc supplies	53.62
Ramada Columbus	Lodging	192.00
Region V Systems	EPC billing	3852.00
Sapp Bros.	Shf/Jail fuel	5425.06
SE NE Communications	Falls City Prob phones	112.87
Sec. of State	Atty Title 177 subscr.	40.00
Security Services	Monitor Shf fire alarm	35.50
Sheridan Industries	Ext. Offc. janitorial svcs.	150.00
Sherwin Williams	Paint, supplies	159.54
Soap Opera Laundry	Mop & rag cleaning	35.00
Spectrum	EM svc	11.55
Stanard Appraisal Svcs.	Appraisal maint., pickup work	7966.50
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2428.01
Summit Food Svc.	Jail meal svc.	5384.10
T.O. Haas Tire	Repairs, oil changes	819.42
The Home Depot Pro	Janitorial supplies	425.97
Thomsen Reuters	Law Library	5470.08
U.S. Bank – Purchase Cards	Travel, supplies	100.13

U.S. Post Svc., Postmaster	Prob. stamps	1030.00
Verizon Wireless, EMS 6384-1	EM cell phones	207.91
Washinton Co. Shf., KS	Boarding inmates	13,950.00
Weigels Jewelry	Recognition awards	880.00
Westlake Ace Hardware	Supplies	38.16
Windstream – Wilber Prob.	Phones	53.12
Windstream – Ext.	Phones	311.44
Windstream – Fillmore Co Prob.	Phones	410.55
Windstream – Hwy	Phones	311.44
Windstream – Shf.	Phones	610.33
Zultys, Inc.	Prob. phones	927.20

Road Fund

Highway Department Employees	Salaries	43,282.25
Bauer Built Tire	Tires	513.70
BASWA	Rubbish disposal	95.75
Beatrice Board of Public Works	Utilities	1105.55
Beatrice Concrete Sand & Gravel	Rock & gravel	49,423.11
Beatrice Iron & Metal	Parts, tools	2050.41
Black Hills Energy	Utilities	475.14
City of Beatrice	Gbg svc.	74.24
City of Wymore	Utilities	200.55
Constellation NewEnergy	Utilities	489.89
Cornhusker Intl. Trucks	Parts	476.12
Eakes Office Solutions	Offc supplies	274.02
First Wireless, Inc.	Repeater rental	350.00
Gage Co. Register of Deeds	Easement filing	66.00
Howard, LLC	Parts	40.49
Interstate PowerSystems	Parts, labor	4044.46
Johnny's Welding	Labor, repair step	220.00
Landmark Implement, Inc.	Parts	845.23
Larry's Tire & Service	Repairs, mounting	489.59
Lincoln Journal Star	Publications	25.98
Mainelli Wagner & Assoc.	Engineering consulting	39,822.50
Matheson Tri-Gas	Supplies	98.54
Mead Lumber	Supplies	36.99
NMC Exchange	Parts, oil	1797.13
O'Reilly Auto Parts	Parts, tools, supplies	1027.64
PowerPlan	Parts, labor	9307.14
RDO Truck Center	Parts, labor	1007.57
Rock On, Inc.	Hauling material	6515.93
Sapp Bros.	Fuel, oil	28,184.10
Small Engine Specialists, Inc.	Part	83.20
Theisen Construction, Inc.	Proj C34-12405, em pile repair, app 1	83,610.00
Dianne Trout	Easement	165.94
Verizon Connect NWF, Inc.	Veh. GPS	259.04
Westlake Ace Hardware	Supplies	294.46
Zoellner Ford	Parts	46.80

Insurance Fund

Gage County Health Ins.	Employee health ins. claims paid	45,733.62
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Covid American Rescue Plan Fund

Universal Broadband Consulting, Ltd.	Broadband project svcs.	292.50
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General Fund

Ameritas	County share of Employees Retirement	10,611.06
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,102.35
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,671.09

Road Fund

Ameritas	County share of Employees Retirement	2,921.57
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,150.94
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,392.93

Jurgens asked to pull item #10, Hwy Dept. policy with townships.

Motion made by Dorn, seconded by Swavely to approve the consent agenda with the exception of item #10, to be voted on separately. Motion carried 6-0.

Haxby back in meeting at 8:53 a.m.

Discussion on 2023 Hwy Dept. policy with Townships for rock and gravel. Jurgens mentioned that they will vote later in meeting on the possibility of townships exchanging gravel for rock so the additional discussion was postponed until the agenda item.

Motion made by Lytle, seconded by Haxby to approve consent agenda item #10, the 2023 Gage County Hwy Dept. policy with Townships as written. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #23020096 to Beatrice Lawn Care, Inc. in the amount of \$1,355.00. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Dorn, seconded by Schuller to approve claim #23020201 to Johnny's Welding in the amount of \$220.00, bringing the total amount of claims paid through February 22, 2023 to \$1,281,783.50. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely and Dave Jones on Bldg. & Grounds, Jurgens on Finance/Insurance, and Lytle and Lisa Wiegand on Law Enforcement/Emergency Management. Break in committee reports for timed agenda item.

Motion made by Schuller, seconded by Swavely to close bidding at 9:15 a.m. for rock and gravel bids for a period beginning March 10, 2023 and ending March 9, 2024, and accept, reject or award bids. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to refer all bids to Hwy Superintendent for review and for him to come back in 2 weeks with his recommendation. Motion carried 7-0.

Sheriff Millard Gustafson recognized Deputies Diehl, Smith and Patsch for their efforts in the rescue of a dog from the ice and read their letter of recognition into the record.

Committee report on Road & Bridge was given by Haxby. Items of discussion during committee meetings included meetings with architects on entrance updates; restroom project completed; contractor looked at triplex repairs needed; baggage scanner cannot go back on Purple Wave so will be scrapped; changes to solar regs; storm spotter trainings; and 2 public hearings scheduled for P&Z special use permits.

Nicole Stoner presented an Extension Office Annual Report and talked about the Yard & Garden program scheduled to begin April 14<sup>th</sup>. She also thanked the board for the update to the restrooms at their office, and made a request for updated computers and tables.

Motion made by Lytle, seconded by Schuller to approve receiving the Extension Annual Report and placing it on file. Motion carried 7-0.

Christina Lyons presented an annual report on the diversion program for 2022.

Motion made by Lytle, seconded by Swavely to approve receiving the diversion report and placing it on file. Motion carried 7-0.

Discussion on allowing township officials to exchange miles of gravel allotment for rock. Jurgens suggested giving the townships the right to exchange 2 miles of gravel for rock per allotment in the Spring and in the Fall. Hwy Supt. Mark Kuhnke said that the quality of the gravel has been better.

Motion made by Jurgens, seconded by Lytle to approve adding to the 2023 County Highway Dept. policy with Townships (which was previously approved by motion and second), the option of exchanging 2 miles of gravel per Spring and Fall allotments for rock at 5/8" to 1½" size. Motion carried 7-0.

Short break at 10:37 a.m. Back in session at 10:45 a.m. with all members previously listed present.

Motion made by Schuller, seconded by Swavely to move into closed session at 10:45 a.m. for security, personnel, and negotiations. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to move out of closed session at 11:23 a.m. Motion carried 7-0.

Motion made by Haxby, seconded by Dorn to adjourn Board of Supervisors meeting at 11:24 a.m. Motion carried 7-0.

Chairman declared Board of Supervisors meeting adjourned at 11:24 a.m. until March 8, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 22<sup>nd</sup> day of February, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

The Gage County Board of Supervisors met along with the Township Association and Township Boards for the Township Association Annual Meeting on February 23, 2023, at 7:00 p.m., at the American Legion Post 27/VFW Post 1077, with Terry Jurgens, Erich Tiemann, Gary Lytle, Dave Swavely and Don Schuller present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Township Board Association Chairman Don Schuster called the meeting to order and received and put on record the Notice of Public Meeting.

Tiemann called the Board of Supervisors meeting to order at 7:01 p.m. with the above listed board members present and announced that a complete copy of the Open Meetings Act is posted at the table where he was seated.

Township Board Chairman Don Schuster conducted the meeting.

Township officials approved the agenda and the minutes from last year's meeting.

Melvin Oltmans gave the Treasurer's report and did roll call of townships represented with only 1 not having a representative present.

No old business.

New business Chairman Schuster reminded all Township Board members that if they had not filed their bond paperwork with the County Clerk's Office, they needed to right away. Per statute, no funds can be paid out until the Bond received.

Speakers for the meeting:

1. Scott Berry and Taylor Wenzl spoke about the issues with Def usage. It is ok if Def freezes, just shake and dump. Taylor mentioned that is was important to clean around the tank.
2. Senator Myron Dorn spoke legislative issues. He mentioned the property tax credit, if you have not claimed yours, you can go back 3 years.
3. Terry Jurgens, Dist. 7 Supervisor and Road & Bridge Committee Chair spoke on the Highway Dept. budget and what percent had been used. He discussed the recent rock & gravel bids that were received by the county. Discussed townships being able to substitute rock for gravel.
4. Erich Tiemann, Dist. 3 Supervisor and Chairman of the Board of Supervisors thanked the township board members for all of their work. He discussed paved roads, County in good health overall, the judgment will be paid off this year and discussed the grant the Emily Haxby has been working on RAISE (grant) is for infrastructure
5. Lisa Wiegand, Emergency Manager spoke about P&Z permits – 22 permits and 38% of those are ag permits.
6. Mark Kuhnke, Gage County Highway Superintendent spoke on the one- & 6-year plan. Mark also spoke about the tree removal letter that will be used. Mark will send out a letter to the landowner, townships will receive an email. If the trees are not cut, the cutting of the trees will be hired out and the fees will be added to the property taxes. He discussed the projects awarded in the last Bridge Match program.
7. Terry Jurgens, Erich Tiemann & Gary Lytle, Board Supervisors spoke about consolidation of townships. They wanted the members to think about this and would like input. Some townships struggle to pass bond issues and cannot raise their levy enough due to many past boards that wanted to keep taxes down. The one concern that was mentioned is the snow removal process.

Other Officials present included: Gage County Attorney Roger Harris and Gage County Clerk Dawn Hill.

Schuster called for nominations for the election of Township Association Officers. Schuster stated that he removed his name for consideration and stated that Alan Weise had agreed to accept the position if nominated. A motion was made to cease nominations and cast a unanimous

ballot for Alan Weise. Motion carried. The position for Secretary at this time is still unfilled. No nominations were made so numbers were drawn to select someone, #15 Tanner Benash was drawn and he declined and then #45 Dave Spilker's name was drawn and he declined.

Schuster asked for any further business and with none being presented, declared the meeting adjourned at 9:32 p.m.

Chairman Tiemann declared Board of Supervisors meeting adjourned at 9:32 p.m.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill

Dawn Hill

Gage County Clerk

/s/ Erich Tiemann

Erich Tiemann, Chairman

Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

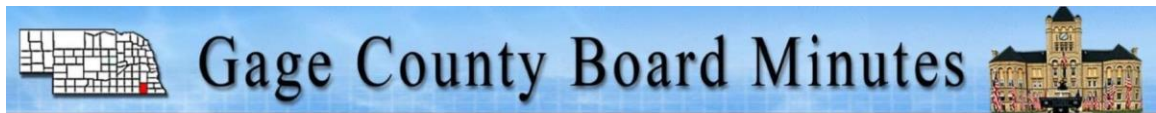
Witness my hand and official seal this 23<sup>rd</sup> day of February, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on March 8, 2023, at 8:47 a.m. with Terry Jurgens, Emily Haxby, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Don Schuller absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$2,579,159.72 except claim #23030066 to R. L. Tiemann, Const. in the amount of \$21,533.06 to be voted on separately below; 4. approve correspondence received and place on file; 5. approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of February, 2023; 6. approve Utility Permit #1268 to Windstream Nebraska LLC. Windstream will be replacing a service line to residence at 3040 Dogwood Road. Windstream will bore a 2" by 60" line for the new service line from pedestal 153QJ located in the South grader ditch, bore under Dogwood Road to North grader ditch and then continue the bore on private property. Located on the North side of Section 31 and South side of Section 30, T-5-N, R-7-E, Hanover Twp; 7. approve Utility Permit #1269 to Lower Big Blue NRD. NRD will be installing a new water line to residence at 25194 SW 45<sup>th</sup> Road. The NRD will bore a 6" by 72" line for the new water line starting in the West grader ditch, bore under SW 45<sup>th</sup> Road to East grader ditch and then continue the bore on private property. Located in the Southeast Section of 30, and the Southwest Section of 29, T-4-N, R-6-E, Midland Twp.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	153,125.28
Advanced Auto Dealers	Shf website maint.	29.00
All Copy Products, Inc.	Treas copier lease	90.00
Awards Unlimited, Inc.	Recog awards	165.00
Black Hills Energy	Ext. Offc. gas	451.07
Boarders Inn & Suites, Grand Island	Lodging	288.00
Bob Barker Co., Inc.	Inmate provisions	139.96
Buffalo Co. Shf.	Boarding inmates	184.95
Charter Communications	Jail cable TV	175.93
Clerk of District Court	St. & svc. fees	935.71
Correctional Risk Services, Inc.	Inmate medical	1806.14
Crawford Heating & Air, LLC	Duct cleaning at Jail	800.00
Culligan of Lincoln	Water cooler	42.00
Deluxe Corporation	Laser checks	2113.88
Diode Technologies	Svc call	60.00
Cayden Eggert	Witness fees	22.62
Farmers Cooperative	Shf fuel	42.60
First Wireless	Emer frequency lic. app.	150.00
Hamm Glass	Ext. Offc door repair	305.00
Hampton Inn, Kearney	Suprv lodging	238.00
Hometown Leasing	Prob & Atty copier leases	611.52
Jerry Shelton, Atty	Atty fees	1045.00
Land Survey Tech	Co Surveyor operating expns	5662.78
Mahloch Law Office	Atty fees	607.50
MIPS, Inc.	Computer support, programs	2771.80
Murray Law, PC LLO	Atty fees	1216.00
NACEB- NE Assn of Co Ext Bds	Dues	100.00
NACO	SE Dist Mtg regis	80.00
Naylor, Rappl Law Offc.	Atty fees	3385.50
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Northeast Auto	Veh lease	550.00
Precision Auto Tune	EM veh repairs	323.32
Priority Printing	Assr env.	1156.80
Quadient Leasing	Postage machine lease	2068.17

Quill – Ext.	Offc supplies	307.93
Quill – Prob.	Offc supplies	295.40
Richardson Co. Jail	Boarding inmates	1278.90
Kristine Riekenberg	Transcripts from grand jury	5441.00
<u>General Fund cont.</u>		
Stephen Kraviec, PC LLO	Child Suppt Enf Atty, postage	2442.13
Summit Food Svc.	Jail meal svc.	2691.38
The Home Depot Pro	Janitorial supplies	1416.49
TK Elevator Corp.	Elevator maint.	240.21
U.S. Bank – Purchase cards	Fuel, supplies, meals	2104.35
Verizon Wireless EMS-8923-1	Emer Mgmt cell phones	216.84
Verizon Wireless GCSO	Shf cell phones	480.12
Verizon Wireless Prob.	Prob cell phones	393.52
Washington Co. Shf.	Boarding inmates	1040.00
Kruse Williamson	Witness fees	22.62
Windstream – Wilber Prob	Phones	53.44
Windstream – Cths	Phones	2106.01
Windstream – Vets	Phones	246.97
Woods & Aitken, LLP	Prof legal svcs	2037.50
<u>Road Fund</u>		
Highway Department Employees	Salaries	45,837.57
All Copy Products, Inc.	Copier lease	54.95
Beatrice Concrete Sand & Gravel	Rock & gravel	34,094.31
Black Hills Energy	Utilities	144.73
Constellation NewEnergy – Gas Div	Heating fuel	1229.22
Contech Engineered Solutions	Culverts	28,756.50
Diversified Drug Testing	Drug/alcohol testing	225.00
Fastenal Co.	Supplies	19.17
Huls Body Shop	Heavy duty svc call	300.00
Inland Truck Parts	Parts	2141.83
Lampton Welding Supply	Wire	101.80
Mead Lumber	Light bulbs	11.79
Midwest Unlimited, LLC	Hard hats, vests	704.60
MIPS, Inc.	Hwy software pkg	192.32
Norris Public Power	Utilities	580.38
R.L. Tiemann Construction, Inc.	Hauling material	21,533.06
Rose Equipment, LLC	Part	118.03
Sunrise Bakery	Cookies for Twp Assn mtg.	151.20
T.O. Haas Tire	Part	84.24
Tractor Supply	Tool	54.99
<u>Visitor's Promotion Fund</u>		
Beatrice Area Chamber of Commerce	Lodging tax	14,035.39
<u>Visitor's Improvement Fund</u>		
Community Players, Inc.	Lighting equip grant	15,000.00
<u>Register of Deeds Preservation &amp; Modernization Fund</u>		
MIPS, Inc.	Deeds online with numerical indexes	220.08
<u>Insurance Fund</u>		
Gage County Health Insurance	Employee health ins. claims paid	64,025.78
Mutual of Omaha	Employee life and AD&D premiums	2277.96
<u>Drug Law Enforcement Fund</u>		
NADDI – NE Assn Drug Div Inv	Conf regis fees	250.00
<u>Judgment – (Beatrice 6) Fund</u>		
Bartle & Geier trst Joseph White Est	Settlement pmt	530,709.81
Bartle & Geier trst Kathleen Gonzalez Est	Settlement pmt	176,529.36
Bartle & Geier trst Thomas Winslow	Settlement pmt	530,702.54
Bartle & Geier trst Ada Joann Taylor	Settlement pmt	530,709.82
Chaloupka Law, LLC trst Debra Sheldon	Settlement pmt	137,352.75
Friedman Law Offices, PC LLO trst James Dean	Settlement pmt	186,061.45
<u>General Fund</u>		
Ameritas	County share of Employees Retirement	10,638.97

Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,134.94
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,291.42

Road Fund

Ameritas	County share of Employees Retirement	3,094.06
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,338.39
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,736.10

Motion made by Swavely, seconded by Dorn to approve the consent agenda. Motion carried 6-0.

Motion made by Jurgens, seconded by Swavely to approve claim #23030066 to R. L. Tiemann, Const. in the amount of \$21,533.06. This brings the total amount of claims approved thru March 8, 2023 to \$2,600,692.78. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Monte Murkle, 7001 W. Aspen Rd., Clatonia, NE spoke under public comments. He brought a sign to show the board what would be placed in the lawn on March 21<sup>st</sup> (as previously approved the year before) and discussed the lenses for the lights on the courthouse in order to recognize World Down Syndrome Day, and thanked the board.

Committee reports were given by Swavely on Building & Grounds; Finance/Insurance by Jurgens & Law Enf/Emer. Mgmt. by Lytle, Millard & Lisa; Road & Bridge by Haxby. Items discussed included discussion with architects, P&Z meeting & Special Use permit, vehicles sold on purple wave and the final payment to Beatrice 6.

Erich spoke on the long road to paying the Beatrice 6 Judgment and thanked all that assisted in getting us to this point. Haxby thanked those involved even when outside individuals were questioning all their decisions. Lytle stated that he appreciated all the work that has gone into getting to this point, he didn't know whether to celebrate or cry.

Motion made by Jurgens, seconded by Lytle to accept all rock & gravel bids which were presented at the last meeting. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Discussion took place on a county IT vendor. A number of companies had been explored. It is not just IT services that the county is looking for in a vendor, but also the Cyber Security and media/security issues among a few items.

Motion made by Haxby, seconded by Jurgens to approve Applied Connective for IT/Cyber Security services and negotiating a contract with said company. Motion carried 6-0.

Short break at 9:49 a.m.

Reconvened meeting at 9:54 a.m.

Motion made by Dorn, seconded by Swavely to go into closed session at 9:54 a.m. for personnel. Motion carried 6-0.

Motion made by Dorn, seconded by Haxby to move out of closed session at 10:57 a.m. Motion carried 5-0, with Jurgens out during closed session.

Motion made by Swavely, seconded by Haxby to adjourn meeting at 10:57 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 10:57 a.m. until March 22, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill

Dawn Hill

Gage County Clerk

/s/ Erich Tiemann

Erich Tiemann, Chairman

Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 8<sup>th</sup> day of March, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk



The Gage County Board of Supervisors met on March 22, 2023, at 8:47 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk’s Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,357,519.38 which does not include claim #23030116 to Beatrice Lawn Care in the amount of \$975.00, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1270 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA #1 Pickrell. All new fiber line will be installed in the county ROW per Nextlink. Nextlink will be installing fiber lines for DSA #1 from Birch Road to Sargent, between SW 100<sup>th</sup> to S. 110<sup>th</sup>. (DSA #1 plans for locations will be available in the Highway Departments Office) Located in Clatonia, Highland, Nemaha, Adams, Grant, Holt, Hanover, Hooker, Blakley, Midland, Logan, and Filley Twps.; 6. Approve receiving Sheriff’s Statement on collection of distress warrants for February, 2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	149,833.73
Advanced Correctional Healthcare	Jail on-site medical svcs	12,970.40
AT&T Mobility Accounts, LLC	Shf. FirstNet mobile phone svc.	526.21
Beatrice Board of Public Works	Utilities	5478.45
Beatrice Fire Protection	Fire ext. inspections	120.00
Beatrice Lawn Care, Inc.	Snow removal	975.00
Beatrice Public Schools	MAPS juvenile justice	3112.00
Blue Valley Door Co., Inc.	Svc call, jail	105.00
Bob Barker Co., Inc.	Inmate provisions	180.73
Burke, Brown Law, LLC	Atty fees	1111.50
Charter Communications	Prob. phones	192.96
City of Beatrice	Qtrly EMS svc., gbg svc.	45,264.96
Cortland-Lancaster Rural Fire Dist.	Qtrly EMS svc.	1500.00
Credit Information Systems	Mbrshp, pre-empl screen	50.00
Wendy Cutting	Court transcripts	510.50
DAS St Acctng Cntrl Fin 6507	Data proc.	54.60
DataShield Corp.	Doc shredding	17.12
Detectachem, Inc.	Drug testing supplies	323.00
Diode Communications	Monitoring	80.85
Douglas Co. Sheriff	Shf. fees	12.80
Dr. Eric Thomsen	Mntl hlth hrngs	190.00
Eakes Office Solutions	Offc supplies	4679.68
Echo Group	Adj. watt lights	59.00
Sandra Eltiste	Prior svc. retirement	12.00
First Wireless	EM svc agrmt, lic. fee	805.20
Flood Communications Beatrice, LLC	Storm spotter trng ad	50.00
Frontier Appliance, LLC	Replace jail oven thermostat	300.00
Gage County	Fund transfer to Road	400,000.00
Gage Co. Register of Deeds	Filing fee	16.00
Gage Co. Sheriff’s Offc.	Shf. fees/mlg	658.47
Garcia Clinical Lab	Jail lab svcs	13.00
Garrison Law Firm	Atty fees	3201.50
Gleason Dental Clinic	Inmate dental	325.71
Great Plains Uniforms	Shf uniforms	165.00
Hometown Leasing	Prob copier lease	159.48
Jack’s Uniforms & Equipment	Shf. uniforms	26.80
Jefferson Co. Sheriff’s Office	Boarding inmates	150.00
Jerry Shelton, Atty	Atty fees	1187.50
Jim’s Carpet & Supplies	Base molding	47.73
Joyce Kassing	Prior svc. retirement	20.00
Lammel Plumbing	Plbg supplies, labor	1718.26
Leo’s Jewelry, Inc.	Recognition award	156.00

Lepant Law Office	Atty fees	2251.50
Mahloch Law Office	Atty fees	819.00
Matthew Kosmicki Law, LLC	Atty fees	399.57
Mead Lumber	Supplies	48.59
Microfilm Imaging Systems	Courts scanning equip rent	457.00
Midwest Card & ID Solutions	ID card supplies	790.37
Midwest Process Services	Civil process fees	638.40
Monroe Systems for Business, Inc.	Ribbons	71.64
Murray Law, PC LLO	Atty fees	798.00
NACO	Vets mtg registr	40.00
Naylor, Rappl Law Office, PC LLO	Atty fees	566.40
NE Title Co.	Atty title report	150.00
Nelson, Clark & Timan	Public Defender	6346.15
Norris Public Power Dist.	Horvath tower electricity	49.30
Northeast Auto	Towing	202.00
O'Reilly Auto Parts	Parts	83.35
Theodore Paben	Snow removal	50.00
Paper Tiger Shredding	Doc shredding	70.00
Physicians Laboratory	Autopsy expense	384.00
Precision Signs & Graphics	Shf graphics	2475.00
Priority Printing	Prob. env.	272.46
Psychological Resources	Pre-empl eval	150.00
Quill – Ext.	Offc supplies	389.25
Quill – Co Ct	Offc supplies	41.38
Quill – Prob	Offc supplies	318.66
Region V Systems	EPC billing	856.00
Kristine Riekenberg	Mntl hlth hrngs	190.00
Sapp Bros Petroleum	Shf/Jail fuel	5327.83
Saunders Co. Shf.	Svc of papers	6.00
SE NE Communications	Falls City Prob phones	114.14
Secretary of State	Cert copies	40.00
Security Services	Monitor Shf fire alarm	35.50
Sheridan Industries	Ext Offc janitorial svcs	120.00
Sherwin Williams Co.	Paint, supplies	98.30
Soap Opera Laundry	Mop & rag cleaning	36.50
Spectrum	EM cable TV	11.55
Stanard Appraisal	Appraisal maint., pick up work	7768.50
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service	Jail meal svc.	8095.96
T.O. Haas Tire	Oil changes, tires, repairs	1336.56
The Home Depot Pro	Parts	47.84
Thomas & Thomas Court Reporters	Deposition transcript	158.73
Thomson Reuters	Law Library subscr	2602.54
TridentCare	Inmate medical	62.00
Twin Rivers	Shf veh repairs	11,248.42
Tyler Technologies, Inc.	VetraSpec renewal	898.00
UN of NE Extension	2 computers & monitors	5091.96
UN of NE Lincoln	Ext Offc internet connectivity	1200.00
U.S. Bank – Purchase cards	Supplies, fuel	446.10
U.S. Post Service – Postmaster	Weed Dept stamps	126.00
Verizon Wireless EMS 8923-1	Cell phones	216.84
Village of Clatonia	Clatonia Rescue Qtrly EMS svc	4500.00
Washington Co. Shf.	Boarding inmates	12,600.00
Westlake Ace Hardware	Supplies	283.32
Windstream – Ext	Phones	311.44
Windstream – Fillmore Co Prob	Phones	406.80
Windstream – Hwy	Phones	311.44
Windstream – Shf	Phones	608.72
Windstream – Cths	Phones	2133.37
Wolfe, Snowden, Hurd, et al	Prof. legal svcs.	40.00
Woods & Aitken, LLP	Prof. legal svcs.	987.50
Zultys, Inc.	Prob. phones	463.60
<u>Road Fund</u>		
Highway Department Employees	Salaries	44,588.17
Bauer Built Tire	Tires	8916.00
Beatrice Board of Public Works	Utilities	938.55
Beatrice Concrete Ready Mix	Asphalt patch material	411.62

Beatrice Concrete Sand & Gravel	Rock & gravel	21,619.26
Beatrice Iron & Metal Co.	Parts, tool	707.92
Black Hills Energy	Utilities	311.10
City of Beatrice	Gbg svc	74.24
City of Wymore	Utilities	226.34
Concrete Industries	Asphalt sealant	9126.00
Eakes Office Solutions	Offc supplies	146.58
Echo Group	Bulbs	61.08
FilterCare of NE	Part	21.10
First Wireless, Inc.	Repeater rental	350.00
Landmark Implement	Parts	619.76
Medical Enterprises, Inc.	Drug/alcohol testing	150.00
NMC Exchange	Parts	786.24
Nutrien Ag Solutions, Inc.	Supplies	135.00
O'Reilly Auto Parts	Parts, supplies	384.79
PowePlan	Parts, labor	2206.59
RDO Truck Center, LLC	Parts, labor, 2023 Mack truck	216,705.43
Sapp Bros Petroleum	Fuel, grease, anti-freeze	19,631.28
Theisen Construction, Inc.	2022 Pile repair proj., cert #2	168,620.50
Truck Center Companies	Parts	932.52
U.S. Auto Force	Tires	932.44
U.S. Bank/Corp Payment System	Part, sand bags	364.98
Verizon Connect NWF, Inc.	Veh. GPS	259.04
Westlake Ace Hardware	Oil, supplies	147.41
Zep Sales & Service	Degreaser	249.01

Insurance Fund

Gage County Health Insurance	Employee Health Ins. claims paid	64,428.51
Mutual of Omaha	Ins. premiums/admin svcs	585.31

Diversion Program Fund

Beatrice Public Schools	Diversion program	2500.00
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Covid American Rescue Plan Fund

Universal Broadband Consulting Ltd.	Broadband internet project	260.00
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General Fund

Ameritas	County share of Employees Retirement	10,385.20
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,883.17
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,291.42

Road Fund

Ameritas	County share of Employees Retirement	3,009.71
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,242.84
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,736.10

Motion made by Lytle, seconded by Swavely to approve the consent agenda. Motion carried 7-0.

Motion made by Lytle, seconded by Dorn to approve claim #23030116 to Beatrice Lawn Care in the amount of \$975.00, bringing the total amount of claims paid through March 22, 2023 to \$1,358,494.38. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Steve Janssen, 13005 E Locust Rd., Virginia, NE spoke under public comments regarding the condition of 162<sup>nd</sup> Road. He said the road was narrowed up and that his son went into ditch. He would like to see the road hard surfaced.

Committee reports were given by Swavely on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Tiemann on Human Resources/Employee Relations, Lytle on Law Enforcement, Lisa W. on Emergency Management, and Jurgens, Tiemann and Haxby on Road & Bridge. Items of discussion were meetings with architects, public hearings for Special Use Permits, a bridge by Barneston, progress of the broadband project and the need for help from the community, and a meeting with the Gage County Broadband Outreach Group at 402 in the back room on March 30<sup>th</sup> at 7:00 p.m., for those that want an update on the Broadband project or to assist with other projects pertaining to the Broadband.

Motion made by Lytle, seconded by Jurgens to approve recommendation on a Special Designated Liquor License for St. Paul's Evangelical Lutheran Congregation of Beatrice for a

Wine/Ale/Spirit Tasting Fundraiser event to be held at The Red Barn Farm, 1038 W Sargent Rd., Beatrice NE, on April 28, 2023. Motion carried 7-0.

Planning & Zoning Administrator Lisa Wiegand gave the P&Z Commission’s recommendation on Special Use Permit #2023-1 for a greenhouse, saying that one concern with the owner was the use of herbicides by surrounding farmers but that he had spoken to them about it. The P&Z’s recommendation was to approve the Special Use Permit.

Motion made by Dorn, seconded by Swavely to open public hearing at 9:15 a.m. to hear support and/or opposition on Special Use Permit #2023-1 for the placement of a commercial greenhouse operation to be placed in the SE ¼ of Section 28 in Logan Township. Motion carried 7-0.

Speaking in support of the permit was Ashley Mason, 1300 Lincoln St., Beatrice NE. Applicant Eric Jobman, 6509 E Hoyt Rd., Beatrice NE, said the permit is for a commercial greenhouse to grow products to sell to the community.

Motion made by Lytle, seconded by Swavely to close public hearing at 9:19 a.m. Motion carried 7-0.

Short recess at 9:20 a.m. Reconvened at 9:30 a.m.

Motion made by Swavely, seconded by Lytle to open public hearing at 9:30 a.m. to hear support and/or opposition on Gage County’s 1- & 6- Year Highway Improvement Plan. Motion carried 7-0.

Speaking at the public hearing were: Tracy Zimmerman, 32741 S 162<sup>nd</sup> Rd., Virginia NE; Lenhart Fritzen, 29813 S 120<sup>th</sup> Rd., Beatrice NE; Steve Janssen, 13005 E Locust Rd., Virginia NE; Steve Knoche, 28827 S 176<sup>th</sup> Rd., Virginia NE; and Rick Clabaugh, 326 Morton Dr., Beatrice. Discussion included grants being pursued to improve 162<sup>nd</sup> Rd. and would like some help from the county; encouragement to approve the 1 & 6 and making it a priority; the cost to armor coat a mile (Tiemann estimated \$15,000); the difference in price of concrete vs asphalt; getting caught up on rock and gravel allocations; funeral traffic to cemetery in Sherman Twp.; S 134<sup>th</sup> Rd between Lilac and Linden roads and discussions about county taking it over but would leave it as a township road; Linden Rd. is bad apple with muddy patches, needs to be resurfaced, should make it a priority on 1 & 6; SENDD spoke at Virginia Village meeting and informed them of a grant through Sen. Fischer’s Office which they did apply for, local realtor looking at 4-5 lots with the possibility of building houses, Village is excited for what can develop in the village.

Haxby spoke about 2 projects missing on the 1 & 6 plan which are the Buss River Bridge replacement on Dogwood Rd., proj. C34-12405, and mill & overlays of Christ Lutheran Church blacktop between S 25<sup>th</sup> Rd. and Hwy 41, and Pickrell East blacktop.

Motion made by Dorn, seconded by Swavely to close public hearing at 9:47 a.m. Motion carried 7-0.

**RESOLUTION #23-03**

**WHEREAS**, the Gage County Highway Superintendent has presented a One and Six Year Highway Improvement Plan to the County Board of said County, and

**WHEREAS**, the said Board deems it to be in the best interest of the County to adopt said plan as presented.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Gage County, Nebraska, that said plan be and hereby is approved and accepted.

PASSED AND APPROVED THIS 22<sup>nd</sup> day of March, 2023.

Motion by: Jurgens                      Second by: Lytle

Vote:    Aye - 7                      Nay - 0

/s/ Erich Tiemann  
Erich Tiemann, Chairperson

ATTEST:

/s/ Dawn Hill  
Dawn Hill, County Clerk

Motion made by Jurgens, seconded by Lytle to approve Resolution #23-03 adopting the 1- & 6-Year Highway Improvement Plan with amended additions.

Motion made by Haxby, seconded by Swavely to approve amending the 1- & 6- Year Highway Improvement Plan to include the Buss River Bridge replacement – Bridge # C003412405, on Dogwood Rd., between SW 100<sup>th</sup> and North Blue Ridge Drive “Christ Lutheran Road” mill/overlay – South 25<sup>th</sup> Road between Hwy 41 to East Pickrell Road – 6 miles. Motion carried 7-0.

Vote taken on original motion to approve adopting Resolution #23-03 approving the 1- & 6- Year Highway Improvement Plan with amended additions, motion carried 7-0.

Motion made by Swavely, seconded by Dorn to move into closed session at 9:52 a.m. for security. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to move out of closed session at 11:02 a.m. Motion carried 7-0.

Jurgens left the meeting.

Motion made by Swavely, seconded by Haxby to adjourn the Board of Supervisors Meeting at 11:04 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:04 a.m. until April 5, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

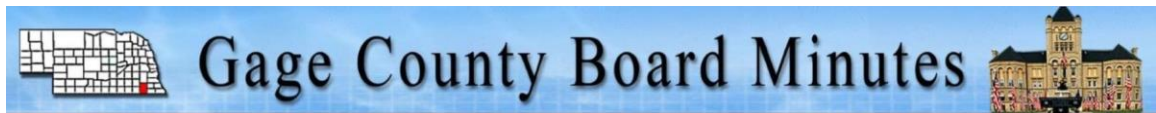
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 22<sup>nd</sup> day of March, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on April 5, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$409,335.02 which does not include claim #23040092 to Hard Rock Quarries, LLC. in the amount of \$2,583.09 & claim #23040098 to R.L. Tiemann Const. Inc. in the amount of \$53,113.44 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving and place on file the 2022 Annual report for Odell Volunteer Fire & Rescue; 6. Approve reappointment of Daniel Paul, 8383 East Cherry Rd., Adams, NE 68301, for another term on the Gage County Veterans Service Committee, expiring in July, 2028; 7. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of March, 2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	148,638.14
Advanced Auto Dealers	Shf. website maint.	29.00
All Copy Products, Inc.	Copier leases, overage	1118.68
Black Hills Energy	Utilities	1927.84
Burke, Brown Law, LLC	Atty fees	2840.50
Capital Business Systems	ROD copier lease	61.80
Capital City Transfer Svc.	Autopsy expns	459.25
Charm-Tex, Inc.	Inmate provisions	935.80
Charter Communications	Shf. cable TV	175.93
Clerk of District Court	St & svc fees	937.19
CVSOAN	Vets conf.	60.00
Dodge Co. Sheriff	Shf svc fees	7.31
Electronic Contracting Co.	Semi-annl alarm testing	433.00
First Wireless	Shf. tower, repeater rental	440.00
Great Plains Uniforms	Uniforms	110.40
Griffiths Hovendick Chapel, Inc.	Coroner expns, county cremation	1425.00
Harman Wright Mortuary	County cremation	1200.00
Hometown Leasing	Atty, Prob copier leases	611.52
Jerry Shelton, Atty	Atty fees	5462.50
Jurors for trial	Jury fees	3486.78
Lammel Plumbing, Inc.	Ext. Offc. remodel	22,214.00
Lincoln Journal Star	Publications	5722.66
MIPS, Inc.	Supplies	410.31
Naylor, Rappl Law Office	Atty fees	684.00
NE Assn. of County Treasurers	Wkshp registration	150.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Precision Reporting, Inc.	Depo transcripts	232.65
Quill – Ext.	Offc supplies	220.58
Quill – Prob.	Offc supplies	42.05
Kristin Riekenberg	Bills of Exception	808.25
Saunders Co. Shf.	Shf. fees	20.00
Smith, Schafer, Davis, LLC	Atty fees	1657.75
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service, LLC	Jail meal svc.	2669.32
U.S. Bank – Purchase Cards	Fuel, supplies, etc.	1106.98
Valentino's	Jury meals	55.81
Verizon Wireless – Prob.	Cell phones	393.52
Washington Co. Shf.	Boarding inmates	3770.00
Windstream – Wilber Prob.	Phones	53.12
Windstream – Vets	Phones	246.97

Road Fund

Highway Department Employees	Salaries	43,341.24
All Copy Products	Copy overage	77.63
Beatrice Concrete Sand & Gravel	Rock & gravel	16,282.87
Black Hills Energy	Utilities	134.83
Bomgaars	Jack	40.49
Contech Engineered Solutions	Culverts	28,732.00
Farm & Home Publishers	Plat books	750.00
Gage Co. Treasurer	Titles & tire tax	44.00
Hard Rock Quarries	Rock	2583.09
Lincoln Journal Star	Publications	114.25
Motor Fuels Division	Diesel tax	1402.00
NE Notary Assn.	Renewal	154.00
Norris Public Power	Utilities	500.21
Pavers, Inc.	Cold mix asphalt	383.83
R.L. Tiemann Construction	Twp gravel & hauling	53,113.44
Rose Equipment, LLC	Parts	1204.10
Tractor Supply	Hose, supplies	73.97

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	16,752.67
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Register of Deeds Preservation & Modernization Fund

Capital Business Systems, Inc.	Recording paper	92.00
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	15,093.70
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General Fund

Ameritas	County share of Employees Retirement	10,313.51
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,791.70
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,911.75

Road Fund

Ameritas	County share of Employees Retirement	2,925.56
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,147.43
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,356.43

Motion made by Lytle, seconded by Swavely to approve the consent agenda. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to approve claim #23040092 to Hard Rock Quarries, LLC. in the amount of \$2,583.09 & claim #23040098 to R.L. Tiemann Const. Inc. in the amount of \$53,113.44, bringing the total amount of claims approved thru April 5, 2023 to \$465,031.55. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Scott Bates on Veterans' Service, Shf. Gustafson and Lytle on Law Enforcement, and Haxby on Road & Bridge. Items of discussion included courthouse east entrance; valuations going out; claims to NE Veterans Aid; Memorial Day program on May 29<sup>th</sup> at Evergreen Home Cemetery; Veteran's trainings; Shf vehicle changeovers; Buss bridge near completion; new Mack truck had to be returned for repairs; Spring 2022 gravel almost complete.

Angie Bruna with the Beatrice Area Chamber of Commerce presented the Gage County Tourism Report and introduced new Tourism Coordinator, Dakota Hurley, to the board. Bruna talked about the lodging tax dollars and upcoming Visitor's Improvement Grant projects. Hurley told the board she has been a lifelong resident of Gage County and that she and her husband live in Wymore along with their three children. She spoke about several meetings she's attended, an ad that will be on the Visit Nebraska website, and a half-page ad that will be in the Visit Nebraska Guide. She also stated that Gage County will have a Visitor's Guide printed that will be distributed to all visitor's stops along Interstate 80. She pointed out an interesting fact that one of the most visited pages on the website is the Rolla Rena Skate Center as the next nearest one is in Omaha.

Motion made by Lytle, seconded by Swavely to receive the Tourism Report and place it on file. Motion carried 7-0.

**RESOLUTION NO. 23-04**

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2023-1 for the placement of a commercial greenhouse operation; and,

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this special use permit, the date of said public hearing being March 2, 2023, at 7:15 p.m., in the Board of Supervisors meeting room; and,

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of this special use permit, #2023-1; and,

WHEREAS, this special use permit is in an agricultural zoning district, located in the southeast quarter of Section 28 of the Logan Township; and,

WHEREAS, the Gage County Board of Supervisors on the 22<sup>nd</sup> of March, 2023, held a public hearing to take input on this special use permit after proper notice and publication of said hearing for approving or disapproving Special Use Permit #2023-1; and,

WHEREAS, an opportunity was given for individuals, in favor and against Special Use Permit #2023-1, to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit #2023-1 for the placement of a commercial greenhouse operation shall be:

- approved for the reasons stated on the record.
- approved with stated conditions: \_\_\_\_\_
- disapproved for the reasons stated on the record.

Motion made by Jurgens, seconded by Lytle to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle

Nay: None

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 5<sup>th</sup> day of April, 2023.

/s/ Dawn Hill  
Gage County Clerk

Motion made by Jurgens, seconded by Lytle to approve adopting Resolution #23-04 granting Special Use Permit #2023-1 for the placement of a commercial greenhouse operation in section 28 of Logan Township. Discussion and recommendation from County Attorney to add that the approval is due to the fact that it met all zoning regulations and there was no opposition from the public. Tiemann asked Jurgens and Lytle if they would like to add the wording to their motion and second and they agreed. Motion carried 7-0.

Planning & Zoning Administrator Lisa Wiegand presented the P&Z Commission’s recommendation for approval of the proposed Solar Conversion System Regulations. She talked about the significant impact that county zoning has on any kind of development. She said we do zoning to decide how land can be used, whether it’s restricted or not, or if it’s enhancing opportunities. The question of security lighting was raised, and Wiegand said that security lighting was not written in to the regulations. Another question was regarding the land needed, and she said that the general rule of thumb is that for a 1-megawatt system it would take 7 acres,

and that berms would add another 2-3 acres. Someone asked about the height, and she said it is normally 7-14 feet. She stated that the goal is creating a balance between being too restrictive and not restrictive enough and also creating a good working relationship between the developer and land owners. She reported that the general feel of the public at the P&Z public hearing was good and that they offered a lot of good suggestions. The P&Z Commission recommended approving forwarding the Solar Conversion System Regulations to the Board of Supervisors for approval.

Motion made by Swavely, seconded by Dorn to open public hearing at 9:30 a.m. to hear support and/or opposition on the proposed Solar Conversion Systems changes made to the Gage County Planning and Zoning Regulations. Motion carried 7-0.

Those sworn in and speaking during the public hearing included:

1. Larry Alder, 2498 W Ash Rd., Cortland NE – Alder thanked the P&Z Board for their work on the regs; would like to see greater setbacks from nonparticipating landowner's property line, whether there is a dwelling there or not, and if the landowner is not going to develop the land, then work something out with the developer.

2. Ashley Mason, 1300 Lincoln St., Beatrice NE – provided Exhibit #1; Mason said she's attended all of the P&Z meetings on solar regs and read from an email she had sent to the board. She said the P&Z board did a thorough job, but she noted a few things she thinks need addressed further including: increasing setbacks; how fires of solar panels would be handled, the need for training to handle this type of fire, the cost of extinguishing equipment, and whose responsibility it would be for the additional training and cost of equipment; use the same safety requirements and setback regulations as the Wind Energy Regulations to make them as similar as possible; requiring transmission lines to be buried to lessen the fire risk; most are in favor of firm regulations, a few were in opposition to the regs; she sees the need for continued growth and industry in the county but this industry hasn't shown it will bring long-term jobs, increased revenue, or benefit tourism; lesser restrictions will not benefit the county as a whole; and the will of the people, public safety, and protecting the land should direct your continued efforts in creating commercial solar regulations.

3. Deb Kai, 7694 W Cedar Rd., DeWitt NE – concerned about what conditions developers will have for training for rural fire departments and emergency management in case of fire, and funding to provide this training as all are unfamiliar with this type of fire which involves hazardous materials; it is a completely different fire that is higher burning, hotter temperatures, and spreads quicker; takes different equipment to fight; concerns with adequate training county-wide as mutual aid in the county means all area fire depts. could be called in to help.

4. Elizabeth Shotkoski Ferneding, 34998 S 66<sup>th</sup> Rd., Blue Springs NE – provided Exhibit #2; she is a Registered Environmental Health Sanitarian; she stated that toxic chemicals cadmium telluride and silicon are in the panel material; when cadmium burns, it aerosolizes and gets breathed in making it dangerous for firefighters and surrounding residents; cadmium is toxic to aquatic life and accumulates in the human body over a lifetime; we're ok if the panels are properly manufactured and installed, but if hail comes and breaks them there is no way to know if these toxic chemicals will be released; we don't know if rain will wash chemicals off into the soil and groundwater; setbacks should protect the nonparticipating landowner; need to protect the viewshed of the Homestead National Historical Park as a 1916 Federal Law (The Organic Act) makes it our jobs as Americans to protect our National Parks.

5. Don Ferneding, 34998 S 56<sup>th</sup> Rd., Blue Springs NE – Friends of the Homestead would like a viewshed study of the Homestead National Historical Park and specific language in the regulations protecting the viewshed of the park; they would like it to be a 4-season viewshed study and not necessarily have a setback distance, but just go by the study to conserve the scenery, national and historical objects, and the wild life variant.

6. Jerry Enns, 10011 E Locust Rd., Holmesville NE – provided Exhibits #3 & #4; he is the Manager of Engineering at Norris Public Power; the company is working on 2 local projects, 1 involving a 25-year agreement that has two 5-year extensions possible with Today's Power, Inc. (TPI) with a Class 2 site under 1 megawatt where the power doesn't flow out of the state or on the transmission system and stays on Norris's distribution line, the other is a Class 2 site in the Diller area on Jeff Hays' property; these projects make up a very small percentage of Norris's total power and is close to the same price as their wholesale supplier; Norris/TPI do not expect a fire department to put out a fire at their substation but may need fire depts. to help contain the fire on the perimeter; panels are made with anti-glare material to absorb the sun, not causing reflections.

7. Jeff Hays, 10472 W Pine Rd., Diller NE – had questions on what will be required for screenings around the site on his property; has talked to neighbors and they have no problems with the site; Hays is a paramedic in Beatrice and volunteers on the Diller Fire & Rescue Squad; he has checked out TPI and they seem to be a reputable company and genuinely care about safety; he spoke of his experience with Hazmat saying that Beatrice is a regional hazmat team for the State of NE; Beatrice has some hazmat equipment but they also work with the Army National Guard CST 65 Team for additional resources, but it takes time to get them here; he stated that training is essential to avoid and/or deal with any emergency situations.

8. Betty Boyko, 828 N 26<sup>th</sup> St., Beatrice NE – thanked the board for their support of the Homestead National Historical Park, Hwy 4, Beatrice; stated the Homestead values renewable energy but to remember the Organic Act to protect the park for future generations; please consider the positive impact that tourism to the Homestead provides for the area; need to require a viewshed study; on 1/1/1863 at 12:00 a.m. Daniel Freeman was successful in convincing the land office to open so he could file a claim under the Homestead Act, which was the first in the nation, and in 1936, citizens of Gage County convinced Congress to establish the Homestead National Historical Park as a unit of the National Park Service – both are gifts to Gage County and should be protected.

Tiemann asked for further comments, there were none.

Motion made by Lytle, seconded by Swavely to close public hearing at 10:29 a.m. Motion carried 7-0.

Motion made by Haxby, seconded by Swavely to approve a one-year agreement with Applied Connective for IT services. Discussion: they would provide network security and IT support and would help with grant applications to pay for initial equipment and setup; they have the manpower to get us set up quickly and provide timely support; will review in one year and discuss renewal. Motion carried 7-0.

No action taken on agenda item regarding FOP #45 agreement.

Motion made by Swavely, seconded by Dorn to adjourn Board of Supervisors Meeting at 10:36 a.m. Motion carried 7-0.

Chairman declared Board of Supervisors meeting adjourned at 10:36 a.m. until April 19, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

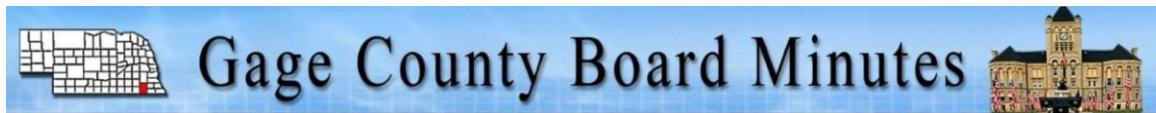
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 5<sup>th</sup> day of April, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on April 19, 2023, at 8:46 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$978,320.75 which does not include claim #23040222 to Hard Rock Quarries in the amount of \$3,176.97, claim #23040224 to Johnny's Welding in the amount of \$525.57, and claim #23040233 to R.L. Tiemann Construction in the amount of \$45,616.35, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving and place on file the 2022 Annual report for Wymore Rescue; 6. Utility Permit #1271 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA #2 Adams. All new fiber line will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #2 from Hwy 41 to Hickory, between 82<sup>nd</sup> Road to 190<sup>th</sup> Road. (DSA #2 plans for details and locations will be available in the Highway Departments Office) Located in Nemaha, Adams, Hooker, Hanover and Filley Twps.; 7. Approve engagement letter from Woods Aiken and authorizing chairman to sign letter.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	149,693.71
Advanced Correctional Healthcare	Jail on-site medical svcs.	18,426.15
All Copy Products, Inc.	Copier leases	193.25
Beatrice Board of Public Works	Utilities	5434.78
Beatrice Fire Protection	Shf/jail extinguisher inspections	295.45
Julie Bellis	Prepare bill of exceptions	292.50
Bert's Carpet	Floor remnant	10.00
Blue Valley Community Action	Qtrly funding	3725.00
Charter Communications	Prob. internet	192.96
City Motor Supply	Tractor battery	54.90
City of Beatrice	Gbg svc	310.96
Civic Research Institute	Subscr.	249.95
Clerk of District Court	St & svc fees	676.70
Coast to Coast Computer Products	Co ct. toner	459.98
Credit Information Systems	Subscr./employment screen	75.50
Culligan of Lincoln	Water cooler	71.00
DAS St Acctng Cntrl Fin 6507	Data processing	54.60
Datashield Corp.	Prob. doc shredding	16.16
Dawgs Sports Specialties, Inc.	Recognition items	2455.40
Diode Communications	Monitoring	80.85
Diode Technologies	Door/camera repairs	2050.96
Eakes Office Solutions	Offc supplies	1626.27
Echo Group	Ext offc ballast	22.76
Garrison Law Firm	Atty fees	755.25
Great Plains Uniforms, LLC	Shf uniforms	85.74
Holiday Inn, Kearney	Lodging	249.90
Huls Body Shop	Shf veh repair	145.00
ISolved Benefit Svcs.	Admin. fees	141.48
Jones Automotive, Inc.	Shf veh equip installs, repairs	19,935.33
Lammel Plbg., Inc.	Supplies, labor	422.11
Lepant Law Office, PC LLO	Atty fees	1539.00
Lynn Peavey Co., Inc.	Shf supplies	64.74
Mead Lumber	Supplies	49.41
Microfilm Imaging Systems, Inc.	Courts scanning equip rent	457.00
Midwest Process Svcs.	Civil process fees	610.44
MIPS, Inc.	Computers, supplies, software	7487.99
NACO	Conf. registr.	600.00

Natl. Public Safety Info. Bureau	Natl. directory	159.00
Nelson, Clark & Timan	Public Defender, seminar fee	6596.15
Norris Public Power Dist.	Utilities Horvath twr	44.48
Northeast Auto	Veh lease	550.00
Odell Vol. Fire & Rescue	Qtrly EMS svc	4500.00
Paper Tiger Shredding	Doc shredding	310.01
Physicians Laboratory, PC	Autopsy expense	2350.00
Pinnacle Bank – Court	Supplies	41.26
Priority Printing	Prob. bus cards	70.00
Quill – EMS	Offc supplies	759.76
Quill – Prob.	Offc supplies	95.37
Reagan, Melton & Delaney, LLP	Atty fees	267.50
Region V Services Central Office	Qtrly funding	9928.40
Region V Systems	LB302 qtrly funding	14,344.25
Riverside Technologies, Inc.	Prob equip	3040.00
Sapp Bros. Petroleum	Shf/Jail fuel	4864.48
Secretary of State	Title 177 cert. copies	40.00
SE NE Communications	Falls City Prob phones	110.48
Security Services	Monitor Shf fire alarm	35.50
Sheridan Industries	Ext Offc janitorial svcs	120.00
Software Unlimited Corp.	Atty software & maint.	678.00
Stanard Appraisal Svcs., Inc.	Appraisal maint.	1875.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2450.33
Summit Food Svc.	Jail meal svc.	5292.19
T.O. Haas Tire	Oil chngs, repairs	265.29
The Voice News	Publications, Atty subscr.	1211.23
Thomas & Thomas Court Reporters	Depo transcript	102.78
Thomson Reuters	Law Library maint	2602.54
TK Elevator Corp.	Elevator maint.	240.21
U.S. Bank Corp. – Purchase cards	Meals, supplies, fuel	1303.82
Verizon Wireless – EMS 8923-1	Cell phones	216.74
Verizon Wireless – EMS 6384-1	Emer Mgmt hotspot	207.91
Verizon Wireless – GCSO	Cell phones	480.12
Westlake Ace Hardware	Supplies	244.69
Windstream – Ext.	Phones	310.94
Windstream – Fillmore Prob	Phones	404.76
Woods & Aitken	Prof legal svcs	694.57
Zultys, Inc.	Prob phones	462.53

#### Road Fund

Highway Department Employees	Salaries	43,575.59
Bauer Built Tire	Svc call, mount tires	1094.94
Beatrice Area Solid Waste Agency	Waste disposal	96.22
Beatrice Board of Public Works	Utilities	703.07
Beatrice Concrete Sand & Gravel	Rock & gravel	6988.14
Beatrice Iron & Metal	Tools, supplies	732.16
City of Beatrice	Gbg svc	74.24
City of Wymore	Utilities	200.33
Constellation NewEnergy Gas Div.	Utilities	283.18
Contech Engineered Solutions	Culverts	47,650.50
Crete Lumber	Ice	105.00
Eakes Office Solutions	Offc supplies	188.61
Farmers Cooperative	Tires, parts, labor	2634.95
Fastenal Company, Inc.	Nuts	7.00
Filtercare of NE, LLC	Filters	15.25
Hard Rock Quarries	Rock	3176.97
Jet Racing, Inc.	Aluminum	36.56
Johnny's Welding, Inc.	Supplies	525.57
Larry's Tire & Service	Repair & mount	423.00
Mainelli Wagner & Assoc.	Engineering consulting	57,191.88
Matheson Tri Gas	Welding supplies	107.44
Mead Lumber	Wood, bldg. supplies	125.59
MIPS, Inc.	Hwy software pkg	192.32
NMC Exchange	Parts	5102.14
O'Reilly Auto	Parts	463.47
PowerPlan	Labor	449.40
R.L. Tiemann Const., Inc.	Twp gravel & hauling	45,616.35
RDO Truck Center, LLC	Parts, labor	13,936.17

Rock On, Inc.	Hauling material	1247.56
Sapp Bros. Petroleum	DEF tank, pump, propane tank inspection	26,282.05
T.O. Haas Tire	Tires, repairs	536.68
The Voice News	Publications	42.83
Theisen Construction, Inc.	2022 Pile Repair Proj, C34-12405, app #3	183,177.50
Verizon Connect NWF, Inc.	Veh GPS	259.04
Westlake Ace Hardware	Tools, supplies	304.08

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	220.08
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Insurance Fund

Gage County Health Insurance	Employee Health Ins. claims paid	111,302.45
Lucent Health Solutions	Ins. premiums, admin fees	29,639.36
Mutual of Omaha	Ins. premiums, admin fees	579.31

COVID American Rescue Plan Fund

Universal Broadband Consulting, Ltd.	Broadband project consulting	2405.00
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Community/Economic Development Fund

NGage – Gage Area Growth Ent.	Co. share of expenditures	26,349.21
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Inheritance Fund

Estate of Kenneth Pinkerton	Inher. tax refund	710.15
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911 Emergency Management Fund

City of Beatrice	Qtrly 911 svc fee	57,947.22
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County Building Fund

Van's Waterproofing Co., Inc.	Install foundation wall on N side of courthouse	2425.00
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General Fund

Ameritas	County share of Employees Retirement	10,381.12
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,857.64
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,671.09

Road Fund

Ameritas	County share of Employees Retirement	2,941.37
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,165.03
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,115.77

Motion made by Swavely, seconded by Schuller to approve the consent agenda. Motion carried 7-0.

Motion made by Schuller, seconded by Swavely to approve claim #23040222 to Hard Rock Quarries in the amount of \$3,176.97 and claim #23040233 to R.L. Tiemann Construction in the amount of \$45,616.35. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Lytle, seconded by Dorn to approve claim #23040224 to Johnny's Welding in the amount of \$525.57, bringing the total amount of claims paid through April 19, 2023 to \$1,027,639.64. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

Motion made by Dorn, seconded by Lytle to approve adopting Resolution #23-05 to switch miles with Sherman Township. Sherman Township will be responsible for the 2 miles on E Linden Road between S 162<sup>nd</sup> Road and S 190<sup>th</sup> Road along with the ½ mile on E Locust Road from S 162<sup>nd</sup> Road going West for ½ mile to Cemetery. Gage County will be responsible for the 3-mile stretch of S. 134<sup>th</sup> road between E. Belvedere Road and E. Linden Road in Sherman Township. Motion carried 7-0.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Jurgens on Finance/Insurance, Lytle on Law Enforcement, Lisa Wiegand on Emergency Management, and Haxby on Road & Bridge. Topics included siding and shingles on Vet's Offc., new doors, Geo pump leak and update on fire at Rock Creek with a 3&33 mutual aid request by Jefferson County.

Jerad Reimers gave an update from Congressman Adrian Smith's Office.

Planning & Zoning Administrator Lisa Wiegand gave the Commission's recommendation on Special Use Permit #2023-3 for the expansion of an existing anhydrous ammonia site in Filley Township. She stated that the P&Z Commission recommends approval of the permit.

Motion made by Swavely, seconded by Lytle to approve a recommendation of Kris Shepard as the new manager for Hidden Acres Golf Club. Motion carried 7-0.

Motion made by Lytle, seconded by Dorn to approve placing pinwheels in the Sheriff's Department yard in recognition of National Child Abuse Prevention Month (April). Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to open public hearing at 9:15 a.m. to hear support and/or opposition from the public on Special Use Permit #2023-3 for the expansion of an existing anhydrous ammonia site located in the SE ¼ of Section 31, Filley Township. Motion carried 7-0.

Brad Parman, representing Farmer's Cooperative, told the board that they would like to continue to grow in order to service customers, he stated they took the previous site out of the community, therefore lowering the risk to individuals from any issue with the anhydrous.

Motion made by Swavely, seconded by Dorn to close the public hearing at 9:18 a.m. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to approve agreement between Gage County and The Beatrice Humane Society. Motion carried 7-0.

Short break at 9:21 a.m. Back in session at 9:30 a.m. with all members previously listed present.

Motion made by Swavely, seconded by Dorn to open public hearing at 9:30 a.m. to hear support and/or opposition from the public on Special Use Permit #2023-2 for the placement of a Swine Feeding Operation to be located in the NW ¼ of Section 11, Hanover Township. Motion carried 7-0.

P&Z Administrator Lisa Wiegand gave the Planning & Zoning Commission's recommendation of approval by the Board of Supervisors, as the P&Z board gave the permit approval on a 5-2 vote in favor, with 2 conditions (named later in minutes).

Lisa Wiegand said they've taken a lot of time and review of information including asking for additional information on ground water and requiring a geotechnical report, etc., and considered it all. She stated that the motion to approve the SUP passed on a 5-2 vote with James Lenners and Terry Acton voting nay. It was approved with 2 conditions stated: (1) – the manure application on Otto's land must be by injection method and not surface application, except in the event of an emergency or catastrophic event; and (2) – that 4 rows of trees be planted all around the building site to include red cedar and other types as recommended in the NE Neb Guide.

Being sworn in and speaking at the public hearing were the following:

1. Dean Otto – 633 St. Hwy 43, Adams NE. the applicant for the SUP. He has grown up in Gage Co.; been farming since graduating from high school; manure has many benefits to the soil that cannot be gotten from chemicals; pursuing this as he wants a manure source; Summit has good reputation and financial structure; will provide economic benefits to the area; this site is best situated in relation to other residences; there is already livestock in every direction from his own house; wouldn't have gone through all of this if it weren't good for Gage County; will be living here for the rest of his life and his family probably will also.
2. Mitch Baum with Summit Farms – 10640 County Hwy D20, Alden IA – Summit has been in the pork business for many years; started having feeding buildings in the late 1980's; take pride in siting areas; committed to local, social and environmental aspects; selecting local contractor to build the facility; have met and exceeded all setbacks and zoning regulations; this is the most local project they've worked on; will have more than adequate storage for manure; Summit Port IV, LLP is the applicant; they're working on State permit also.
3. Andy Scholting with Nutrient Advisors – 449 E Deere St., West Point NE – they do environmental compliance and permitting for livestock operations across the state; help find optimal sites for livestock operations; this is Class C permit in the county's zoning regs, in an A-1 ag area; going through the state permitting process; request they come look at site; submitted application for geotechnical investigation, Mid State Engineering will drill and report on water and soil; site is on good clay soil; make county approval contingent on state approval; Otto has more than adequate acres to utilize the manure; manure will all be by injection process which

minimizes the smell, flies, and surface runoff, the best process economically and environmentally; have to sample soil prior to manure application and have very detailed records that are kept for 5 years; will produce 1.87 million gallons of manure per year, pit holds 2.8 million gallons, 1.5 years of storage capability; will use tankers to haul manure; will be applied to soil in Oct. or Nov., prior to frost; thanked Gage County for attaining Livestock Friendly status; county zoning regs are good; this site scored 100 points on the state siting matrix due to 3 factors of the livestock being under roof, manure being completely contained in concrete structure, and the manure will be injected instead of surface applied.

4. Lisa Otto – 633 St. Hwy 43, Adams NE – wants to dispel rumors about damage to road conditions – they will average only 1.09 trucks per day additional traffic so will not have a big effect on roads; technology has lessened smell and dust issues; being grain farmers, they know what the crops need and that is manure. Board member Haxby clarified that the facility, animals and land will be owned by Summit with the manure by-product going to local residents, the Otto's.

5. Hayden Otto, Dean & Lisa's son – 6255 St. Hwy 43, Adams NE – is attending SCC for ag business and farms with his parents; plans to continue the family farming business in Gage County in the future; this operation will help the farm continue to be sustainable for years to come.

6. Robert Wallman – 10771 S 96<sup>th</sup> Rd., Adams NE – has concerns regarding decommissioning bond; still concerned with them using both Summit Pork IV and Summit Pork V businesses on paperwork, SP IV's sos # is inactive so the application should be no good; he paid for copy of the floorplan which says the capacity is 6,272 which would put it in another class that requires a ¾ mile setback instead of the Class C ½ mile setback, and the county application says capacity will be 6,250 which is not consistent with the state app.

7. Ashlen Busick – 605 W Crowder Rd., Trenton MO – representative with Socially Responsible Agriculture Project; concerned with proximity of flood plain, perched ground water, and added load to fire departments; livestock operations have negative impact on environment, residents, etc.; need precautions taken to prevent emergencies and implement an emergency management plan; if they obtain a State Construction Operating Permit they won't be required to submit annual reports to the agency beyond their initial application so reports on manure distribution will not be available to the public; she's found state agencies typically only inspect facilities such as this every 5 years; requests that a more frequent check-in policy on waste management be implemented so the public would have access to the information.

8. Marcella & Leslie Rademacher – 9247 S 96<sup>th</sup> Rd., Adams NE – has presented 75 signatures of residents within 2 miles of the proposed site who oppose the facility so they challenge the claim that the area is sparsely populated; have issues in the area with nitrates already and high water table causing seepage in their basement; road floods 3-4 times a year; runoff from land will drain straight into pond.

9. Laura Fikar – 10609 S 96<sup>th</sup> Rd., Adams NE – has done extensive research on swine CAFO's (Concentrated Animal Feeding Operations), concerned about reduced property values, water and air quality, and strain on local roads and economy; when approached by Otto, weren't made aware that it's not Otto's who will own the facility but a big company coming in; Livestock Friendly is intended for the economic development for the counties that participate, not outside companies; appreciates the stipulation of 4 rows of trees around buildings but is concerned about maintenance of the trees, if not maintained and the county has to step in it should be at the company's expense; would appreciate notifying those in the area of when manure is being spread; if piping is used, will it be temporary and removed in a timely manner, or will it be permanent? The board asked what the issue was with using pipe, she said she didn't like the looks of it. It was reiterated that the manure would only be piped in an emergency situation.

10. Nathan Dorn – 4388 S 68<sup>th</sup> Rd., Firth NE – President of Gage County Farm Bureau Board of Directors; they support growth and development of agriculture in Gage County; it is important to be open to all types of agriculture opportunities including growth in the livestock sector which brings new economic opportunities into the county and growth in the local tax base; he lives 5 miles from the site and is a livestock producer; livestock and other ag products which meet the established zoning rules and requirements should be permitted as such in Gage County; projects require great financial investment from planning to completion, so it is imperative that those who have worked to meet our existing zoning regs be provided with the certainty that their projects will be approved.

11. Ivy Bloom – 13294 S 96<sup>th</sup> Rd., Pickrell NE – has acreage about 1 mile away from proposed project site; she and her husband are both native Nebraskans raised on farms and worked to make

their farmstead a place of peace to enjoy solitude and fresh air; families in the area have lived there for generations and with being only 30 minutes from Lincoln they feel the area would benefit more from individuals and families building in the area than from a smelly, dangerous and depreciating hog confinement; creates detrimental health effects, harmful air emissions and dust that has been linked to asthma and bronchitis; animals are treated with antibiotics, contributing to the antibiotics entering the environment which could lead to human resistance to antibiotics.

12. Wayne Wallman – 2154 E Aspen Rd., Cortland NE – farms just west of proposed site; has an NRD dam  $\frac{3}{4}$  mile west of where he farms; is constantly replanting due to the amount of water that runs through there; concerned about how many wells the facility will have to dig to supply water to 6,000 pigs; will it affect his domestic stock well or run him out of water; what are his rights?

13. Carl Jacobson – 1903 Road 9, York NE – employed by Summit Farms; has worked with Dean over 2-3 years to find a site that will work for an operation; his goal is to not just meet but to exceed requirements set by Gage County; he welcomes phone calls with comments, questions or concerns; they currently have permits in progress in Pawnee and Jefferson counties.

14. Steve Martin – 25255 S 54<sup>th</sup> St., Firth NE – representing AFAN, Alliance For the Future of Agriculture in Nebraska, a growth in livestock development organization supported by all of the commodity groups in the state; the positive economic impact affects not only local farmers but all farmers by using crops, creating a greater demand for corn and soybeans, which in turn benefits producers in the area; the site meets all the regulations and is an appropriate place to build this type of facility; glad to see the county go through the process to be Livestock Friendly and their commitment to support the livestock industry; encourages the board to approve this application.

15. Scott Sobotka – 453 St. Hwy 74, Tobias NE – with Lower Big Blue NRD; water usage in order of importance is residential, agricultural, then commercial – this unit would be considered commercial; there is currently residential and ag usage in the area; the permit ensures they will not have a high capacity use well and it cannot pump more than 50 gallons per minute; will require flow meter to monitor that it stays under that amount; encourages that they make sure that the nutrient management plan is followed.

16. Doreen Wallman – 10771 S 96<sup>th</sup> Rd., Adams NE – lives within 1 mile of site; submitted Dr.'s letters on effects on health issues; concerns about water supply, can't wait for courts to decide water dispute when they have crops that need to be irrigated; worried about 82<sup>nd</sup> Road traffic; said when Dean was asked why he wouldn't put the facility next to his house he said there is too much opposition in his area; there are 8 pivots within 1.5 miles, 7 that get water from ponds fed by wells and one directly fed by well; what would the continuous draw on water from a confinement be; also concerned about nitrate issues. It was asked if they had ever run out of water in the area – she couldn't ever recall that happening.

17. Todd Veerhusen – 4283 E Apple Rd., Cortland NE – it's a simple deal, no one wants it built by them; is it with Summit IV or Summit V? – paperwork isn't consistent; he can't buy the fact that there is enough room for that amount of manure, and turning it over 2 times a year is not feasible; wonders why Summit came to NE when they are in Iowa, what are their Iowa producers doing?; the county has a fiduciary responsibility to check that the numbers are right and see that things are properly done and then the board needs to decide what is right for Gage County.

18. Dean Otto response: explained that it's not that they don't want it in their area, it's that zoning doesn't allow it there; made a mistake as far as not telling neighbors that it was an outside company putting a CAFO facility in, he didn't realize that would matter as much to them as the size of the facility being 6,200 head; on water usage, the unit would use over an entire year what a pivot uses in 47 hours at 800 gallons a minute; they can't go over 50 gallons a minute per the permit so they'll have 2 wells set at 25 gallons per minute; on concerns about land values, he'd be glad to pay less taxes.

19. Andy Scholting final words: the conservation plan would maintain compliance with NRCS; nutrient management plan is about production, the balance, and the utilization of nutrients;

Tiemann temporarily out at 11:31 a.m., back in at 11:33 a.m.

Scholting and Mitch Baum continued: subsurface manure injector does not create any more disturbance than an anhydrous bar; NDEE is responsible for regulating the quality of surface water and ground water; inspector came out to site and determined it can exist there as long as the Title 130 criteria is met; Geotechnical review will show more about the water quality and supply in the area, but there haven't been supply issues in the past; the pit will be inspected by the NDEE and must pass before the permit is issued; ongoing facility maintenance and inspections will take

place including the integrity of the structure, and he suspects it will include ground water monitoring; County application is for a Class C facility, up to 2,500 animal units or up to 6,250 finished swine; State references 15,000 head because the state prefers that if there are nursery pigs, you identify how many there are – AU's, or animal units, are figured at the ratio of .4 times the number if they are greater than 55 pounds, or .04 times the number if they are less than 55 pounds – the floorplan referenced earlier said it will accommodate 6,272 head figured at 7.48 sq. ft. per head, but the permit is for only 6,250 head so they cannot exceed the permitted capacity of 6,250; NDEE will inspect approximately every 3 years; the inspection report has nutrient budgets listed and the report is online so anyone can view them; the applicant on the state application does not have to be the same as the applicant on the county application.

Tiemann stated there are 7 items the board is allowed to consider when approving, disapproving, or making changes as far as permits: 1. Is it compatible and similar to the uses permitted in the District? 2. Is it a matter that would require re-zoning of the property? 3. It should not be detrimental to the adjacent property. 4. It should not tend to depreciate the value of surrounding structures and property. 5. It should be compatible with the stated and intended use of the District. 6. It should not change the character of the District. 7. It should be in accordance with the Comprehensive Plan.

Scholding concluded: intent of A-1 District is to protect and preserve agriculture, and protection from other uses, and certainly this is agriculture. You are a livestock friendly county and in regard to all these environmental things, it's fair for a community, for neighbors, and for you as a board, to think about those things, and it's also very fair for you to issue this conditional use permit contingent on state approval because I can assure you that the NDEE is doing their due diligence in seeking more information and that's good and right and fair. Approval pending state approval is a very good condition for you to have.

Motion made by Swavely, seconded by Schuller to close public hearing at 12:09 p.m. Motion carried 7-0.

Short break at 12:09 p.m. Back in session at 12:23 p.m. with all members previously listed except Jurgens who left at 12:09 p.m.

Motion made by Swavely, seconded by Lytle to move into closed session at 12:23 p.m. for contract negotiations. Motion carried 6-0.

Dorn left during closed session.

Motion made by Swavely, seconded by Schuller to move out of closed session at 1:17 p.m. Motion carried 5-0.

Motion made by Lytle, seconded by Haxby to approve the FOP contract. This contract will supersede any previous contract the term of this agreement will be from April 23, 2023 to June 30, 2024 with the exception that the new wages will start on April 9, 2023. Any Holiday bank hours in the excess of 80 hours will be paid out at the start of this contract. Lytle explained that the FOP agreement normally goes through July but was changed due to the necessity to get wages more in line right away with the marketplace, so they opened negotiations for that reason. This contract time period will be April 23, 2023 through June 30, 2024, as opposed to not beginning until July. Discussion – FOP rep Spencer Behrens had a question on the payout for Holiday bank hours saying that this was not discussed or agreed upon. Lytle stated that most contracts he's worked with bring the payout rate to be at the new contract rate. This was acceptable to the FOP. Motion carried 5-0.

No discussion on proposed Solar Conversion Systems regulation changes to Gage County Planning & Zoning Regulations.

Motion made by Lytle, seconded by Haxby to adjourn Board of Supervisors meeting at 1:26 p.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 1:26 p.m. until May 3, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

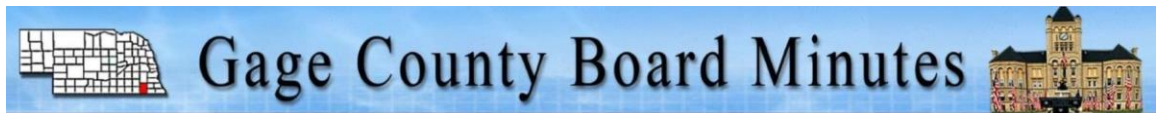
Witness my hand and official seal this 19<sup>th</sup> day of April, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on May 3, 2023, at 8:46 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,077,284.68 which does not include claim #23050059 to R.L. Tiemann Construction in the amount of \$45,369.55, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving and place on file the 2022 Annual report for Beatrice Fire & Rescue, Pickrell Fire and Rescue & Cortland Volunteer Fire & Rescue; 6. Approve receiving Sheriff's Statement on collection of distress warrants for March, 2023; 7. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of April, 2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	161,493.71
All Copy Products, Inc.	Emer Mgmt copier lease	140.00
AT&T Mobility Accounts	Shf FirstNet phone svc	526.21
Beatrice Area Solid Waste Agency	Annl. funding	26,496.00
Beatrice Humane Society	Annl. funding	17,000.00
Beatrice Iron & Metal Co.	Emer Mgmt veh repair	238.36
Black Hills Energy	Utilities	1157.51
Blue Valley Public Safety, Inc.	Siren repair & maint.	1699.06
Boarders Inn & Suites, Grand Island	Lodging, Vets Offc	285.00
City of Beatrice	Qtrly share Prob utilities	2189.67
Dawgs Sports Specialties, Inc.	Recognition awards	780.00
Sandra Eltiste	Prior svc retirement	12.00
Engineered Controls, Inc.	Svc call	478.00
First Wireless, Inc.	EM svc contract, Shf repeater/microwave twr rntl	1095.20
Gage County	Fund transfer from Gen to Road	400,000.00
Gage County Sheriff	Shf fees/mlg	3433.47
Gleason Dental Clinic	Inmate dental	331.00
Great Plains Uniforms, LLC	Shf uniforms	1400.14
Hamm Glass	Replace broken window	67.25
Hometown Leasing	Atty copier lease	138.82
ISolved Benefit Services	Admin fees	141.48
Jerry Shelton, Atty	Atty fees	2517.50
Joyce Kassing	Prior svc retirement	20.00
Naylor, Rappl Law Office, PC LLO	Atty fees	988.00
Nelson, Clark & Timan, PC LLO	Public Defender, GAL fees	6536.15
Priority Printing	Treas bus cds, EM env	126.66
Psychological Resources	Pre-employment exam	150.00
Quill – Ext.	Offc supplies	178.55
Ramada Columbus & Rivers Edge	EM lodging	99.00
Royce Gonzales, Sec/Tr Clk DC	Dist Ct Clerk workshop	75.00
Security Services	Jail fire alarm inspec.	200.00
Spectrum	Emer Mgmt cable TV	11.55
Staples	Shf Offc supplies	358.92
Stephen Kraviec, PC LLO	Child Suppt Enf Atty	2398.05
Summit Fire Protection Co.	Semi-annl fire suppr sys inspec.	690.70
Summit Food Service, LLC	Jail meal svc.	5286.27
The Home Depot Pro	Restroom supplies	726.88
Thomas & Thomas Court Reporters	Deposition transcript	179.43
U.S. Bank – Purchase Cards	Supplies, fuel	288.32
U.S. Postal Svc. #8062070	Postage for meter	25,000.00
Washington Co. Shf.	Boarding inmates	3185.00

Washington Co. KS Shf.	Inmate boarding/medical	13,965.33
Windstream – Hwy	Phones	310.94
Windstream – Shf	Phones	607.23
Windstream – Cths	Phones	2108.05
Windstream – Vets	Phones	246.97
Woods & Aitken, LLP	Prof. legal svcs.	1876.00
911 Custom	Shf uniforms	401.92

Road Fund

Highway Department Employees	Salaries	44,699.28
All Copy Products, Inc.	Copy coverage	40.98
Beatrice Concrete Sand & Gravel	Rock & gravel	18,612.16
Black Hills Energy	Utilities	332.27
Bomgaars	Fuel meters, jack, bug spray, bolts	487.09
Constellation NewEnergy	Utilities	132.49
Diversified Drug Testing	Drug/alcohol screening	180.00
Dultmeier Sales, LLC	DEF tank	268.09
First Wireless, Inc.	Repeater rental	350.00
Medical Enterprises, Inc.	DOT compliant drug testing	105.00
Norris Public Power Dist.	Utilities	420.89
Priority Printing	3-part purchase orders	216.08
Theisen Construction, Inc.	22 Pile Rep Prj, C34412405, App #4, Final	13,232.00
R.L. Tiemann Construction	Twp. gravel & hauling	45,369.55
Rock On, Inc.	Hauling material	21,583.91
Tractor Supply	Bolts, sprayers	162.63
Wheels and More	Ford F250 wheels	200.00

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging Tax	11,256.21
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	180,301.65
Lucent Health Solutions, LLC	Ins. premiums	30,356.05

General Fund

Ameritas	County share of Employees Retirement	11,191.41
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,767.92
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,875.25

Road Fund

Ameritas	County share of Employees Retirement	3,017.22
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,259.82
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,013.26

Motion made by Swavely, seconded by Dorn to approve the consent agenda. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to approve claim #23050059 to R.L. Tiemann Construction in the amount of \$45,369.55, bringing the total amount of claims paid through May 3, 2023 to \$1,122,654.23. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Lytle on Law Enforcement/Emergency Management, and Haxby on Road & Bridge. Items of discussion were annual boiler inspection at the detention center, new siding on building, changes in District Court Clerk's Office, repointing being done on courthouse exterior, and plans to finish Buss Bridge and have open by end of day on Friday.

Regional Administrator for Region V Systems Patrick Kreifels talked to the board about county match dollars, the divisions of behavioral health, and presented the Region V annual report.

NGage Executive Director Rachel Kreikemeier presented the NGage quarterly report and talked about hiring a new Early Childhood Community Coordinator.

Motion made by Lytle, seconded by Swavely to place the NGage quarterly report on file. Motion carried 7-0.

Discussion on Special Use Permit #2023-3 for the expansion of existing anhydrous ammonia site located in the SE ¼ of Section 31, Filley Township.

**RESOLUTION NO. 23-06**

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2023-3 for the expansion of an existing commercial agriculture anhydrous ammonia site; and

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this special use permit, the date of said public hearing being March 28, 2023, at 7:15 p.m., in the Board of Supervisors meeting room; and

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of this special use permit, #2023-3; and

WHEREAS, this special use permit is in an agricultural zoning district, located in the southeast quarter of Section 31 of the Filley Township; and

WHEREAS, the Gage County Board of Supervisors on the 19<sup>th</sup> of April, 2023, held a public hearing to take input on this special use permit after proper notice and publication of said hearing for approving or disapproving Special Use Permit #2023-3; and

WHEREAS, an opportunity was given for individuals, in favor and against Special Use Permit #2023-3, to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit, #2023-3 for the expansion of an existing commercial agriculture anhydrous ammonia site shall be:

- approved for the reasons stated on the record.
- approved with stated conditions: \_\_\_\_\_
- disapproved for the reasons stated on the record.

Motion made by Jurgens, seconded by Dorn to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle

Nay: None

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 3<sup>rd</sup> day of May, 2023.

/s/ Dawn Hill  
Gage County Clerk

Motion made by Jurgens, seconded by Dorn to approve adopting Resolution #23-06 granting Special Use Permit #2023-3 for the expansion of an existing anhydrous ammonia site located in the SE ¼ of Section 31, Filley Township. Motion carried 7-0.

Discussion on Resolution to apply for assistance from the Transportation Alternative Program for the purpose of the Adams Bypass project.

**RESOLUTION NO. 23-07**

BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS (GAGE COUNTY) OF GAGE COUNTY, NEBRASKA:

WHEREAS, the Gage County Board of Supervisors, proposed to apply for assistance from the TRANSPORTATION ALTERNATIVES PROGRAM

for the purpose of the Adams bypass project, and

WHEREAS, Gage County commits to the project’s development, implementation, construction, maintenance, management, financing, and

WHEREAS, Gage County understands that property right-of-way may be necessary for completion of proposed project. Gage County also understands that it may be necessary to acquire such property by condemnation which is defined as the legal process by which a governmental body exercises its right of “eminent domain” to acquire private property for public use. Condemnation includes a resolution of public need, an offer to purchase, and, if a negotiated purchase is not possible, then a condemnation suit.

WHEREAS, the proposed application and potential need to use condemnation to acquire property rights-of-way were made available for public review at a properly announced meeting of the Gage County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA, that Gage County applies for assistance from the TRANSPORTATION ALTERNATIVES Program for the purpose of the Adams bypass project.

Passed and approved this 3<sup>rd</sup> day of May, 2023.

/s/ Erich Tiemann  
Chairman

ATTEST:

/s/ Dawn Hill  
County Clerk

Motion made by Dorn, seconded by Haxby to adopt Resolution #23-07 to apply for assistance from the Transportation Alternative Program for the purpose of the Adams Bypass project. Motion carried 7-0.

Short break at 9:29 a.m. Back in session at 9:35 a.m. with all members previously listed present.

Motion made by Jurgens, seconded by Schuller to approve adopting Resolution #23-08 granting Special Use Permit #2023-2 for the placement of a swine feeding operation to be located in the NW ¼ of Section 11, Hanover Township. Haxby asked to speak with the applicant, Carl Jacobson, representing Summit Farms, to answer some lingering questions. Haxby said she had talked with Dean Otto and they had come to many reasonable decisions after discussing the ½ mile good neighbor policy if manure has to be surface applied, using an incinerator for dead animals (license to have one is complete but can’t be submitted until the confinement permit is approved by the State), feed bins to not be within 100’ of the creek, grant money through NRCS that can be used for conservation such as manure structures or water structures and that their concrete structure has been stamped by Engineer certifying that it meets the standards. Haxby said the 200’ she had previously given was incorrect and that it pertains to feed lots only. She said she typed up specifically what pertains to this particular CAFO and 2 things need to happen: (1) it must be accepted by the NDEE (NE Dept. of Environment and Energy, formerly NDEQ, NE Dept. of Environmental Quality), and (2) it is subject to the license requirements and the waste disposal requirements and recommendations of the State of Nebraska, that would follow with an air quality permit being required. Haxby said she feels we need to finish crossing our t’s and dotting our i’s before she would be ready to vote on this SUP. Jacobson told the board that the boring for water testing is scheduled for May 8<sup>th</sup>. Swavely said without these tests, he would not be ready to vote either. Jacobson urged the board to give their approval with the stipulation that it is contingent on the State granting the permit to save time if and when the State approval comes, since they’ve met all of the requirements. Lytle said he agrees with Haxby and Swavely that approval from our board can wait until State approval and not hold anything up as far as construction. Also discussed were the need for the person injecting the manure to do certified manure management training through UNL, the timeline for results from water testing, State approval and NDEE approval, tree requirements in the current zoning regs, and possible date for county approval. Jurgens said that after discussion and hearing the consensus of the board, he could either amend his motion or withdraw it. Tiemann reminded the board that if they vote to disapprove, it is a denial by the board of this SUP, it does not mean that we’ll wait and approve it later, a “No” vote would be a denial of the SUP and that would be the end of it. Jurgens asked that we remember that we have been a Livestock Friendly County since 2011, and that the longer this permit hangs out there the more discouraged other companies will be from bringing their

business to Gage County. Jurgens then stated he would like to withdraw his motion, Schuller stated he would like to withdraw his second of the motion. Tiemann asked if there were any other questions, discussion, or motions on the matter. Haxby stated that she had addressed the issues she had with Otto. Jacobson touched on the topic of the discrepancy in the applicant name on the 2 permits, and explained that the name on the State permit can be changed at any time. Dean Otto asked if the board could email him any questions. Deputy Co. Atty Amanda Fanning reminded the board that approval or denial of the permit needs to be focused on Sec. 6.2 of the zoning regs and the discussion has to be on those 7 factors listed before a decision is made. Tiemann asked again if there was another motion on this item, no motion was stated.

Discussion on proposed Solar Conversion System regulation changes. Haxby said she would like a view shed study done for the Homestead, not so much restricting it by distance, but so it can't be seen from the Homestead. She also said she'd like to see some sort of waiver or exception on setbacks for solar energy that is off-grid, being built with a facility for their own use and not for commercial sale. Tiemann talked about the classes of solar energy and what the requirements of each of the classes are. He thinks class 3 seems tight and would like to see it expanded a little.

Jurgens left meeting at 10:40 a.m.

Motion made by Lytle, seconded by Swavely to move into closed session at 10:47 a.m. for negotiations. Motion carried 6-0.

Motion made by Dorn, seconded by Haxby to come out of closed session at 11:20 a.m. Motion carried 6-0.

Tiemann stated that a sub-committee of Lytle, Swavely and Haxby is appointed for the 2024-2025 F.O.P. negotiations.

Chairman declared Board of Supervisors meeting adjourned at 11:22 a.m. until May 17, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

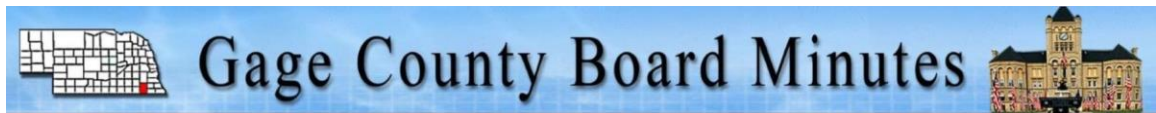
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 3<sup>rd</sup> day of May, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on May 17, 2023, at 8:46 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,460,947.12; 4. approve correspondence received and place on file; 5. Approve receiving Sheriff's Statement on collection of distress warrants for April, 2023; 6. Utility Permit #1272 to Windstream Nebraska LLC. - Windstream will be installing a communications line to residence at 28045 South 80<sup>th</sup> Road. Windstream will bore a 2" diameter by 60" deep line for the new line from pedestal 160XD located in the Northeast grader ditch of South 80<sup>th</sup> and Belvidere, bore under 80th Road to West grader ditch and then bore under Belvidere Road to South grader ditch, then continue all work on private property. Located in the southwest corner of Section 2, Southeast corner of Section 3, and Northeast corner of Section 10, T-3-N, R-7-E, Rockford Twp.; 7. Approve quote from KMA Tree Service for the removal of 4 trees around the courthouse in the amount of \$2,600.00 (amended in the motion to be the removal of 3 trees and trimming of 1 tree).

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	169,148.75
A.R.E. Pest Control	Spray jail	175.00
Adams Rescue	Qtrly EMS svcs	4500.00
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail onsite medical svcs	10,213.65
All Copy Products	EM copier lease	140.00
American Legion Emblem Sales	Flag, grave markers	355.90
Applied Connective Technologies	Ninja remote monitoring & mgmt.	517.00
Baylor, Evnen, Wolfe & Tannehill	Prof legal svcs	49.50
Beatrice Area Solid Waste Agency	Annl interlocal fee	26,496.00
Beatrice Board of Public Works	Utilities	4231.08
Beatrice Iron & Metal	Transport van w/s	278.18
Beatrice Public Schools	Juv svcs aid grant	3150.61
Blue Rivers Area Agency on Aging	Qtrly funding	8715.00
Bob Barker Co.	Inmate supplies	177.56
Bragg Animal Control	Animals at large	90.00
Burke, Brown Law, LLC	Atty fees	3410.50
Capital Business Systems, Inc.	ROD copier lease	3.32
Capital One	Prob supplies	64.50
Charm-Tex	Inmate provisions	571.82
Charter Communications	Jail cable TV	175.93
Charter Communications (Spectrum)	Prob. internet	192.96
City of Beatrice	Gbg svc	287.96
Clatonia Rescue	Qtrly EMS svc.	4500.00
Consolidated Management	Meals at training	21.50
Correctional Risk Services	Inmate medical	9349.68
Culligan of Lincoln	Water cooler	12.00
DAS St Acctng Cntrl Fin 6507	Data processing	54.60
DataShield	Doc shredding	48.80
Davenport Group	Shf veh equip	5355.00
Diode Communications	Monitoring	80.85
Douglas Co. Sheriff	Shf svc fees	22.06
Eakes Office Solutions	Offc supplies	3604.03
Fairfield Inn & Suites	Lodging	439.80
Gage County	Fund transfer – Gen. to Ins. Fund	800,000.00
Gage County Court	Cert. copies	18.75
Gage Co. Petty Cash	Reimb for postage	28.75

Green Way Lawn Services	Mowing, fertilizer	580.00
Hometown Leasing	Prob Offcs. copier leases	472.70
ISolved Benefit Services	Admin fees	141.48
Jerry Shelton, Atty	Atty fees	4370.00
Sean Krull	Recruitment videos	300.00
Lepant Law Office	Atty fees	674.50
Lincoln Journal Star	Publications	2414.00
Mahloch Law Office	Atty fees	627.00
Matthew Kosmicki Law, LLC	Atty fees	712.50
Maximus Consulting Svcs., Inc.	Prep of 2020 Cost Alloc Plan, 2 <sup>nd</sup> invoice	2600.00
Mead Lumber	Supplies	73.41
Microfilm Imaging Systems, Inc.	Courts' scanning equip rent	457.00
Midwest Process Services	Civil process fees	440.76
MIPS, Inc.	Computer support, programs	2771.80
Murray Law, PC LLO	Atty fees	456.00
NACO	Co. Assn mbrshp fees	2788.87
Naylor & Rappl Law Offc., PC LLO	Atty fees	951.58
NE Dept. of Motor Vehicles	Veh reg	6.60
Nelson, Clark & Timan, PC	Public Defender	6346.15
Nemaha Co. Shf.	Shf svc fees	6.00
Norris Public Power Dist.	Horvath Tower utilities	43.89
Paper Tiger Shredding	Doc shredding	81.50
Physicians Laboratory	Autopsy expns	2621.00
Pictometry International Corp.	Acct renewal	1125.00
Quadient	Env. opener machine maint	786.48
Quill – Det.	Offc supplies	267.97
Quill – Ext.	Offc supplies	538.10
Quill – Prob.	Offc supplies	503.04
Sapp Bros.	Shf/Jail fuel	4544.87
SE NE Communications	Falls City Prob Offc phones	108.90
Secretary of State – Rules & Regs	Cert. copies	40.00
Security Services	Shf fire alarm monitoring	35.50
Sheridan Industries	Ext Offc janitorial svcs	120.00
SMPC IT Solutions	Assr computers, server upgrade, maint agrmt	7995.88
Soap Opera Laundromat	Mop & rag cleaning	36.75
Stanard Appraisal Services	Appraisal maint.	3000.00
Staples	Shf offc supplies	58.99
Stephen Kraviec, PC LLO	Child Suppt Enf Atty, postage	2445.64
Summit Food Service	Jail meals	5418.63
Thomson Reuters	Law Library subscr.	2602.54
TK Elevator Corp.	Elevator maint.	240.21
U.S. Bank – Purchase Cards	Supplies, meals	1837.45
USPS – Postal Svc.	Prob stamps	910.00
Verizon – Det.	Cell phones	480.12
Verizon – EM	Cell phones	207.82
Verizon – Prob	Cell phones	393.36
Washington Co. NE Shf.	Boarding inmates	845.00
Washington Co. KS Shf.	Boarding inmates	13,634.00
Westlake Ace Hardware	Supplies, tools	226.90
Willet & Carothers	Atty fees	290.00
Windstream – Wilber Prob	Phones	52.61
Windstream – Fillmore Prob	Phones	405.39
Windstream – Hwy	Phones	235.93
Zultys	Prob phones	462.53
<u>Road Fund</u>		
Highway Department Employees	Salaries	43,195.03
AutoZone, Inc.	Part	376.19
Beatrice Board of Public Works	Utilities	406.04
Beatrice Area Solid Waste Agency	Rubbish disposal	187.00
Beatrice Concrete Ready Mixed	Concrete	420.30
Beatrice Concrete Sand & Gravel	Rock & gravel	69,209.73
Beatrice Fire Protection	Fire ext. & recharges	641.55
Beatrice Iron & Metal	Parts, tools, supplies	400.97
Cather & Sons Const.	Asphalt	6642.83
City of Beatrice	Gbg svc	74.24
City of Wymore	Utilities	170.16
Cornhusker Intl. Trucks	Parts	1657.31

Crete Lumber	Ice	90.00
Eakes Office Solutions	Offc supplies	259.77
Farmers Cooperative	Propane	55.75
Filtercare of NE	Filters	14.35
Gus Construction Co., Inc.	Adams SW C-34(1133), cert #3, Final	36,885.95
Inland Truck Parts	Parts	276.35
Jim Hawk Truck Trailers	Parts, hand cleaner	95.64
Landmark Implement, Inc.	Skid steer rental	5844.03
Larry's Tire & Service	Tire mounts, repairs	432.78
Matheson Tri-Gas	Welding supplies	110.15
Metal Culverts, Inc.	Culverts	690.30
Michael Todd Industrial Supply	Strobe light	184.69
Midwest Unlimited	Shovels, supplies	119.94
MIPS, Inc.	Hwy program	192.32
NMC	Parts	79.71
Noakes	Filters for offc	163.08
O'Reilly Auto Parts	Parts, supplies	628.72
Pavers, Inc.	Cold mix asphalt	366.25
PowerPlan	Parts, labor	1492.23
RDO Truck Center	Parts	1440.12
Rock On, Inc.	Hauling material	17,216.73
Rose Equipment, LLC	Parts	114.95
Sapp Bros.	Fuel, oil	26,583.89
Surplus Center	Supplies	101.04
Verizon Connect	Veh GPS	259.04
Zoellner Ford Lincoln	Parts	226.66

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	6613.55
Capital Business Systems	Copier lease & overages	367.42

Insurance Fund

Michael Cyrus	Ins. reimb.	96.79
Gage County Health Insurance	Employee hlth ins claims paid	30,054.92

Juvenile Diversion Fund

Beatrice Public Schools	Diversion fees	2356.00
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General Fund

Ameritas	County share of Employees Retirement	11,758.59
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,360.96
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,532.08

Road Fund

Ameritas	County share of Employees Retirement	2,915.68
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,144.75
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,392.93

Insurance Fund

Ameritas	County share of Employees Retirement	6.53
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	7.40

Motion made by Swavelly, seconded by Dorn to approve the consent agenda with an amendment to item #7, for the removal of 3 trees and trimming of 1 tree. Motion carried 7-0.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Lytle on Law Enforcement/Emergency Management, and Haxby on Road & Bridge. Items of discussion were desks in Dist. Court; putting flags around courthouse on May 24 – May 30; valuation protest process; BASWA, roads, hours, recycling options; dust control for roads.

Motion made by Jurgens, seconded by Lytle to approve recommendation to NE Liquor Commission on Special Designated Liquor License for Bottle Rocket Brewing, LLC for an event to be held at The Barn Event Center, 2331 W Ash Rd., Cortland NE, on June 10, 2023. Motion carried 7-0.

Motion made by Lytle, seconded by Dorn to approve Community Based Juvenile Services Aid Grant and authorize Board Chairman to sign the Grant Award. Motion carried 7-0.

Discussion on State Line Bridge adjacent to Lineweber property. Tiemann said he’s spoken with Marshall County. County Attorney Roger Harris suggested the board go into closed session if they are going to discuss options.

Motion made by Dorn, seconded by Schuller to move into closed session at 9:33 a.m. for possible negotiations and security. Motion carried 7-0.

Jurgens and Lytle left meeting at 9:58 a.m. during closed session.

Lytle back in meeting at 10:09 a.m.

Motion made by Dorn, seconded by Swavely to move out of closed session at 10:10 a.m. Motion carried 5-1 with Lytle voting nay.

Schuller said he attended the Liberty Board meeting and said he was very impressed with the area and improvement grants for water facility.

Tiemann stated that Marcella Rademacher would like to formally request that the board to review the CAFO requirements.

Motion made by Dorn, seconded by Swavely to adjourn the Board of Supervisors meeting at 10:18 a.m. Motion carried 5-1 with Lytle voting nay.

Chairman declared Board of Supervisors meeting adjourned at 10:18 a.m. until May 31, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

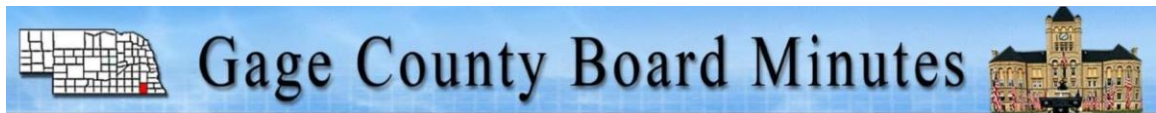
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 17<sup>th</sup> day of May, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on May 31, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$809,555.94; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1273 to Windstream Nebraska LLC. Windstream will be installing a communications line to residence at 27413 Rockford Road. Windstream will bore a 2" diameter by 60" deep line for the new line from pedestal 160YE located in the East grader ditch of Rockford Road to the West grader ditch, then continue all work on private property. Located in section 2, T-3-N, R-7-E, Rockford Twp.; 6. Approve Utility Permit #1274 to Windstream Nebraska LLC. Windstream will be installing a communications line to residence at 22796 SW 89th Road. Windstream will bore a 2" diameter by 60" deep line for the new line from pedestal 712HF located in the West grader ditch, start boring north 30' in West grader ditch, then bore under SW 89th Road to East grader ditch, then continue all work on private property. Located East of Section 22 and West of Section 23, T-4-N, R-5-E, Blakely Twp.; 7. Approve bid from Masonry Construction Inc. to repair the Chimney in the amount of \$26,313.00.; 8. Approve cancelling check #23050105 to Beatrice Area Solid Waste in the amount of \$26,496.00.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	154,038.63
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail on-site medical svcs.	575.64
All Copy Products, Inc.	Ext Offc copy overage	77.14
AT&T Mobility Accounts, LLC	Shf FirstNet phone svc.	526.21
Beatrice Area Solid Waste Agency	Waste disposal	105.00
Beatrice Board of Public Works	Utilities	222.09
Beatrice Community Hospital	CPR training	225.00
Black Hills Energy	Utilities	376.66
Buoyant Family Services	Evaluation	1250.00
Burke Brown Law, LLC	Atty fees	3306.00
CDW Government, Inc.	Prob. Offc computer	4983.18
Charm-Tex, Inc.	Inmate provisions	345.80
Charter Communications	Jail cable TV	175.94
City of Wymore	Qtrly EMS svcs	10,000.00
Clerk of District Court	Court costs	900.64
Credit Information Systems	Shf mbrshp fees	50.00
Eakes Office Solutions	Mats, printer	3782.31
Fankhauser, Nelsen, Werts, et al	Atty fees	3372.50
First Wireless, Inc.	EM svc agrmt, Shf tower rental	1095.20
Gage County	Prob Offc janitorial agrmt/suppl, offc spc rent	22,996.00
Gage County Court	Court costs	2238.75
Garcia Clinical Laboratory	Inmate lab svcs	18.00
Great Plains Uniforms, LLC	Shf uniforms	167.03
GWorks	GIS website labor/maint.	20,112.00
Hampton Inn, Norfolk NE	Dist Ct. Lodging	196.00
Hometown Leasing	Atty & Prob copier leases	611.52
Intoximeters, Inc.	Breathalyzer supplies	373.00
Jefferson Co. Sheriff	Svc. fees	7.00
Jerry Shelton, Atty	Atty fees	451.25
Jurors – County Court	Jury fees	1066.00
Jurors – District Court	Jury fees	900.06
Justice Data Solutions	Shf software, support, maint.	34,050.00
Land Survey Tech, Inc.	Co. Surveyor operating expenses	6275.63

Lepant Law Office	Atty fees	874.00
Mahloch Law Office	Atty fees	793.25
MIPS, Inc.	Forms, Assr postcards	1714.93
NASASP	Shf mbrshp – Natl Assn St Agncs Surplus prop.	39.00
<u>General Fund cont.</u>		
Natl. Sheriff's Association	Shf mbrshp dues	142.00
Naylor, Rappl Law Office, PC LLO	Atty fees	718.16
NE County Attorney Assn.	Dues, seminar regis. x 4	2296.00
NE Public Health Env. Lab	Blood alcohol test	105.00
NE State Fire Marshall – Elev. Div.	Annl. inspection	120.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
NI Government Services, Inc.	SAT phone svc, 5 mos.	386.95
Noakes Heating & Air	Supplies, labor	978.91
Northeast Auto	Veh lease	550.00
Precision Signs & Graphics, LLC	Shf veh graphics	37.55
Premier GMC of Beatrice, LLC	Shf veh svc supplies, labor	1225.22
Production Creek Specialty Adv.	Shf uniform screenprint	41.00
Psychological Resources	Pre-empl. testing	150.00
Quadient Finance USA, Inc.	Postage for meter	698.92
Quadient, Inc.	Pstg meter supplies	64.60
Quill – EMS	Offc supplies	331.98
Quill – Co Ct	Offc supplies	122.92
Quill – Prob	Offc supplies	271.10
Reagan Law Offices, PC LLO	Atty fees	538.50
Region V Systems	EPC billing	856.00
Ron's Body Shop, Inc.	Shf veh ins deductible	500.00
Sherwin-Williams Co.	Paint	105.52
Spectrum (Charter)	EM cable TV	11.55
St. of NE St. Fire Marshall	Jail boiler annl. certif.	36.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service, LLC	Jail meal svc.	8202.12
Tracker Products, LLC	Maint. agrmt	5670.00
U.S. Bank – Purchase cards	Lodging, fuel, supplies	1653.91
Verizon Wireless (EMS 8923-1)	Emer Mgmt cell phones	225.65
Voss Lighting	Jail supplies	56.04
Westlake Ace Hardware	Shf supplies	7.73
Willet & Carothers Law Office	Atty fees	275.50
Windstream – Ext. Offc	Phones	310.93
Windstream – Shf.	Phones	607.61
Windstream – Cths.	Phones	1898.03
Windstream – Vets	Phones	246.97
Woods & Aitken, LLP	Prof. legal svcs.	688.00
<u>Road Fund</u>		
Highway Department Employees	Salaries	40,530.60
Auto Repair Plus, LLC	Parts, labor	2069.66
Beatrice Concrete Sand & Gravel	Rock & gravel	40,754.47
Black Hills Energy	Utilities	135.36
Bomgaars	Tools, supplies	492.79
Cather & Sons Const.	Asphalt	3419.41
Diamond Traffic Products	Traffic counters	3482.00
First Wireless, Inc.	Repeater rental	350.00
Lammel Plumbing	Plbg repairs	223.35
Lee Newspaper Subscriptions	Subscr.	378.00
Midwest Service & Sales	Sign adaptors	3495.00
Norris Public Power Dist.	Utilities	270.83
Pavers, Inc.	Asphalt cold mix	421.92
RDO Truck Center	2023 Mack Truck, VIN-3821	211,681.45
Rock On, Inc.	Hauling material	11,962.33
<u>Visitor's Promotion Fund</u>		
Beatrice Area Chamber of Commerce	Lodging tax	9138.65
<u>Insurance Fund</u>		
Gage County Health Insurance	Employee ins. claims paid	55,905.90
Lucent Health Solutions	Premiums, admin fees	29,412.57
Mutual of Omaha	Elective ins premiums	555.31

Covid American Rescue Plan Fund

Universal Broadband Consulting Ltd.	Broadband internet proj. w/ NextLink	1690.00
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Inheritance Fund

Dean A Baehr Estate	Inher. tax refund	756.63
The Estate of Marcella J O'Bryan	Inher. tax refund	5772.92

County Buildings Fund

Roeber Construction, LLC	Replace roof, siding, gutters at Vet's Offc	31,000.13
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General Fund

Ameritas	County share of Employees Retirement	10,736.45
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,207.98
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,291.42

Road Fund

Ameritas	County share of Employees Retirement	2,735.84
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	2,941.49
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,013.26

Motion made by Jurgens to amend the consent agenda to include approval of gWorks Statement of Work for the implementation of *SimpleRoads* Asset Management Web Application and Subscription, for a 5-year term with review after the 5 years, seconded by Haxby, motion carried 7-0.

Motion made by Lytle, seconded by Swavely to approve the consent agenda with the addition of the gWorks item. Motion carried 7-0.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, and Haxby on Road & Bridge. Topics of discussion were East courthouse entrance options; valuation notices being sent out; and Liberty request to close street temporarily.

Tiemann thanked Rosie Wohlers for her years of service to Gage County and wished her the best in her retirement, and the board presented her with a plaque.

Elaine Menzel with NACO was unable to attend the meeting.

Chief Probation Officer Melanie Stormer introduced herself to the board as the new officer for Probation District 1. She said this career opportunity brought her here from Illinois. She presented a report on the Probation Office, number of staff members, and problem-solving courts. Tiemann welcomed Stormer to Gage County and wished her luck in her new position.

Motion made by Lytle, seconded by Haxby to approve placing the Probation report on file. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to approve the 2023-2024 Drug Court Interlocal Agreement. County Attorney Roger Harris stated that the Drug Court Program is very effective and is a huge cost savings tool for the county. Lytle agreed about the cost savings but also pointed out that this program really helps people by rehabilitating them to become good members of society. Tiemann said that there is a lot of success with this program and that it is helping people to become productive citizens. Motion carried 7-0.

Short recess at 9:35 a.m. Back in session at 9:43 a.m. with all members previously listed present.

NOTE: hereinafter, changes to the solar regulations will be noted as follows: proposed added verbiage will be in *italics*, and proposed deleted verbiage will be ~~crossed through~~ to note the proposed changes, but changes will only be made if the motion passes.

Discussion on proposed solar energy conversion regulations. Tiemann stated that copies of the proposed regs were given to the board and that he'd like to start at the beginning and work through each section, making changes as they go. The Board held a public hearing on solar regs on April 5, 2023 so the Board will be able to approve a set of regs today if all sections are agreed upon. Tiemann referred to the chart on the last page of the regs which is a summary of all of the setbacks and said he would like to incorporate it into the regs as a summary of the setback

information that is written into the regs, and that he would also like the following verbiage added to the regs: *solar structures/facilities that will be part of an industrial special use permit will be governed by the setback limits of that permit if they will be producing electricity for self-consumption and not selling it back onto the grid – other solar regulations such as buffers would still apply.* Tiemann asked for a motion to add this verbiage.

Motion made by Lytle, seconded by Dorn to approve adding the chart and the stated verbiage to the regs. During discussion, Haxby stated that she would like to make a motion to amend the original motion to add that the solar facility must be attached/contiguous to the industrial facility, seconded by Dorn. Voting yea on the amendment were Haxby, Dorn and Swavely, voting nay were Jurgens, Schuller, Tiemann and Lytle. Motion failed 3-4.

Motion made by Haxby, seconded by Swavely to amend the verbiage of the original motion to add that the solar facility must be within a one-mile halo of the proposed industrial site. Haxby pointed out that the industrial facility should not get an exemption if the solar site isn't with the industrial site, and if it is not, then the solar facility should follow the regular setbacks. Voting yea on the amendment were Haxby and Swavely, voting nay were Jurgens, Schuller, Tiemann, Dorn and Lytle. Motion failed 2-5.

Motion made by Haxby, seconded by Swavely to amend the verbiage of the original motion to add that a solar facility outside of a one-mile radius of the industrial site using solar energy off grid would not apply to the exemption and that the exemption would not be granted. Voting yea were Haxby and Swavely, voting nay were Jurgens, Schuller, Tiemann, Lytle and Dorn. Motion failed 2-5.

Motion made by Haxby to cap the acres at 160 for the exemption. Tiemann stated he was nervous to have a cap of 160 acres as someone might need more than that. Lisa Wiegand stated that in their research they estimated that 1 megawatt takes approximately 10 acres by the time you get your buffers in, which would mean that the 160 acres would be enough for 10 megawatts. Lytle asked to take a short recess before voting on this amendment and the original amendment.

Short recess at 10:46 a.m. with 2 items on the floor. Back in session at 10:56 a.m. with all members previously listed present.

Motion made by Haxby to cap the acres at 160 for the exemption died for lack of second.

Back to original motion made by Lytle, seconded by Dorn to add the summary chart and the following verbiage: *solar structures/facilities that will be part of an industrial special use permit will be governed by the setback limits of that permit if they will be producing electricity for self-consumption and not selling it back onto the grid – other solar regulations such as buffers would still apply.* Voting yea were Jurgens, Tiemann, Dorn, Swavely and Lytle, voting nay were Haxby and Schuller. Motion carried 5-2. Tiemann stated that the amendment would be an asterisk on the back page after the chart that was included in the motion to be added to the regs.

Motion made by Haxby, seconded by Dorn to approve changing the verbiage under Setbacks in each of the Classes 2, 3 & 4 as follows (added verbiage is in italics, deleted verbiage is crossed through): From Churches, Public Schools, *and all Federal, State or local parks which includes designated State and local recreation areas and wildlife management areas* ~~Rockford Lake State Park, NRD Big Indian, NRD Wildcat Lake, and Homestead National Historical Park~~: CSECS shall maintain a minimum setback of 1,320 ft. (1/4 mile) from property line *and shall not be visible from any place on those properties.* Motion failed 2-5 with Haxby and Dorn voting yea, Jurgens, Schuller, Tiemann, Swavely and Lytle voting nay.

Motion made by Haxby, seconded by Dorn that under Sec. 6.87, to add a new Letter N, with the previous Letter N being changed to O, and previous Letter O being changed to P. Verbiage for the new Letter N being: *the applicant shall submit a viewshed study from the Homestead National Historical Park property to the CSECS, and the study shall show that from any viewpoint of 5 feet, 5 inches above natural ground level anywhere on the Homestead National Historical Park, it cannot be seen.* Motion carried 7-0.

Motion made by Haxby, seconded by Dorn to approve additional verbiage under Sec. 6.87, Letter K to the sentence beginning: The complete results and full study report shall be included in the study *and study shall include modeling for all 4 seasons and include typical and worst-case scenarios.* Haxby said the 4 seasons study relates to the different positions of the sun during each season which could affect the presence of glare. Motion carried 4-3 with Haxby, Schuller, Dorn and Swavely voting yea, Jurgens, Tiemann and Lytle voting nay.

Motion made by Haxby, that under Sec. 6.87, Letter J, add: *#4 Provide any written technical assistance as well as minutes and reports from meetings in coordination with the Nebraska Game & Parks Commission, Lower Big Blue NRD, and/or Nemaha NRD to review the proposed CSECS site plan including mitigation action to protect the flora and fauna of the proposed project area.* Motion died for lack of second.

Motion made by Haxby, that under Sec. 6.87, Letter C, add verbiage to match wind regulations to read: *Provide a map illustrating all Transmission Lines connecting to the Substation. All electrical connections systems and lines from the CSECS to the electrical grid connection shall be located and maintained underground. Burial depth shall be at a depth that causes no known environmental, land use or safety issues. Depth shall be a minimum of six (6) feet below grade, or deeper than the drain tile, and be in compliance with NEC 2017 or new code standards. The Gage County Board of Supervisors may waive the burial requirement and allow above-ground structures in limited circumstances, such as geography precludes, or demonstrated benefit to the County. The waiver should not be granted solely on cost savings to the applicant. Request for variation shall consider aesthetics, future use of land, and effect on nearby landowners.* Motion died for lack of a second.

Motion made by Haxby, seconded by Lytle, that under Sec. 6.90, the second paragraph under Letter A: change the word ~~Upon~~ to *Prior to*. Motion carried 7-0.

Schuller had a question under Sec. 6.83, Letter B, #1, letter i, Application Requirements, he wanted to know if this pertained to all wetlands and it was explained that it's just to identify the location, it is not a restriction.

P & Z Administrator Lisa Wiegand pointed out a clerical error under Sec. 6.85, #1 – it should read: Located on a lot or parcel of at least ~~twenty~~ *ten* (10) acres.

Motion made by Haxby, seconded by Swavely that under the Setbacks section in each of the Classes 2, 3 and 4, under #4, add the wording onto the end of #4: *All CSECS shall use anti-glare or anti-reflective glass panels.* Haxby stated that companies typically use anti-glare panels but just thought it should be clarified in the regs. Motion carried 4-3 with Haxby, Dorn, Swavely and Lytle voting yea, Jurgens, Tiemann and Schuller voting nay.

Lytle wanted to discuss splitting out the Homestead off from churches, schools and NRD's so that the Homestead is in a category by itself with setbacks in Class 2 of ¼ mile, Class 3 of ½ mile, and Class 4 of ¾ mile.

NOTE: the following motions that refer to being changed on the summary chart, would also have the changes made to their section in the body of the actual regs to reflect these changes.

Motion made by Lytle, seconded by Jurgens to put the Homestead in its own category and keep the setbacks as listed on the chart for each Class. Lytle stated that solar may be a good teaching point near the Homestead but the Homestead is for preserving the prairie and the history of it visually. Motion carried 6-1 with Haxby voting nay.

Motion made by Lytle, seconded by Jurgens to create a separate category for churches, schools and NRD's, leaving the Class 1 and 2 setbacks the same, changing Class 3 to be the same as Class 2, and changing Class 4 to be what Class 3 was listed at. Motion made by Haxby, seconded by Dorn to amend Lytle's motion to keep the churches and schools in the category with the Homestead, leaving the setbacks as originally listed for all categories. Motion to amend the original motion failed 3-4 with Haxby, Tiemann and Dorn voting yea, Jurgens, Schuller, Swavely and Lytle voting nay.

Back to the vote on the original motion to create a separate category for churches, schools and NRD's, leaving the Class 1 and 2 setbacks the same, changing Class 3 to be the same as Class 2 (1/4 mile), and changing Class 4 to be what Class 3 was listed at (1/2 mile). Motion carried 6-1 with Schuller voting nay.

Motion made by Haxby, seconded by Jurgens to amend the original motion to leave the schools and churches' Class 4 setback the same as originally listed (3/4 mile) and to create a separate classification line for them on the chart. Motion carried 6-1 with Schuller voting nay.

Lytle had a question on Sec. 6.85, Letter B, regarding setbacks From Approved Platted Subdivisions Not Zoned being set at ½ mile instead of ¼ mile. Jurgens said maybe for expansion, Lisa Wiegand said it could also be for view shed. Motion made by Lytle, seconded by Schuller to change the setback From Approved Platted Subdivisions Not Zoned, from ½ mile to ¼ mile on Class 3 only. Motion carried 6-1 with Tiemann voting nay.

Jurgens asked P&Z Administrator Lisa Wiegand if she thought any of the changes made today would be conceived as wrong. Wiegand said that every board, including the P&Z Commission, will not always have all of the members agree on everything as each member has their own opinions, but it's about finding a middle ground to maintain balance. County Attorney Roger Harris also noted that it is not possible to address every hypothetical situation that might come about. He also said that if a company wants to come into the county and the regs don't fit their needs they can always request an amendment to the regs and go through the process of going before P&Z and the Board of Supervisors to get the regs changed.

Haxby asked about seeding plan and Wiegand said it's in the screenings area under letter e. of each Class, stating that they must maintain the original standard of planting. Haxby asked about the growth under the panels. Wiegand pointed out under Sec. 6.87, Letter I, #'s 10 & 11 says there must be maintenance of erosion controls throughout the life of the project and that the applicant must present an acceptable weed or vegetation plan at the time of permit.

Schuller stated that his opinion is that the setbacks are too far and that he wants smaller setbacks all around. Tiemann asked if he was making a motion.

Motion made by Schuller to change the setbacks to 500 feet from any residence and 200 feet from property line, whichever is further, and leave existing setbacks where they are at for churches, schools, NRD's and Homestead in Classes 2 through 4, otherwise setbacks would go to the 500 feet and 200 feet. Lytle seconded the motion so that there could be discussion. Schuller said he wants Gage County to be competitive and progressive in Economic Development and need to be receptive to solar energy and have zoning regulations that meet health and safety standards, but not be so restrictive that we keep something out of Gage County. Swavely asked if that meant that the setback for nonparticipating property would go from 660 feet down to 500 feet. Tiemann stated that it would take everything including non-participating dwelling, currently at 2,640 feet down to 500 feet from dwelling, and non-participating property, currently at 660 feet down to 200 feet from property line, and would not include schools, churches, NRD's and Homestead. Haxby said that the way we have it written is all towards the non-participant so we're giving the choice to the community so we should leave it the way it is. Tiemann said for participants there would continue to be no setback. Lytle said changes have been made that have reduced setbacks quite a bit already and more changes may need to be made down the line, but it's a good starting point. Swavely said we've done some good things today and we're giving people the opportunity to take advantage of this and if they do have a special situation they can come in and ask for an exemption and we can make a decision then. Tiemann asked for the vote, motion failed 1-6 with Schuller voting yea.

Lisa Wiegand asked a question on the view shed study – was four seasons study required on all classifications in that motion or just 2, 3 and 4? Haxby pointed out that the heading for Sec. 6.87, it says Application Requirements for Class 2, Class 3 and Class 4, and that under Letter K the wording regarding the 4 seasons view shed was added.

Motion made by Swavely, seconded by Dorn to approve the amended solar regulations as discussed and changed on May 31, 2023. Haxby said there are things she would still like to see changed but in all we have a balance. One thing still concerns her and that is giving an exemption to industrial projects to have solar project site with an off-site solar facility that has no limit of distance from the industrial site or the size of the solar site, making it possible for them to put a solar site anywhere in this county and they have an exemption from setbacks and that's a concern. Swavely said the key word is industrial, so that makes a difference as to where it can be placed. Haxby said she would feel better about adding wording regarding zoning it as industrial. Jurgens added that it would require a Special Use Permit for an industrial project site and it would have to go through the Board so it could be addressed then. Tiemann asked for the vote, motion carried 7-0.

Tiemann thanked everyone for staying to get the regulations completed, thanked Lisa and asked her to pass a thank you on to the P&Z Committee for laying out the groundwork and having the regs pretty well set up already. Lytle also thanked Lisa and the P&Z Committee for making it easy for the board to work through as it was all well laid out and the two boards were pretty in line with their decisions and that he appreciates all the work they did.

Jurgens left meeting at 12:40 p.m.

Chairman declared Board of Supervisors meeting adjourned at 12:41 p.m. until June 14, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

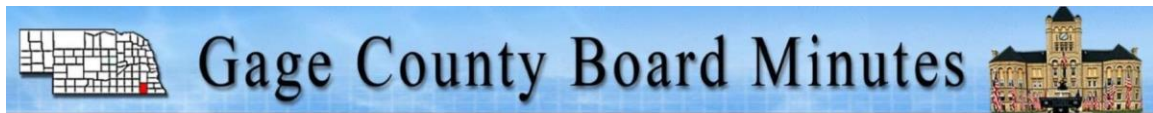
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 31<sup>st</sup> day of May, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on June 14, 2023, at 9:03 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn and Dave Swavely present, Gary Lytle absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$\$1,875,975.64 which does not include claim #23060123 to Johnny's Welding in the amount of \$201.58 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of May, 2023; 6. Utility Permit #1275 to Windstream Nebraska LLC. Windstream will be replacing a fiber line for a Gage County project C-34(1234). Windstream will plow new fiber up to existing structure and then bore a 2" diameter by 10' deep line under flow line approximately 50' under structure then continue plowing north approximately 50' and splice new fiber into existing fiber and add new pedestal. All work is in the East grader ditch of South 36<sup>th</sup> Road approximately 450' North of Osage Road. Located West of Section 5, T-2-N R-7-E, Blue Springs/Wymore Twp.; 7. Utility Permit #1276 to Mid-America Pipeline Company LLC. Mid-America will be performing pipeline maintenance for propane line on Osage Road approximately 1,350' West of Hwy 77. Mid-America will be occupying the North side of Gage County ROW and Northern Natural Gas ROW while performing maintenance on line. Located South of Section 4, T-2-N R-6-E, Sicily Twp.; 8. Receive County Audit for Fiscal year ending 6/30/2022 and place on file; 9. Approve receiving Sheriff's Statement on collection of distress warrants for May, 2023; #10 (added by motion below) for closed session discussion with Beatrice Chief of Police at approximately 10:00 a.m. regarding budget changes.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	172,523.95
Advanced Correctional Healthcare	Jail on-site medical svcs.	11,746.35
All Copy Products, Inc.	Ext. cpy ovg, EM, Treas, Clk copier leases	1209.13
Applied Connective Technologies	Computer equip, software, support, inti-virus	26,561.64
Beatrice Public Schools	Juvenile svcs aid grant	3099.40
Blackburn Technologies	Atty comp equip	966.92
Blue Valley Public Safety	Siren maint.	3805.35
Buffalo Co. Sheriff	Shf. fees	55.00
Travis Buss	Witness fees/mlg	53.40
Capital Business Systems	Co Ct copier lease/overage	432.60
Collision Forensic Solutions	Shf forensic pkg & training	8800.00
Cornhusker State Ind.	Supplies	956.00
Cortland-Lancaster Rural Fire	Qrtrly EMS svc.	1500.00
Culligan of Lincoln	Water cooler	74.00
Custer Co. Treasurer	Postage	11.45
Diode Communications	Monitoring cths & vets offc	80.85
Eakes Office Solutions	Offc equip, supplies	5625.89
Echo Group	Light bulbs, electrcal supplies	170.12
Sandra Eltiste	Prior svc retirement	12.00
Fakler Architects, LLC	Proposal for E entrance update	810.00
Gage County	Fund transfers Gen to Road & Insurance	958,842.18
Gage Co. Sheriff's Offc.	Shf fees/mlg	526.67
Green Way Lawn Svcs.	Mowing, fertilizing	810.00
Harman Wright Mortuary	Co. cremation	1200.00
Jerry Shelton, Atty	Atty fees	190.00
Joyce Kassing	Prior svc retirement	20.00
Lammel Plumbing, Inc.	Janitorial supplies	8.64
Lincoln Journal Star	Publications	814.92
Lynn Peavey Co.	Shf supplies	64.96

Mahloch Law Office	Atty fees	475.00
Marshall & Swift, Boeckh, LLC	Valuation svc book	674.20
Matthew Kosmicki Law, LLC	Atty fees	1350.59
Mead Lumber	Supplies	351.54
Microfilm Imaging Systems, Inc.	Courts scanning equip rent	457.00
Naylor, Rappl Law Office	Atty fees	1853.89
NE Dept. of Motor Vehicles	Plates	1.60
NE State Fire Marshall – Elev. Div.	Shf/Jail annl boiler cert	36.00
Nelson, Clark & Timan	Public Defender	6346.25
NIRMA	NIRMA & NIRMA II ins. renewal	269,066.00
Noakes Htng. & Air Conditioning	Repairs, labor	978.40
Norris Public Power	Horvath twr utilities	42.51
Northeast Auto	Veh lease	550.00
Odell Vol. Fire & Rescue	Qtrly EMS svc	1500.00
Paper Tiger Shredding	Doc shredding	126.25
Pickrell Rural Fire Dist.	Qtrly EMS svc – 2 qtrs	3000.00
Platte Co. Detention Facility	Tuition	175.00
Precision Signs & Graphics	Prob supplies	51.95
Premier GMC, Beatrice	Shf veh repairs	1225.22
Priority Printing	Shf printed 2-part receipts	208.76
Quadient Leasing USA, Inc.	Pstg meter lease	2068.17
Quill – Ext.	Offc supplies	505.08
Quill – Prob.	Offc supplies	2930.39
Quill – Treas.	Offc supplies	917.94
Sack Lumber	Shf supplies	88.64
Sapp Bros. Petroleum, Inc.	Shf/Jail fuel	4772.26
SE Nebr. Communications	Prob. phones	112.01
Security Services	Monitor Shf fire alarm	35.50
Sheridan Industries	Ext Offc janitorial svcs.	150.00
SMPC IT Solutions	Assr server, support, backups, anti-virus	5749.19
Soap Opera Laundry	Mop & rag cleaning	35.00
Stanard Appraisal Svcs., Inc.	Appraisal maint.	2125.00
Stephen Kraviec, PC LLO	Child Suppt Enf Atty, postage	2655.32
Summit Food Svc.	Jail meal svc.	2689.71
T.O. Haas Tire	Shf veh tires, repairs, oil changes, etc.	2952.92
The Home Depot Pro	Supplies	503.70
The Voice News	Publications	746.24
Thomson Reuters, West Pmt. Ctr.	Law Library software subscr.	2602.54
TK Elevator Corporation	Elevator maint.	256.76
Tractor Supply	Weed supplies	711.93
Twin Rivers Chrysler, Jeep, Dodge	Shf veh repair	40.49
U.S. Bank Purchase Cards	Supplies	1057.21
U.S. Post Svc. – Postmaster	Clk, Treas PO Boxes	664.00
Verizon Wireless – Shf.	Cell phones	480.12
Verizon Wireless – EMS 6384-1	EM cell phones	207.82
Verizon Wireless – Prob.	Cell phones	393.36
Willet & Carothers Law Office	Atty fees	1891.50
Windstream – Wilber Prob.	Phones	52.37
Wymore Public Library	Co. funding	3600.00
Zultys, Inc.	Prob phones	462.53
<u>Road Fund</u>		
Highway Department Employees	Salaries	40,475.98
All Copy Products, Inc.	Copy overage	27.95
Bauer Built Tire	Tires	1468.16
Beatrice Concrete Sand & Gravel	Rock & gravel	76,853.45
Beatrice Iron & Metal	Supplies	3057.49
Blackburn Technologies	Laptops, chargers	2406.98
Capital One, NA	Supplies	56.51
City of Wymore	Utilities	96.87
Constellation NewEnergy Gas Div.	Utilities	44.12
Contech Engineered Solutions	Project pipe	39,745.00
Dultmeier Sales, LLC	Parts	39.59
Eakes Office Solutions	Offc supplies	184.47
Inland Truck Parts, Inc.	Parts	312.96
Jim Hawk Truck Trailers	Freon	299.00
JJT, LLC	Roadside seed	2900.00
Johnny's Welding, Inc.	Hose, fittings	201.58

Landmark Implement, Inc.	Supplies	118.16
Matheson Tri-Gas, Inc.	Supplies	98.54
Mead Lumber	Screws	10.99
Michael Todd Industrial Supply	Strobe lights	298.52
Midwest Unlimited, LLC	Parts	97.50
Newman Signs, Inc.	Signs, markers	8107.15
NMC Exchange Co.	Parts, oil	16,456.51
O'Reilly Auto Parts	Parts	957.27
PowerPlan	Labor	224.70
Rock On, Inc.	Hauling material	8496.24
Rose Equipment, LLC	Part	56.70
Sapp Bros. Petroleum, Inc.	Fuel	19,898.70
Tractor Supply	Bolts	66.63
U.S. Auto Force	Tires	7227.67
U.S. Bank Purchase Cards	Supplies	1656.17
Zoellner Ford of Beatrice	Parts	1079.28

Insurance Fund

Jacob Meyer	Ins. reimb.	212.31
Gage County Health Insurance	Employee health ins. claims paid	12,666.01

County Buildings Fund

Masonry Construction, Inc.	Inv. #2, Phase 11, cths exterior restoration	33,000.00
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General Fund

Ameritas	County share of Employees Retirement	11,930.04
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,638.34
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	25,480.07

Road Fund

Ameritas	County share of Employees Retirement	2,732.15
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	2,938.85
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,013.26

Insurance Fund

Ameritas	County share of Employees Retirement	14.33
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	16.24

Tiemann asked County Attorney Roger Harris about adding an emergency item #10 to the consent agenda to have a discussion with Beatrice Chief of Police John Hickman at approximately 10:00 a.m. regarding changes to their budget which ends at the end of the month, making it an emergency issue. Harris said it could be added as an emergency item to the closed session since it is already listed as an agenda item.

Motion made by Haxby, seconded by Schuller to approve adding emergency item #10 to the consent agenda to have a closed session discussion with Beatrice Chief of Police John Hickman at approximately 10:00 a.m. regarding changes to their budget which ends at the end of the month, making it an emergency issue. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to approve the consent agenda with the addition of #10 for an emergency item. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to approve claim #23060123 to Johnny's Welding in the amount of \$201.58, bringing the total amount of claims paid through June 14, 2023 to \$1,876,177.22. Motion carried 5-0-1 with Jurgens abstaining due to conflict of interest.

Ashley Mason, 1300 Lincoln St., Beatrice NE, spoke under public comments in regard to the passing of the solar energy conversion regs that were approved at the last meeting.

Committee reports were given by Dave Jones on Bldg. & Grounds; Tiemann on Equalization; Jurgens on Finance; Roger Harris on Human Resources/Employee Relations; Tiemann on Law Enforcement; and Dorn on Road & Bridge. Items of discussion were Ext. Offc. improvements; Webex proposal with Applied Connective; improved ramp & possible screening station on East entrance; explanation of how property valuation works in respect to property taxes; valuation protest action by Board will be in July; Liability ins. renewal with NIRMA; county employee handbook changes; jail is up to standards; committee formed to look at possible jail options in the future made up of Lytle, Dorn, Haxby, Shf Gustafson, Co. Atty Roger Harris, Jail Mgr. Trevor

Rue, and up to 3 members of the public at the committee’s choosing; update on broadband project – go to [fiber.nextlinkinternet.com](http://fiber.nextlinkinternet.com) to request to have your address added to the list.

**RESOLUTION #23-08**

**WHEREAS**, the Gage County Board of Supervisors wishes to close the Judgment (Beatrice 6) Fund, as the judgment has been paid in full; and,

**WHEREAS**, the Gage County Board of Supervisors directs the County Treasurer to transfer all monies in the Judgment (Beatrice 6) Fund as of June 30, 2023 to the General Fund and all future collections for the Judgment (Beatrice 6) Fund shall be posted to the General Fund.

**NOW, THEREFORE, BE IT RESOLVED**, by the Gage County Board of Supervisors that the Judgment (Beatrice 6) Fund will be closed effective June 30, 2023.

**BE IT FURTHER RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS** that the amount in the Judgment (Beatrice 6) Fund as of June 30, 2023, and any money collected in the future, will be transferred to the General Fund.

**DATED** this 14<sup>th</sup> day of June, 2023.

**MOTION** made by Jurgens, seconded by Dorn to adopt the foregoing Resolution. All members present as listed and voted as follows:

Voting Aye: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely

Voting Nay: None

Motion carried 6-0

ATTEST: /s/ Michelle K. Bloomquist                      /s/ Erich Tiemann  
Deputy Gage County Clerk    Chairman, Board of Supervisors

Motion made by Jurgens, seconded by Dorn to approve adopting Resolution #23-08 to close the Judgment (Beatrice 6) Fund effective June 30, 2023, as the Judgment has been paid in full, and to transfer all remaining monies and any future collections to the General Fund. Motion carried 6-0.

**RESOLUTION #23-09**

**WHEREAS**, at their December 1, 2021 meeting, the Gage County Board of Supervisors voted to sign on to the Opioid Settlement Agreement, which the Attorney General helped negotiate, to become eligible for a direct share of the settlement proceeds; and

**WHEREAS**, prior to the availability of an Opioid Fund which needed to be set up by the State, funds collected by Gage County from the settlement were placed in the General Fund; and

**WHEREAS**, Gage County now has an Opioid Fund set up to dispense funds previously collected, and for the collection of any future proceeds from the Opioid Settlement; and

**WHEREAS**, funds in the General Fund that have been collected through the settlement proceeds as of this date are in the amount of \$6,483.76.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Gage County Treasurer is hereby directed to transfer \$6,483.76 from the General Fund to the newly created Opioid Fund for the payment of qualifying expenses as specified in the settlement agreement.

**DATED** this 14<sup>th</sup> day of June, 2023.

**MOTION** made by Dorn, seconded by Swavely to adopt the foregoing

Resolution.

Voting Aye: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely

Voting Nay: None

Motion carried 6-0

ATTEST: /s/ Michelle K. Bloomquist  
Deputy Gage County Clerk

/s/ Erich Tiemann  
Chairman, Board of Supervisors

Motion made by Dorn, seconded by Swavely to approve adopting Resolution #23-09 to transfer Opioid funds that were deposited into the General Fund over to the newly created Opioid Fund. Haxby asked where the funds go once they're in the Opioid Fund and it was explained that funds came from an opioid settlement and were distributed to those who signed on to the settlement, and that the settlement agreement specifies what expenses the funds can be used for. It was also stated that the funds originally went into the General Fund as an Opioid Fund had not yet been set up. Motion carried 6-0.

**RESOLUTION #23-10**

WHEREAS, it has been reported that, due to a clerical error, there are insufficient funds in the 2022-2023 County Attorney's Office Budget to finish paying for the obligations of said budget; and

WHEREAS, the Gage County Board of Supervisors does not wish the County Attorney's Office Budget to incur obligations within its budget which would be in excess of the present appropriation and thereby violate State law; and

WHEREAS, the Gage County Board of Supervisors has determined that it is in the best interests of Gage County, Nebraska, to increase the County Attorney's Office Budget by Sixteen Thousand dollars (\$16,000.00) and said amount should be taken from the County General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that the County Attorney's Office Budget should be and is hereby increased in the sum of Sixteen Thousand dollars (\$16,000.00), which shall be taken from the County General Fund.

Motion made by Swavely, seconded by Dorn to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely

Nay: None

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 14<sup>th</sup> day of June, 2023.

/s/ Michelle K. Bloomquist  
Deputy Gage County Clerk

Motion made by Swavely, seconded by Dorn to approve adopting Resolution #23-10 to increase the County Attorney's Budget by \$16,000.00 due to a clerical error. Motion carried 6-0.

Discussion on agreement with Dickinson Real Estate for referee work for 2023 Real Estate Assessment period at a rate of \$110 per hour. Tiemann thought the amount was similar to the rate in the past, Dorn asked if it was the same as last year. Tiemann said he liked having the same set of eyes looking at all of the protests so each one gets the same consideration and there is consistency, instead of splitting them between different groups of board members. Swavely said that paying to have a full-time appraiser may be something they have to look at in the future. The board decided to take a short recess to check the rates paid over the last few years.

Short recess at 9:39 a.m. Back in session at 9:49 a.m. with all members previously listed present.

Tiemann stated the rates for Dickinson Real Estate were \$85 per hour in 2022, \$75 per hour in 2021 and \$50 per hour in 2020 and 2019.

Motion made by Dorn, seconded by Jurgens to approve agreement with Dickinson Real Estate for referee work for 2023 Real Estate Assessment period at a rate of \$110 per hour. Motion carried 6-0.

Tiemann asked Haxby to read the proposed amendment to the solar setback exemption regulations as they pertain to industrial businesses using solar power for their own consumption. Haxby said that there was a reference in the regs to the term “buffers” and Lisa (Wiegand) pointed out that that term was not defined in the regs and that the term “screenings” was typically the term used. The last sentence reads *All other regulations such as buffers will still supply*. Haxby suggested just removing the words “such as buffers” in the statement below the setback chart on the last page so that the paragraph would read *Solar structures/facilities that will be part of an industrial special use permit will be governed by the setback limits of that permit if they will be producing electricity for self-consumption and not selling onto the grid. All other regulations will still apply*. Tiemann asked Co. Atty. Roger Harris if there needed to be an amendment or if it could just be considered a clerical error and remove “such as buffers” from the verbiage. Harris said that they could either add a definition if it’s an ambiguity, otherwise it’s called a Scrivener’s error (an unintentional mistake in the drafting of a contract). Wiegand said it is confusing because of the many different kinds of buffers you could have so striking the words makes more sense instead of having to write definitions for all the different types of buffers. Tiemann asked to have the words “such as buffers” removed from the final regs under the Scrivener’s error rule. Haxby said there were just a few other typing errors, such as periods and spaces, that were also corrected.

Haxby said that she would also like to add the following language to the end of that paragraph: *These facilities shall be contiguous attached to the facility that is being applied for, unless the applicant can show a better location and have a majority vote of the Board of Supervisors*. This statement would be a safeguard for the board to monitor the location of the solar facility if it is not attached, saying if they want the exemption, it must be attached. Haxby said she supports this concept of off-grid solar power use, she just wants to have a fail-safe in place to decide if the location of the solar facility is the right location, and that the whole point was to have the solar facility attached to the industry. Discussion continued. Tiemann asked for a motion to approve or disapprove the amendment as stated by Haxby. County Atty Roger Harris told the board that since regs were approved at the last meeting, one of the board members who voted FOR the regs would have to make a motion to reconsider the motion to approve the regs according to Robert’s Rules and #16 of the County Board’s Standing Rules (which must be done at the same meeting or the meeting immediately following the original motion), then a motion to approve or disapprove the amendment, then a motion to approve the final regs again. Discussion on the process to reconsider the motion. Harris asked Wiegand if the regs that were adopted at the last meeting have been applied in any instance, as if they had been, that would stop the process of the motion to reconsider. Wiegand said they had not. Tiemann reminded everyone that the county is currently under a moratorium on solar regs until there is a motion to end it, which is on the agenda today for later in the meeting. Haxby asked if this applies only to new permits then, or if an existing company wants to add a solar project for self-consumption, do they get the same exemption. Tiemann said it would be a new special use permit and the intent is for the exemption to apply to new industrial special use permits. Wiegand conferred that it would be a separate permit unless it was attached to a new industrial permit. Tiemann said that if the board is going to make an addition to the regs, they would need a motion to reconsider. Wiegand wanted to point out that the subject of self-consumption was not something that was presented to the P&Z Commission at the time the regs were being done by them so it was not discussed by P&Z. Tiemann said everyone did a good job with discussions and sticking around to get everything gone over to approve the regs at the last meeting. Tiemann asked again if there was a motion to reconsider the vote that was taken on May 31, 2023, for approving the solar regulations. Haxby said she still thinks it’s very poorly written when you can build something 3 miles away and call it the same facility – she sees it as two different things. Tiemann asked once more if there was a motion to reconsider. No motion was made. Tiemann then asked for a motion to remove the solar moratorium.

Motion made by Dorn, seconded by Schuller to approve removing the moratorium on solar energy conversion permits. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to move into closed session at 10:27 a.m. for update on possible litigation and City of Beatrice budget changes. Motion carried 6-0.

Jurgens left meeting at 10:52 a.m.

Motion made by Swavely, seconded by Dorn to move out of closed session at 10:53 a.m. Motion carried 4-0 with Haxby temporarily out.

Chairman declared Board of Supervisors meeting adjourned at 10:54 a.m. until June 28, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Michelle K. Bloomquist  
Michelle K. Bloomquist  
Deputy Gage County Clerk

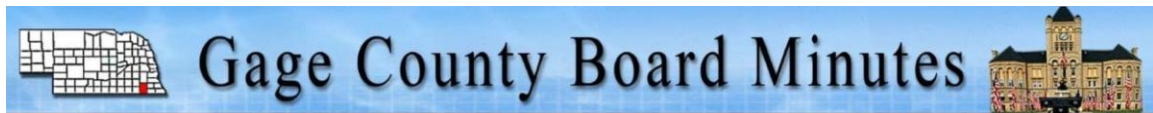
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Michelle K. Bloomquist, Deputy County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 14<sup>th</sup> day of June, 2023.

(SEAL)

/s/ Michelle K. Bloomquist  
Michelle K. Bloomquist  
Deputy Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on June 28, 2023, at 8:54 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Dave Swavely and Gary Lytle present, Eddie Dorn absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$492,385.68, which does not include claim #23060256 to Johnny's Welding in the amount of \$87.33 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve the State Print Shop for printing Budget message postcards for Joint Public Hearing (Per LB644); 6. Approve Utility Permit #1277 to Pinpoint Communications Inc. Pinpoint will be installing new fiber line for the City of Beatrice. Pinpoint will be occupying the Gage County ROW along Sumner Street and Belvidere Road. Pinpoint will be performing underground continuous boring and aerial pole attachment for new fiber line. All work is in the East grader ditch of Sumner Street and North grader ditch of Belvidere Road. Located West and South of Section 4, T-3-N, R-6-E, Riverside Twp.; 7. Approve Utility Permit 1278 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA #3 Cortland. All new fiber line will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #3 from Cedar Road to Apple Road, between SW 114th to 94<sup>th</sup> Road. (DSA #3 plans for details and locations will be available in the Highway Departments Office) Located in Clatonia, Highland, Holt, and Nemaha Twps.; 8. Approve Utility Permit #1279 to Ideus Ag, LLC. Ideus Ag will have Wrightsman Trenching bore an 8" diameter by 5-foot-deep line for new water/irrigation pipe. Wrightsman will start North of Elm Road from irrigation reservoir and bore South through Gage County's ROW, under Elm Road to the South side of Gage County's ROW, then continue all work on private property. Located south of Section 33, T-5-N, R-8-E, Hooker Twp and North of Section 4, T-4-N, R-8-E, Filley Twp.; 9. Approve signing letter of support for NBBP application.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	158,505.12
Advanced Auto Dealers	Shf website maint.	29.00
All Copy Products	DocRecord svc, Ext. Offc. copy overage	907.80
AT&T Mobility	Shf FirstNet phones	596.21
Beatrice Board of Public Works	Utilities	5059.71
Beatrice Iron & Metal	Shf veh repair	35.00
Beatrice Mechanical Service	Shf veh repair parts, labor	600.16
Beatrice Public Schools	Comm. Juvenile Justice Aid Grant	3034.68
Black Hills Energy	Utilities	304.20
Burke Brown Law, LLC	Atty fees	2567.27
Capital Business Systems	ROD copier lease	61.80
CenTec Cast Metal Products	Bronze veteran markers & stakes	1041.83
Charter Communications	Prob. phones & internet	192.96
Cidnet	Shf data purchase	999.90
City of Beatrice	Gbg svc., Qtrly EMS svc.	45,287.96
Clabaugh Pharmacy	Inmate medical	45.00
Comfort Inn, Kearney	ROD & Clerk lodging	479.80
Credit Information Systems	Mbrshp, pre-empl screening	50.00
Crowne Plaza, Kearney	Suprv lodging	139.95
Diode Technologies	Jail equip., supplies	7996.56
Dr. Eric Thomsen	Mntl hlth hrng	285.00
Eakes Office Solutions	Copy paper, cartridges	2280.00
Fankhauser, Nelsen, Werts, et al	Atty fees	1282.50
First Wireless	Maint. fee, repeater rental	1124.68
Gage County Sheriff's Office	Shf fees/mlg	723.42
Gleason Dental Clinic	Inmate dental	115.57
Government Forms & Supplies	Treas. supplies	58.00

Great Plains Uniforms	Shf. uniforms	112.15
Hartman Auto Repair	Shf. veh repairs	5250.08
Homestead LEPC	Dues	217.99
Hometown Leasing	Atty copier lease	138.82
IAPE	Shf mbrshp renewal	65.00
ISolved Benefit Services	FBA Admin fees	141.48
Jerry Shelton, Atty	Atty fees	5248.75
Ken's Pest Control	Ext Offc insecticide	70.00
Lepant Law Office	Mntl hlth hrngs	465.50
NE Assn of Co Clks & Reg of Deeds	ROD mbrshp fees	50.00
NE Health & Human Services	St. Institutions	3023.26
NI Government Services	SAT phone 2 mos.	154.78
NMC, Inc.	Inspections	2847.75
Noakes	Repairs, parts, labor	1217.44
Physicians Laboratory	Autopsy expense	2350.00
Primary Arms, LLC	Shf firearms	3487.72
Priority Printing	Printed supplies	6377.28
Production Creek	Shf uniforms	41.00
Quadient Finance	Auto-ship ink	400.90
Quadient, Inc.	Document folder/mail feeder	5662.00
Quill – Ext.	Offc supplies	257.41
Quill – EMS	Offc supplies	177.98
Kris Riekenberg	Court reporting	285.00
Ron's Body Shop	Shf veh deductible	500.00
Nathan Schwab	Pin Oak trmt	175.00
NE Secretary of State	Cert copies	40.00
Sherwin-Williams	Paint	20.34
Smith, Schafer, Davis, LLC	Atty fees	921.50
Spectrum	EM cable TV	11.55
Street Cop Training	Training	199.00
Summit Food Service	Jail meal svc.	5424.14
The Home Depot Pro	Restroom supplies, vacuum	1632.16
U-Line	EM supplies	127.31
U.S. Bank – Purchase Cards	Supplies, equip, lodging, etc.	4913.51
Verizon – EM	Phones, hot spot	216.74
Washington Co. NE Shf.	Boarding inmates	6045.00
Westlake Hardware	Tools, hoses, batteries, leaf blower, etc.	2019.98
Windstream – Ext.	Phones	310.93
Windstream – Prob.	Phones	405.94
Windstream – Hwy	Phones	306.91
Windstream – Shf	Phones	607.15
Windstream – Cths	Phones	2132.69
Windstream – Vets	Phones	246.97
<u>Road Fund</u>		
Highway Department Employees	Salaries	40,546.09
BASWA	Waste disposal	211.80
Beatrice Board of Public Works	Utilities	418.51
Beatrice Concrete Sand & Gravel	Rock & gravel	38,942.28
Beatrice Fire Protection	Fire Ext inspections, supplies	134.60
Black Hills Energy	Utilities	105.00
Blue Valley Door	Supplies	63.96
Cather & Sons Const.	Asphalt	4261.76
Champlin Tire Recycling	Tire disposal	4340.85
City of Beatrice	Gbg svc	74.24
Fastenal	Nuts	6.50
First Wireless, Inc.	Repeater rental	350.00
Gage Co. Treasurer	Title & tire tax	22.00
Johnny's Welding	Supplies	87.33
Larry's Tire & Service	Repairs, mountings	456.00
Norris Public Power	Utilities	461.93
RDO Truck Centers	Parts	268.21
Rock On, Inc.	Hauling material	10,787.18
T.O. Haas Tire	Parts, labor	2866.97
Truck Center Companies	Supplies	358.80
Verizon Connect	Veh. GPS	259.04
Westlake Hardware	Tools, supplies	379.67

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce Lodging tax		10,416.37
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Insurance Fund

Cynthia Hogan	Ins. reimb.	193.58
Gage County Health Insurance	Employee health ins claims paid	19,063.11
Lucent Health Solutions	Ins. premiums, admin fees	28,940.83
Mutual of Omaha	Employee elective ins. premiums	538.20

General Fund

Ameritas	County share of Employees Retirement	11,046.77
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,125.60

Road Fund

Ameritas	County share of Employees Retirement	2,736.88
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,101.77

Insurance Fund

Ameritas	County share of Employees Retirement	13.07
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	14.81

Tiemann asked for motion to approve consent agenda. Schuller asked about correcting something from the previous minutes. Tiemann asked if he'd like to pull item #2 to approve the previous minutes and vote on it separately, Schuller said yes.

Motion made by Lytle, seconded by Swavely to approve the consent agenda with the exception of item #2. Motion carried 6-0.

Schuller wanted a clarification on the 6-12-23 Committee Meeting minutes regarding the report from Carl Jacobson. The minutes state he is waiting for the water boring test to be back in July, but the borings were done on May 31, 2023, and that Jacobson hoped to be back at the July 26<sup>th</sup> meeting.

Motion made by Schuller, seconded by Swavely to approve item #2 on the agenda with an amendment made to the June 12, 2023 Committee Meeting Minutes to read "*the water borings were done on May 31, 2023 and Mr. Jacobson is waiting for the state to give him approval after their 30-day public comment period, and he would come back at the July 26, 2023 meeting.*" Motion carried 6-0.

Motion made by Swavely, seconded by Lytle to approve claim #23060256 to Johnny's Welding in the amount of \$87.33, bringing the total amount of claims approved through June 28, 2023 to \$492,473.01. Motion carried 5-0-1 with Jurgens abstaining due to conflict of interest.

Clint Rule, Liberty NE, wanted to talk to the board about a potential hog facility being proposed in his area. He has concerns for the road and has been told an engineer looked at the road and said it is not acceptable for that kind of traffic. He would like an engineer or someone from safety board to look at the road and assess whether the condition of the road is safe for this. It is a school bus route and he is concerned for the safety of the children. He said that before we incorporate that kind of truck traffic, he would like to make people aware that this is not a road that's safe for that. He would like a report done to have on file so it can be public. He also requested that the board review the CAFO regulations on feeding operations.

Committee reports were given by Swavely on Bldg. & Grounds, Tiemann on Equalization, Jurgens & Tiemann on Finance/Insurance, Tiemann on Human Resources/Employee Relations, Lytle & Lisa W. on Law Enforcement/Emergency Management, and Haxby on Road & Bridge. Items of discussion were tree removal, audio/video update, final flood disaster inspection, road and bridge grants, and dust control.

Lytle left meeting at 9:29 a.m.

Elaine Menzel, Legal Counsel with NACO gave the board an update. She said she would like to get to all 93 counties inviting all to attend various workshops. She said that there are opportunities to attend several workshops and those obtaining 30 hours of training over a 2-year period would receive a certificate. Menzel thanked the board for being a member of the National NACO Organization, where Nebraska has had several past presidents, and stressed the importance of the board's interaction with the Legislature and Senator Dorn. She reported that County Board and County Officials had their workshops in June, the SE District meeting will be on Sept. 14<sup>th</sup>, the Legislative Conference will be in West Point (the county of the past president)

on Oct. 12<sup>th</sup>, and the NACO Annual Conference will be Dec. 13-15 in Kearney. Menzel said they recently broke ground for a satellite office in Ogallala, NE, to be more accessible to the western part of the state. She touched on some legislation that would directly affect counties and added that information on all that they do is available on their website.

Discussion on Visitor Improvement Grant application to the Youth Recreation/City of Beatrice for Hannibal Park Improvement project. Dakota Hurley and Mark Pethoud explained the goal of the project is to update fields 4 & 5 with safety netting, new backstops and a sidewalk between the fields for ADA accessibility, along with updating lighting to make the fields available for 7 months of the year. Pethoud said they hold 7-8 tournaments a year along with being used for the High School teams, and mens, co-ed and youth leagues. The request is for \$40,000 with the total cost of the project being approximately \$190,000.

Motion made by Jurgens, seconded by Swavely to approve a Visitor Improvement Grant application in the amount of \$40,000 to Youth Recreation, Inc./City of Beatrice for Hannibal Park Improvements. Motion carried 5-0.

Discussion on Visitor Improvement Grant application from Beatrice Hoops Basketball/City of Beatrice for new scoreboards in the City Auditorium. Hurley said the total cost of the project is \$26,000 and they are requesting \$5,000 to replace the scoreboards. She said that NSAA will be requiring scoreboards to have a shot clock in the future so the new boards would have that feature, enabling them to hold tournaments there, including Mudecas and a home-school tournament held annually. Pethoud said they have also had some donations for the project including new padding from the Murphy family.

Motion made by Jurgens, seconded by Swavely to approve Visitor Improvement Grant application from Beatrice Hoops Basketball/City of Beatrice for new scoreboards in the City Auditorium in the amount of \$5,000. Motion carried 5-0.

Motion made by Haxby, seconded by Jurgens to approve a First Wireless maintenance agreement for Emergency Management with a 4.5% increase. Motion carried 5-0.

Motion made by Haxby, seconded by Jurgens to approve agreement between Gage County and Region V Systems for Emergency Protective Custody Services. Motion carried 5-0.

County Attorney Roger Harris stated he received an email regarding the Rick Hill matter dealing with elections, stating that the Judge has dismissed the complaint.

Short recess at 10:00 a.m. Back in session at 10:08 a.m.

Motion made by Swavely, seconded by Jurgens to move into closed session at 10:09 a.m. for personnel and litigation. Motion carried 5-0.

Jurgens left during closed session.

Motion made by Swavely, seconded by Haxby to move out of closed session at 10:54 a.m. Motion carried 4-0.

Chairman declared Board of Supervisors meeting adjourned at 10:54 a.m. until July 12, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

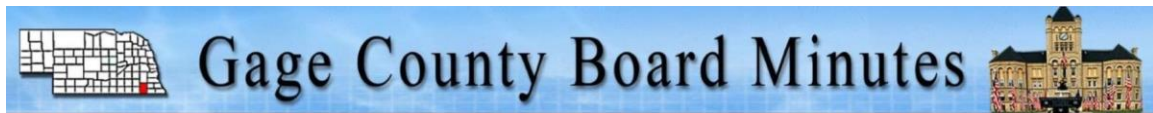
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.  
Witness my hand and official seal this 28<sup>th</sup> day of June, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk





# Gage County Board Minutes

The Gage County Board of Supervisors met on July 12, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$648, 544.13 which does not include claim #23070050 to Johnny's Welding in the amount of \$135.52 & claim #23070057 to R.L. Tiemann Const. Inc. in the amount of \$45,026.82, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of June, 2023; 6. Approve Utility Permit #1280 to Kinder Morgan Inc. Kinder Morgan will be occupying Gage County ROW to unload/load equipment and materials in North grader ditch, all excavated work will be done on private property. Located South of Section 25, T-6-N, R-7-E, Nemaha Twp.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	158,675.11
All Copy Products, Inc.	Copier leases, copy overages	1337.78
Applied Connective Technologies	IT svcs	8282.90
Beatrice Daily Sun	Vets subscr.	309.00
Blackburn Technologies	Dist Ct. supplies	198.96
Bob Barker Co.	Inmate provisions	105.30
Burke, Brown Law, LLC	Atty fees	1396.50
Charter Communications	Jail cable TV	175.94
Cidnet	Data	999.90
Clerk of District Court	St. & svc fees	856.68
Culligan of Lincoln	Water cooler	12.00
DAS St. Acctng. Cntrl Fin 6507	Data processing	54.60
Lloyd Dickinson	Appraisal svcs	8965.00
Eakes Office Solutions	Offc supplies	5965.96
Sandra Eltiste	Prior svc retirement	12.00
Joyce Kassing	Prior svc retirement	20.00
LaQuinta Inn & Suites	Lodging	459.80
Lepant Law Office	Atty fees	1700.50
Lincoln Journal Star	Publications	1472.16
Matthew Kosmicki Law, LLC	Atty fees	3076.20
Microfilm Imaging Systems	Courts scanning equip rent	457.00
MIPS, Inc.	Computer suppt, programs	10,141.20
NE Dept. of Health & Human Svcs.	Cths scanner renewal	100.00
Nelson, Clark & Timan	Public Defender	6346.15
Norris Public Power	Horvath Tower utilities	47.37
Northeast Auto	Veh lease	264.25
Police Officers Assn. of NE	POAN handbooks	199.00
Quill – EMS	Offc supplies	148.97
Reagan Law Offices	Atty fees	370.50
Region V Systems	EPC billing	1070.00
Software Unlimited Corp.	Co Atty Annl software maint	4634.96
St. of NE Auditor of Public Accts.	Perform co. audit	18,749.54
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service, LLC	Jail meal svc	5144.83
Thomson Reuters West Pmt Ctr	Law Library subscr	2602.54
U.S. Bank – Purchase Cards	Shf/Jail supplies	759.98
Verizon Wireless – GCSO	Shf cell phones	480.12
<u>Road Fund</u>		
Highway Department Employees	Salaries	40,104.22

All Copy Products	copy overage	46.46
Barco Municipal Products, Inc.	Signs, stands	2565.83
Beatrice Concrete Sand & Gravel	Rock & gravel	41,497.96
Bomgaars	Tools, supplies	364.62
Cather & Sons Const.	Asphalt	1972.42
City of Wymore	Utilities	78.20
Constellation NewEnergy – Gas Div.	Utilities	29.81
Contech Engineered Solutions	Project pipe	39,594.00
Eakes Office Solutions	Supplies	145.16
Fastenal Company	Bolts, nuts, washers	54.89
gWorks	Hwy subscr	11,500.00
Inland Truck Parts	Parts	1393.17
Jim Hawk Truck Trailers	Paint, supplies	388.36
Johnny’s Welding	Hoses, fittings, etc.	135.52
Landmark Implement	Part	73.08
Mead Lumber	Treated plank	26.66
MIPS, Inc.	Hwy pkg	384.64
Motor Fuels Division	Diesel tax	1809.00
NMC Exchange	Parts	3164.32
PowerPlan	Parts, labor	3560.00
R.L. Tiemann Const., Inc.	Twp. gravel & hauling	45,026.82
RDO Truck Center, LLC	Parts	259.77
Rock On, Inc.	Hauling material	19,885.63
Surplus Center	Parts	60.00
Westlake Ace Hardware	Supplies	53.55
Zoellner Ford of Beatrice	Parts, labor	1238.05

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	440.16
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Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	167,710.08
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General Fund

Ameritas	County share of Employees Retirement	11,054.56
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,595.38
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	24,757.23

Road Fund

Ameritas	County share of Employees Retirement	2,707.06
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	2,915.19
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,253.92

Motion made by Swavely, seconded by Lytle to approve the consent agenda. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #23070050 to Johnny’s Welding in the amount of \$135.52. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

Motion made by Swavely, seconded by Dorn to approve claim #23070057 to R.L. Tiemann Const. Inc. in the amount of \$45,026.82, bringing the total amount of claims paid through July 12, 2023 to \$693,706.47. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Scott Bates on Veteran’s Service, and Haxby on Road & Bridge. Items of discussion included security updates, removal of pole in center of board room, update to audio equipment in courts next week, valuation protests, mental health care available for veterans, and the grant process for roads & bridges.

Matt Kasik, Chief Executive Officer at Region V Services, appeared before the board with Chelsea Meints, Director of the Beatrice program in Gage County, and Michele Scholz, the Chief of Staff. Kasik presented their Annual Report and talked to the board about their services for those with developmental disabilities. He said that Region V is one of the original six regions set up in the late 60’s, early 70’s by the State Legislature, and is the largest provider for

developmental disabilities support in the State of Nebraska. Gage County Region V serves about 50 people and is growing rapidly, owns 6 group homes, and has about 64 employees. Kasik said they focus on employment of the individuals they serve and he provided a list of employers to recognize and thank them.

Motion made by Lytle, seconded by Swavely to receive the Region V Annual Report and place it on file. Motion carried 7-0.

Motion made by Jurgens, seconded by Lytle to approve a 1% increase for the lid on restricted funds. Motion carried 7-0.

Motion made by Haxby, seconded by Lytle to approve recommendation for two Special Designated liquor licenses for Gage County Ag Society, one for Gage County Fairgrounds beer garden on the Midway for the Gage County Fair, July 26-29, 2023, and one for the Bull Riding Rodeo at the Horse Arena, July 26, 2023. Don Esau from the Ag Society was present, inviting the board to come out to the fair, and handing out flyers for the Gage County Fair. Motion carried 7-0.

Discussion on a request for a Detention Center needs assessment was led by Lytle, saying the Sheriff would like to request that the board look at what is needed at the jail overall to address adequate jail services, for both the staff and inmates.

Motion made by Haxby, seconded by Dorn to approve a Detention Center needs assessment. Motion carried 7-0.

Chairman declared Board of Supervisors meeting adjourned at 9:21 a.m. until July 26, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

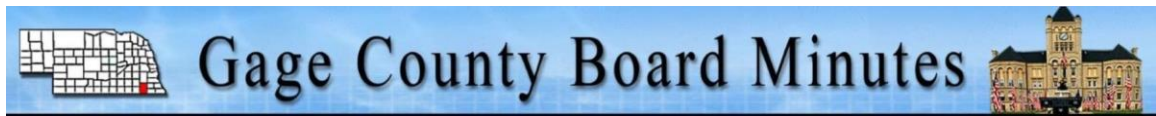
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 12<sup>th</sup> day of July, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on July 26, 2023, at 9:14 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$\$654,105.35, except claim #23070203 to Inc. Johnny's Welding, in the amount of \$5,127.46, claim #23070105 to Beatrice Lawn Care, Inc. in the amount of \$100.00, and claim #23070210 to R.L. Tiemann Construction, Inc. in the amount of \$20,711.39, to be voted on separately below; 4. approve correspondence received and place on file; 5. Utility Permit 1281 to Windstream Nebraska LLC. Windstream will be installing new communications line to resident at 11376 West Hoyt Road. Windstream will start at pedestal 482KC in the south grader ditch, bore under Hoyt Road to the north grader ditch then onto resident's property, from there plow new line to resident's home. Located North of section 33 & South of section 28, T-4-N, R-5-E, Blakely Twp; 6. approve chairman signing Engagement Letter with Nebraska Auditor of Public Accounts confirming audit services for the fiscal year that ended June 30, 2023.

According to State Statute 23-122, counties having a population of less than one hundred fifty thousand inhabitants shall cause to be published, between July 15 and August 15 of each year, the employee job titles and the current annual, monthly or hourly salaries corresponding to such job titles.

County Supervisor	Bi-weekly	1104.96
County Supervisor	Bi-weekly	1104.96
County Supervisor	Bi-weekly	1104.96
County Supervisor	Bi-weekly	1104.96
County Supervisor	Bi-weekly	1104.96
County Supervisor, Vice Chairman	Bi-weekly	1151.11
County Supervisor, Chairman	Bi-weekly	1289.58
County Assessor	Bi-weekly	2849.13
County Attorney	Bi-weekly	4273.47
County Clerk	Bi-weekly	2849.13
County Treasurer	Bi-weekly	2849.13
Clerk of District Court	Bi-weekly	2849.13
Register of Deeds	Bi-weekly	2849.13
County Election Commissioner	Annually	8220.00
Co. Rlf./General Assistance Admin.	Bi-weekly	246.40
County Sheriff	Bi-weekly	3537.31
County Surveyor	Bi-weekly	1023.11
Deputy County Assessor	Bi-weekly	2136.80
Chief Deputy County Attorney	Bi-weekly	3418.77
Deputy County Attorney	Bi-weekly	2655.62
Deputy County Clerk	Bi-weekly	2136.80
Deputy Clerk of District Court	Bi-weekly	2136.80
Deputy Register of Deeds	Bi-weekly	2136.80
Deputy County Treasurer	Bi-weekly	2136.80
Chief Deputy Sheriff	Bi-weekly	2829.85
Emer Mgmt Dir/P&Z Admin.	Bi-weekly	1984.00
Highway Superintendent	Bi-weekly	2536.00
Veterans Service Officer	Bi-weekly	2046.40
Building & Grounds Superintendent	Bi-weekly	2447.20
Personal Property Records Tech.	Bi-weekly	1657.60
Clerical Assistant	Bi-weekly	1344.00
Accounts Payable Clerk	Bi-weekly	1697.60
Election Specialist	Bi-weekly	1619.20

Administrative Asst/Payroll Spec.	Bi-weekly	1628.80
Assistant Custodian	Bi-weekly	1554.40
Account Clerk II	Bi-weekly	1411.20
Account Clerk II	Bi-weekly	1568.80
Account Clerk II	Bi-weekly	1656.00
Account Clerk II	Bi-weekly	1493.60
Veterans Service Assistant	Bi-weekly	1539.20
Legal Assistant II	Bi-weekly	1511.20
Legal Assistant II	Bi-weekly	1360.00
Legal Assistant II	Bi-weekly	1714.40
Dist. Court Bailiff	Bi-weekly	1669.60
Real Estate Specialist	Bi-weekly	1429.60
Administrative Assistant	Bi-weekly	1552.80
Office Clerk	Bi-weekly	1326.40
Records Tech.	Bi-weekly	1373.60
Road Deputy	Bi-weekly	2480.00
Road Deputy	Bi-weekly	2480.00
Road Deputy	Bi-weekly	2320.00
Road Deputy	Bi-weekly	2480.00
Road Deputy	Bi-weekly	2320.00
Road Deputy	Bi-weekly	2320.00
Road Deputy	Bi-weekly	2480.00
Road Deputy	Bi-weekly	2320.00
Special Services Deputy Sergeant	Bi-weekly	2720.00
Sergeant	Bi-weekly	2720.00
Sergeant	Bi-weekly	2720.00
Investigator	Bi-weekly	2600.00
Investigator	Bi-weekly	2720.00
Transport Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	1640.00
Corrections Officer	Bi-weekly	1880.00
Corrections Officer	Bi-weekly	1880.00
Corrections Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	2040.00
Corrections Officer	Bi-weekly	1640.00
Corrections Sergeant	Bi-weekly	2240.00
Corrections Sergeant	Bi-weekly	2240.00
Admin. Asst. II	Bi-weekly	1675.20
Admin. Asst./Weed Superintendent	Bi-weekly	1863.20
Bridge Foreman	Bi-weekly	2224.80
Shop Foreman	Bi-weekly	2224.80
Asphalt Foreman	Bi-weekly	2224.80
Dirt Foreman	Bi-weekly	2224.80
Mechanic I	Bi-weekly	1708.00
Sign Tech	Bi-weekly	1679.20
Sign Tech	Bi-weekly	1828.00
Welder/Fabricator	Bi-weekly	1813.60
Operator II – Truck Driver	Bi-weekly	1677.60
Operator II – Truck Driver	Bi-weekly	1677.60
Operator II – Asphalt	Bi-weekly	1677.60
Operator II – Motor Grader	Bi-weekly	1684.00
Operator II – Motor Grader	Bi-weekly	1684.00
Operator II – Motor Grader	Bi-weekly	1684.00
Operator II – Motor Grader	Bi-weekly	1684.00
Operator II – Motor Grader	Bi-weekly	1684.00
Operator II – Motor Grader	Bi-weekly	1684.00
Operator III – Dirt	Bi-weekly	1734.40
Operator III – Dirt	Bi-weekly	1734.40
Operator III – Dirt	Bi-weekly	1734.40
Flagger/Laborer	Bi-weekly	1256.00

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	154,367.20
Advanced Auto Dealers	Shf website maint.	29.00

Advanced Correctional Healthcare	Jail on-site medical	10,205.58
All Copy Products	Ext Offc copy overage	129.21
Arrow Architecture	Plans for new handicap entrance	1140.00
AT&T Mobility Accounts	Shf FirstNet phone svc.	526.21
<u>General Fund cont.</u>		
Beatrice Board of Public Works	Utilities	6441.75
Beatrice Daily Sun	Subscr.	237.00
Beatrice Lawn Care, Inc.	Ground sterilant for rock pkgng lots	100.00
Black Hills Energy	Utilities	178.96
BryanLGH Medical Center East	Release of info	91.50
Capital Business Systems	Co Ct copy overage	43.32
Charm-Tex, Inc.	Jail janitorial supplies	510.30
Charter Communications	Prob internet	192.96
City of Beatrice	Prob utilities, gbg svc, subscr.	3817.91
Clerk of District Court	St & svc fees	351.37
Comm. Physicians Clinic-Wymore	Pre-emplmt scrn	121.00
Credit Information Systems	Screens, subscr.	101.00
Critical Hire	Pre-emplmt profile report	50.00
Datashield Corp.	Doc shredding	16.80
Davenport Group, Inc.	Shf software	6150.00
Lloyd Dickinson	Appraisal work	7040.00
Diode Communications	Monitoring	80.85
Diode Technologies	Update door controller	120.00
Eakes Office Solutions	Offc supplies	248.64
Echo Group, Inc.	Bulbs, exit lights	392.91
Sandra Eltiste	Prior svc retirement	12.00
Engineered Controls, Inc.	Controller & geothrml pump repair, parts, labor	536.00
Extreme Motorsports	P&Z signs	140.00
Farmers Cooperative	Shf tire repair	48.00
First Wireless, Inc.	Twr maint., repeater rental	1124.68
Foremost Promotions	Jail supplies	775.00
Gage Co. Sheriff	Court costs	488.42
Garcia Clinical Laboratory	Inmate lab svcs	13.00
Gleason Dental Clinic	Inmate dental	388.07
Green Way Lawn Services	Mowing, grub control	965.00
Harman Wright Mortuary	County cremation	700.00
Kendal Hieronymus	Witness fees/mlg	31.13
Hometown Leasing	Atty & Prob copier leases	619.49
Isolved Benefit Services	Admin fee	141.48
Jerry Shelton, Atty	Atty fees	1045.00
Jones Automotive	Parts, labor, repairs	1366.56
Joyce Kassing	Prior svc retirement	20.00
KMA Tree Service	Remove tree & trim tree	2600.00
LinePro	Stripe cths pkgng & pkgng lot	1300.00
Mahloch Law Office	Atty fees	1857.25
Matthew Kosmicki Law, LLC	Atty fees	3969.56
Mead Lumber	Supplies	59.18
Midwest Process Services	Civil process fees	323.88
NACO	Assr wkshp	135.00
NE Air Filter, Inc.	Furnace filters	1471.55
Nelson, Clark & Timan	Public Defender	6346.15
NI Government Services, Inc.	SAT phone	77.39
Northeast Auto	Shf veh lease	550.00
O'Reilly Auto Parts	Parts	75.84
Paper Tiger Shredding, Inc.	Doc shredding	70.00
Precision Signs & Graphics, LLC	Shf. veh graphics	266.22
Psychological Resources	Pre-emplmt screens	300.00
Quill – Det.	Offc supplies	29.99
Quill – Ext.	Offc supplies	139.64
Quill – Prob.	Offc supplies	132.54
Kristine Riekenberg	Transcript	105.00
Sapp Bros. Petroleum	Shf/Jail fuel	4433.97
SE NE Communications	Prob phones	110.27
Secretary of State	Cert copies	40.00
Security Services	Monitor Shf fire alarm	35.50
Sheridan Industries	Ext Offc janitorial svcs	120.00
Slims Body Shop	Ins ded	500.00
Soap Opera Laundry	Mop & rag cleaning	19.25

Spectrum	EM cable TV	11.55
Stanard Appraisal Svcs.	Appraisal maint.	6912.50
Staples	Shf offc supplies	201.07
Stephen Kraviec, PC LLO	Child Suppt Enf Atty, postage	2425.92
<u>General Fund cont.</u>		
Summit Food Service	Jail meals	7808.05
T.O. Haas Tire	Shf veh oil changes	284.92
The Home Depot Pro	Janitorial supplies	324.99
The Voice News	Publications	414.64
Thomas & Thomas Court Reporters	Depo transcript	366.87
Twin Rivers Chry	Tires for Co van	525.98
U.S. Bank – Purchase Cards	Dues, equip repair, uniforms	390.00
Verizon Wireless – EMS 8923-1	Cell phones	216.77
Verizon Wireless – Cnty EMS 6384-1	Hot spots, ipad, etc.	378.22
Verizon Wireless – Prob.	Cell phones	393.36
Washington Co. Sheriff	Boarding inmates	520.00
Westlake Ace Hardware	Supplies	380.49
Willet & Carothers Law Offc.	Atty fees	334.50
Windstream – Wilber Prob	Phones	53.02
Windstream – Ext.	Phones	311.13
Windstream – Fillmore Co Prob	Phones	406.05
Windstream – Hwy	Phones	311.08
Windstream – Shf	Phones	609.08
Windstream – Cths	Phones	2139.28
Zoellner Ford of Beatrice	Shf veh repair	241.81
Zultys, Inc.	Prob Phones	462.57
911 Custom	Shf uniforms, supplies	783.98

Road Fund

Highway Department Employees	Salaries	41,115.05
Bauer Built Tire	Tires	643.20
Beatrice Area Solid Waste Agency	Waste disposal	1063.42
Beatrice Board of Public Works	Utilities	445.90
Beatrice Concrete – Ready Mix	Concrete	516.60
Beatrice Concrete – Sand & Gravel	Rock & gravel	47,654.05
Beatrice Iron & Metal	Tools, supplies	982.66
Black Hills Energy	Utilities	104.30
Blue Valley Door Co.	Svc call, door repair	1501.50
City of Beatrice	Gbg svc	74.24
Fastenal Co.	Bolts, ties	97.48
First Wireless	Repeater rental	350.00
Johnny's Welding, Inc.	Steel, parts, labor	5127.46
Lampton Welding Supply	Supplies, cyl rental	110.95
Midwest Service & Sales	Bridge clip	560.00
Newman Signs, Inc.	Signs	149.76
Norris Public Power	Utilities	226.00
O'Reilly Auto Parts	Parts	100.29
Pavers, Inc.	Asphalt	511.29
R.L. Tiemann Construction, Inc.	Twp. gravel & hauling	20,711.39
Rock On, Inc.	Hauling material	9,333.33
Sapp Bros. Petroleum	Fuel, oil, Grease	27,767.69
T.O. Haas Tire	Tires	1524.56
Truck Center Companies	CB's	353.15
Verizon Connect	Veh GPS	259.04

Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	81,974.55
Gage County Petty Cash	Ins admin fee PCORI fees	537.00
Lucent Health Solutions, LLC	Ins premiums, admin fees	25,974.24

STOP Program Fund

City of Beatrice	UFED software renewal	2033.33
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COVID American Rescue Plan Fund

Universal Broadband Consulting, Ltd.	Broadband project	1657.50
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Community/Economic Development Fund

NGAGE – Gage Area Growth Ent.	Qtrly expenses	32,309.61
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911 Emergency Management Fund

City of Beatrice	Qtrly 911 svc fee	59,106.16
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General Fund

Ameritas	County share of Employees Retirement	10,750.26
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,265.69
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	24,757.23

Road Fund

Ameritas	County share of Employees Retirement	2,775.27
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	2,992.49
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	8,874.25

Motion made by Swavely, seconded by Dorn to approve the consent agenda. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to go into public hearing at 9:16 a.m. on Class C Liquor license for Beatrice Country Club, Inc. DBA Beatrice Country Club. Motion carried 7-0.

No public present for public hearing.

Motion made by Lytle, seconded by Schuller to close public hearing at 9:18 a.m. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to approve recommendation of Class C Liquor license for Beatrice Country Club, Inc. DBA Beatrice Country Club. Motion carried 7-0.

Motion made by Lytle, seconded by Dorn to approve claim #23070203 to Johnny's Welding in the amount of \$5,127.46. Motion carried 6-0-1 with Jurgens abstaining.

Motion made by Swavely, seconded by Schuller to approve claim #23070105 to Beatrice Lawn Care, Inc. in the amount of \$100.00 and claim # 23070210 to R.L. Tiemann Const. Inc. in the amount of \$20,711.39. This brings the total amount of claims approved thru July 12, 2023 to \$680,044.20. Motion carried 6-0-1 with Tiemann abstaining.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely on Building & Grounds, Jurgens on Finance, Tiemann on Human Recourses & Haxby on Rd & Bridge.

Received P&Z recommendation from Lisa Wiegand on the Special Use Permit 2023-2A for the placement of a Swine CAFO to be located in the NW ¼ of Section 11-5-7, Hanover Twp. Lisa said the P&Z recommended approval of the permit on a 5-1 vote with Acton voting no and 1 member absent.

Motion made by Swavely, seconded by Dorn to go into Public Hearing at 9:34 a.m. to hear support and/or opposition from the public on Special Use Permit 2023-2A for the placement of a Swine CAFO to be located in the NW ¼ of Section 11-5-7, Hanover Twp. Motion carried 7-0. Tiemann announced that there had been a petition received and therefore would require a super majority of the board when voting. This petition was marked as Exhibit #1.

Roger Harris requested that all info received from the P&Z meetings be giving to the clerk for record and marked as exhibits and asked to have a motion for this.

Motion made by Jurgens, seconded by Swavely to make all documents available to the Clerk that were received at Planning & Zoning and previous Board meeting as part of the official record. (vote taken later in meeting).

Speaking during the public hearing were: Dean Otto, Adams, NE- applicant; Carl Jacobson, York, NE w/Summit Pork; Mitch Baum, Iowa; Andy Scholting, Nutrient Advisor – West Point, NE; Mr Scholting presented the Ground Water Management Plan (Exhibit #2); Kris Bousquet, Lincoln, NE – Thanked Gage County for entertaining this project and thanked them for being animal friendly, stated this brings vitality to a community and is an excellent opportunity for the county; Haden Otto, Adams, NE; Steve Hoefer, Lincoln, NE; Robert Wallman, Adams, NE – presented letter to supervisors (Exhibit #3 & #4) and stated he would like 4 rows of trees, time limit on when trees are planted, he feels applicants need to spend 2 hours a week in the facility and concerned not all people were notified; Ivy Bloom, Pickrell, NE – she doesn't want a CAFO in their community, knows they will be able to smell it, questioned if the pit could be emptied earlier than at 1 year, don't think

they are people friendly or animal friendly & this is factory farming; Robert Wallman testifying for Doreen Wallman, Adams, NE – Doreen was totally against the building & is concerned for her grandkids and the pathogens that can affect our lives; Austin Zimmerman, GM Midwest Livestock Systems, Wymore, NE – in the world we live in, trying to feed more with less, barn is point in case, the barn was designed to be energy efficient, sustainable, local producer, local builder and taxpayers in the state; Laura Fikar, Adams, NE – (Exhibit #5) Presented statement, summarized and asked 3 questions of the board, How many board members have traveled to Iowa to see the facilities first hand and visited with the board, are they really walking the walk. How many trucks will be traveling the road? Who will pay for the upkeep of the road, is it us tax payers?

Additional questions were asked by board members of the applicant and Summit Pork representative.

Lytle temporarily out at 10:37 a.m.

Robert Wallman said Neb guide should be used for the trees.

Lytle back in meeting at 10:40 a.m.

Lisa Wiegand answered question on other permits requiring trees.

Motion made by Dorn, seconded by Swavely to close the public hearing at 10:42 a.m. Motion carried 7-0.

Break at 10:42 a.m.

Board reconvened at 10:55 a.m. with Jurgens and Lytle temp out.

Vote taken on the above motion to make all records available to clerk. Motion carried 7-0.

Motion made by Haxby, seconded by Lytle to approve resolution #23-11 for Special Use Permit 2023-2A for the placement of a Swine CAFO to be located in the NW ¼ of Section 11-5-7, Hanover Twp. with the following conditions: There shall be 4 (3) rows of trees on each side of the facility running the span of the building's length and width plus an additional minimum of 10 feet and connecting (excluding driveways/waterways (add field access)). They shall be planted ~~at a minimum starting height of 3 (2) feet and~~ with a variety of evergreen species utilizing the NebGuide, at least 2 rows 1 row being western red cedars ~~and must be planted at or above the height of the building pad.~~ The trees shall be maintained over the life of the facility. If a tree needs to be replaced, it must be done within 1 year and in similar size. Trees must be planted before livestock enter the facility.

There shall be a minimum of 3 groundwater monitoring wells.

The facility shall meet the state's requirement of 180 days of holding pre-winter ~~(cleared out by December 15)~~ (remove date). All manure shall be injected in the ground unless there is an emergency situation. In that instance, surface application will be acceptable; however, if the surface application is within ½ mile of a dwelling, business, school, or church, the applicant will be required to furnish a written good neighbor agreement.

The applicant shall utilize an incinerator to manage mortality and shall acquire all necessary permits (i.e. air quality) and have it approved by the state before construction can begin. As for secondary mortality management practices for emergency purposes, dead pile for rendering shall not be visible from the road and if composting is used, the area in which they compost must have a concrete floor and sides.

~~The entire structure, including attached facilities/structure, shall maintain the 100-foot buffer from waters of the state.~~

The applicant shall not apply for National Pollution Elimination Discharge System permit at any time ~~in regards to discharge livestock waste.~~

Discussion continued on tree placement and number of rows along with other changes.

Haxby amended motion, Lytle seconded the amendment to 3 rows of trees, add field access and instead of 3' high trees, change to 2' in height. (red inserts)

Discussion continued, Schuller felt 3' high tree was not beneficial, a seedling would grow faster.

Mitch Baum was concerned with the number of trees – said that they had too many trees planted around a facility in Iowa.

Vote taken on the amendment to the motion. Motion carried 4-3 with Jurgens, Schuller & Dorn voting nay.

Lytle and Swavely had concerns on trees & pad height.

Jurgens wants to strike all duplication of another jurisdiction (State etc.) remove waters of the State; on composting Mitch suggested if they want to change wording might use, *follow state requirements on composting*. Jurgens also would like to strike the last the part on trees must be planted at or above the height of the building pad.

Motion made by Jurgens to amend original motion, seconded by Swavely to make the change as stated in the above language regarding building pad, and also include a change to the language of *The facility shall meet the state's requirement of 180 days to holding pre-winter (cleared out by December 15) to* “The Facility shall maintain the state requirement of 180 days of holding pre-winter. Motion carried 7-0.

A question was presented to the board as to the definition of a good neighbor agreement for surface application.

Motion made by Haxby, seconded by Jurgens to amend the original motion to state a written good neighbor agreement. Motion carried 7-0.

*The motion by Haxby, and seconded by Lytle, with all of the amendments as voted on and approved, would be amended and shall read as follows:*

*There shall be 3 rows of trees on each side of the facility running the span of the building's length and width plus an additional minimum of 10 feet and connecting (excluding driveways/waterways/field access). They shall be planted with a variety of evergreen species utilizing the NebGuide, at least 1 row being western red cedars. The trees shall be maintained over the life of the facility. If a tree needs to be replaced, it must be done within 1 year and in similar size. Trees must be planted before livestock enter the facility.*

*There shall be a minimum of 3 groundwater monitoring wells.*

*The facility shall maintain the state's requirement of 180 days of holding pre-winter. All manure shall be injected in the ground unless there is an emergency situation. In that instance, surface application will be acceptable; however, if the surface application is within ½ mile of a dwelling, business, school, or church, the applicant will be required to furnish a written good neighbor agreement.*

*The applicant shall utilize an incinerator to manage mortality and shall acquire all necessary permits (i.e. air quality) and have it approved by the state before construction can begin. As for secondary mortality management practices for emergency purposes, dead pile for rendering shall not be visible from the road and if composting is used, the area in which they compost must have a concrete floor and sides.*

*The applicant shall not apply for National Pollution Elimination Discharge System permit at any time in regards to discharge livestock waste.*

Vote was taken on the motion by Haxby, seconded by Lytle, as written above with amendments included, to approve Resolution #23-11 for Special Use Permit 2023-2A for the placement of a Swine CAFO to be located in the NW ¼ of Section 11-5-7, Hanover Twp. Motion carried 5-2 with Schuller and Dorn voting Nay.

**RESOLUTION NO. 23-11**

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2023-2A for the placement of a swine feeding operation; and

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this special use permit, the date of said public hearing being March 2, 2023, at 7:30 p.m., and July 19, 2023, in the Board of Supervisors meeting room; and,

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of this special use permit, #2023-2A; and,

WHEREAS, this special use permit is in an agricultural zoning district, located in the northwest quarter of Section 11 of the Hanover Township; and

WHEREAS, the Gage County Board of Supervisors on the 19<sup>th</sup> of April, 2023, and the 26<sup>th</sup> of July, 2023, held a public hearing to take input on this special use permit after proper notice and publication of said hearing for approving or disapproving Special Use Permit #2023-2A; and,

WHEREAS, an opportunity was given for individuals, in favor and against Special Use Permit #2023-2A, to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit, #2023-2A for the placement of a swine feeding operation shall be:

- approved for the reasons stated on the record.
- approved with conditions as stated in the motion as follows:

*There shall be 3 rows of trees on each side of the facility running the span of the building’s length and width plus an additional minimum of 10 feet and connecting (excluding driveways/waterways/field access). They shall be planted with a variety of evergreen species utilizing the NebGuide, at least 1 row being western red cedars. The trees shall be maintained over the life of the facility. If a tree needs to be replaced, it must be done within 1 year and in similar size. Trees must be planted before livestock enter the facility.*

*There shall be a minimum of 3 groundwater monitoring wells.*

*The facility shall maintain the state’s requirement of 180 days of holding pre-winter. All manure shall be injected in the ground unless there is an emergency situation. In that instance, surface application will be acceptable; however, if the surface application is within ½ mile of a dwelling, business, school, or church, the applicant will be required to furnish a written good neighbor agreement.*

*The applicant shall utilize an incinerator to manage mortality and shall acquire all necessary permits (i.e. air quality) and have it approved by the state before construction can begin. As for secondary mortality management practices for emergency purposes, dead pile for rendering shall not be visible from the road and if composting is used, the area in which they compost must have a concrete floor and sides.*

*The applicant shall not apply for National Pollution Elimination Discharge System permit at any time in regards to discharge livestock waste.*

- disapproved for the reasons stated on the record.

Motion made by Haxby, seconded by Lytle to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Swavely, Lytle

Nay: Schuller, Dorn

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 26<sup>th</sup> day of July, 2023.

/s/ Dawn Hill  
Gage County Clerk

Break @ 12:15 a.m.

Board reconvened @ 12:22 a.m.

Scott Prestidge gave a presentation on Tallgrass Energy Trailblazer Project. Mr. Prestidge is the manager of State and Local Public Affairs for Tallgrass Energy, a midstream pipeline company. He provided an overview of the company and presented a map of their national footprint; they operate in 14 states. Spoke on a conversion project. They will be converting a Natural gas pipeline that is already existing and already in the ground into CO2 transportation. Benefits for ethanol producers as helps to produce low carbon fuel. They have a joint venture with the United Airlines & Green Plains to produce 2+ billion gallons of sustainable aviation fuel, we can take ethanol and turn it into jet fuel as a molecular equivalent. Looking to turn coal plants into hydrogen plants. Will have a 1.5 billion investment in Nebraska, Wyoming & Colorado. He also discussed safety, CO2 pipeline have been in operation for over 50 years, CO2 is not explosive, flammable or toxic. There have been no unintended leaks or major injuries related to Trailblazer since Tallgrass took ownership in 2012. Risks are managed through 24/7 monitoring, valve placements at shorter distances, automatic shutoff systems to isolate and halt unplanned flow of CO2 and have First Responder Training and Engagement program. Haxby as if you were to expand, you would have to get the landowners permission, correct? They would need to have negotiations with landowners, we try reuse existing pipeline where possible. Tiemann asked about the rights-of-way, if you already have the right-of-away, can you go ahead and bury another pipe or do you need a new agreement? Prestidge state that it was his understanding that if they add new pipe, we needed a new agreement. This particular pipe, many of the agreements allow a product to be transported in a gaseous state. Currently natural gas moved in a gaseous state, they will move CO2 in a lower state, Co2 above 1200 psi starts to turn into a liquid, this pipeline was design to move in a gas state, so the Co2 will be below 1000 psi and in some cases 700 or 800 psi. If the board has any questions they can reach out to Mr. Prestidge.

Meeting adjourned at 12:48 a.m.

Motion made by Dorn, seconded by Swavely to reconvene meeting at 12:49 a.m. for a closed session needed for personnel. Motion carried 4-1 with Schuller voting nay.

Motion made by Haxby, seconded by Swavely to come out of closed session at 1:32 p.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 1:32 p.m. until August 9, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

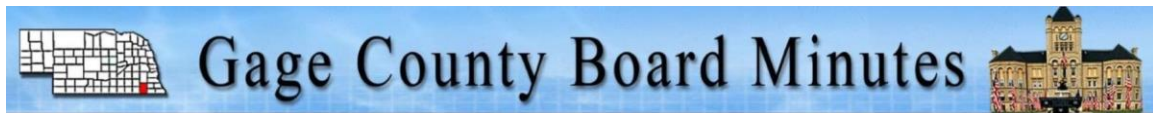
/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.  
Witness my hand and official seal this 26<sup>th</sup> day of July, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on August 9, 2023, at 8:45 a.m. with Terry Jurgens, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Emily Haxby absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$544,929.05 except claim #23080070 to Johnny's Welding, Inc. in the amount of \$141.12 and claim #23080075 to R.L. Tiemann Construction, Inc. in the amount of \$50,978.74, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of July, 2023; 6. Approve receiving Sheriff's Statement on collection of distress warrants for June, 2023; 7. Approve sending letter to Planning & Zoning requesting review of regulations for Livestock Confinement facilities/operations; 8. Approve Utility Permit #1282 to Norris Public Power. Norris will be installing new electrical line to resident at 8898 West Buckeye Road. Norris will start in the south grader ditch, bore under Buckeye Road to the North grader ditch then onto resident's property to utility pole. Located North of section 3, T-5-N, R-5-E Grant Twp & South of Section 34, T-6-N, R-5-E, Clatonia Twp.; 9. Approve reappointing Dennis Rosene to another term on the Gage County Planning & Zoning Commission effective July 1, 2023; 10. Approve receiving County Offices Inventory Statements and place on file.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	154,152.20
Advanced Correctional Healthcare	Jail on-site medical svcs.	10,067.16
Capital One, NA	Prob. supplies	49.13
Charter Communications	Jail cable TV	351.88
CMH Clinics	Pre-empl. medical	123.00
Correctional Risk Services, Inc.	Inmate medical	3748.86
Critical Hire	Pre-empl. medical	25.00
Culligan of Lincoln	Water cooler/ice machine combo, water, rent	418.83
CVSOAN	Vets conf.	60.00
DAS St Accntng, Cntrl Fin 6507	Data proc.	54.60
Lloyd Dickinson	Appraiser for protests	13,475.00
Diode Communications	Monitoring	80.85
Diode Technologies	Parts, labor	708.94
Dr. Eric Thomsen	Mntl hlth hrng	95.00
Eakes Office Solutions	Prob offc supplies	641.64
Echo Group	Ballast, parts	240.78
Farmers Coop. – Beatrice	Fuel for generators	34.61
Gage County	Fund transfer to Emer Mgmt	60,000.00
Gage County Sheriff's Offc.	Shf fees/mlg	432.49
Hometown Leasing	Prob copier leases	472.70
Jerry Shelton, Atty	Atty fees	3396.25
Jones Automotive, Inc.	Parts, labor	667.00
Lammel Plumbing	Shower repair	114.91
Lancaster County Sheriff	Process svc	33.43
Land Survey Tech	Co. Surveyor operating expns	5579.91
Lauby Plumbing, Htng. & Air	Svc. call, labor	292.50
Lepant Law Office, PC LLO	Mntl hlth hrng	95.00
Lincoln Journal Star	Publications	1517.75
Mahloch Law Office	Atty fees	697.00
Midwest Process Services	Civil process fees	341.90
MIPS, Inc.	Computer suppt./programs	5131.09
Murray Law, PC LLO	Atty fees	2721.75
NACO	Annl conf. fee, Treas	150.00

NE Assn Co Clks, Reg of Deeds	Wkshp regis	50.00
Nelson, Clark & Timan	Public Defender	6346.15
NMC Exchange	Generator repair	2321.39
Norris Public Power Dist.	Tower utilities	49.75
P.E.R.U.	Inmate excess medical ins.	11,045.00
Paper Tiger Shredding	Doc shredding	35.00
Philippi Electric, Inc.	Parts, labor	931.58
Primary Arms, LLC	Shf. supplies	1746.92
Priority Printing	Bus. cards, env.	184.45
Quill – Ext.	Offc supplies	271.59
Quill – Prob.	Offc supplies	426.58
Kristine Riekenberg	Court reporting, mnntl hlth hrng	367.25
SE NE Communications	Falls City Prob phones	113.57
Staples	Offc supplies	55.98
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service, LLC	Jail meal svc.	5417.86
T.O. Haas Tire	Parts, oil changes	1117.88
The Voice News	Publications	449.82
TK Elevator Corp.	Elevator maint.	256.76
Tri County Credit Bulletin	Semi-annl. billing	168.30
U.S. Bank – Purchase cards	Supplies	1281.25
U.S. Postal Svc.	Postage for meter	25,000.00
Verizon Wireless – GCSO	Cell phones	480.12
Verizon Wireless – Prob	Cell phones	393.40
Washington Co. Shf.	Boarding inmates	13,500.00
Westlake Ace Hardware	Supplies	63.83
Windstream – Wilber Prob	Phones	52.60
Windstream – Vets	Phones	246.97

Road Fund

Highway Department Employees	Salaries	41,317.19
All Copy Products, Inc.	Copy coverage	35.46
Beatrice Concrete – Sand & Gravel	Rock & gravel	41,380.76
Bomgaars	Bolts, blades, weed killer, sprayers	514.33
Capital One, NA	Supplies	6.48
Cather & Sons Const., Inc.	Asphalt	2931.52
City of Wymore	Utilities	77.69
Constellation NewEnergy Gas Div.	Utilities	31.71
Diversified Drug Testing	Drug/alcohol testing	225.00
First Wireless, Inc.	On-glass antenna	216.84
Johnny's Welding, Inc.	Iron	141.12
Landmark Implement, Inc.	Parts	589.91
Larry's Tire & Service	Tire changeovers	240.00
Matheson Tri Gas, Inc.	Welding supplies	51.73
MIPS, Inc.	Hwy program	192.32
R.L. Tiemann Const.	Twp gravel & hauling	50,978.74
Rock On, Inc.	Hauling material	10,295.66
T.O. Haas Tire	Tires	153.98
Tractor Supply Co.	Filter	17.99
U.S. Bank – Purchase Cards	Marking flags, Trlr LED light bar	176.68
Westlake Ace Hardware	Ladder, fitting	134.08
Wymore Oil Co., Inc.	Used tire	50.00

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	138.24
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Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	220.08
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	42,137.07
Mutual of Omaha	Employee elective ins policy premiums	546.31

General Fund

Ameritas	County share of Employees Retirement	10,720.58
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,224.95
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	25,443.57

Road Fund

Ameritas	County share of Employees Retirement	2,788.91
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,025.57
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	8,961.25

Swavely said he would like to pull item #7 from the consent agenda until the next meeting. Motion made by Swavely, seconded by Lytle approve the consent agenda with item #7 being pulled. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to approve claim #23080070 to Johnny's Welding in the amount of \$141.12. Motion carried 5-0-1 with Jurgens abstaining.

Motion made by Swavely, seconded by Dorn to approve claim # 23080075 to R.L. Tiemann Const. Inc. in the amount of \$50,978.74, bringing the total amount of claims approved thru August 9, 2023 to 596,048.91. Motion carried 5-0-1 with Tiemann abstaining.

Clint Rule of Liberty NE spoke under public comments saying that at a previous meeting he had requested a survey for safety of that the road from 176<sup>th</sup> from Liberty down to the Alms confinement. They said the only concern they had was a plank on the bridge, there is no bridges between Liberty and there. There is a bridge one just North of there, a concrete bridge and he is concerned they may have been on the wrong road. He would like to make sure the safety on the road will accompany the semis and the bus on the road. Tiemann advised Rule that he should talk to Hwy Supt. Mark Kuhnke. He can give more accurate information than that. We did look at that road and he will have different information on that piece road.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Tiemann on Human Resources/Employee Relations, Lisa Wiegand on Emergency Management/P&Z, and Jurgens on Road & Bridge. Items of discussion were replacing a pole at Veteran's Office, P&Z Mtg. scheduled for August 29<sup>th</sup> at 6:30 p.m., and zoning permit approval.

Tiemann read a proclamation into record to declare September 14, 2023 as the Big Give Gage Day.

Motion made by Jurgens, seconded by Swavely to approve the County Health Insurance Plan for 2023-2024. Brad Swiggart with Northwestern Mutual spoke about the self-insured and the saving the county has seen on this vs a fully insured plan. Discussed that plans are struggling with the pharmaceuticals, especially the specialty drugs. The county will look at what options that may be for additional savings on the pharmaceutical side. He also said they will be holding an informational employee meeting. Motion carried 6-0.

**RESOLUTION #23-12**

**SIGNING OF THE  
COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
2023**

Resolution No. 23-12

**Whereas:** State of Nebraska Statutes, sections 23-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

**Be it resolved** that the County Board Chairperson of Gage County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 9<sup>th</sup> day of August, 2023 at Beatrice, Nebraska.

County Board Members

/s/ Eddie T. Dorn

/s/ Gary Lytle

/s/ David L. Swavely

/s/ Don Schuller

/s/ Erich Tiemann

/s/ Terry Jurgens

County Board Member Jurgens  
moved the adoption of said resolution.  
Member Swavely seconded the motion.  
Roll Call: 6 Yes 0 No 0 Abstained 1 Absent  
Resolution adopted, signed, and billed as adopted.

Attest:

/s/ Dawn Hill  
Gage County Clerk

Seal

Motion made by Jurgens, seconded by Swavely to approve Resolution #23-12 for signing of the County Annual Certification Program Compliance Form 2023. Motion carried 6-0.

Motion made by Jurgens, seconded by Schuller to approve the County Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards 2023. Motion carried 6-0.

Short break at 9:40 a.m. Back in session at 9:53 a.m. Jurgens left meeting during the break.

Motion made by Lytle, seconded by Swavely to move into closed session at 9:53 a.m. for personnel. Motion carried 5-0.

Motion made by Dorn, seconded by Lytle to move out of closed session at 12:08 p.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 12:08 a.m. until August 23, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

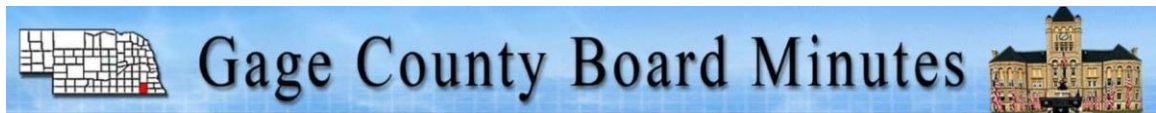
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 9<sup>th</sup> day of August, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on August 23, 2023, at 8:45 a.m. with Terry Jurgens, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Emily Haxby absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$587,921.09 which does not include claim #23080124 to Beatrice Lawn Care in the amount of \$400.00, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve bid from Masonry & Restoration Services for the Northeast Stone Infill in the amount of \$15,053.00; 6. (skipped a number) 7. Approve bid from Masonry & Restoration Services for the Phase 12- Clock Tower Restoration in the amount of \$213,313.00; 8. Approve sending letter to Planning & Zoning requesting review of regulations for Livestock Confinement facilities/operations; 9. Approve sending Letter to NIRMA to recommend reappointment of Erich Tiemann to NIRMA Bd. and authorizing Emily Haxby to sign letter; 10. Approve reappointing Derrick Damrow to another term on the Gage County Planning & Zoning Commission effective April 1, 2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	156,089.20
All Copy Products	Extension – Office equip.	395.33
Applied Connective Tech. LLC	Data Processing, installation	9,773.85
AT&T Mobility	Phone svc	456.21
Beatrice Area Solid Waste	Rubbish disposal	105.00
Beatrice Board of Public Works	Utilities	6,385.14
Beatrice Daily Sun	Subscription – Inmates	241.99
Beatrice Iron & Metal	Sheriff - vehicle repair	29.95
Beatrice Lawn Care	Spraying courthouse trees	400.00
Capital Business Systems, Inc.	ROD maint. Agreement	36.50
Charter Communications	Probation – phone svc.	192.96
Cidnet	Data purchased	999.90
City of Beatrice	Shf., courthouse – trash svc.	264.96
Clerk of District Court	St. & svc. Fees	658.07
Community Memorial Health	Jail – medical exams	40.00
Critical Hire	Pre-employment	25.00
Diode Technologies	Vets – security upgrade	1,993.68
Eakes Office Solutions	Office equip., supplies, etc.	1,840.58
Farmers Cooperative	Jail – fuel	274.50
First Wireless, Inc.	Monthly svc. Contract	684.68
Fox Funeral Home	County burial	930.62
Gage County Sheriff's Office	Shf. fees and mileage	101.19
Gage County Treasurer	Voiding ck. #23020139 to MIPS	429.34
Garcia Clinical Laboratory	Inmate medical	26.00
Government Forms & Supplies	Tres. – office supplies	99.33
Green Way Lawn Services	mowing	460.00
Hometown Leasing	Atty. copier lease	138.82
Isolved Benefit Services	Admin. fees	159.50
Jerry Shelton Attorney	Atty fees	2,588.75
Lancaster County Sheriff's Office	Svc. Fees	18.00
Mahloch Law Office	Atty fees	360.00
Mead Lumber	Dist. Crt. – plywood	102.30
Microfilm Imaging Systems, Inc.	Scanning equip. monthly rent	457.00
Murray Law PC LLO	Atty fees	2,755.00
NACO	SE District Meeting registration	460.00
Nelson, Clark & Timan, PC	Atty fees	6,346.15
NI Government Services, Inc.	Emerg. Mgm. – monthly svc.	77.39

Noakes Heating & Air	Svc. call	216.54
Northeast Auto	Investigative exp.	550.00
Paper Tiger Shredding, Inc.	Shredding	45.75
Prochaska & Associates, Inc.	Inmate needs assessment	2,250.00
Quadient, Inc.	Maintenance agreement	786.48
Quill – Ext.	Office supplies	368.91
Quill – Prob.	Office supplies	205.39
Ron’s Repair	Shf. vehicle repair	496.38
Sapp Brothers	Shf. & Jail fuel	4,591.93
Secretary of State	Subscription cost	40.00
Security Services	Monitoring fire alarm Shf. office	35.50
Southeast Nebraska Dev. District	Dues	7,025.00
Sheridan Industries	Ext. office – cleaning	120.00
Sherwin Williams Co.	paint	94.95
Soap Opera Laundry	cleaning mops & dust rags	14.00
Spectrum	Emerg. Mgm.- monthly svc.	11.55
Stanard Appraisal Services, Inc.	Appraisal service	13,924.50
Stephen J Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2,466.50
Summit Food Service, LLC	Jail meals	2,761.21
Thomson Reuters	Dist. judge software subscription	2,602.54
US Bank Purchase Cards	Meals, fuel, supplies	453.50
US Postal Service (Wilber)	PO Box fee	186.00
Verizon Wireless	Emerg. Mgm. phones	216.77
Verizon Wireless	hot spots, ipads	327.89
Washington County Sheriff’s Office	Inmate boarding & medical	28,718.00
Windstream – Ext. Office	Phone svc.	854.50
Windstream – Ext. Office	Phone svc.	311.14
Windstream – Fillmore Co.Prob.	Phone svc.	431.87
Windstream – General	Phone svc.	6,389.22
Windstream – Hwy. Dept.	Phone svc.	311.14
Windstream – Hwy. Dept.	Phone svc.	643.69
Windstream – Sheriff	Phone svc.	2,082.57
Windstream – Vets	Phone svc.	369.69

Road Fund

Highway Department Employees	Salaries	41,809.88
Bauer Built	Tires	885.20
Beatrice Area Solid Waste Agency	Rubbish disposal	20.00
Beatrice Board of Public Works	Utilities	443.79
Beatrice Concrete Sand & Gravel	Rock & Gravel	16,152.08
Beatrice Iron & Metal	Parts, tools, supplies	521.80
Black Hills Energy	Utilities	39.76
Cather & Son’s Construction, Inc,	Asphalt	3,943.44
City of Beatrice	Bin rental	74.24
Crete Lumber & Farm Supply	Ice	157.50
Eakes Office Solutions	Office supplies	113.96
Farmers Cooperative	Propane	50.60
Mainelli Wagner & Associates, Inc.	Engineering consulting svcs.	41,231.95
Medical Enterprises, Inc.	Drug Testing	110.00
Newman Signs, Inc.	Signs	4,610.20
NMC, Inc.	Parts	694.51
Norris Public Power District	Utilities	232.77
O’Reilly	Parts, supplies	889.61
PowerPlan	Parts, labor	1,364.88
RDO Truck Centers	Parts	708.30
Sapp Brothers	Fuel, oil	10,942.02
Freightliner Truck Center Co.	Parts	233.19
Verizon Connect NWF, Inc.	Phones	259.04

ROD Preservation & Modernization Fund

Capital Business Systems, Inc	Copier lease	235.87
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Insurance Fund

Gage County Health Insurance	Employee health insurance claims paid	69,929.62
Mutual of Omaha	County life insurance premium	570.31

Covid American Rescue Plan Fund

Universal Broadband Consulting, Inc.	Consulting	1,300.00
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County Buildings Fund

Masonry Construction, Inc.	Labor, material, equip.	52,313.00
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General Fund

Ameritas	County share of Employees Retirement	10,905.60
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,380.55
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	25,480.07

Road Fund

Ameritas	County share of Employees Retirement	2,822.16
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,063.28
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	8,961.25

Motion made by Swavely, seconded by Lytle to approve the consent agenda minus #10 to be pulled for discussion. Motion carried 6-0.

Discussion on how the board handles appointments to the Planning & Zoning Commission. Tiemann just wanted to explain the process of appointments to the P&Z Commission has been that if the member volunteers to be reappointed for another term, the board has made the reappointment as finding members willing to serve in the past has been difficult. He said that this process can be discussed and/or changed at any time.

Motion made by Lytle, seconded by Swavely to reappoint Derrick Damrow to another term on the Gage County Planning & Zoning Commission, effective April 1, 2023. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to approve claim #23080124 to Beatrice Lawn Care in the amount of \$400.00, bringing the total amount of claims approved through August 23, 2023 to \$588,321.09. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Patty Barnard, 41928 S 176<sup>th</sup> Rd., Liberty NE, spoke about the proposed CAFO operation in Island Grove Township, saying there was an error in the marking of the ground that she would discuss with Lisa Wiegand, P&Z Administrator.

Committee reports were given by Swavely & Dave Jones on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Tiemann on Human Resources/Employee Relations, Lytle, Lisa Wiegand & Shf. Gustafson on Law Enforcement/Emergency Management, and Jurgens & Tiemann on Road & Bridge. Topics of discussion included exterior repairs to courthouse building and new lights; due process of P&Z procedures; CAFO in Island Grove Twp.; tree overgrowth violation letters; Shf. Dept. stats; and broadband internet update.

NGage Director Rachel Kreikemeier presented the NGage Quarterly Report which highlights their strategic goals of expanding business and industry, building business relationships, and growing a Youth Engagement and Talent Advancement Initiative. She reported the following: through surveys of businesses, they've found that labor attraction is the biggest challenge businesses face which is a result of the lack of housing and childcare; Randy & Debbie Kinny with Precise Fabrication/Kinney Mfg. are working an on-site daycare into expansion plans and hope to open in August, 2024; Accuma is expanding; new business is coming to town; hope to see new housing go up; working on connecting young professionals in the 18-39 year old range to the community with the resurrection of the YPG (Young Professionals Group) program which will have a kick-off on August 24<sup>th</sup> from 4-7 p.m. at Envision Landscapes, providing networking and professional development opportunities. Kreikemeier stated that there will be a meeting to address childcare issues at the Vintage Venue on August 29<sup>th</sup> at 5:00 p.m., and that there will be a keynote speaker Mark Perna with workforce development at the Beatrice High School Hevelone Center on November 3<sup>rd</sup> from 9:00-11:00 a.m., talking about how to attract and retain a workforce. Swavely asked about career days that provide opportunities for students to be exposed to manufacturing businesses. Kreikemeier said that on October 5<sup>th</sup> which is National Manufacturing Day, there will be an event for students from area schools to get into manufacturing businesses to learn about not only the production part of the businesses, but also about the marketing, human resources, accounting, and management opportunities available.

Motion made by Lytle, seconded by Swavely to place the NGage Quarterly Report on file. Motion carried 6-0.

Brian Koch, Business Services Representative with the Department of Labor in Region IV, gave a presentation on a grant-funded On-The-Job Training Incentive Program. His job is to connect people to employment and advocate for those seeking employment. The incentive program

operates out of a grant called Workforce Innovation Opportunity Act Grant, from which the State of Nebraska will pay 50% of the wages of anyone the county is willing to hire and provide on-the-job training to. Through connections at the State, he found out that the Gage County Veterans Office has an opening in their office, which would be the perfect opportunity for Gage County to benefit from this program. Veterans, those who are impoverished or disadvantaged, and those currently on economic assistance would all automatically qualify for the program. Once someone is placed in employment, the Dept. of Labor is able to continue to provide career counseling and supportive services which may include paying for gas if they are commuting over 15 miles, tool expenses if tools are required, PPE clothing and/or equipment required, steel-toed boots if required, or certification expenses to learn a new technology. Koch stated that they’ve had a high success rate in helping people become gainfully employed and retaining their employment to achieve a new career path.

County Attorney Roger Harris gave an update on the lawsuit of Rick Hill vs. Elected Officials which started about a year ago. Mr. Hill sued the state’s County Election Commissioners and other public officials alleging, among other things, corruption in the election process, going after the company providing the ballot counting machines and software. The Board opted to utilize NIRMA defense counsel in the lawsuit. The plaintiff filed several amended lawsuits in addition to the original lawsuit, attempting to keep the suit alive, but the appeal has finally ran and Attorney Harris got a letter that basically said that the case is closed and the suit was dismissed completely – it’s done. The total cost was a little over \$11,000 which was for the defendants represented by NIRMA and they basically absorbed that cost so there will be no deductible or anything owed by the county. He said that this is an excellent result and a testament that our election commissioner did nothing wrong. He asked that the communication regarding the lawsuit be placed on file.

Motion made by Swavely, seconded by Lytle to place communication regarding the Rick Hill vs. Elected Officials lawsuit be placed on file. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to approve receiving a copy of the valuations for the political subdivisions for 2023 and placing it on file. Motion carried 6-0.

Motion made by Swavely, seconded by Lytle to approve receiving preliminary requests for levy allocation to the County Board from Townships, Rural Fire Districts, the Gage County Historical Society and the Gage County Agricultural Society and placing them on file. Motion carried 6-0.

**RESOLUTION #23-13, 2023**

Whereas, Nebr. State Statute 77-3443(3) requires all political subdivisions subject to county levy authority to submit a preliminary request for levy allocation; and

Whereas, the political subdivisions that are subject to Gage County Levy authority are agricultural society, historical society, rural fire districts and townships; and

Whereas, the Gage County Board of Supervisors has determined that due to the number of political subdivisions and taxing parcels that would be affected, that a levy will be established and if the subdivisions request is over that levy, their levy will be reduced to respective amounts as set out herein;

NOW, THEREFORE, BE IT RESOLVED by the Gage County Board of Supervisors that the levy rates will be as follows:

Agricultural Society**	0.003583
Historical Society*	0.000823
Rural Fire Districts	0.030000
Townships	<u>0.075000</u>
<b>Total</b>	<b>0.109406</b>

BE IT FURTHER RESOLVED by said Board that if any of the political subdivisions that are subject to the county levy authority neglects to submit a request, the Board will use their last year’s budget request to determine the levy rate subject to limitations found in the resolution;

BE IT FURTHER RESOLVED that the Gage County Board of Supervisors does hereby allocate the following:

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
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Gage Co. Ag Society** General	135,000.00	0.003583	135,000.00	0.003583
Historical Society*	40,000.00	0.001062	31,000.00	0.000823

**RURAL FIRE DISTRICTS**

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
Adams Rural Fire* (General Fund)	84,000.00	0.032733	76,986.68	0.030000
Barneston Rural Fire* (General Fund)	36,000.00	0.037617	28,710.52	0.030000
Beatrice Rural Fire* (General Fund)	235,000.00	0.034153	206,422.55	0.030000
Blue Springs Rural Fire* (General Fund)	70,000.00	0.040096		
(Sinking Fund)	<u>19,073.00</u>	<u>0.010925</u>		
Total	89,073.00	0.051021	52,374.63	0.030000
Clatonia Rural Fire* (General Fund)	23,000.00	0.030348	22,735.92	0.030000
Cort-Lanc Rural Fire* (General Fund)	94,807.00	0.040524		0.030000
(Sinking Fund)	<u>4,410.00</u>	<u>0.001885</u>		
Total	99,217.00	0.042409	70,186.37	0.030000
Filley Rural Fire* (General Fund)	86,000.00	0.031110	82,931.64	0.030000
Odell Rural Fire* (General Fund)	86,380.00	0.031673	81,818.46	0.030000
Pickrell Rural Fire (General Fund)	56,566.00	0.025662	56,566.00	0.025662
Wymore Rural Fire (General Fund)	17,400.00	0.011238	17,400.00	0.011238

**TOWNSHIPS**

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
Adams Township	64,793.46	0.028520	64,793.46	0.028520
Barneston Township	43,911.00	0.054262	43,911.00	0.054262
Blakely Township*	163,200.00	0.084718	144,479.32	0.075000
Blue Springs-Wymore	45,441.00	0.034757	45,441.00	0.034757
Clatonia Township	69,662.00	0.060627	69,662.00	0.060627
Elm Township	47,400.00	0.044048	47,400.00	0.044048
Filley Township	72,000.00	0.074459	72,000.00	0.074459
Glenwood Township	42,600.00	0.039603	42,600.00	0.039603

Grant Township	50,000.00	0.042524	50,000.00	0.042524
Hanover Township	45,000.00	0.039395	45,000.00	0.039395
Highland Township	41,500.00	0.023085	41,500.00	0.023085
Holt Township	46,313.00	0.035932	46,313.00	0.035932
Hooker Township	34,567.80	0.037871	34,567.80	0.037871
Island Grove Township	42,720.66	0.070382	42,720.66	0.070382
Liberty Township	39,025.20	0.055473	39,025.20	0.055473
Lincoln Township	49,739.30	0.046754	49,739.30	0.046754
Logan Township	45,000.00	0.041825	45,000.00	0.041825
Midland Township (Sinking Fund)	48,000.00 N/A	0.042787	48,000.00	0.042787
Total				
Nemaha Township	47,000.00	0.026068	47,000.00	0.026068
Paddock Township	51,935.00	0.054261	51,935.00	0.054261
Riverside Township	78,000.00	0.050360	78,000.00	0.050360
Rockford Township	41,000.00	0.041870	41,000.00	0.041870
Sherman Township	30,759.12	0.039216	30,759.12	0.039216
Sicily Township	51,958.80	0.052578	51,958.80	0.052578

\*over amount allowed  
\*\*last year's tax request  
\*\*\*special election

Motion by Jurgens to adopt Resolution #23-13, 2023, seconded by Swavely.  
Voting yes were Jurgens, Schuller, Tiemann, Dorn, Swavely, Lytle  
Voting no were None

Motion carried 6-0.

ATTEST:

/s/ Erich Tiemann  
Chairperson, Board of Supervisors

/s/ Dawn Hill  
Gage County Clerk (SEAL)

Motion made by Jurgens, seconded by Swavely to approve adopting Resolution #23-13 setting the final allocation of levy authority for the following: Townships, Rural Fire Districts, the Gage County Historical Society, and the Gage County Agricultural Society. Motion carried 6-0.

Sarah Behrends of BLT Investments, LLC, dba 402 Sprots Bar & Grill, spoke to the board regarding their application for a Special Designated Liquor License for a wedding reception to be held at LHT Events, 803 E Pine Rd., Wymore, NE, on September 16, 2023.

Motion made by Dorn, seconded by Swavely to approve recommendation to the NE Liquor Commission for a Special Designated Liquor License for BLT Investments, LLC, dba 402 Sports Bar & Grill for an event being held on September 16, 2023 at LHT Events, 803 E Pine Rd., Wymore, NE. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to move into closed session at 9:48 a.m. for personnel. Motion carried 6-0.

Jurgens left meeting at 10:18 a.m.

Dorn left meeting at 10:43 a.m.

Motion made by Swavely, seconded by Schuller to move out of closed session at 11:42 a.m.  
Motion carried 4-0.

Chairman declared Board of Supervisors meeting adjourned at 11:43 a.m. until September 6, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill

Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann

Erich Tiemann, Chairman  
Gage County Board of Supervisors

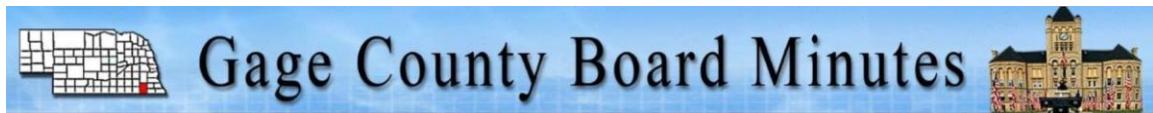
I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 23<sup>rd</sup> day of August, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on September 6, 2023, at 8:47 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$530,496.90, which does not include claim #23090119 to Hard Rock Quarries, LLC in the amount of \$6,081.05 and claim #23090121 to Johnny's Welding, Inc., in the amount of \$396.99, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1283 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA#6 Dewitt. All new fiber line will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #6 from Hwy 41 to Sargent Road, between SW 58<sup>th</sup> Road to SW 142 Road. (DSA #6 plans for details and locations will be available in the Highway Departments Office) Located in Clatonia, Grant, and Blakely Twps.; 6. Approve Utility Permit #1284 to Doomsday Data. Doomsday will be installing a new communications conduit from existing UPN pull box in the south ditch of Lilac Road to the tower. Once work is completed in Gage County ROW, all other work will be done on private property. Located North of section 14, Riverside Township; 7. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of August, 2023.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	158,057.19
Advanced Auto Dealers	Shf website maint.	29.00
Applied Connective Technologies	IT equip, consulting & svc	16,251.00
Axon Enterprise, Inc.	Shf taser supplies	1288.00
Beatrice Public Schools	Juvenile justice aid grants	9647.87
Black Hills Energy	Utilities	206.34
Blackburn Technologies	Atty 4 laptop computers	3516.00
Bragg Animal Control	Impound animals	120.00
Charter Communications	Jail cable TV	175.89
Clausen & Sons Dirt Work, Inc.	Labor	1505.00
CLIA Laboratory Program	Certificate fee	180.00
Comfort Inn, Kearney	Assr lodging	464.80
Community Physicians Clinic	Shf pre-empl exam	229.45
Correctional Risk Services, Inc.	Inmate medical	3528.33
Crowne Plaza, Kearney	Bd lodging	161.10
DAS St Acctng Cntrl Fin 6507	Annl lic fee, data processing	230.50
Diode Technologies	Shf computer svc	120.00
Eakes Office Solutions	Offc supplies	94.34
Sandra Eltiste	Prior svc retirement	12.00
Fastenal Company, Inc.	Supplies	150.00
First Wireless, Inc.	Repeater rental	440.00
Frontier Appliance, LLC	Appliance repair	160.18
Gage County Court	Court costs	1521.50
Gage Co. Sheriff	Shf fees/mlg	89.61
Great Plains Uniforms, LLC	Name tag	12.50
Hometown Leasing	Prob copier leases	472.70
Huls Body Shop	Towing	195.00
ID Checking Guide	Dist Ct Supplies	31.95
Jerry Shelton, Atty	Atty fees	2208.75
Jurors	Jury fees	1837.46
Joyce Kassing	Prior svc retirement	20.00
King Little Structural Engineering	Structure analysis	8929.84
Lammel Plumbing, Inc.	Plmb supplies	94.91

Lepant Law Office	Atty fees	2175.50
Matthew Kosmicki Law, LLC	Atty fees	2881.67
Microfilm Imaging Systems, Inc.	Scanning equip rent	457.00
NACO	Mtg regis.	80.00
Naylor Rappl Law Offc.	Atty fees	1729.00
NE Health & Human Svcs.	St. Inst	1298.56
NE Law Enf. Training Center	Training	142.00
Nelson, Clark & Timan	Public Defender	6346.15
Norris Public Power	Utilities	50.51
O'Reilly Auto Parts	Veh repair	8.95
Pawnee Republican	Publication	22.30
Priority Printing	Treas bus cards, env	786.20
Quadient Leasing	Postage meter	2068.17
Quill – Det.	Offc supplies	52.97
Quill – EMS	Offc supplies	250.99
Quill – Treas	Offc supplies	141.13
Ron's Body Shop	Shf veh deductible	1000.00
Sarpy Co. Sheriff	Boarding inmate	1175.00
Sayler Screenprinting, LLC	Shf uniforms	215.00
Stephen Kraviec, PC LLO	Child Suppt Enf Atty	2416.05
Summit Food Svc	Jail meal svc	8509.25
US Bank – Purchase Cards	Fuel, supplies, uniforms	1263.58
US Post Service – Postmaster	Prob pstg stamps	1186.00
Verizon Wireless – GCSO	Cell phones	480.12
Verizon Wireless – Prob.	Cell phones	393.40
Verizon Wireless – Vsat	Shf cell phone	50.00
Veterans Information Service	Annl book, mnthly newsletter	65.00
Windstream – Wilber Prob.	Phones	52.49
Windstream – Ext.	Phones	2735.33
Windstream – Gen.	Phones	18,666.35
Windstream – Hwy	Phones	2105.52
Windstream – Shf.	Phones	6334.22
Windstream – Shf.	Phones	607.45
Windstream – Vets	Phones	1328.88
Windstream – Cths	Phones	2232.97
Windstream – Vet Ctr	Phones	246.97
911 Custom	Shf. ammo	521.50

Road Fund

Highway Department Employees	Salaries	41,580.25
All Copy Products	Copy overage	37.48
Barco Municipal Products, Inc.	Cones, signs, stands	4009.24
Beatrice Concrete Sand & Gravel	Rock & gravel	33,033.72
Black Hills Energy	Utilities	64.54
Bomgaars	Supplies	238.48
Constellation NewEnergy, Gas Div.	Utilities	30.30
Fastenal	Supplies	85.54
First Wireless, Inc.	Repeater rental	350.00
Hard Rock Quarries, LLC	Rock	6081.05
Johnny's Welding	Parts	396.99
Rewound Power Motors Sales & Svc	Part	25.72
Steve's Upholstery	Upholstery	66.00
Tractor Supply	Chemicals, supplies, parts	254.94
US Bank – Purchase Cards	Radio power converter	160.85

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	10,075.72
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Register of Deeds Preservation & Modernization Fund

Capital Business Systems	Recording paper	100.88
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Insurance Fund

Rodney Aden	Ins. reimb.	231.04
Bryan Davidson	Ins. reimb.	96.79
Gage County Health Insurance	Employee health ins claims paid	57,488.82
Lucent Health Solutions, LLC	Ins premiums, admin fees	32,140.87

Diversion Fund

Beatrice Public Schools	Diversion fees	4,641.00
<u>General Fund</u>		
Ameritas	County share of Employees Retirement	11,472.18
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,539.50
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	25,516.57
<u>Road Fund</u>		
Ameritas	County share of Employees Retirement	2,806.67
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,053.47
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,011.75
<u>Insurance Fund</u>		
Ameritas	County share of Employees Retirement	24.07
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	25.07

Motion made by Swavely, seconded by Dorn to approve the consent agenda. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #23090119 to Hard Rock Quarries, LLC in the amount of \$6,081.05. Motion carried 6-0-1 with Tiemann abstaining.

Motion made by Schuller, seconded by Dorn to approve claim #23090121 to Johnny's Welding, Inc., in the amount of \$396.99, bringing the total amount of claims paid through September 6, 2023 to \$536,974.94. Motion carried 6-0-1 with Jurgens abstaining.

Don Vetrovsky, President of the Gage County Foundation, spoke under public comments. He thanked the board for the Proclamation they made declaring September 14, 2023 as Big Give Gage Day. Vetrovsky said that this event gives people the opportunity to donate to 72 different non-profit organizations that have signed up to participate. Numerous sponsors help with the budget for the project, with all monies being given back directly to the non-profits and no admin fees being collected. He said that this event even brings in donations from other states as donations can be made online through the website [www.biggivegage.org](http://www.biggivegage.org), as well as at the event at Vintage Venue from 7:00 a.m. to 7:00 p.m. on Sept. 14<sup>th</sup> where donations can be dropped off. If you need more information or have questions you can contact Don at 402-806-4401, or Verdella Vetrovsky at 402-806-0037. Vetrovsky thanked the board and the county for their support of the Big Give Gage event and of the non-profits involved.

Dean Otto, 633 S Hwy 43, Adams NE, also spoke under public comments. He voiced concerns about the P&Z meeting held last week. He asked if someone could help with trees over the road where the new CAFO is proposed. He said there were concerns about the road being safe for school buses and semis, but while he was working down there, 3 semis went down the road, so he would like to know if this is viable. He thanked the board for their time.

Committee reports were given by Swavely on Building & Grounds, Tiemann on Equalization, Jurgens, Tiemann & Lytle on Finance/Insurance, and Lytle on Law Enforcement. Break in committee reports for timed event.

Motion made by Dorn, seconded by Swavely to open public hearing at 9:16 a.m. to hear support and/or opposition for the appointment of Nate Clabaugh, Grant Jones and David Norton for 6-year terms on the Board of Trustees of Hospital Authority No. 1, term commencing October 1, 2023 and terminating September 30, 2029. Motion carried 7-0.

No public present for comment.

Motion made by Lytle, seconded by Swavely to close public hearing at 9:19 a.m. Motion carried 7-0.

Committee reports continued with Lisa Wiegand on Emergency Management, and Haxby on Road & Bridge. Topics of discussion were Exmark robot mower demonstration on east side of building; glass enclosure at Ext. Offc. removed, getting quotes on auto door opener; Masonry Construction working on clock tower repairs; new holiday lights will be provided; will re-seed lawn where hot, dry weather has taken a toll; county budget; Big Give Gage event; monetary donations for neglected horses, amazing support; calls about smoke from Canadian fires; 3 & 33 fire training; SCC wildfire training; harvest awareness; cut fiber line in Omaha affected 911 svc.; P&Z public hearing on 9-26 for commercial ag business; County Atty wants meeting on issues with road where new CAFO is proposed; overview of grants; update on fiber project; working on training for blade operators; grant for signs; discussion on 176<sup>th</sup> Road lack of maintenance.



/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 6<sup>th</sup> day of September, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

The banner features a map of Gage County on the left, the text "Gage County Board Minutes" in the center, and a photograph of a large, multi-story building on the right.

# Gage County Board Minutes

The Gage County Board of Supervisors met on September 18, 2023, at 10:00 a.m. for the Budget Hearing with Don Schuller, Erich Tiemann, Dave Swavely and Gary Lytle present, Terry Jurgens, Emily Haxby and Eddie Dorn absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Motion made by Swavely, seconded by Dorn to open the public hearing at 10:00 a.m. to hear support, opposition or suggestions from taxpayers relating to the proposed FY 23-24 County Budget. Motion carried 4-0.

Chairman Tiemann presented an overview of the budget and mentioned that the county valuation has gone up from the year before, however, the county has a decrease for their tax asking amount of 6%. He stated that the elected & appointed officials have done well to not spend the money they have in their budget if they do not need it. He said we have not replaced some retiring staff and streamlined operations and are still providing all of the services that we were before. There was no public present at the public hearing, except media. The public hearing was held open for quite some time just in case someone was running late and wanted to speak.

Motion made by Swavely, seconded by Lytle to closed the public hearing at 10:17 a.m. Motion carried 4-0.

The budget will be voted on at the Board of Supervisors meeting on Wednesday, September 20<sup>th</sup>.

Chairman declared Board of Supervisors Budget meeting adjourned at 10:18 a.m.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

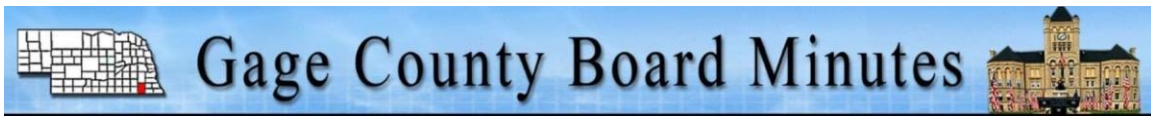
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 18th day of September, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



The Gage County Board of Supervisors met on September 20, 2023, at 8:45 a.m. with Terry Jurgens, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Emily Haxby absent.

Notice of said meeting was posted at the County Clerk’s Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$552,749.58 which does not include claim #23090247 to Hard Rock Quarries, LLC in the amount of \$3,109.36 and claim #23090256 to R.L. Tiemann, Inc. in the amount of \$151,536.61, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receipt of \$24,458 – 2021 Child Support Enforcement Incentive – Co. Atty.; 6. Approve specifications and call for bids on 2023-2024 snow removal for the courthouse, Sheriff/Jail, Veterans Office, Former Buss Stop location and parking lots. Bids to be opened October 4, 2023 at 9:15 a.m.; 7. Approve cancelling check #23090033 issued to Eric Cullison in the amount of \$37.62, check #23090034 issued to Nathan Dorn in the amount of \$36.31, check #23090035 issued to David Duplissey in the amount of \$67.75, and check #23090036 issued to Lucinda Evans in the amount of \$57.27 due to amount submitted for payment was incorrect and cancel check # 23010143 issued to IAPE in the amount of \$65.00; 8. Approve sheriff’s distress warrant report; 9. Approve receiving treasurer’s list of delinquent taxes on parcels of real estate in the County, which remain unsold for want of bidders and directing the County Treasurer to issue county tax sale certificates; 10. Approve Utility Permit #1285 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA Virginia. All new fiber line will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA Virginia between Hackberry to Linden Road, between 80<sup>th</sup> Road to 190<sup>th</sup>. (DSA Virginia plans for details and locations will be available in the Highway Departments Office) Located in Logan, Filley, Rockford and Sherman Townships; 11. Approve Utility Permit #1286 to Mid-America Pipeline Company LLC. Mid-America Pipeline will be performing a pipe line repair on a propane line approximately 1500’ east of Hwy 77 on Oak Road. Dig site will be a 10’ x 10’ excavation in the north grader ditch. Mid-America will provide traffic control if necessary. Located South of section 34, Riverside Township; 12. Approve Utility Permit #1287 to Steve & Sandy Kostal. Mr. Kostal will be boring a new irrigation pipe line under SW 61<sup>st</sup> Road. Located SE ¼ of Section 25 Glenwood Township and Southwest ¼ of Section 30, Paddock Township; 13. Approve Utility Permit #1288 to Windstream Nebraska LLC, Windstream will be installing new communications line to Resident at 2331 West Ash Road. Starting at Pedestal 12BDI, Windstream will bore a 2” diameter line by 60” deep under Ash Road to edge of ROW and continue work on private property. Located South of Section 9 and North of Section 16, Highland Township; 14. Approve Utility Permit #1289 to Nextlink. Nextlink will be installing new fiber lines per the submitted DSA #5 East Beatrice. All new fiber line will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #5 East Beatrice from Elm Road to Linden Road, between South 1<sup>st</sup> Road to 94<sup>th</sup> Road. (DSA #5 East Beatrice plans for details and locations will be available in the Highway Departments Office) Located in Logan, Midland, Riverside and Rockford Townships; 15. Approve Addendum #1 to DSA #1 Pickrell Permit #1270 to Nextlink. Nextlink will be installing new fiber lines per an addendum to the approved DSA #1 Pickrell. All new fiber lines will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #1 Addendum #1 from Hickory Road to Dorsey Road, between 13th Street to South 10<sup>th</sup> Road. Located in Midland Township.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	161,812.20
Advanced Correctional Healthcare	Jail on-site medical svcs	7293.15
All Copy Products, Inc.	Copier leases	370.00
Anderson, Creager & Wittstruck, PC	Atty fees	2555.00
Applied Connective Technologies	IT consulting	9504.40
Axon Enterprise, Inc.	Taser certification	14,400.00
Beatrice Board of Public Works	Utilities	6808.39

Blackburn Technologies	Prob. equipment	539.88
Blue Valley Door Co., Inc.	Shf. svc call	105.00
Capital One, NA	Supplies	62.88
City of Beatrice	Utilities	287.96
Clerk of District Court	Court costs	144.74
Community Physicians Clinic, RHC	Pre-employment exam	143.00
Consolidated Management	Meals at training	175.75
Correctional Risk Services	Inmate medical	7530.67
Crete Veterinary Clinic	Investigative expns	1000.00
DAS St. Acctng Cntrl Fin 6507	Data processing	196.00
Datashield Corp.	Doc shredding	6.64
Diode Communications	Security monitoring	97.58
Dr. Eric Thomsen	Mntl hlth hrng	95.00
Eakes Office Solutions	Offc supplies	385.27
Echo Group	Lighting supplies	125.97
Electronic Contracting Co.	Alarm testing, panel batteries	780.94
Sandra Eltiste	Prior svc retirement	12.00
Engineered Controls, Inc.	Geothermal repairs	1732.80
Gage Co. Sheriff	Shf. fees/mlg	507.25
Garrison Law Firm	Atty fees	8559.50
Green Way Lawn Svcs.	Mowing	575.00
Hamm Glass	Glass removal	195.00
Jerry Shelton, Atty	Atty fees	2125.00
Jurors, Dist Ct	Jury fees	204.19
Joyce Kassing	Prior svc retirement	20.00
Ken's Pest Control	Pest control	140.00
Lammel Plumbing, Inc	Repairs, labor	166.13
Lepant Law Office	Atty fees	95.00
Mead Lumber	Supplies	81.74
Midwest Process Services	Civil process fees	204.12
MIPS, Inc.	IT support	5131.09
Naylor, Rappl Law Office	Atty fees	10,131.75
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
NI Government Services	Emer Mgmt sat phone	77.39
Noakes Heating & Air	Jail & Vets Offc repairs	6003.17
O'Reilly Auto Parts	Shf wiper blades	77.54
Paper Tiger Shredding, Inc.	Doc shredding	72.50
Prochaska & Associates	Needs assessment	3750.00
Quill – Ext.	Offc supplies	186.90
Quill – EMS	Offc supplies	187.96
Reagan Law Offices, PC LLO	Atty fees	380.00
Kristine Riekenberg	Mntl hlth bd hrng	95.00
Sapp Bros. Petroleum	Shf/Jail fuel	4869.44
SE Nebraska Communications	Falls City phones	109.93
Secretary of State	Atty cert copies	40.00
Sheridan Industries	Ext Offc janitorial svcs	150.00
Slims Body Shop	Shf veh repair	905.87
Smith, Schafer, Davis, LLC	Atty fees	3462.75
Soap Opera Laundry	Mop/rag cleaning	14.00
Stanard Appraisal Services	Appraisal maint.	1235.00
Staples Business Credit	Offc supplies	259.98
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2436.75
Summit Food Service, LLC	Jail meal svc.	5763.66
Sun Blockers	Jail veh window tint	140.00
T.O. Haas Tire	Grease, tires, repairs	2454.99
The Home Depot Pro	Restroom/janitorial supplies	876.40
Thomas & Thomas Court Reporters	Depo transcript	121.00
Thomson Reuters, West Pmt. Center	Law Library subscription	2602.54
UNL – Haskell Ag Lab	Offc mgr trng	95.00
U.S. Bank Corp – Purchase cards	Supplies, travel, equip.	1213.49
U.S. Post Service – Postmaster	EMS PO Box rent	118.00
Verizon Wireless – EMS 8923-1	Wireless phones	217.08
Verizon Wireless – EMS 6384-1	Wireless phones	327.89
Westlake Ace Hardware	Supplies	186.12
Windstream – Ext.	Phones	310.63
Windstream – Fillmore Cnty	Phones	433.43
Windstream – Hwy	Phones	310.63
Zoellner Ford of Beatrice	Shf veh repair	670.13

Road Fund

Highway Department Employees	Salaries	41,762.58
Beatrice Area Solid Waste Agency	Waste disposal	200.00
Beatrice Board of Public Works	Utilities	471.59
Beatrice Concrete Sand & Gravel	Rock & gravel	54,926.84
Beatrice Iron & Metal	Parts, tools, supplies	856.31
City of Beatrice	Garbage svc.	74.24
City of Wymore	Utilities	78.13
Farmer's Cooperative	Propane	24.82
Gage County Equipment	Parts, labor	897.27
Hard Rock Quarries, LLC	Rock	3109.36
Heartland Tires & Treads	Tires	1169.72
Inland Truck Parts & Svc.	Parts	565.64
Jim Hawk Truck Trailers	Part, supplies	277.66
Larry's Tire & Service	Tire repairs, mounts	315.00
Mead Lumber Co.	Supplies	59.72
MIPS, Inc.	Hwy program	192.32
NMC	Parts, oil	690.90
O'Reilly Auto Parts	Parts, tools, supplies	1647.77
R.L. Tiemann Construction	Gravel, hauling	151,536.61
RDO Truck Centers	Parts	619.85
Rock On, Inc.	Hauling material	7912.47
Sapp Bros.	Fuel, oil	36,426.64
Smith Auto, Inc.	Part	100.00
GB Auto Service, Inc.	Tire	173.56
Truck Center Companies	Parts	786.02
Westlake Ace Hardware	Pole saw, supplies	685.63
Zoellner Ford-Lincoln	Parts	93.17

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	220.08
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	44,789.94
Mutual of Omaha	Ins premiums, admin fees	560.11

General Fund

Ameritas	County share of Employees Retirement	11,737.77
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,793.59
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,861.25

Road Fund

Ameritas	County share of Employees Retirement	2,818.97
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,067.41
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,011.75

Motion made by Swavely, seconded by Schuller to approve the consent agenda. Motion carried 6-0.

Motion made by Jurgens, seconded by Dorn to approve claim #23090247 to Hard Rock Quarries, LLC in the amount of \$3,109.36 and claim #23090256 to R.L. Tiemann, Inc. in the amount of \$151,536.61, bringing the total amount of claims paid through September 20, 2023 to \$707,395.55. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Ralph Bodie, 70688 606<sup>th</sup> Ave., Liberty NE, spoke to the board during public comments. He said he's lived through the Cuban Missile Crisis and watched 50,000 men die in Vietnam serving in the military, all due to communism, and what's happening now in Ukraine with Russia, it's all from communism. And now we're inviting communists to raise hogs in America? He sold his hogs 3 years ago and only got 15% of what the value should have been. He said these hog operations destroy the water table with antibiotics and nitrogen gets in the water table. He is not against free enterprise but he is against communism. He tried to contact the Governor and the Lt. Governor and neither were accessible or take responsibility for what's happening. He said the board has a responsibility to the citizens of Gage County, to veterans, and to the flag and the republic for which it stands. The flag means something to him because he served his time in the military and served it well. He wants the board to have the knowledge needed to refuse these operations in Gage County.

Clint Ruyle, 60619 710<sup>th</sup> Rd., Liberty NE, spoke under public comments. He wanted to remind everyone that on June 28<sup>th</sup> the road where the CAFO is proposed was considered unsafe but the CAFO wasn't concerned about safety until we held their feet to the fire and made them come up with a route. He's concerned that it will be the same when they go to apply manure, and where they apply it, and the available acres, and that they're not going to comply until we hold their feet to the fire again. He has had several family members serve in the military and is concerned about what it says to our veterans when we give away our quality of life and what they fought for to a foreign entity. Quality of life means a lot to them in their community. A hog operation used a manure injector like the ones Summit is using to inject manure in a field five miles away from his residence and they could smell it – it's going to stink! He said his dad and son both served in the military and he has a grandson who just graduated from Air Force boot camp who wants to serve, and he feels we need to respect our veterans and not give away the quality of life they fought for to a foreign entity.

Committee reports were given by Dave Jones on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, Lisa Wiegand on Emergency Management and P&Z, and Jurgens on Road & Bridge. Topics of discussion included continuing masonry work on courthouse exterior; property valuations; placement of acoustic panels; re-seeding parking areas; P&Z meeting Sept. 26<sup>th</sup> at 6:30 p.m.; Shf. officers training; and update on seized horses.

Motion made by Lytle, seconded by Swavely to approve Gage County Tourism Agreement between County of Gage and Beatrice Area Chamber of Commerce for 2 years, effective July 1, 2023 through June 30, 2025. Motion carried 6-0.

Motion made by Jurgens, seconded by Swavely to approve agreement between Gage County and the State of Nebraska, Dept. of Transportation on a Statewide Upgrading of Existing Stop Sign Locations of Rural Roads. The state is funding a program to replace rural stop signs with new signs and posts with reflective tape, and the Hwy Dept. will provide the labor to replace them. Motion carried 6-0.

**RESOLUTION**

**SIGNING OF THE PROJECT PROGRAM AGREEMENT**

Gage County

Resolution No. 23-15

**Whereas:** Gage County is proposing a transportation project for which it would like to obtain Federal funds; and

**Whereas:** Gage County understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

**Whereas:** Gage County and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

**Be It Resolved:** by the Board of Supervisors of Gage County that:

The Chair of the Gage County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between Gage County and NDOT.

Gage County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: HSIP-STWD(203)  
NDOT Control Number: 01063  
NDOT Project Name: Statewide Stop Sign Program

Adopted this 20<sup>th</sup> day of September, 2023 at Beatrice, Nebraska.

The Board of Supervisors of Gage County

/s/ Eddie Dorn                      /s/ Don Schuller  
/s/ David Swavely                /s/ Terry Jurgens

/s/ Gary Lytle

/s/ Erich Tiemann

Board Member Jurgens moved the adoption of said Resolution. Member Swavely seconded the motion. Roll Call: 6 Yes 0 No 0 Abstained 1 Absent Resolution adopted, signed and billed as adopted.

Attest:

/s/ Dawn Hill  
Signature County Clerk

Motion made by Jurgens, seconded by Swavely to approve adopting Resolution #23-15 approving the signing of the Upgrading of Stop Signs Project Program Agreement. Motion carried 6-0.

**RESOLUTION SETTING THE PROPERTY TAX REQUEST**

**RESOLUTION NO. 23-16**

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provide that the Governing Body of GAGE County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of GAGE County resolves that:

1. The 2023-2024 property tax request be set at:

General Fund	\$ 11,053,715.74
0	\$ -
0	\$ -
0	\$ -
2. The total assessed value of property differs from last year's total assessed value by 9.35 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.312411 per \$100 of assessed value.
4. GAGE County proposes to adopt a property tax request that will cause its tax rate to be 0.293388 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of GAGE County will increase last year's budget by 0.82 percent.

Motion by Lytle, seconded by Swavely to adopt Resolution #23-16

Voting yes were:

- /s/ Eddie Dorn
- /s/ David Swavely
- /s/ Gary Lytle
- /s/ Erich Tiemann
- /s/ Terry Jurgens
- /s/ Don Schuller

Voting no were:

None

Dated this 20<sup>th</sup> day of September, 2023

/s/ Dawn Hill  
Gage County Clerk

Motion made by Lytle, seconded by Swavely to approve adopting Resolution #23-16 setting the 2023-2024 tax request at a different rate than the 2022-2023 tax request. Motion carried 6-0.

**RESOLUTION OF ADOPTION AND APPROPRIATIONS**

**#23-17**

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2023, to June 30, 2024, prepared by the Budget Making Authority, was transmitted to the County Board on the 20th day of September, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Gage County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2023, to June 30, 2024, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Gage County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2023, and ending June 30, 2024.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 20th DAY OF SEPTEMBER, 2023.

COUNTY BOARD

/s/ Eddie Dorn

/s/ Terry Jurgens

/s/ David Swavely

/s/ Erich Tiemann

/s/ Gary Lytle

/s/ Don Schuller

Motion made by Dorn, seconded by Swavely to approve adopting Resolution #23-17 adopting the County Budget for Fiscal Year 2023-2024. Motion carried 6-0.

Schuller let the board know he has a meeting on November 2<sup>nd</sup> for renewable energy.

Chairman declared Board of Supervisors meeting adjourned at 9:32 a.m. until October 4, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill

/s/ Erich Tiemann

Dawn Hill

Erich Tiemann, Chairman

Gage County Clerk

Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

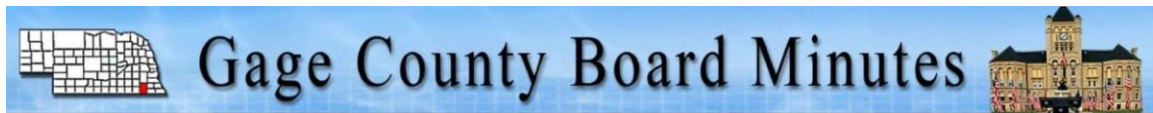
Witness my hand and official seal this 20<sup>th</sup> day of September, 2023.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on October 4, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$965,892.96, which does not include claim #23100060 to Hard Rock Quarries, LLC in the amount of \$9,320.45, claim #2323100061 to Johnny's Welding, Inc. in the amount of \$41.29 and claim #23100065 R.L. Tiemann, Inc. in the amount of \$54,376.98 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Specs and call for bids on Gage County 2023 Culvert Projects. Bids to be opened on November 1, 2023 @ 9:15 a.m.; 6. Approve Certificate of Cost Allocation Plan for FY ending June 30, 2022 and authorizing chairman to sign; 7. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of September, 2023; 8. Approve 1 year extension to EMS agreements with year ending June 30, 2024.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	168,678.66
Advanced Auto Dealers	Shf website maint.	29.00
All Copy Products	Dist Ct & Ext Offc copy overage	153.10
Applied Connective Technologies	Acoustic panels, board laptops	10,847.32
AT&T Mobility	Shf FirstNet phone svc	526.21
Beatrice Iron & Metal	Shf veh windshield	515.00
Black Hills Energy	Utilities	272.85
Blue Rivers Area Agency on Aging	Qrtrly funding	9586.50
Capital Business Systems	ROD copier lease	71.07
Charm Tex	Inmate provisions	545.40
Charter Communications	Jail cable TV	187.71
Clerk of District Court	St & svc fees	815.99
Consolidated Mgmt.	Meals at training	126.25
Country Inn & Suites	Lodging	166.00
Crawford Htng & Air	EOC trlr repair A/C	627.32
Culligan of Lincoln	Water cooler lease	137.00
Diode Technologies	IT svc call	103.20
Envision Landscapes	Grass seed, fertilizer spikes	171.98
First Wireless	Shf. tower rental	440.00
Gage County	Transfer to Road Fund	400,000.00
Gage Co. Shf.	Shf. fees/mlg	190.08
Garrison Law Firm	Atty fees	1439.25
Hometown Leasing	Atty copier lease	138.82
Jerry Shelton, Atty	Atty fees	4726.25
Lifeguard M.D.	AED supplies	151.00
Lincoln Journal Star	Publications	984.06
Marshall & Swift	Assr res cost handbook	385.95
MedTox Laboratories	Lab svcs	420.00
Murray Law, PC LLO	Atty fees	541.50
NACO	Annl conf fees	600.00
NE Health & Human Svcs.	St. Inst. patient care	516.00
NE Brand Committee	Transport horses	64.19
Nelson, Clark & Timan	Public Defender	6346.15
Polaris Law Group, LLC	Atty fees	3201.50
Psychological Resources	Pre-employment testing	450.00
PV Business Solutions	2024 OSHA Journal	298.50
Region V Services	Qrtrly funding	9928.50
Region V Systems	Qrtrly LB302, & annl. LB204 contributions	19,767.50
Sack Lumber	Supplies	66.88

General Fund cont.

Ryan Schneider	Shf investigative expense	500.00
Sec. of State, Elections Div.	Elec. conf.	40.00
Sec. of State	Cert. copies	20.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Svc.	Jail meal svc.	2827.85
The Voice News	Subscr. & publications	626.37
Thomas & Thomas	Depo transcript	118.39
TK Elevator Corp.	Elevator maint.	513.52
Twin Rivers	2021 Ford Expedition	49,099.00
U.S. Bank – Purchase Cards	Meals, supplies, etc.	10,245.60
U.S. Post Svc., Postmaster	Presort permit	310.00
Cody Welsh	Shf investigative expense	616.00
Windstream – Shf.	Phones	476.43
Windstream – Cths.	Phones	1880.86
Windstream – Vets.	Phones	231.79
Zultys	Prob. phones	925.66

Road Fund

Highway Department Employees	Salaries	41,838.79
All Copy Products	Copy overage	58.56
Beatrice Concrete Sand & Gravel	Rock & gravel	39,616.25
Black Hills Energy	Utilities	104.30
Bomgaars	Jack, supplies	151.95
Capital One	Supplies	55.38
First Wireless, Inc.	Repeater rental	350.00
Hard Rock Quarries, LLC	Rock	9320.45
Johnny's Welding, Inc.	Parts	41.29
Larry's Tire & Service	Repairs, mounts	533.00
Newman Signs	Signs	7412.05
Norris Public Power	Utilities	225.51
R.L. Tiemann Const.	Twp gravel & hauling	54,376.98
Rock On, Inc.	Hauling material	1119.88
U.S. Bank – Purchase cards	Parts	53.38
Verizon Connect	Veh GPS	9.26

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	19,063.36
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Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	41,576.06
Lucent Health Solutions, LLC	Ins premiums & admin fees	32,102.00

General Fund

Ameritas	County share of Employees Retirement	12,187.12
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,334.05
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,568.58

Road Fund

Ameritas	County share of Employees Retirement	2,824.10
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,073.26
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,011.75

Motion made by Haxby, seconded by Swavely to approve the consent agenda with an amendment to item #1, General agenda, to include a closed session at the end of the meeting for employee relations/HR. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #2323100061 to Johnny's Welding, Inc. in the amount of \$41.29. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

Motion made by Swavely, seconded by Dorn to approve claim #23100060 to Hard Rock Quarries, LLC in the amount of \$9,320.45 and claim #23100065 R.L. Tiemann, Inc. in the amount of \$54,376.98, bringing the total amount of claims approved through October 4, 2023 to \$1,029,631.68. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Speaking under public comments were: Ralph Bodie, 70688 606<sup>th</sup> Ave., Liberty NE; Steve & Lonnie McDowell, 506 Warren St., Liberty NE; Clint Ruyle, 60619 710<sup>th</sup> Rd., Liberty NE; Don

Wade, 706 Wayne St., Liberty NE; Patty Barnard, 41928 S 176<sup>th</sup> Rd., Liberty NE; Brian Boyarko, 708 Warren St., Liberty NE; Kerri Jones, 41722 S 108<sup>th</sup> Rd., Wymore NE; and Margaret Haith, 104 W Granville Ave., Beatrice NE. Tiemann reminded those speaking that the board is not allowed to respond to or take any action on topics under public comments, and that any statistics or specific information regarding CAFO's should be presented at the public hearing scheduled at 9:30 a.m. during the October 18<sup>th</sup> board meeting. Highlights of the issues brought forward included: there are residences ½ mile away from proposed site for CAFO; allowing corporate operations to place CAFO's in the county; does not benefit anyone in the Liberty area; the runoff of antibiotics and disinfectants getting into groundwater and Rockford Lake causing health & safety issues for people; whether there are actually enough acres to meet the 480 acres they proposed with taking into consideration setbacks for tile inlets, well sites, ponds, and streams in the area; why use this site when there are 49,503,000 acres of land in NE; we won't let commercial wind energy farms in to the county, so why let CAFO's in; need honesty in the safety of the road regarding heavy truck traffic; need to be proactive and fix the road before allowing the CAFO if that's what they decide; concerns about having enough room for school buses and UPS vehicles meeting truck traffic on the road; increase in nitrates in groundwater in the area already; questions on the accuracy of maps of the area; methane gas should be required to go through a digester to convert into energy to run the operation instead of releasing the odor and pathogens into environment as it pays for itself in 5-10 years; inconsistent reports on weight capacities on bridge; the board needs to be more receptive to the requests of the citizens of Gage County who elected them, and not to the corporate interests, and not have their minds made up before looking at all of the facts presented; need to consider if you'd want this so close to your own residence; there is documented proof that in North Carolina and Iowa that CAFO's are known polluters that are harming the environment.

At 9:17 a.m. during public comments, the board paused for a timed bid opening item.

Motion made by Swavely, seconded by Lytle to close bidding at 9:17 a.m. and accept, reject or award Snow Removal bids for the 2023-2024 season. Motion carried 7-0.

One bid was received from Beatrice Lawn Care. Awarding or rejecting bid will be voted on later in the meeting. Went back to finish hearing comments from the public.

County Attorney Roger Harris introduced the newest Deputy County Attorney Braden Dvorak to the board. Braden told the board he's excited to be here, he started about a month ago and was sworn in as an Attorney 2 weeks ago so he's very new, but he wanted to start his legal career in a small community. He said he is originally from Dodge, NE where he grew up on his parent's farm. He said he's happy to be here and has enjoyed his time here so far.

Committee reports were given by Swavely and Dave Jones on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Scott Bates on Veterans' Service, Lisa Wiegand on Emergency Management, and Doug Klaus on Law Enforcement.

Short break at 10:00 a.m. Back in session at 10:08 a.m. with all members previously listed present.

Committee report was given by Haxby on Road & Bridge. Topics of discussion during committee reports were Extension Office counter out of Extension budget; quotes for Ext. Offc. Handicap door opener, and fire alarm system with notification system; exterminator bids for Detention Center; Holiday Lights going up in conjunction with masonry work; acoustic panels for west end of 2<sup>nd</sup> floor for echo reduction; IT update; guest wifi access; breakers for stairwell lighting; need to get internet fiber to Hwy Dept.; received bid for snow removal. Tiemann asked if they should open the snow removal bid during Bldg. & Grounds report since they closed bidding and received the one bid earlier in the meeting as a timed item, Swavely said that would be ok. One bid was received from Beatrice Lawn Care.

Motion made by Dorn, seconded by Haxby to approve awarding snow removal bid for the 2023-2024 season to Beatrice Lawn Care. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Further topics of discussion were County Government Day with schools on Nov. 1<sup>st</sup>; new Veterans Assistant hired; nationwide alert test; fires due to dry conditions; Shf contracts; 3 CMP Projects; gravel allotments; and grants.

Discussion on Resolution for formal name change from Region V Community Human Services Program to Apace and the First Amendment to the Agreement for the formation of the Region V Community Human Services Program under the Interlocal Cooperation Act. Region V Services CEO Matt Kasik appeared before the board with Sarah Kramer, Chief Human Resources Officer,

and Todd Scholz, Director of Quality & Ethics. Kasik told the board that when Region V Services started back in 1973, there was no other choice for community-based services for those with disabilities. He said the reasons for the name change are that the name has an institutional sound to it and that is not the service they provide, and also that they get confused with Region V Systems and the two are not the same. In 2022 a marketing company offered a survey to staff, board members, and the families being served about changing the name to Apace, which means *traveling at the same pace as something else or being alongside something*, a perfect metaphor for what they do. Supervisors Haxby, Tiemann and Lytle raised questions about the order of the procedure of making the change, and thought that steps were taken to announce the change publicly and distribute marketing items such as coffee mugs with the new name, before the vote was taken by the various county boards. They also thought the cost of the change was too high and that it was a waste of time for our board representative to commute to a meeting for voting on the decision, after it seems the decision was already made. County Attorney Roger Harris said the bottom line is that places change names, but we need to look at whether the reason that we're in the interlocal agreement is still intact.

**RESOLUTION OF THE COUNTY BOARD #23-18**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers;

WHEREAS, pursuant to Neb. Rev. Stat. §23-103, the powers of the County as a body are exercised by the County Board;

WHEREAS, Gage County is part of Region V consisting of Polk, Butler, Saunders, Seward, Lancaster, Otoe, Fillmore, Saline, Thayer, Jefferson, Gage, Johnson, Nemaha, Pawnee, York, and Richardson Counties;

WHEREAS, on or about August 15, 1974 the County approved and adopted an interlocal agreement for the Formation of the Region V Community Human Services Program under Nebraska's Interlocal Cooperation Act (the "Agreement"); and,

WHEREAS, the governing board of Region V Community Human Services Program desires to amend the Agreement in order to formally change the name from Region V Community Human Services Program to Apace (the "Amendment"), which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Gage County Board of Supervisors that this Board hereby approves and adopts the Amendment.

The above Resolution was approved by a vote of the Gage County Board of Supervisors at a public meeting duly held in accordance with the applicable law on the 4<sup>th</sup> day of October, 2023.

/s/ Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Gage County Chairman

Exhibit A: The First Amendment to the Agreement for the Formation of the Region V Community Human Services Program under the Interlocal Cooperation Act

Motion made by Jurgens, seconded by Dorn to approve adopting Resolution #23-18 to formally change the name from Region V Community Human Services Program to Apace and approve signing of the First Amendment to the Agreement for the formation of the Region V Community Human Services Program under the Interlocal Cooperation Act. Motion carried 5-2 with Haxby and Tiemann voting nay.

Agenda item for discussion on CAFO's did not take place as there will be a public hearing on the subject in two weeks, at 9:30 a.m. on October 18, 2023. Tiemann stated that Conflict of Interest forms are available if anyone needs them.

Motion made by Swavely, seconded by Lytle to move into closed session at 10:43 a.m. for personnel. Motion carried 6-1 with Haxby voting nay.

Jurgens left meeting at 11:08 a.m. during closed session.

Chairman Tiemann brought the board out of closed session at 11:24 a.m.

Chairman declared Board of Supervisors meeting adjourned at 11:25 a.m. until October 18, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

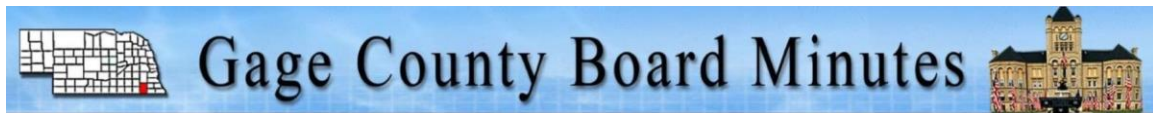
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 4<sup>th</sup> day of October, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on October 18, 2023, at 8:46 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$706,019.02, which does not include claim #23100199 to Hard Rock Quarries, LLC in the amount of \$4,426.24 and claim #23100210 to R.L. Tiemann Construction, Inc. in the amount of \$51,714.47, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1290 to Eco-Energy. Eco-Energy will be replacing Railroad Crossing along Blue Ridge Drive and SW 32<sup>nd</sup> Road. Eco Energy will Close Blue Ridge Drive for Crossing Replacement for approximately 5 days starting November 6<sup>th</sup> to November 10<sup>th</sup>. Located East of section 29, T-4-N R-6-E, Midland Township; 6. Approve Utility Permit #1291 to Windstream Nebraska LLC, Windstream will be installing new communications line to Resident at 821 SW 72<sup>nd</sup> Road. Starting at Pedestal 251CE in the east grader ditch, Windstream will bore a 2" diameter line by 60" deep under SW 72<sup>nd</sup> Road to West grader ditch edge of ROW, then plow 410 feet south to resident's driveway and then continue work on private property. Located East of Section 2, T-6-N R-5-E, Clatonia twp.; 7. Approve Utility Permit #1292 to Windstream Nebraska LLC, Windstream will be installing new communications line to Resident at 3370 S 110th Road. Starting at Pedestal S489PG in the west grader ditch, Windstream will bore a 2" diameter line by 60" deep under Wilderness Way Drive, then plow approximately 175 feet continue in the West grader ditch along edge of ROW to resident's driveway, then bore a 2" diameter line by 60" deep under South 110<sup>th</sup> Road to the east grader ditch and then continue work on private property. Located East of Section 13, T-6-N R-7-E, Nemah Township and West of section 18, T-6-N R-8-E, Adams Twp.; 8. Approve Utility Permit #1293 to Windstream Nebraska LLC, Windstream will be installing new communications line to Resident at 577 SW 86<sup>TH</sup> Road. Starting at Pedestal 181DG in the east grader ditch, Windstream will bore a 2" diameter line by 60" deep under SW 86<sup>th</sup> Road to the West grader ditch, then continue work on private property. Located West of Section 2 and East of Section 3, T-6-N R-5-E, Clatonia Twp.; 9. Approve Addendum #1 to DSA #3 Adams Permit #1278 to Nextlink. Nextlink will be installing new fiber lines per an addendum to the approved DSA #3 Adams. All new fiber lines will be installed in the county ROW per Nextlink plans. Nextlink will be installing fiber lines for DSA #3 Addendum #1 from Hwy 41 to Buckeye Road, between 120th Road to 148<sup>th</sup> Road. Located in Adams Twp.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	169,672.11
Advanced Correctional Healthcare	Jail onsite medical svcs	7293.15
All Copy Products, Inc.	Copier leases, overages	998.05
Applied Connective Technologies	Computer equip., progr., consulting	32,506.06
Beatrice Board of Public Works	Utilities	5883.33
Beatrice Public Schools	Juv. Justice grants	9080.35
Bob Barker Company, Inc.	Inmate provisions	259.50
Buffalo Co. Sheriff	Svc fee	18.50
Capital One NA	Prob supplies	98.28
CASA of Gage County	Supplies, ins., data proc svcs., etc.	3194.92
Charter Communications	Prob. Internet	385.92
City of Beatrice	Victims Asst, gbg, qtrly EMS, qtrly Prob util	54,043.89
Cidnet	Data	999.90
CMH Clinics	Pre-employment physical	123.00
Consolidated Management Co.	Meals at training	351.75
Correctional Risk Services, Inc.	Inmate medical	332.86
Crawford Heating & Air	Jail duct cleaning	800.00
Crete Veterinary Clinic	Vet svcs.	1274.75
Critical Hire	Pre-employment exam	25.00
Culligan of Lincoln	Water, cooler rental	182.75

DAS St. Acctng Cntrl Fin 6507	Data Processing	196.00
Diode Technologies	Monitoring, svc call	2571.67
Eakes Office Solutions	Offc supplies	4229.82
Echo Group, Inc.	Bulbs	23.36
Sandra Eltiste	Prior svc retirement	12.00
Gage County Court	Court costs	888.25
Garrison Law Firm	Atty fees	104.50
Green Way Lawn Services	Mowing, fertilizer, weed control	695.00
Hamm Glass	Shf offc lock set, door closure	400.00
Harman Wright Mortuary	County cremation	1044.12
Hometown Leasing	Prob. Offcs copier leases	472.70
ISolved Benefit Services	Flex acct admin fees	297.00
J.D. Power	Treas supplies	320.00
Jerry Shelton, Atty	Atty fees	522.50
Jones Automotive, Inc.	Change-out Shf veh	837.50
Joyce Kassing	Prior svc retirement	20.00
Land Survey Tech	Co. Surveyor operating expns	9806.18
Lepant Law Office, PC LLO	Atty fees	1382.50
Lincoln Journal Star	Jail subscription	565.99
Lynn Peavey Co., Inc.	Shf supplies	48.96
Mahloch Law Office	Atty fees	2452.50
Maximus U.S. Services, Inc.	Prepare cost allocation plan	2600.00
Mead Lumber	Supplies, equip rental	140.65
Microfilm Imaging Systems, Inc.	Courts scanning equip rent	457.00
Midwest Process Services	Civil process fees	173.34
MIPS, Inc.	Computer suppt., equip, forms, freight	5347.27
NACO	Conf. regis., mailing	7553.02
NE Sec. of State – Notary Div.	Shf notary filings	60.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Noakes Htng. & A/C	Repair supplies, labor	324.08
Norris Public Power	Utilities – Horvath Twr	51.71
Northeast Auto	Towing	125.00
O'Reilly Auto Parts	Supplies	22.77
Paper Tiger Shredding	Doc shredding	120.50
Premier GMC Beatrice, LLC	Shf veh repair, oil changes	4260.41
Priority Printing	P&Z envelopes	61.80
Production Creek	Shf uniforms	34.00
Quadient, Inc.	Pstg meter supplies	79.80
Quill – Prob.	Offc supplies	558.63
Region V Services Cntrl Offc.	Funding	9928.50
Region V Systems	LB302 qtrly funding, EPC billing	13,420.50
Sapp Bros. Petroleum	Shf/Jail fuel	4335.19
Jesse Scheele	Cemetery maint.	2000.00
SE NE Communications	Falls City Prob. Phones	110.66
Security Services	Fire alarm insp. & monitoring	260.50
Sheridan Industries	Ext. Offc. Janitorial svcs.	120.00
Soap Opera Laundromat	Mop & rag cleaning	19.25
Stanard Appraisal Services	Appraisal maint.	1950.00
Staples	Offc supplies	59.98
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2443.33
Summit Food Service, LLC	Jail meal svc.	5670.75
T.O. Haas Tire	Tire repair	22.00
The Home Depot Pro	Supplies	95.68
The Voice News	Publications	1367.46
Thomson Reuters	Law Library subscr.	2614.69
TK Elevator Corp.	Elevator maint.	256.76
TridentCare	Inmate medical	64.00
U.S. Bank – Purchase Cards	Supplies, fuel, meals, etc.	278.22
Verizon Wireless – Shf	Cell phones	480.12
Verizon Wireless – Prob	Cell phones	393.71
Washington Co. Sheriff	Boarding inmates	13,500.00
Westlake Hardware	Supplies	355.89
Willet & Carothers	Atty fees	761.29
Windstream – Wilber Prob	Phones	52.78
Windstream – Fillmore Co Prob	Phones	437.03
Windsream – Hwy	Phones	273.01

Road Fund

Highway Department Employees	Salaries	41,171.17
Beatrice Board of Public Works	Utilities	395.12
Beatrice Concrete Sand & Gravel	Rock & gravel	27,968.16
Beatrice Iron & Metal	Tools, supplies	1050.74
Cather & Sons Const.	Asphalt	3914.95
City of Beatrice	Gbg svc.	74.24
City of Wymore	Utilities	77.08
Constellation NewEnergy Gas Div.	Utilities	29.14
Crete Lumber & Farm Supply	Ice	105.00
Eakes Office Solutions	Offc supplies	130.93
Filtercare of NE	Filters	22.40
Gage County Equipment, Inc.	Parts	183.15
Hard Rock Quarries	Rock	4426.24
Heartland Tires & Treads	Wheels	640.00
Inland Truck Parts	Part	163.32
Landmark Implement, Inc.	Parts, oil	409.18
LTR Inc. – Towing & Recovery	Towing	811.25
Matheson Tri Gas	Supplies	83.50
Midwest Unlimited, LLC	Supplies	142.50
MIPS, Inc.	Hwy program	192.32
Motor Fuels Division	Diesel tax	2568.00
NMC Exchange	Parts	11,309.52
O'Reilly Auto Parts	Parts	405.51
R.L. Tiemann Construction, Inc.	Twp gravel & hauling	51,714.47
RDO Truck Center, LLC	Parts	7748.17
Rock On, Inc.	Hauling gravel	3309.34
Sapp Bros. Petroleum	Fuel	21,815.53
Truck Equipment Service Co.	Parts	1111.05
Westlake Hardware	Supplies	37.38

Register of Deeds Preservation & Modernization Fund

Applied Connective Technologies	Computer	1411.00
MIPS, Inc.	Deeds online w/ numerical indexes	220.08

Insurance Fund

Gage County Health Insurance	Employee Health Ins. Claims pd	47,751.90
Mutual of Omaha	Ins. Premiums	560.11

911 Emergency Management Fund

City of Beatrice	Qtrly EMS svcs	59,106.16
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General Fund

Ameritas	County share of Employees Retirement	12,167.36
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,395.22
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,875.25

Road Fund

Ameritas	County share of Employees Retirement	2,779.06
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,022.19
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,011.75

Motion made by Swavely, seconded by Schuller to approve the consent agenda. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #23100199 to Hard Rock Quarries, LLC in the amount of \$4,426.24 and claim #23100210 to R.L. Tiemann Construction, Inc. in the amount of \$51,714.47, bringing the total amount of claims approved through October 18, 2023 to \$762,159.73. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely and Dave Jones on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, and Jurgens & Haxby on Road & Bridge. Topics of discussion were panel between 3<sup>rd</sup> & 4<sup>th</sup> floors; security system; plumbing work at detention center; getting fiber to Hwy Dept; recognition of Deputy John Chavez for performing life-saving measures to farming accident victim; and school resource officer.

P&Z Administrator Lisa Wiegand gave the P&Z's recommendation of approval of Special Use Permit #2023-5 for the placement of a commercial ag business of 4 Generations Ag for a seed business and farm equipment shop in section 3-5-6, Holt Twp. Wiegand said Holt & Highland townships were notified and they're working with applicants for drainage tube placement. There was no opposition at the P&Z public hearing. The P&Z board voted unanimously to approve the recommendation with a 7-0 vote.

P&Z Administrator Lisa Wiegand gave the P&Z's recommendation on Special Use Permit #2023-4 for the placement of a Swine Feeding Operation in section 25 of Island Grove Twp. The P&Z Commission recommended approval with the following recommendations: 1. Manure to be applied by injection method except in the case of a catastrophic event or emergency; 2. must include 3 monitoring wells with locations to be determined by a licensed professional hydrologist; 3. must place 2 rows of red cedar trees, 15 feet apart, and placed alternately, on the west side of the building along 176<sup>th</sup> Road. Wiegand said the recommendation to approve passed on a 5-1-1 vote with James Lenners voting nay and Terry Acton recusing himself.

Motion made by Swavely, seconded by Haxby to approve an Agreement between the University of Nebraska Medical Center and Gage County for forensic and crime lab testing for the period of one (1) year and authorizing the County Attorney to sign the agreement. Motion carried 7-0.

Motion made by Jurgens, seconded by Swavely to disapprove accepting a late protest received on Oct. 6, 2023 on parcel #011768000, filed by Gloria Ottersberg. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to open public hearing at 9:15 a.m. to hear support and/or opposition from the public on Special Use Permit #2023-5, for the placement of a Commercial Agriculture Business to be located on a tract of land located on a part of the NW ¼ of the NW ¼ of section 3-5-6, in Holt Township. Motion carried 7-0.

Permit applicant Matt Helmke told the board the plan is to put up an insulated pole shed for use as a seed warehouse and farm equipment shop for 4 Generations Ag, LLC.

Motion made by Swavely, seconded by Dorn to close public hearing at 9:19 a.m. Motion carried 7-0.

Motion made by Haxby, seconded by Jurgens to approve proceeding with obtaining specs for future culvert projects on Cedar, Hickory and 82<sup>nd</sup> Roads. Motion carried 7-0.

Discussion on participating with Marshall County, KS on the State Line bridge. Jurgens said that since we share the road, we are responsible for splitting the cost of projects on that road. They are projecting a cost of between \$200,000 and \$250,000. We've been cooperative and would like to work together and we have suggested other options such as tubes which would be less expensive, but they want a bridge. Haxby said that this is a civil dispute and we need to stay away from it. She feels that if we do participate, the best option would be tubes at half the cost of a bridge. Tiemann said that Co. Atty Roger Harris did reach out to Marshall County to tell them it's a civil dispute and sent them copies of the easements. Swavely feels that we need to do a bidding process if it's over \$50,000. Lytle said we are not in a position to approve what they're asking and he agrees with Haxby that tubes are a better option. Roger Harris said he will put in a request for the Attorney General's opinion regarding the bidding process requirements. Lytle said we're not in a position to approve what they're asking, but agrees with Haxby that tubes are a better option. No action taken on this item.

Prior to opening public hearing on Swine Feeding Operation, Tiemann stated that he potentially has a conflict of interest in the Special Use Permit #2023-4 so he will recuse himself from participating in the public hearing. Tiemann turned the meeting over to Vice Chairperson Haxby to call for motion to open the public hearing. Haxby called for the motion.

Motion made by Swavely, seconded by Lytle to open public hearing at 9:31 a.m. to hear support and/or opposition from the public on Special Use Permit #2023-4 for the placement of a Swine Feeding Operation to be located on a tract of land located on a part of the SW ¼ of the NW ¼ of Section 25 of Island Grove Township. Motion carried 6-0-1 with Tiemann abstaining.

Steve Mossman (134 S 13<sup>th</sup> St., Lincoln NE) with Mattson Ricketts Law Firm appeared as the representative for Otto Acres, LLC of Dean & Hayden Otto, and Summit Pork. He stated that they are here with a 5-2 vote of the P&Z Commission for approval of the Special Use Permit with 3 conditions (listed above under P&Z recommendation) which are all acceptable to the applicants. Mossman turned it over to the applicants who were each sworn in prior to speaking. The applicants included Carl Jacobson, 1903 Rd. 9, York NE, with Summit Pork; Andy Scholting, 449 E Deere St., West Point NE, with Nutrient Advisors; and Dean Otto, 633 St. Hwy 43, Adams NE, with Otto

Acres. As proponents of the SUP, these points were brought forward: it is not corporate hog farming, it's modern hog farming; it's a local project using local businesses for construction; provides employment for 2-3 workers on daily basis; effective & efficient ventilation; 8-foot concrete pit; NDEE engineer approved; large waste storage structure; ½-mile setback met; have construction and operation permit; enough acres to utilize manure with back-up acres available if needed; will utilize soil and manure samples to budget nutrients being applied; operation is completely housed under roof and manure is in concrete pit; have a well permit from LBB NRD; will have a groundwater monitoring plan; would have 100' setback from streams, tile risers, etc., unless there's 35' of perennial vegetation; incinerator is in steel structure; semis are same width as ambulance and only 6" wider than Ford ¾ ton pickup; have quality assurance plan; have a closure plan.

Each person speaking at the public hearing was sworn in by Vice Chair Haxby. Those speaking were: Ralph Bodie, 70688 606<sup>th</sup> Ave., Liberty NE; Steve Janssen, 13005 E Locust Rd., Virginia NE; Margaret Haith, 104 W Granville Ave., Beatrice NE; Gregg Thomas, 38820 S 176<sup>th</sup> Rd., Liberty NE; Patty Barnard, 41928 S 176<sup>th</sup> Rd., Liberty NE; Vicky White, 48105 S 190<sup>th</sup> Rd., Liberty NE; Brian Boyarko, 708 Warren St., Liberty NE; Max Larsen, 16982 E Pine Rd., Liberty NE; Michael Tallant, 704 Webster St., Liberty NE; Mark Wieden, 13287 E B Line Rd., Blue Springs NE; Steve McDowell, 506 Warren St., Liberty NE; Ashley Mason, 1300 Lincoln St., Beatrice NE; Steve Goes, 502 Windsor St., Liberty NE; Robert Rhine, 37452 S 134<sup>th</sup> Rd., Blue Springs NE; Janet Rule, 60619 710<sup>th</sup> Rd., Liberty NE; Clinton Rule, 60619 710<sup>th</sup> Rd., Liberty NE; Brian Vrtiska, 31541 S 120<sup>th</sup> Rd., Holmesville NE; Don Wade, 706 Wayne St., Liberty NE; Larry Husa, 15235 E Plum Rd., Liberty NE; Dan Singleton, 13615 E Plum Rd., Wymore NE; Debra Kier, 109 S 10<sup>th</sup> St., Wymore NE; Kris Bousquet, 9019 S 72<sup>nd</sup> St., Lincoln NE; Steve Martin, 25255 S 54<sup>th</sup> St., Firth NE; Haden Otto, 255 St. Hwy 43, Adams NE; Tracy Zimmerman, 32741 S 162<sup>nd</sup> Rd., Virginia NE; Austin Zimmerman, 1235 W Pine Rd., Wymore NE; Scott Sobotka, with Lower Big Blue NRD, 805 Dorsey St., Beatrice NE; and Don Goebel, Rt. 4, Fairbury NE.

Items brought forward in the public hearing included: concern about nitrogen and antibiotics contaminating soil and/or water; drainage getting into Bloody Run Creek which is the main water feed for Rockford Lake; environmental and health effects from poor air quality from odor, insects it will bring, and use of antibiotics that affect immunity; owners/operators that live 30 miles away and out of state are profiting from something that will hurt those living close to the CAFO; affects to hunting land and guided hunts in the area; just because something is legal, doesn't make it right; regulations on CAFO's are being reviewed by P&Z for future projects (will not affect this permit); it is not providing economic growth; Co. Board Supervisors need to represent democracy, and uphold their oath to protect and act in the interests of the citizens of Gage County, not the entity; concern for family ponds being contaminated and harming fish, cattle, etc.; affect it will have on land and property values; the confinement needs to use a digester to reclaim methane gas produced to reduce pathogens and odor; it will only profit out of state and out of county producers in Summit Pork of Iowa and Livingston of Jefferson County; no one wants a neighbor of 6,000 hogs and a pit of manure; just not the right site; road needs to be cut down to get it up to State standards; safety concerns due to potential increase in traffic and increase in accidents/injuries; increased burden on township to maintain road; verbal information given conflicts with info written in permit; maps are not showing the proper location of CAFO; language in regs is not definitive, uses words like "may, might, can, and up to the discretion" which leave loopholes and "outs" in following the guidelines; what is defined as a "catastrophic event" that would allow surface application of manure instead of injection (defined as having no opportunity to apply by injection prior to frost and the pit is full); manure applied to frozen ground will not absorb, it will run off; don't approve something just because it doesn't directly affect you, you wouldn't want this next to your home; trees currently in place for hunting land would be removed if it affects hunting nearby land; have had to move cattle from Wolf Creek area as there is already a lack of water; a benefit is that having livestock provides direct demand for grain, benefiting farmers; land owners should have the right to do what they want with their land, especially if they meet the specifications of the regulations; manure is an organic nutrient and a replaces the application of commercial fertilizer, it is not applied in addition to fertilizer; organic nutrients bond better to soil and are less likely to run off; applicant chose Summit Pork because Iowa farmers spoke highly of how they keep their places up; technology in dealing with odor changes and improves; if we can't do this in rural Nebraska, then where can we do it; construction will benefit local dirt movers, construction and concrete companies, well drillers, and electric and gas companies; the economic benefits of injection application over surface applying manure are huge – 70% of manure value (nitrogen) will go into the air and disappear in surface application so injection will be used if at all possible; soil testing would be done before each application of manure to ensure levels aren't too high – if they are, manure would not be applied and they would move on to additional available acres and it would be reported to the State; plan is written for corn-on-corn rotation as corn utilizes nitrogen; soil testing and run-off control are all in permit plan; methane gas produced by hogs is the same as produced by humans and ventilation is made to mitigate that; Summit Pork invited public to visit any of their facilities. End of public comments.

Motion made by Dorn, seconded by Swavely to close public hearing at 12:21 p.m. Motion carried 6-0-1 with Tiemann abstaining.

Haxby reminded everyone that a vote on Special Use Permit #2023-4 will be at the next meeting in 2 weeks, on November 1, 2023. She also stated that the Board has asked the Planning & Zoning Commission to review regulations regarding CAFO's for future projects and they encourage the public to participate in that process, but that any changes made after the review would not affect this permit as the changes would not be in place yet.

Schuller talked about his experience of visiting Summit's hog facilities in Iowa. He said all but one had trees on 3 sides (the 1 was recently purchased and slated for new trees next Spring), but trees are not required in Iowa; he sat in driveway and there was no smell; noise from ventilation fans was minimal; they had an incinerator which produces a slight odor; and there was a cement area with cement walls for the rendering collection area.

Jurgens left meeting at 12:23 p.m.

Motion made by Swavely, seconded by Dorn to adjourn the Board of Supervisors meeting at 12:26 p.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 12:26 p.m. until November 1, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

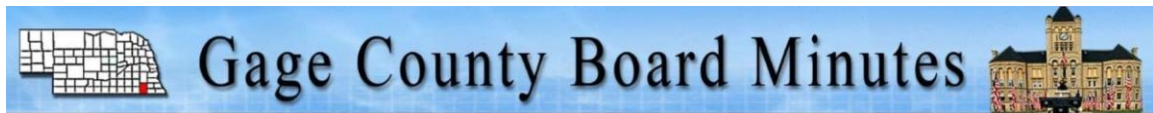
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 18<sup>th</sup> day of October, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on November 1, 2023, at 8:47 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$565,946.20, which does not include claim #23110075 to R.L. Tiemann, Const. Inc., in the amount \$33,499.58 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1294 to Great Plains Communications. Great Plains Communications will be installing new fiber cable for a new communications tower. Great Plains will bore under intersections, culverts, and driveways along planned route. Located South of Section 7, 8, & 9 in Midland Twp T-4-N, R-6-E and South of Section 9, 10, 11, 12, East of Section 5 & 8, North of Section 5 & 6 T-4-N, R-5-E, Blakely Twp.; 6. Approve FY 22-23 NBCS Report.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	159,302.66
Adams Rescue	Qtrly EMS svcs	4500.00
Advanced Correctional Healthcare	Jail on-site medical svc	146.37
All Copy Products	Ext Offc copy overage	154.93
AT&T Mobility Accounts, LLC	Shf FirstNet mobile phone svc	526.21
Beatrice Board of Public Works	Utilities	241.67
Black Hills Energy	Utilities	253.22
Blackburn Technologies	Co Atty equip	64.48
Charter Communications	Jail cable TV	195.90
City of Wymore	Qtrly EMS svc	10,000.00
Clatonia Rescue Squad	Qtrly EMS svc	4500.00
Clerk of District Court	Court costs	546.47
Comfort Inn	Lodging	196.00
Consolidated Management Co.	Meals at Shf training	213.75
Correctional Risk Services, Inc.	Inmate medical	5889.01
Credit Information Systems	Pre-employment screening	13.75
Critical Hire	Pre-empl exams	50.00
Crowne Plaza – Kearney	Lodging	487.80
Datashield Corp.	Doc shredding – Prob.	27.60
FAC	Court calendars	50.19
First Wireless, Inc.	EM svc contract, tower rental, equipment	2527.83
Fox Funeral Home	Autopsy transport	300.00
Gage Co. Sheriff's Offc.	Shf fees/mlg	873.90
Gage Co. Treasurer	Co veh title	10.00
Garcia Clinical Lab	Inmate medical	30.00
Garrison Law Firm	Atty fees	1154.25
Great Plains Uniforms	Uniforms	100.38
Guardian RFID	Security control	4995.00
Holiday Inn – Kearney	Lodging	114.95
Hometown Leasing	Prob & Co Atty copier leases	611.52
Idemia Identity & Security USA	Jail AFIS agrmt	3257.00
Jerry Shelton, Atty	Atty fees	332.50
Ken's Pest Control	Pest control	400.00
LaQuinta Inn & Suites, Kearney	Shf lodging	629.70
Lepant Law Office	Atty fees	1786.00
Lynn Peavey Co.	Law Enf supplies	159.72
NE Health & Human Svcs.	St. Inst. patient care	366.00
NE Public Health Env. Lab	Blood alcohol tests	210.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Pickrell Rural Fire Dist.	Qtrly EMS svc	1500.00

Polaris Law Group	Atty fees	1881.00
Primary Arms, LLC	Law Enf supplies	358.11
Priority Printing	Atty bus cards	70.00
Quill – Ext.	Offc supplies	89.28
Quill – EMS	Offc supplies	323.98
R&B Arms, LLC	Law Enf supplies	3827.00
Ray’s Welding, LLC	Weld blade	190.00
Richardson Co. Jail	Board inmate	165.00
Spectrum	EMS cable TV	45.15
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Service, LLC	Jail meal svc	8482.23
The Home Depot Pro	Restroom supplies	1103.59
U.S. Bank – Purchase cards	Furniture, supplies, dues, etc.	1478.92
Valvoline Instant Oil Change	Shf veh oil change, repairs	142.63
Verizon Wireless – EMS 8923-1	Em Mgmt cell phones	217.20
Verizon Wireless – EMS 6384-1	Em Mgmt phone, ipad, hotspot	327.97
Verizon Wireless – Prob	Cell phones	393.88
Washington Co. Shf.	Housing inmates	13,500.00
Windstream – Ext.	Phones	273.07
Windstream – Cths	Phones	2089.26
Windstream – Hwy	Phones	209.90
Windstream – Shf. 4340	Phones	679.74
Windstream – Shf	Phones	613.93
Windstream – Vets 4377	Phones	120.73
Windstream – Cths	Phones	2258.30
Windstream – Vets Ctr	Phones	246.80
Zultys, Inc.	Prob phones	473.14
<u>Road Fund</u>		
Highway Department Employees	Salaries	43,882.34
Beatrice Concrete Sand & Gravel	Rock & gravel	18,645.33
Black Hills Energy	Utilities	104.94
Bomgaars	Supplies, drill	412.35
Cather & Sons Const.	Asphalt	3905.92
First Wireless, Inc.	Repeater rental	350.00
Mainelli Wagner & Assoc.	Engineering consulting	30,953.46
Midwest Towing & Recovery, LLC	CDL testing	600.00
Norris Public Power Dist.	Utilities	228.93
R.L. Tiemann Const.	Twp gravel & hauling	33,499.58
Road Builders	Parts	306.95
Surnali, LLC	Drug/alcohol testing	180.00
Verizon Connect NWF, Inc.	Veh GPS	259.04
<u>Visitor’s Promotion Fund</u>		
Beatrice Area Chamber of Commerce	Lodging tax	8391.65
<u>Visitor’s Improvement Fund</u>		
Beatrice Hoops Basketball, Inc.	Auditorium scoreboards grant	5000.00
<u>Insurance Fund</u>		
Gage County Health Insurance	Employee hlth ins claims paid	59,632.82
Lucent Health Solutions, LLC	Ins. Premiums, admin. Fees	32,646.40
<u>Community/Economic Development Fund</u>		
NGage – Gage Area Growth Ent.	Co. share of expenses	40,133.20
<u>General Fund</u>		
Ameritas	County share of Employees Retirement	11,448.67
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,619.18
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,188.91
<u>Road Fund</u>		
Ameritas	County share of Employees Retirement	2,962.07
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,228.04
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,391.42

Motion made by Swavelly, seconded by Dorn to approve the consent agenda. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to approve claim #23110075 to R.L. Tiemann, Inc. in the amount of \$33,499.58, bringing the total amount of claims paid through November 1, 2023 to \$599,445.78. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds/Winter Lights, Tiemann on Equalization, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, and Haxby on Road & Bridge. Topics of discussion were security system update; possible cameras at Hwy Dept.; Winter Lights Ceremony on Nov. 19<sup>th</sup> at 5:25 p.m.; possible 5 more lamp posts; courthouse exterior renovation update; Avenue of Flags will be up Nov. 9-12 for Veteran’s Day; and school resource officer for area schools.

Tourism Coordinator Dakota Hurley presented the quarterly tourism report. She said they have had advertising in a social media blitz with NE Tourism where they reached 140,000 people, did another outreach highlighting Holiday Lighted Parade, ad in North American Welsh Festival flyer, Goden Ride Bike Event, Nebraska Life Magazine for Applejack Festival in Nebraska City, and in the NE State Visitor’s Guide. Just wrapped up Trail of Treasures which spans NE on Hwy 136. They’re planning Holiday Lighted Parade and did sponsorships this year to help pay for advertising. Dakota is in the Leadership Beatrice Class 18, and is the Chamber rep for the re-launched Young Professionals of Gage County Group. She also reported on visitor improvement & promotion grant applicants, increase in financials, recruiting stops for next year’s Passport Program, and Airbnb and VRBO possibilities in the works.

Motion made by Lytle, seconded by Swavely to approve receiving the tourism report and placing it on file. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to close bidding at 9:15 a.m. for Gage County 2023 Culvert Projects C-34(1072), C-34(1143) and C-34(1232), and accept, reject or award bid. Motion carried 7-0.

Bids for the total of the 3 projects were received from Contech Engineered Solutions of Lincoln, NE in the amount of \$133,266.00; Metal Culverts, Inc. of Jefferson City, MO in the amount of \$130,391.70; and Ace/Eaton Metals of Kearney, NE in the amount of \$121,816.60. Bids were referred to the Hwy Supt. for review and to come back with recommendation later in the meeting.

Extension Educator Nicole Stoner presented an Extension Office update. She told the board they really appreciate the new entrance to the office and expressed the need for an additional staff member.

Motion made by Lytle, seconded by Dorn to approve receiving the Extension report and placing it on file. Motion carried 7-0.

**RESOLUTION**

**SIGNING OF THE  
YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT  
2023**

Resolution No. 23-20

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that must be met in order for a county to qualify for an annual Incentive Payment; and,

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31<sup>st</sup> of each year) the appointment of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and,

**Whereas:** The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent’s appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and,

**Whereas:** The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

**Be it resolved** that the County Board Chairperson of Gage County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

Adopted this 1<sup>st</sup> day of November, 2023 at Beatrice, Nebraska.

County Board Members

<u>/s/ Eddie Dorn</u>	<u>/s/ Emily M. Haxby</u>
<u>/s/ David Swavely</u>	<u>/s/ Terry Jurgens</u>
<u>/s/ Gary Lytle</u>	<u>/s/ Erich Tiemann</u>
<u>/s/ Don Schuller</u>	

County Board Member Lytle moved the adoption of said resolution.

Member Dorn seconded the motion.

Roll Call 7 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed, and billed as adopted.

Attest:

/s/ Dawn Hill (SEAL)

County Clerk

Motion made by Lytle, seconded by Dorn to approve adopting Resolution #23-20 for the Signing of the Year-end Certification of the County Highway Superintendent. Motion carried 7-0.

Motion made by Jurgens, seconded by Dorn to approve the Year-end Certification of the County Highway Superintendent for determining an Incentive Payment in Calendar Year 2023, and authorizing the Chairman to sign the certification. Motion carried 7-0.

**RESOLUTION #23-21**  
**FOR AMENDMENT AND ADDENDUM TO**  
**NIRMA/NIRMAII INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS**

WHEREAS, Gage County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb.Rev. Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 et seq.); and,

WHEREAS, Counties and other Public Agencies as defined in Neb.Rev.Stat. §44-4303 are allowed to participate in said cooperative undertakings; and,

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government; and,

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed that provided by standard insurance carriers; and,

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from other sources; and,

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and,

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2024, and,

NOW, THEREFORE, BE IT RESOLVED that the Gage County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2024 through June 30, 2027; and,
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Lytle and seconded by member Swavely, the following members voted by roll call vote in favor of passage and adoption of said Resolution:

The following members voted in favor of the same: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle.

The following members voted against the same: None

The following members were absent or not voting: None

PASSED AND APPROVED this 1<sup>st</sup> day of November, 2023.

Attest: Gage County Board

/s/ Dawn Hill (SEAL)  
County Clerk

By: /s/ Erich Tiemann  
Chairperson/Presiding Officer

Motion made by Lytle, seconded by Swavely to approve adopting Resolution #23-21 for an Amendment and Addendum to the NIRMA/NIRMA II Intergovernmental/Interlocal Agreement, extending it through June 30, 2027. Motion carried 7-0.

**RESOLUTION NO. 23-22**

RESOLUTION  
&  
STATEMENT OF FACTS

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2023-5 for the placement of a Commercial Agriculture Business;

WHEREAS, the Gage County Planning Commission (“Planning Commission”) and Gage County Board of Supervisors (“Board”) are duly authorized under the Gage County Zoning Regulations and are required to adopt a Statement of Factual Findings according to Neb. Rev. Stat. § 23-114.01(6) (Reissue 2012);

WHEREAS, the Planning Commission and County Board have established the following Statement of Factual Findings:

1. An application was submitted for a Special Use Permit (“SUP”) for a Commercial Agriculture Business located in an agricultural zoning district for the placement of a Commercial Agriculture Business in the northwest quarter of the northwest quarter, Section 3, of the Holt Township.
2. On September 26, 2023, the Planning Commission held public hearings to receive input on SUP #2023-5. Public comments were heard in support of, neutral to, and/or in opposition to the SUP.
3. On September 26, 2023, the Planning Commission voted 6-0 to recommend approval of the SUP #2023-5 without conditions.
4. In recommending approval of SUP #2023-5, the Planning Commission found that the Application complied with the guidelines of Article 6.2 of the Gage County Zoning Regulations.
5. On October 18, 2023, after proper notice and publication, the Board held a public hearing and public comments were heard in support of, neutral to, and/or in opposition to the SUP #2023-5.

- 6. On November 1, 2023, the Board held a meeting to consider whether the Application met all of the requirements of the Gage County Zoning Regulations and held a vote to approve or disapprove SUP #2023-5 without conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit #2023-5 for the placement of a Commercial Agriculture Business in the northwest quarter of the northwest quarter, Section 3, of the Holt Township, shall be:

- approved for the reasons stated on the record.
- approved with stated conditions: \_\_\_\_\_
- disapproved for the reasons stated on the record.

Motion made by Jurgens, seconded by Dorn to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle  
 Nay: None

Gage County Board of Supervisors

11/1/2023  
 Dated

By: /s/ Erich Tiemann  
 Erich Tiemann, Chairman

Subscribed and sworn to before me this 1<sup>st</sup> day of November, 2023.

(SEAL) /s/ Dawn Hill  
 Gage County Clerk

Motion made by Jurgens, seconded by Dorn to approve adopting Resolution #23-22 granting Special Use Permit #2023-5, for the placement of a Commercial Agriculture Business to be located on a tract of land located on a part of the NW ¼ of the NW ¼ of Section 3-5-6, Holt Township. Motion carried 7-0.

Short break at 9:44 a.m. Back in session at 9:57 a.m. with all members previously listed present.

Hwy Supt. gave his recommendation of accepting the lowest bid from Ace/Eaton Metals for the 2023 Culvert Projects that were opened earlier in the meeting.

Motion made by Schuller, seconded by Haxby to approve awarding the bid for Gage County 2023 Culvert Projects C-34(1072), C-34(1143) and C-34(1232), to Ace/Eaton Metals in the total amount of \$121,816.60 for the three projects. Motion carried 7-0.

Schuller stated that John Hay, a University of NE biological engineer, will present a program on solar and wind energy in Wymore on Nov. 2<sup>nd</sup> at 6:30 p.m. at the Fire Hall Meeting Room.

Tiemann announced that he would need to recuse himself from discussion and voting on the agenda item regarding the Resolution on Special Use Permit #2023-4 for a swine CAFO, due to a conflict of interest. Tiemann turned control of the meeting over to Vice Chairperson Haxby.

Haxby asked County Attorney Roger Harris to explain the voting calculations with Tiemann abstaining and the petition that was filed, requiring a super majority vote to take affirmative action on approving the CAFO. Harris said that all of these factors make the requirement set at 5 votes FOR in order to approve the Special Use Permit for the CAFO.

Haxby asked Tiemann if he would like to explain why he would be recusing himself from the vote. Tiemann stated that he filed a C-2 Form with the NE Accountability and Disclosure Commission and it was determined by them that due to financial interest in a similar facility built prior to this facility, it could be a conflict of interest. He said that Dorn had also filed a C-2 Form but the Commission determined there was no conflict of interest for him.

Haxby asked for a motion on the resolution to start discussion.

Motion made by Jurgens, seconded by Swavely (with some conditions to be stated later) to approve adopting Resolution #23-23 granting Special Use Permit #2023-4 for the placement of a Swine Feeding Operation to be located on a tract of land located on a part of the SW ¼ of the NW ¼ of Section 25 of Island Grove Township. Haxby asked Swavely to state the conditions he would like added to the permit. Swavely read the conditions into the record as follows:

There shall be 3 rows of trees on each side of the facility running the span of the building's length and width plus an additional minimum of 10 feet and connecting (excluding driveways/waterways/field access). They shall be planted at a minimum of 2 feet in height with a variety of evergreen species, at least 1 row of western red cedars. The trees must be maintained over the life of the facility. If a tree must be replaced, it must be redone within 1 year and of similar size. Trees must be planted before livestock enter the facility.

There shall be a minimum of 3 groundwater monitoring wells.

The facility shall maintain the state's requirement of 180 days of holding pre-winter. All manure shall be injected in the ground unless there is an emergency situation. In that instance, surface application will be acceptable, however, if surface application is within ½ mile of a dwelling, business, school, or church, the applicant will be required to furnish a written good neighbor agreement. Any application of the manure (surface or injected) shall maintain a 100-foot buffer from any tile and/or waters of the state. It shall be up to owner of the facility to make sure the farmer abides by these rules when applying the manure.

The applicant shall utilize an incinerator to manage mortality and shall acquire all necessary permits (i.e. air quality) and have approved by the state before construction can begin. As for secondary mortality management practices for emergency purposes, dead pile for rendering shall not be visible from the road and if composting is used, the area in which they are composted must have a concrete floor and sides.

The applicant shall not apply for National Pollution Elimination Discharge System permit at any time in regards to discharging livestock waste.

Motion made by Swavely, seconded by Jurgens to approve adding amendments listed above to the original motion to approve, granting Special Use Permit #2023-4 for the placement of a Swine Feeding Operation to be located on a tract of land located on a part of the SW ¼ of the NW ¼ of Section 25 of Island Grove Township. Jurgens asked if he should read the list of 7 guidelines for Special Use Permits that are in the P&Z Regulations under Section 6.2 of Article 6. He read the guidelines as follows:

1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and
6. Not change the character of the district, and
7. Be in accordance with the Comprehensive Plan

Haxby asked if there was any discussion on the motion to amend the original motion with adding the conditions as stated by Swavely. Schuller commented that, just as he stated in the Hanover project, he didn't agree with the trees needing to be 2 feet tall as this eliminates any local source for trees. He said a 2-foot tree doesn't mean better success, but it limits where you can buy the trees and where you can plant them, which creates issues with getting the windbreak planted. He realizes that this is what the Hanover project regs say and that he's just stating that these guidelines are being put in place to match that project. Haxby asked if there was any further discussion on the amendments. Hearing none, Haxby called for a vote on the amendment, clarifying that the vote is strictly to add Swavely's amendment to the initial motion, not a vote for or against the resolution. Clarification was made that the amendment calls for 3 rows of evergreen trees with at least one row being western red cedars. This is the same as was required for the Hanover project, but differs from the P&Z regs. Haxby again asked for a vote to add the amendment as presented. Motion carried 5-1-1 with Schuller voting nay and Tiemann abstaining.

Lytle asked Co. Atty. Harris if there could be any conditions or constraints put in place regarding taking care of the road since Island Grove Twp. has stated that they would not be doing anything with the road until there is a decision on this project. He said if it comes to a vote and it passes, nothing has been agreed upon or put in place with the township to ensure the road would be taken

care of. Harris said that first of all, safety should be the main concern of everyone. He said the board could encourage cooperation between the county, the applicant and the township, but as far as the board dictating or putting conditions on that, he doesn't know that it's enforceable. Lytle said he has driven the road several times recently and would consider it safe for it's current use, but that could change with increased commercial traffic. Discussion continued on policies regarding new construction on substandard roads and whose financial responsibility it is to bring road up to standards; rules can be different for each township; if we're using traffic as reason in decision, are we setting precedent for other commercial businesses like wedding venues, etc.; whether commercial or residential road standards are different than bus route road; drivers on roads should be aware of conditions and drive accordingly; the board needs to set personal feelings aside and make the best decision for the county and its future; conditions are put in place for protection of residents, land and water; permit stipulates that Summit is responsible for comply with manure application as stated in the permit and the amendments that were added, with the state overseeing it; permit for incinerator is separate permit and will have location of incinerator, and process of incineration; permit allows for alternate forms of disposal including rendering, burial, composting or landfill in emergency situations; incinerator building will be attached to the confinement building; temporary mortality storage location is in the operating permit plan; handling of air emissions from incinerator are addressed in incinerator permit, have to report back to NDEE; there are thresholds of air emissions that determine the permit applied for; Summit is willing to work with township on rectifying any safety issues with the road; grass and pasture are listed as alternative land for manure application management but would require permit process if not included in the original manure application locations; permission has been given by all landowners of the additional available acres listed for manure application; options are in place to protect tile risers to minimize 100' setback such as injection of manure, or covering tile with a sleeve for a period of time; need to consider that tile risers are in base of the channel of the terrace so typically the 100' setback is more of a half-moon on the upside of the terrace, it doesn't make sense to require the 100' setback on the back side of the terrace that is 6-8 feet higher than the riser. Haxby asked if there was any further discussion. None was stated.

Haxby asked for a motion to have all information received by the board, all exhibits presented, and all information received by the Planning & Zoning Commission be placed on file.

Motion made by Lytle, seconded by Swavelly to place on file all information received by the board, all exhibits presented, and all information and exhibits received by the Planning & Zoning Commission. Motion carried 6-0-1 with Tiemann abstaining.

### **RESOLUTION NO. 23-23**

#### RESOLUTION AND STATEMENT OF FACTS

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2023-4, for the placement of a Livestock (Swine) Confinement Facilities/Operation for 2,500 A.U.;

WHEREAS, the Gage County Planning Commission ("Planning Commission") and the Gage County Board of Supervisors ("Board") are duly authorized under the Gage County Zoning Regulations and are required to adopt a Statement of Factual Findings according to Neb. Rev. Stat. § 23-114.01(6) (Reissue 2012);

WHEREAS, the Planning Commission and County Board have established the following Statement of Factual Findings:

1. Summit Pork V, LLP and Otto Acres, LLC ("the Applicants") filed an Application for a Special Use Permit ("SUP") for a Livestock (Swine) Confinement Facilities/Operations for 2,500 A.U. located in an agricultural zoning district on a part of the SW ¼ of the NW ¼, Section 25 of the Island Grove Township, east side of the 176<sup>th</sup> Road, Gage County, Nebraska.
2. On August 29, 2023, and September 26, 2023, the Planning Commission held public hearings to receive input on SUP #2023-4. Public comments were heard in support of, neutral to, and/or in opposition to the SUP.
3. On September 26, 2023, the Planning Commission voted 5-1 to recommend approval of the SUP with three Special Conditions:
  - A. Manure to only be applied by injection method, except in the event of an emergency or catastrophic event;
  - B. To include 3 monitoring wells, with locations to be determined by a licensed professional hydrologist; and

- C. Two (2) rows of Red Cedar trees to be placed 15 ft apart; placed alternately; on the west side of the building along 176<sup>th</sup> Road.
- 4. In recommending approval of SUP #2023-4, the Planning Commission found that the Application complied with the guidelines of Article 6.2 of the Gage County Zoning Regulations.
- 5. On October 18, 2023, after proper notice and publication, the Board held a public hearing and public comments were heard in support of, neutral to, and/or in opposition to the SUP #2023-4.
- 6. On November 1, 2023, the Board held a meeting to consider whether the Application met all of the requirements of the Gage County Zoning Regulations, and held a vote to approve or disapprove SUP #2023-4 with the following conditions:
  - A. Manure to only be applied by injection method, except in the event of an emergency or catastrophic event;
  - B. To include 3 monitoring wells, with locations to be determined by a licensed professional hydrologist; and
  - C. Two (2) rows of Red Cedar trees to be placed 15 ft apart; placed alternately; on the west side of the building along 176<sup>th</sup> Road.

Motion was made by Swavelly, seconded by Jurgens to add the following required conditions to the Resolution as read into the record:

- There shall be 3 rows of trees on each side of the facility running the span of the building’s length and width plus an additional minimum of 10 feet and connecting (excluding driveways/waterways/field access). They shall be planted at a minimum of 2 feet in height with a variety of evergreen species, at least 1 row of western red cedars. The trees must be maintained over the life of the facility. If a tree must be replaced, it must be redone within 1 year and of similar size. Trees must be planted before livestock enter the facility.
- There shall be a minimum of 3 groundwater monitoring wells.
- The facility shall maintain the state’s requirement of 180 days of holding pre-winter. All manure shall be injected in the ground unless there is an emergency situation. In that instance, surface application will be acceptable, however, if surface application is within ½ mile of a dwelling, business, school, or church, the applicant will be required to furnish a written good neighbor agreement. Any application of the manure (surface or injected) shall maintain a 100 foot buffer from any tile and/or waters of the state. It shall be up to the owner of the facility to make sure the farmer abides by these rules when applying the manure.
- The applicant shall utilize an incinerator to manage mortality and shall acquire all necessary permits (i.e. air quality) and have approved by the state before construction can begin. As for secondary mortality management practices for emergency purposes, dead pile for rendering shall not be visible from the road and if composting is used, the area in which they are composted must have a concrete floor and sides.
- The applicant shall not apply for National Pollution Elimination Discharge System permit at any time in regards to discharging livestock waste.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit, #2023-4 for the placement of a Livestock (Swine) Confinement Facilities/Operation for 2,500 A.U., shall be in the SW ¼ of the NW ¼, Section 25 of the Island Grove Township.

- approved for the reasons stated on the record.
- approved with stated conditions: \_\_\_\_\_
- disapproved for the reasons stated on the record.

Motion made by Jurgens, seconded by Swavelly to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Jurgens, Schuller, Swavely  
Nay: Haxby, Dorn, Lytle  
Abstain: Tiemann  
Super majority of 5 was required to pass.

Gage County Board of Supervisors

11-1-2023  
Dated

/s/ Erich Tiemann  
Erich Tiemann, Chairman

/s/ Emily M. Haxby  
Emily M. Haxby, Vice Chairman

Subscribed and sworn to before me this 1<sup>st</sup> day of November, 2023.

(SEAL) /s/ Dawn Hill  
Gage County Clerk

Haxby stated that there is a motion to approve adopting Resolution #23-23 granting the Special Use Permit #2023-4 with the conditions stated previously which she read again. Haxby asked if there was any further discussion. Hearing none, she called for a vote on adopting Resolution #23-23 granting Special Use Permit #2023-4 for the placement of a Swine Feeding Operation to be located on a tract of land located on a part of the SW ¼ of the NW ¼ of Section 25 of Island Grove Township. Motion failed 3-3-1 with Jurgens, Schuller and Swavely voting aye, Haxby, Dorn and Lytle voting nay, and Tiemann abstaining.

Schuller read a statement explaining how he came to his vote through his research, gathering information, and getting answers to questions he had, and questions raised by his constituents, so that he could make an informed decision in this matter and would have the information to merit his decision.

Jurgens left meeting at 11:03 a.m.

Haxby asked if any other board members wanted to comment on their vote. Having none, she turned control of the meeting back over to Chairman Tiemann.

Tiemann asked if there was any further business, there was none.

Motion made by Dorn, seconded by Haxby to adjourn the Board of Supervisors Meeting at 11:10 a.m. Tiemann thanked everyone for coming to the meeting and for their patience and respectfulness through this process. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 10:08 a.m. until November 15, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

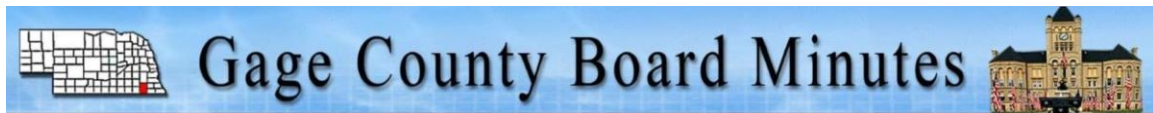
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 1<sup>st</sup> day of November, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on November 15, 2023, at 8:45 a.m. with Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Terry Jurgens absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$547,952.56 which does not include claim #23110205 to R.L. Tiemann Construction in the amount of \$29,692.24, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving the 2023 Distress Warrant Listing; 6. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of October, 2023; 7. Approve EMS 1-Year Extension Agreements and authorizing Chairman to sign.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	161,138.51
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail on-site medical svcs	7293.15
All Copy Products, Inc.	Emer Mgmt copier lease	140.00
Applied Connective Technologies	IT svcs	9964.06
Badgeandwallet.com	Uniform name plates	126.00
Beatrice Board of Public Works	Utilities	4766.32
BIZCO Technologies	Shf veh equip install	1192.82
Boy Scout Troop 221	Care of 11 pioneer cemeteries	11,000.00
Capital Business Systems	Reg of Deeds copy overage	24.98
Capital One	Prob supplies	6.94
Cardinal Assessment Group	Assr. appraisal work	6112.50
Charm-Tex, Inc.	Inmate provisions	2787.00
Charter Communications	Prob internet	192.96
Cidnet	Data purchased	999.90
Clerk of District Court	Court costs	250.86
Consolidated Management Co.	Shf meals at training	241.25
Correctional Risk Services, Inc.	Inmate medical	304.05
Culligan of Lincoln	Water cooler	137.00
Diode Technologies	Security monitoring	90.89
Dr. Eric Thomsen	Mntl hlth hearings	380.00
Eakes Office Solutions	Offc supplies	1525.93
Echo Group	Lighting	108.83
Green Way Lawn Svcs., LLC	Lawn mowing, fert.	635.00
Jerry Shelton, Atty	Atty fees	570.00
Jones Automotive	Install shf veh equip	15,619.92
Lammel Plumbing, Inc.	Jail backflow preventor	1630.05
Lancaster Co. Shf.	Shf svc fees	24.69
Lepant Law Office	Mntl hlth hrngs	380.00
Lynn Peavey Co., Inc.	Supplies	201.60
Mead Lumber	Supplies	177.95
Microfilm Imaging Systems	Dist Ct microfilming	303.40
Midwest Process Services	Civil process fees	332.52
MIPS, Inc.	Data processing, time clock	6539.36
NACO	Mtg registr., 2 <sup>nd</sup> half annl dues	2938.87
NACO Planning & Zoning	Annl dues	40.00
NE Law Enf. Training Center	Shf – fleet use for training	175.00
NE Sheriff's Assn.	Mbrshp fees	280.00
Nelson, Clark & Timan	Public Defender	6346.15
Norris Public Power	Utilities – tower	45.28
O'Reilly Auto Parts	Parts, supplies	96.31

Paper Tiger Shredding, Inc.	Doc shredding	72.50
Pinnacle Bank	Deposit & transaction books	157.40
Polaris Law Group	Atty fees	1510.50
Priority Printing	Vets Offc bus cards	70.00
Prochaska & Associates	Needs assessment	3001.50
Quadient, Inc.	Equip maint.	888.72
Quill – Ext.	Offc supplies	350.77
Quill – Prob.	Offc supplies	818.99
Reagan Law Offices, PC LLO	Atty fees	570.00
Kristine Riekenberg	Court reporting	285.00
SE NE Communications	Prob phones	111.15
Secretary of State	Cert copies	40.00
Security First Bank	Dist Ct. box fee	35.00
Security Services	Monitoring alarms	68.50
Sheridan Industries	Ext Offc janitorial svcs	150.00
Stanard Appraisal Svcs.	Appraisal maint.	2405.00
Staples Business Credit	Shf offc supplies	88.46
Stephen Kraviec, PC LLO	Child Suppt. Enf Atty, postage	2449.25
Summit Food Svc.	Jail meal svc	2975.28
T.O. Haas Tire	Parts, oil changes – Shf	3531.90
Thomson Reuters	Law Library software	2784.69
T.K. Elevator Corp.	Elevator maint.	256.76
Twin Rivers	Shf parts, svc	1703.62
U.S. Bank – Purchase Cards	Fuel, meals, supplies	2267.48
U.S. Post Svc. – Postmaster	Ext Offc stamps	330.00
Verizon Wireless – GCSO	Cell phones	480.12
Verizon Wireless – EMS 6384-1	Cell phones, ipads, hot spot	535.97
Washington Co KS Shf.	Boarding inmates	13,950.00
Westlake Ace Hardware	Supplies	152.16
Windstream – Wilber Prob.	Phones	54.96
Windstream – Fillmore Co Prob	Phones	435.59
Windstream – Hwy	Phones	311.85
Zultys	Prob phones	466.20

Road Fund

Highway Department Employees	Salaries	42,835.34
Bauer Built Tire	Tires	2163.03
Beatrice Concrete Ready Mix	Traffic patch	364.70
Beatrice Concrete Sand & Gravel	Rock & gravel	11,368.89
Beatrice Iron & Metal	Parts, tools, supplies	1464.70
Cather & Sons Const.	Asphalt	3908.69
City of Wymore	Utilities	91.03
Commercial Industrial Supply	Shop repair	274.66
Constellation NewEnergy – Gas Div.	Utilities	29.71
Farmers Cooperative	Batteries, svc call, tires	946.90
Filtercare of NE	Filters	23.55
Jim Hawk Truck Trailers	Supplies	194.38
Mead Lumber	Supplies	54.74
Medical Enterprises, Inc.	Drug/alcohol testing	110.00
Metal Culverts, Inc.	Culverts	18,948.92
MIPS, Inc.	Hwy program	192.32
NMC Exchange	Parts	6707.21
O'Reilly Auto Parts	Parts, supplies	830.99
Pavers, Inc.	Cold mix asphalt	622.63
R.L. Tiemann Construction	Twp gravel & hauling	29,692.24
RDO Truck Center, LLC	Parts, labor	2226.41
Rose Equipment, LLC	Parts	451.50
Shaffer Communications, Inc.	Radio equip.	207.10
T.O. Haas Tire	Tires	740.68
Westlake Ace Hardware	Tools, supplies	299.23
Winter Equip. Co., Inc.	Blade bolts, nuts	1320.04

Visitor's Improvement Fund

Youth Recreation, Inc.	Grant for Hannibal Park improvements	40,000.00
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Register of Deeds Preservation & Modernization Fund

Capital Business Systems	Copier lease, copy overage	235.87
MIPS, Inc.	Deeds online with numerical indexes	220.08

Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	56,288.28
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General Fund

Ameritas	County share of Employees Retirement	11,627.91
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,737.37
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,875.25

Road Fund

Ameritas	County share of Employees Retirement	2,891.38
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,147.93
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,391.42

Motion made by Lytle, seconded by Swavely to approve the consent agenda. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to approve claim #23110205 to R.L. Tiemann Construction in the amount of \$20,692.24, bringing the total amount of claims paid through November 15, 2023 to \$577,644.80. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Mitch Baum, 10640 County Hwy D20, Alden, IA spoke under public comments. Baum thanked the board for having these meetings as you do. He would like to ask for a motion to reconsider their application from the previous meeting for the Gage Island Grove 25 CAFO site. They have met and exceeded the zoning regs in the county. There have been numerous opportunities for board members to visit the site in northern Gage County that is under construction, and the proposed site for this one, but a number of you have never been to this site or the other site during construction. He said he thinks this would be a real opportunity if you would kindly make a motion to reconsider and allow the additional conversation and information to be shared with them and with you to make an informed decision. Baum said he could answer any questions and really asks the board to consider this opportunity to make action on this site. Tiemann reminded him that during public comment, the board cannot comment or ask questions.

Tiemann stated that as a matter of process, if the board would want to make a motion to reconsider, it has to be by their rules, Rule #16, the specific item would be on this CAFO. There would need to be a motion to reconsider at the last meeting or this meeting, made by one of the three members on the winning side, which would be Lytle, Dorn and Haxby, and could be seconded by anyone. Then we would figure out exactly what route we would need to go from there. No motion was brought forward.

Committee reports were given by Swavely on Bldg. & Grounds, Haxby on Finance/Insurance, Lytle, Lisa Wiegand and Sheriff Gustafson on Law Enforcement/Emergency Management, and Haxby on Road & Bridge. Topics of discussion were: quote to replace heat pump on S ramp, winter lights considering lamp posts on N & W sides of courthouse, Hazard Mitigation Plan being created, possible new communications tower by Horvath & will be by Tri County School, considering new siren needed out by hospital, newly selected school resource officer Mike Hager, Faith In Blue Operation, BIP and Raise grants for bridges and roads with upcoming public outreach meetings with a public input survey to get data to include in grant applications (meeting dates and times are listed below), and Marshall Co. KS is going forward with bridge on State Line Rd. and has selected a contractor. During discussion on State Line Bridge, it was brought out that in prior talks with Marshall County about working together, they were informed that Gage County was willing to split the cost for the State Line Bridge project, but would not be able to do that if it did not go through the bid process as set forth in state statutes. Gage County also presented the option of going with culverts instead of a bridge which is feasible and less expensive but they resisted. Since that time, Marshall County said they want a bridge and not culverts, and they chose to select a contractor without taking bids, therefore, they are actually keeping Gage County from participating in the project. Deputy County Attorney Amanda Fanning said she will reach out to Marshall County for further action.

Locations, dates and times for Gage County Infrastructure Outreach meetings to receive public input on a survey to gather data from constituents regarding the roads and bridges under the BIP and Raise Grants. A survey will be taken to find out how many miles people save traveling these roads, whether they think the roads/bridges need repaired/replaced, how safe they think they are, etc. Participants do not need to be Gage County residents; they can be from surrounding counties but travel on these roads and cross these bridges. The data will be added as supporting documentation on the grant applications. Everyone is encouraged to attend and give their input on the survey. The meetings will be held as follows:

- Blue Springs City Hall, Nov. 15, 2023 at 6:30 p.m.
- Tri County School, Nov. 20, 2023 at 6:30 p.m.
- DeWitt Community Center, Nov. 29, 2023 at 6:30 p.m.
- Clatonia Community Center, Nov. 30, 2023 at 6:30 p.m.
- Pickrell Community Center, Dec. 5, 2023 at 6:30 p.m.

If you have questions or would like more information, contact County Supervisor Emily Haxby.

Trevor Rue, Corrections Sergeant, and Sheriff Millard Gustafson presented the Annual Statistics Reports for the Jail, Sheriff’s Dept., and screening station for 10/1/22 – 9/30/23. Rue spoke about the detention center statistics, transport vehicles’ condition and mileage, and gave an update on the needs assessment being prepared by Prochaska. Lytle asked Rue to explain what CRS (Correctional Risk Services) does for the county. Rue said that they process all medical claims, file with Medicaid and other insurances to get coverages, and come back with one claim for the county to pay, which is a huge time-saver for county employees. They also have a catastrophic loss plan that kicks in if a claim gets over \$10,000, so the county never pays more than \$10,000 on a claim. We pay for the coverage but are still saving money in the long run. Shf. Gustafson gave the screening station report and statistics and sheriff’s report and statistics.

Haxby temporarily out.

Motion made by Lytle, seconded by Swavely to approve receiving the Annual Statistics Reports and placing them on file. Motion carried 5-0.

Motion made by Dorn, seconded by Swavely to move into closed session at 9:48 a.m. for negotiations. Motion carried 5-0.

Haxby back in meeting during closed session.

Motion made by Swavely, seconded by Dorn to come out of closed session at 10:35 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 10:35 a.m. until November 29, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

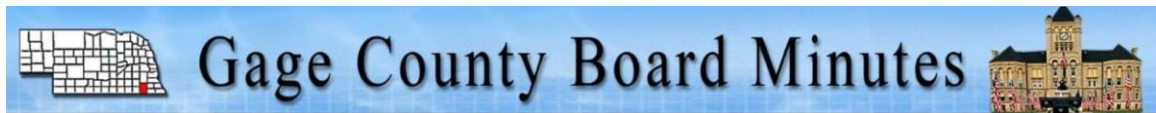
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 15<sup>th</sup> day of November, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



# Gage County Board Minutes

The Gage County Board of Supervisors met on November 29, 2023, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn and Dave Swavely present, Gary Lytle absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$413,879.94 which does not include claim #23110324 to R.L. Tiemann Const. Inc. in the amount of \$27,120.70 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve cancelling check #23050272 to Charter Communications in the amount of \$175.94 and check #23050362 to Spectrum in the amount of \$11.55; 6. Approve Utility Permit #1295 to Windstream Nebraska LLC. - Windstream will be installing a new communications line for a tower at 417 SW 29th Road. Starting at the Lancaster/Gage County Line, Windstream will bore under Gage Road from the North going South in the West grader ditch, Windstream will then continue to plow South of Gage Road in the West grader ditch for approximately 1125' to driveway and turn West onto private property. All other work will be on private property. Located East of Section 5, T-6-N, R-6-E, Highland Twp.; 7. Approve reappointment of Marlene Gakle and John Hill to the Blue Rivers Area Agency on Aging's Governing Board; 8. Approve quote with Applied Connective for Security Server and maintenance of server in the amount of \$25,030.04; 9. Approve quote with Applied Connective for Courthouse Wifi managed services in the amount of \$18,099.00; 10. Approve quote with Applied Connective for Security managed services – Access Control (network door control, etc.) in the amount of \$65,270.93; 11. Approve quote with Applied Connective for managed Security Services – update panic buttons/hardware in the amount of 10,612.40; 12. Approve quote with Applied Connective for multimedia managed services/equipment for Boardroom in the amount of \$85,902.32.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	165,068.86
Adams Rescue	Qrtrly EMS svc	4500.00
Advanced Correctional Healthcare	Jail on-site medical svcs	172.78
All Copy Products	Copy overage	253.88
AT&T Mobility Accounts	Shf FirstNet mobile phone svc.	526.21
Daniel & Brooke Barr	Pioneer cemetery maint.	1000.00
Beatrice Board of Public Works	Utilities	235.24
Black Hills Energy	Utilities	665.79
Blackburn Technologies	Atty computer equip	423.28
Bragg Animal Control	Animal control	60.00
City of Beatrice	Gbg svc	287.96
Civic Research Institute	Subscr.	179.95
Clerk of District Court	Court costs	408.43
Comm. Physicians Clinic, Wymore	Inmate medical	264.00
Consolidated Management Co.	Meals at training	236.25
Correctional Risk Services	Inmate medical	3344.67
Cortland-Lancaster Rural Fire	Qrtrly EMS svc	1500.00
Crete Veterinary Clinic	Care of horses	222.00
DAS St Accntng Cntrl Fin 6507	Data processing	196.00
Dr. Eric Thomsen	Mntl hlth hrng	95.00
First Wireless, Inc.	Emer Mgmt maint agrmt	684.68
Gage Co. Sheriff's Office	Shf fees/mlg	2912.12
Garcia Clinical Lab	Jail lab svcs	70.00
Hireclick	Pre-empl exams	792.00
Isolved Benefit Svcs.	Admin fees	148.50
J.D. Power	Title book	375.00
Jerry Shelton, Atty	Atty fees	1068.75
Land Survey Tech	Co. Surveyor operating expns	6739.30

Lepant Law Office	Atty fees	1140.00
Lincoln Journal Star	Publications	4762.14
Mead Lumber	UPS cust drop-off	95.89
Microfilm Imaging Systems	Court scanning equip rent	457.00
Midwest Automatic Fire Sprinkler Co.	Sprnklr annl test, svc call	1750.86
NACO	Conf. regis.	150.00
NE Health & Human Svcs.	St. Institutions patient care	645.00
NE Co. Assessor's Assn.	Conv. meal	25.00
Nebr. UC Fund	Unemployment benefit chgs.	3052.68
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
NI Govt. Svcs.	Emer Mgmt Sat phone	154.78
Odell Vol. Fire & Rescue	Qtrly EMS svc	1500.00
Petersen Reporting	Transcripts	111.50
Polaris Law Group	Atty fees	3002.00
Prochaska & Associates	Jail needs assessment	3001.50
Quill – Ext.	Offc supplies	308.59
Quill – Co Ct.	Offc supplies	71.60
Sapp Bros. Petroleum	Shf/Jail fuel	4812.50
SE Dist. Assessor Assn.	2024 dues	50.00
Security Services	Ext Offc smoke detector system, panic alarms	1950.00
Sherwin-Williams Co.	Paint	39.28
Soap Opera Laundry	Mop & rag cleaning	19.25
Spectrum (Charter)	Emer Mgmt cable TV	20.49
Stephen Kraviec, PC LLO	Child Suppt. Enf Atty, conf. fee, mlg, lodging	3518.43
Summit Food Service	Jail meal svc.	5714.12
Sun Blockers	Shf veh window tint	100.00
The Voice News	Publications	188.86
Tridentcare (MobileXUSA)	Inmate medical	64.00
U.S. Bank – Purchase cards	Equip, supplies	462.90
Verizon Wireless – EMS 8923-1	Cell phones	217.20
Washington Co. Shf.	Boarding inmates	1300.00
Windstream – Ext. 4344	Phones	595.32
Windstream – Ext. Offc	Phones	311.85
Windstream – Hwy 1480	Phones	228.05
Windstream – Shf 4340	Phones	714.94
Windstream – Shf	Phones	612.09
Windstream – 4377 Vets	Phones	137.54
Windstream – Cths	Phones	2259.61
Windstream – Vets	Phones	246.97

#### Road Fund

Highway Department Employees	Salaries	42,363.68
Beatrice Area Solid Waste – BASWA	Waste disposal	40.00
Beatrice Board of Public Works	Utilities	386.75
Beatrice Concrete Sand & Gravel	Rock, gravel, sand	18,032.21
Black Hills Energy	Utilities	144.56
Bomgaars	Supplies	284.14
City of Beatrice	Gbg svc	74.24
First Wireless	Repeater rental	350.00
Independent Salt Co.	Road salt	1795.28
Jim Hawk Truck Trailers	Wiper blades	69.80
Lincoln Journal Star	Publication	99.64
Midwest Towing & Recovery	Training/testing	300.00
Norris Public Power	Utilities	289.76
PowerPlan	Parts, labor	12,202.54
R.L. Tiemann Construction, Inc.	Twp gravel & hauling	27,120.70
Rewound Power Motors	Motor	158.41
Sapp Bros. Petroleum	Fuel, oil, grease, solvent, propane	26,617.10
The Voice News	Publications	38.74
U.S. Auto Force	Tires	2193.62
Verizon Connect Fleet USA, LLC	Veh GPS	479.01

#### Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	34,241.01
Mutual of Omaha	Ins. premiums	572.11

#### General Fund

Ameritas	County share of Employees Retirement	12,037.91
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Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,627.77
<u>Road Fund</u>		
Ameritas	County share of Employees Retirement	2,859.55
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,240.86

Motion made by Haxby, seconded by Swavely to approve all items on the consent agenda except numbers 8 through 12, to be pulled for further discussion. Motion carried 6-0.

Motion made by Schuller, seconded by Haxby to place consent agenda item numbers 8 through 12 on the December 12, 2023 agenda. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to approve claim #23110324 to R.L. Tiemann Const. Inc. in the amount of \$27,120.70, bringing the total amount of claims approved through November 29, 2024 to \$441,000.64. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Dave Jones on Bldg. & Grounds/Winter Lights, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, Lisa Wiegand on Emergency Management and P&Z, and Haxby on Road & Bridge. Topics of discussion were: Courthouse Holiday Lights ceremony went well; Shf case statistics & van purchase; P&Z mtg. on Dec. 14, 2024 for Special Use Permit; discussion on CAFO; grant public outreach meetings continue tonight in DeWitt; and grants that the county is applying for.

Motion made by Swavely, seconded by Dorn to adjourn the Board of Supervisors Meeting at 9:14 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 9:14 a.m. until Tuesday, December 12, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

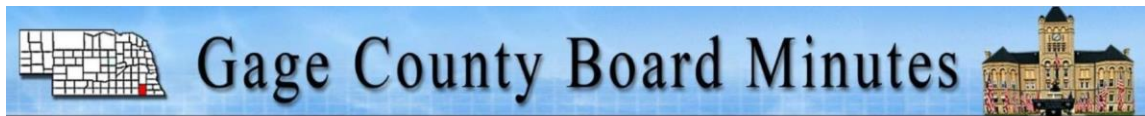
/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 29<sup>th</sup> day of November, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



## Gage County Board Minutes

The Gage County Board of Supervisors met on December 12, 2023, at 8:45 a.m. with Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Terry Jurgens absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$550,660.64, which does not include claim #23120077 to Hard Rock Quarries, LLC. in the amount of \$1,620.87 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve quote with Applied Connective for Security Server and maintenance of server in the amount of \$25,030.04; 6. Approve quote with Applied Connective for Courthouse Wifi managed services in the amount of \$18,099.00; 7. Approve quote with Applied Connective for Security managed services – Access Control (network door control, etc.) in the amount of \$65,270.93; 8. Approve quote with Applied Connective for managed Security Services – update panic buttons/hardware in the amount of 10,612.40; 9. Approve quote with Applied Connective for multimedia managed services/equipment for Boardroom in the amount of \$86,570.88; 10. Approve quote with Applied Connective for Highway Dept for cameras & equipment in the amount of 20,535.00; 11. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of November, 2023.

Lytle asked to pull items 5 through 10 from the consent agenda for further discussion before voting to approve.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	170,182.11
Advanced Auto Dealers, Inc.	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail onsite medical svcs	7293.15
All Copy Products, Inc.	Treas & EM copier leases, B&G toner	417.74
Applied Connective Technologies	IT equip., svcs.	9914.80
Beatrice Public Schools	Comm-based juvenile svcs aid grant	4126.77
Black Hills Energy	Utilities	585.06
Blackburn Technologies	Svc call	60.00
Bragg Animal Control	Impound 2 dogs	90.00
Cardinal Assessment Group, LLC	Appraisal maint. & pick-up work	3037.50
Charm-Tex, Inc.	Inmate provisions	893.30
Charter Comm. (Spctrm2019)	Jail cable TV	195.9
City of Wymore	Qrtrly EMS svcs	10,000.00
Coast to Coast Computer Prod.	Co Ct toners	429.98
Consolidated Management	Meals at training	186.75
Credit Information Systems	Employment screenings	25.50
Crete Veterinary Clinic	Vet svcs	2769.50
Culligan of Lincoln	Water cooler	190.00
Diode Technologies	Monitoring	90.89
Dr. Eric Thomsen	Mntl hlth hrng	190.00
Eakes Office Solutions	Offc supplies	1990.20
Echo Group	Supplies	124.27
Sandra Eltiste	Prior svc retirement	12.00
First Wireless, Inc.	Twr rental	440.00
Gage Co. Treasurer	Shf veh title & reg	45.70
Griffiths Hovendick Chapel, Inc.	County cremation	1200.00
Jerry Shelton, Atty	Atty fees	1068.75
Joyce Kassing	Prior svc retirement	20.00
Lammel Plumbing	Repairs	248.47
Lancaster Co. Sheriff	Svc fees	18.00

Lepant Law Office	Mntl hlth hrng	190.00
Lincoln Journal Star	Publications	875.76
Microfilm Imaging Systems, Inc.	Scanning equip rent	457.00
Midwest Card & ID Solutions, LLC	ID card supplies	79.72
Midwest Process Services	Civil process fees	461.80
MIPS, Inc.	Programming/supplies	5131.09
NACO	Conf. regis	150.00
NE Weed Control Assn.	Mbrshp	125.00
NE Public Health & Env. Lab	Drug/alcohol testing	420.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Noakes Htng. & A/C	Parts, labor	492.36
Odell Vol. Fire & Rescue	Qtrly EMS svcs	1500.00
Paper Tiger Shredding	Doc shredding	238.00
Pickrell Rural Fire Dist.	Qtrly EMS svcs	1500.00
Polaris Law Group	Atty fees	2992.50
Precision Auto Tune	Veh repair	298.54
Precision Signs & Graphics	Shf veh graphics	25.00
Quadient Leasing USA, Inc.	Equip. lease	2068.17
Quill – Det.	Offc supplies	1056.12
Quill – Ext.	Offc supplies	183.16
R&B Arms, LLC	Law Enf supplies	1655.00
Sapp Bros. Petroleum	Shf/Jail fuel	4551.97
Smith, Schafer, Davis, LLC	Atty fees	85.50
Soap Opera Laundry	Mop & rag cleaning	17.50
Stanard Appraisal Svcs., Inc.	Appraisal maint.	7930.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty., postage	2489.96
Summit Food Service	Jail meal svc	5810.09
T.O. Haas Tire	Oil change, veh repairs	1830.34
The Crete News	P&Z publications	24.99
The Fairbury Journal-News	P&Z publications	25.90
The Home Depot Pro	Janitorial supplies	219.90
The Radar Shop, Inc.	Re-certify radar units, supplies	1496.00
The Voice News	Publications	596.05
Thomas & Thomas Court Reporters	Transcript	379.62
TK Elevator Corp.	Elevator maint.	256.76
Verizon Wireless – GCSO	Cell phones	480.12
Vlg. of Clatonia – Clatonia Rescue	Qtrly EMS svcs	4500.00
Westlake Ace Hardware, Inc.	Supplies	256.94
Willet & Carothers Law Office	Atty fees	418.00
Windstream – Ext 4344	Phone monthly fees	313.01
Windstream – Ext Offc	Phones	312.35
Windstream – Gen 1484	Phone monthly fees	2150.60

Road Fund

Highway Department Employees	Salaries	43,813.65
Beatrice Concrete Sand & Gravel	Rock & gravel	32,603.30
Beatrice Iron & Metal	Parts, supplies, tools	483.51
Capital One, NA	Supplies	27.96
Concrete Industries	Crack sealant	9126.00
Eakes Office Solutions	Offc supplies	236.82
Hard Rock Quarries, LLC	Co. rock	1620.87
Inland Truck Parts	Parts	872.85
Jim Hawk Truck Trailers	Parts, hand cleaner	311.03
Landmark Implement, Inc.	Parts	352.16
Larry's Tire & Service	Tire repairs & changeovers	503.00
Matheson Tri Gas, Inc.	Torch kit, oxygen	448.02
Midwest Unlimited, LLC	Supplies	72.56
MIPS, Inc.	Hwy program	192.32
NMC Exchange	Parts	2274.59
O'Reilly Auto Parts	Parts	28.64
Powerplan	Parts	1229.50
Rewound Power Motors	Parts, labor	275.51
Sapp Bros. Petroleum	Fuel, oil, Grease	27,850.19
T.O. Haas Tire	Tires	1606.48
Verizon Connect Fleet USA, LLC	Fees	255.05
Westlake Ace Hardware	Supplies	394.55

Visitors Promotion Fund

Beatrice Area Chamber of Commerce Lodging tax 7717.43

Register of Deeds Preservation & Modernization Fund

MIPS, Inc. Deeds online w/ numeric indexes 220.08

Insurance Fund

Gage County Health Insurance Employee health ins claims paid 42,290.94  
 Lucent Health Solutions Ins premiums, admin fees 33,678.00

General Fund

Ameritas County share of Employees Retirement 12,383.46  
 Security First Bank Co. share of Empl. Soc. Sec. & Medicare 12,431.53  
 Gage County Clerk – Health Plan Co. share of Empl. health insurance 26,875.25

Road Fund

Ameritas County share of Employees Retirement 2,957.42  
 Security First Bank Co. share of Empl. Soc. Sec. & Medicare 3,222.78  
 Gage County Clerk – Health Plan Co. share of Empl. health insurance 9,011.75

Motion made by Lytle, seconded by Swavely to approve the consent agenda without items 5 through 10. Motion carried 6-0.

Motion made by Haxby, seconded by Swavely to approve item #5 on the consent agenda, quote with Applied Connective for security server and maintenance of server in the amount of \$25,030.04. Discussion – Lytle pointed out that by approving all the updates to IT equipment through a single IT provider, cuts out the local providers that have been doing certain things in the past like door controllers and cameras, from the opportunity to bid on those parts of the system updates. Ron Flohr and John Thomsen with Diode Communications were at the meeting and talked about the services and equipment they have been providing for the county, and said they would be interested in bidding on the updates. Haxby said she appreciates all the work that has been done in the past, but that the board wanted to hire one IT provider so that all of the IT would be tied to one system and there wouldn't be gaps in coverage, there would be consistency in programs, and companies wouldn't be waiting on one another to gain access to systems or shuffling responsibility back and forth on any issues that arise. So, we hired Applied Connective to take on that job, and now that they've provided quotes for the updates and their figures are out there, we're going to pull these updates and put them out for bid – that's not right. Discussion continued with points being raised about benefits and/or drawbacks with separation of duties between different entities; feasibility of different companies working together on IT/Security systems; how the prices were arrived at and whether they're appropriate prices for the goods and services proposed; all aspects of security system such as door locks, cameras, and audio/visual equipment, were not considered when hiring an IT company for election and cyber security; whether the updates can be put out for bid after Applied Connective's quotes have been made public. Tiemann called for vote on motion. Motion carried 6-0.

Motion made by Haxby, seconded by Lytle to approve consent agenda item #6, quote with Applied Connective for courthouse Wifi managed services in the amount of \$18,099.00. Tiemann explained this would include six internet connection points with secured and guest internet availability on each floor of the courthouse. Motion carried 6-0.

Motion made by Haxby, seconded by Swavely to approve consent agenda item #7, quote with Applied Connective for security managed services for Access Control (network door controls, etc.), in the amount of \$65,270.93. Discussion – includes maintenance on door controllers that activate door locks (not the actual handles/latches) for 72 controllers, tie-ins, licensing, installation, hardware and software; Lytle, speaking for himself, not on behalf of board, would like to have Diode Communications have opportunity to participate in bidding this – they have been doing the work, kept system going during Beatrice 6 days to save money and keep cost down, shouldn't commit taxpayers' money without considering local vendor; Deputy Co. Atty Amanda Fanning said the board needs to be cautious about bidding services that may be considered specialized professional projects or services, but this is not specialized so it could be bid out to other entities; are there things in the quote that aren't necessary and could be removed to reduce cost?; the issue of trying to integrate different systems together that may not be compatible; having our IT company be required to oversee things they didn't install; need to find the best solution for the county as elected officials. Tiemann stated there is a motion and second on the floor and asked for any further discussion. Having none, he called for vote. Haxby, Dorn and Swavely voting aye, Schuller, Tiemann and Lytle voting nay. Motion failed on a 3-3 tie.

Discussion on agenda item #8, replacing hard-wired and Bluetooth panic buttons with 26 USB panic buttons and 6 portable Bluetooth panic buttons, and the software. Has the capability of

notifying all other offices and the security station when button is pushed and ability to type into computer what the situation is and it would come up on the others' screens. Motion made by Haxby, seconded by Swavely to approve consent agenda item #8, quote with Applied Connective for managed security services – update panic buttons/hardware in the amount of \$10,612.40. Discussion – is this something a local provider could provide; amount is under the \$50,000 that would require bid process; quote is for panic buttons – there is a separate system that runs the lockdown buttons in each office that hasn't been discussed for an update and is not included in this quote. Vote – Haxby, Tiemann, Dorn and Swavely voting aye, Schuller and Lytle voting nay. Motion carried 4-2.

Motion made by Swavely, seconded by Haxby to approve consent agenda item #9, quote with Applied Connective for multimedia managed services/equipment for the board room in the amount of \$86,570.88. Discussion – for cameras, screens, microphone/voting system, live streaming equipment and speakers; has been put off for lack of available equipment and interested bidders; courts recently updated for \$170,000; service turn-around time with distance of provider being so far; the need to get information out to the public ever since the pandemic; lack of interest from companies in the past in bidding, but impressed with how quickly Applied Connective got numbers to the board. Vote – Haxby, Dorn and Swavely voting aye, Schuller, Tiemann and Lytle voting nay. Motion failed due to 3-3 tie.

Discussion on agenda item #10, for Highway Dept. cameras and equipment in the amount of \$20,535.00. This was requested to be added in addition to the quotes presented last meeting since everything else is being updated. It is for 14 cameras at the Highway Dept., installation, monthly management service for updates, camera replacement, etc., 1-year contract, does not include the off-site lot. Motion made by Swavely, seconded by Haxby to approve consent agenda item #10, quote with Applied Connective for Highway Dept. cameras and equipment in the amount of \$20,535.00. Discussion – cameras would be on the outside and inside of the Dept. to provide protection to employees and/or the public; includes a DVR there for short-term save (may need upgraded), and that it will relay back to courthouse for long-term save; would feed into the security server listed in item #5; whether the cameras are compatible with current system; cost of maintenance service is more than cost to replace cameras. Tiemann called for vote. Haxby, Dorn and Swavely voting aye, Schuller, Tiemann and Lytle voting nay. Motion failed due to 3-3 tie.

Haxby said that she still doesn't agree that it was right to ask our IT people to quote these things, they gave us the numbers, and now we're going to ask them to have to re-bid against other companies after they already put their numbers out there. Tiemann said that he and Lytle had a conversation that the original intent of having one vendor was not to exclude other vendors, it was intended to make things easier and seamless staying all with one entity, but we also need to do our part to give local vendors the option and ability to bid. It's unfortunate that the numbers from Applied Connective were put out there, and we can't change that now, but he thinks people can see both sides to the situation and know that it wasn't intentional. These are large amounts and the full scope of the project was more than just election and cyber security, but many more things included in county security that weren't originally thought about. Dorn stated that it's not right for other companies to be able to see Applied's bid amounts. Schuller said we have the right to review the bids and see what they are charging us for. Haxby reiterated that she feels the whole situation is wrong in so many ways, especially since Applied Connective's quote amounts are out there now.

Short recess at 10:12 a.m. Back in session at 10:17 a.m. with all members previously listed present.

Motion made by Dorn, seconded by Swavely to approve claim #23120077 to Hard Rock Quarries, LLC. in the amount of \$1,620.87, bringing the total amount of claims paid through December 12, 2023 to \$552,281.51. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

No public present for comments or request for future agenda items.

Committee reports were given by Swavely and Dave Jones on Bldg. & Grounds/Winter Lights; Tiemann on Equalization; Haxby on Finance/Insurance; Lytle and Shf. Gustafson on Law Enforcement; and Haxby on Road & Bridge. Topics of discussion were east ramp pumps going bad; winter lights for tower will go on next year; spruce tree replaced in lawn by winter lights committee; N side of courthouse masonry is finished; will replace concrete and put screen around dumpster; winter lights committee is purchasing lamp posts for N & W sides of courthouse; info on transport van; status of outreach meetings, Dec 19 at Plymouth and Tri County School; on-line survey for grants will be available soon. Lytle and Tiemann thanked Haxby and Clerk Dawn Hill for all the grant work they've done for the county with no extra compensation, and all the money they've been able to bring back to the county.

NGage Executive Director Rachel Kreikemeier presented the Quarterly Report for July 1<sup>st</sup> through October 31, 2023. She talked about the Preschool Development Grant where 63% of providers participated. They can receive training incentives for attending classes for CPR and continuing ed. They hosted a successful Manufacturing Day where 150 students from 5 different schools visited manufacturing companies such as Landmark Snacks, Rare Earth Salts, Neapco and J & J Wire. They also plan to host a Business and Industry Day in the spring for students to visit other types of business besides manufacturing. Kreikemeier also reported that new businesses of Jimmy John’s and a Data Center are coming to Beatrice.

Motion made by Lytle, seconded by Swavely to approve receiving the NGage Quarterly Report and placing it on file. Motion carried 6-0.

Christina Lyons presented a Community Based Juvenile Services Grant Application to the board for approval. The grant funds are for having an alternative program of electronic monitoring as opposed to detention. It also provides community coaching for Cedars Youth Services, working with Nebraska State Probation, and pays for the expenses of operating the juvenile diversion program.

Motion made by Lytle, seconded by Swavely to approve Community Based Juvenile Services Grant Application and authorize the Chairman to sign. Motion carried 6-0.

Motion made by Dorn, seconded by Lytle to approve the purchase of 2 motor graders and 2 pickups and call for bids. Discussion – Haxby said the information was just received at committee meetings on Friday and she understood they were waiting to discuss further at next committee meetings with the full information so they could review what’s being replaced and why. Tiemann said they’re downsizing and will surplus 8 trucks. Lytle asked why 2 motor graders and which ones are being replaced, Mark said Beatrice West grader is a 2012 with 16,000 hours which is one, the other is one that has had a lot of emission issues. Specs were still marked as a “Draft”, and there were errors that need corrected before approving. Dorn and Lytle withdrew their motion and second – specs to be presented for approval at the December 27, 2023 meeting.

Motion made by Swavely, seconded by Schuller to move into closed session at 11:12 a.m. for possible litigation. Motion carried 6-0.

Haxby left during closed session.

Motion made by Swavely, seconded by Dorn to come out of closed session at 11:22 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 11:23 a.m. until December 27, 2023.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 12<sup>th</sup> day of December, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk



The Gage County Board of Supervisors met on December 27, 2023, at 8:45 a.m. with Terry Jurgens, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Emily Haxby absent.

Notice of said meeting was posted at the County Clerk's Office and published prior to the meeting in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Pledge of Allegiance recited.

Chairman Tiemann announced that a complete copy of the Open Meetings Act is posted at the back of the Board of Supervisors Room.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$1,476,463.73 which does not include claim #23120203 to Hard Rock Quarries, LLC in the amount of \$9,289.86, claim #23120204 to Johnny's Welding, Inc. in the amount of \$129.38, and claim #23120209 to R.L. Tiemann Construction, Inc. in the amount of \$24,085.31, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1296 to Pinpoint Communications Inc, Pinpoint will be installing a new communications line along Locust Road. Starting at Hwy 77, Pinpoint will bore under Hwy 77 from the east going west in the south grader ditch, continue to bore west along Locust Road in the South grader ditch for approximately 1.15 miles to Beatrice City Dump driveway. Pinpoint will then bore under Locust Road from South grader ditch to North grader and place a vault for future work. Located North of Section 21 & 22 T-3-N, R-6-E, Riverside Twp.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	159,694.79
All Copy Products	Copier leases	189.23
AT&T Mobility Accounts, LLC	Shf FirstNet mobile phones	526.21
AutoZone	Cabin filter	20.99
Beatrice Board of Public Works	Utilities	4783.02
Beatrice Mechanical Service	Jail cooler repair	139.22
Black Hills Energy	Shf/Jail utilities	884.40
Capital Business Systems, Inc.	Copier lease	71.07
Charm-Tex, Inc.	Inmate provisions	169.00
Charter Comm., Spectrum 2019	Jail cable TV	195.90
Cidnet	Data – Jail	999.90
City of Beatrice	Gbg svc, Prob Offc rent	18,371.96
Clerk of District Court	Court costs	151.50
CMH Clinics	Pre-empl. lab	40.00
Community Physicians Clinic	Pre-empl. exam	121.00
Consolidated Management Co.	Meals at training	224.75
Cortland-Lancaster Rural Fire	Qtrly EMS svc	1500.00
Credit Information Systems	Credit checks	25.50
Crowne Plaza, Kearney	Lodging	1079.60
DAS St Accntng Cntrl Fin 6507	Data processing	196.00
Dept. of Correctional Svcs.	Boarding inmates	1174.55
Gage Co. Sheriff	Shf. fees/mlg	604.22
Green Way Lawn Services, LLC	Lawn care	550.00
Hampton Inn, Kearney	Lodging	1199.50
Homestead LEPC	Annl dues	217.99
Intoximeters, Inc.	Breathalyzer repairs	1607.25
ISolved Benefit Services	Admin fees	148.50
Jerry Shelton, Atty	Atty fees	546.25
Lepant Law Offc.	Atty fees	1216.00
Mahloch Law Offc.	Atty fees	964.25
Mead Lumber	Supplies	4.99
Midwest Special Svcs.	Travel, meals	2076.35
Jacie Milius	Supplies reimb.	107.27
MIPS, Inc.	DC jury list processing, cards	654.82
NE Health & Human Svcs.	St. Inst. billing	90.00

NE Public Health Env. Lab	Blood alcohol tests	315.00
Nelson, Clark & Timan	Public Defender	6346.15
Norris Public Power Dist.	Horvath utilities	42.97
NE NE Juvenile Svcs.	Boarding inmates	2135.00
Polaris Law Group	Atty fees	2318.50
Priority Printing	Bd letterhead	135.66
Psychological Resources	Pre-empl exam	150.00
Quill – Det.	Offc supplies	144.45
Reagan Law Offcs.	Atty fees	620.50
Kristine Riekenberg	Prepare BOE	195.00
Security Services	Alarm monitoring	68.50
Sheridan Industries	Ext Offc janitorial svcs	120.00
Sepctrum (Charter)	EM subscr.	11.54
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2398.05
Summit Food Svc.	Jail meal svc.	5799.93
The Crete News	Publications	24.99
The Home Depot Pro	Restroom supplies	1119.62
U.S. Bank – Purchase Cards	Dues, travel, supplies	1011.87
Verizon Wireless EMS 8923-1	Cell phones	217.20
Verizon Wireless Co EMS 6384-1	Cell phones	328.08
Washington Co. NE Shf.	Boarding inmates	1495.00
Washington Co. KS Shf.	Boarding inmates	13,500.00
Windstream – Gen 1484	Gen Offcs phone admin	2151.52
Windstream – Hwy	Phones	312.35
Windstream – Hwy 1480	Phones admin	228.32
Windstream – Shf 4340	Phones admin	715.46
Windstream – Shf	Phones	616.82
Windstream – Vets 4377	Phones admin	120.73
Windstream – Gen Info	Phones	2231.87
Windstream – Vets	Phones	231.94
Zoellner Ford of Beatrice	Shf veh repairs, oil change	472.90

Road Fund

Highway Department Employees	Salaries	43,290.90
All Copy Products, Inc.	Copy overage	67.19
Beatrice Area Solid Waste (BASWA)	Waste disposal	40.00
Beatrice Board of Public Works	Utilities	596.51
Beatrice Concrete Sand & Gravel	Rock & gravel	30,933.27
Black Hills Energy	Utilities	314.14
City of Beatrice	Gbg svc	74.24
City of Wymore	Utilities	141.68
Constellation NewEnergy – Gas Div	Utilities	54.46
Diamond T Truck & Trailer	Part	92.44
Farmers Cooperative	Tires	258.00
Hard Rock Quarries, LLC	County rock	9289.86
Johnny's Welding	Parts	129.38
Mainelli Wagner & Associates	Engineering consulting	45,292.30
Midwest Towing & Recovery	Class A CDL	200.00
Norris Public Power Dist.	Utilities	403.69
Pavers, Inc.	Asphalt	442.43
R.L. Tiemann Const., Inc.	Twp gravel & hauling	24,085.31
Truck Center Companies	Parts, supplies	619.24
U.S. Bank – Purchase cards	Software	197.00

Insurance Fund

Gage County Health Insurance	Employee health ins claims paid	96,828.57
Mutual of Omaha	Ins. premiums	566.11

Diversion Program Fund

Beatrice Public Schools	Diversion fees, Aug-Nov.	4300.00
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Covid America Rescue Plan Fund

AMG Nebraska ISP, LLC	NextLink broadband internet proj.	925,000.00
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County Buildings Fund

Masonry Construction, Inc.	Courthouse exterior restoration	15,053.00
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General Fund

Ameritas	County share of Employees Retirement	11,451.35
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,629.23
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,875.25

Road Fund

Ameritas	County share of Employees Retirement	2,922.13
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,182.79
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	9,011.75

Motion made by Swavely, seconded by Dorn to approve the consent agenda with the addition of a closed session at the end of the meeting for personnel. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to approve claim #23120203 to Hard Rock Quarries, LLC in the amount of \$9,289.86 and claim #23120209 to R.L. Tiemann Construction, Inc. in the amount of \$24,085.31. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Dorn, seconded by Swavely to approve claim #23120204 to Johnny's Welding, Inc. in the amount of \$129.38, bringing the total amount of claims paid through December 27, 2023 to \$1,509,968.28. Motion carried 5-0-1 with Jurgens abstaining due to conflict of interest.

Margaret Haith, 104 W Granville Ave., Beatrice NE, spoke under public comments. She talked about attending a Planning & Zoning meeting where they were supposed to review CAFO regulations as directed by the Board of Supervisors. She said she was very disappointed that it seemed that they didn't want to deal with that task except for one board member seemed concerned that they weren't reviewing the CAFO regs. They ended up throwing it back to the BOS with the suggestion of appointing a committee, start having town hall meetings, and then suggested doing a review ALL of the zoning regulations. She is concerned that the thinking is that the regs are just fine, and that when a permit is applied for and during the process of approval, additional stipulations can just be added to any individual permit with amendments to it. Why let it go that far? Decide what changes need to be made, implement them, and save the time, energy and money it would take on each permit to go through what they did with the Island Grove CAFO, only to have them not get approved.

Committee reports were given by Swavely on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, Lytle, Shf. Gustafson and Lisa Wiegand on Law Enforcement/Emergency Management, and Jurgens on Road & Bridge. Topics of discussion were removal of small attached building on the N side of courthouse and filled in blocks where it was removed; quote requested from Masonry Const. to repair 3 window sills in that area; repair of clogged sewer line of courthouse; new counter in Dist. Court; school resource officer completed certification; road deputy completed training; Shf vehicle pricing; ongoing jail needs assessment; BOS public hearing on Jan 24<sup>th</sup> for telecom. tower; P&Z mtg on Jan. 18<sup>th</sup>; ongoing discussions on CAFO regs; possible full update of P&Z regs; issues with Shf. hybrid vehicle; upcoming bids for box culverts; and road project update.

Tiemann said the Board has a plaque to present to Jim Munoz for his years of service to Gage County. Munoz has worked for the county for 35 years and had most recently been the main blade operator in the northern part of the county. Tiemann said Munoz wouldn't be in to receive the plaque but that the board would get it to him and they wish him the best in his retirement.

Discussion on replacement for the area that Munoz covered as a blade operator. Lytle asked if it needs to be a full-time operator or could a float person handle it. Tiemann said it's a dedicated route and he recommends having a full-time operator, Jurgens agreed.

Short break at 9:31 a.m. Back in session at 9:36 a.m. with all members previously listed present.

Motion made by Dorn, seconded by Swavely to move into closed session at 9:36 a.m. for personnel. Motion carried 6-0.

Jurgens left during closed session.

Motion made by Swavely, seconded by Dorn to come out of closed session at 10:26 a.m. Motion carried 5-0.

Township Meeting is scheduled for Feb. 8, 2024.

Motion made by Dorn, seconded by Swavely to adjourn at 10:32 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 10:32 a.m. until January 10, 2024.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://www.gagecountynebraska.us).

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk

/s/ Erich Tiemann  
Erich Tiemann, Chairman  
Gage County Board of Supervisors

I, Dawn Hill, County Clerk of Gage County, do hereby certify that the above records are true and accurate to the best of my knowledge.

Witness my hand and official seal this 27<sup>th</sup> day of December, 2023.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk