



# 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