



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 Hofer, 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 19th of April, 2023, and the 26th 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 26th 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.

/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 26th day of July, 2023.

(SEAL)

/s/ Dawn Hill
 Dawn Hill
 Gage County Clerk