



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 606th Ave., Liberty NE; Steve & Lonnie McDowell, 506 Warren St., Liberty NE; Clint Ruyle, 60619 710th Rd., Liberty NE; Don

Wade, 706 Wayne St., Liberty NE; Patty Barnard, 41928 S 176th Rd., Liberty NE; Brian Boyarko, 708 Warren St., Liberty NE; Kerri Jones, 41722 S 108th 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 18th 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 2nd 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. 1st; 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 4th 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.

/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 4th day of October, 2023.

(SEAL)

/s/ Dawn Hill
Dawn Hill
Gage County Clerk