



## Gage County Board Minutes

The Gage County Board of Supervisors met on January 24, 2024, 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 \$919,229.65 except claim #24010229 to Hard Rock Quarry in the amount of \$2,504.72 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, 2023; 6. Approve Specs and call for bids on 2 Pickup trucks for Highway Dept. Bids to be opened on February 21, 2024 @ 9:15 a.m.; 7. Approve Specs and call for bids on County Rock & Gravel. Bids to be opened on February 21, 2024 @ 9:30 a.m.; 8. Approve addendum to Motor Grader bid specs. Bids to be opened on 2/7/2024 at 9:15 a.m.; 9. Approve 2023 Annual Noxious Weed report and having Chairman sign report; 10. Approve Gage County Disaster Declaration.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	164,598.92
Advanced Correctional Healthcare	Jail on-site medical svcs	7293.15
All Copy Products, Inc.	Copier leases and copy overages	338.94
Applied Connective Technologies	IT equip. and labor	2716.59
AT&T Mobility Accounts, LLC	Shf FirstNet phone svc.	526.21
Beatrice Area Solid Waste – BASWA	Annl. BASWA fee, waste disposal	26,590.00
Beatrice Board of Public Works	Utilities	5303.27
Beatrice Community Hospital	Jail continuing ed.	100.00
Beatrice Fire Protection, LLC	Fire extinguisher inspections	82.50
Beatrice Iron & Metal	Shf veh repair	213.04
Beatrice Mechanical Svc.	Jail equip. repair, labor	165.00
Beatrice Public Schools	Juvenile svcs.	3409.98
Black Hills Energy	Utilities	556.61
Blue Valley Door Co., Inc.	Cthse down spouts	550.00
Blue360 Media	NE Criminal & traffic law manuals	281.78
Bob Barker Co., Inc.	Inmate provisions	238.04
Buffalo Co. Shf.	Svc of papers	18.50
Charm-Tex, Inc.	Inmate provisions	84.50
Charter Comm., Spectrum 2019	Jail cable TV, Prob. phones, internet	403.86
Cidnet	Jail data purchased	999.90
City of Beatrice	Beatrice Library	16,577.80
Clerk of District Court	Court costs	494.40
Clerk of Dist. Court Assn.	2024 dues	50.00
Correctional Risk Svcs.	Inmate medical	1284.00
Creative Surfaces, LLC	Ext Offc countertops	1225.00
DAS St. Accntng Cntrl Fin 6507	Data processing	196.00
DataShield Corp.	Prob. doc shredding	16.96
Diode Technologies	Shf hard drive	225.92
Dr. Eric Thomsen	Mntl hlth hrng	95.00
Eakes Office Solutions	Offc supplies	468.04
First Wireless Inc.	EM maint., twr repairs, repeater rental, etc.	4371.27
Gage County	Fund trnsfr – Gen to 911 Comm.	151,787.68
Garcia Laboratory	Jail medical	81.50
Gleason Dental Clinic	Inmate medical	88.43
Great Plains Uniforms, LLC	Uniform	75.50
Hampton Inn, Kearney	Assr lodging	332.00
IAPE- Intl Assn Prop & Evidence	Mbrshp	65.00
Isolved Benefit Services	FSA admin fees	148.50

Jack's Uniforms & Equipment	Uniform equip	77.99
Jerry Shelton, Atty	Atty fees	926.25
Jones Automotive, Inc.	Shf veh equipment	15,886.56
Marvin Kenfield	Cabinets at Ext Offc	2513.39
Lammel Plumbing	Supplies	33.24
Land Survey Tech	Co. Surveyor operating expns	5377.50
Lepant Law Office, PC LLO	Mntl hlth hrng	95.00
Mead Lumber	Concrete filler	78.28
Microfilm Imaging Systems	Scanning equip rent	265.00
Midwest Area Refuse Solutions	Garbage svc cths, jail, ext offc	362.20
Midwest Special Services, Inc.	Inmate transport	1505.10
Murray Law, PC LLO	Atty fees	881.50
Natl. Public Safety Info Bureau	Natl Directory of Law Enf Admin.	159.00
NE Health & Human Svcs.	St Inst billing	180.00
NE Co. Assr's Assn.	Assn dues	75.00
NE U.C. Fund	Unemployment	1158.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
NI Government Services, Inc.	Sat phone	77.39
O'Reilly Auto Parts	Parts, supplies	72.90
Theodore Paben	Snow removal	50.00
Paper Tiger Shredding, Inc.	Doc shredding	80.00
Polaris Law Group	Atty fees	2023.50
Pollack & Ball, LLC	Atty fees	6146.50
Priority Printing	Letterhead, bus cards, env.	673.85
Quill – Ext	Offc supplies	194.25
Quill – EMS	Offc supplies	417.75
Quill – Prob	Offc supplies	38.80
R&B Arms	Supplies	1244.85
Region V Svcs., Central Office	Qrtrly funding	9928.50
Sapp Bros. Petroleum	Shf/Jail fuel	4545.85
SE Nebr. Communications	Prob phones	110.21
Secretary of State	Cert copies	40.00
Sheridan Industries	Ext offc janitorial svcs	120.00
Spectrum (Charter)	Emer Mgmt TV subscr	11.54
Stephen Kraviec, PC LLO	Child Suppt Enf Atty, postage	2463.24
Summit Food Svc.	Jail meals	8673.57
T.O. Haas Tire	Repairs, oil changes	889.74
The Fairbury Journal News	Publication	15.54
The Home Depot Pro	Janitorial supplies	293.70
The Radar Shop	Repair	134.00
The Univ. of NE Med Center	Shf investigative expns	101.00
The Voice News	Publications	307.50
U.S. Bank – Purchase Cards	Fuel, meals, lodging	1214.93
U.S. Postal Svc. 8062070	Postage for meter	25,000.00
Verizon Wireless – EMS 8923-1	Cell phones	217.23
Washington Co. Sheriff's Offc.	Boarding inmates	4030.00
Windstream – Ext. 4344	Phone admin fees	279.08
Windstream – Ext Offc	Phones	308.37
Windstream – Fillmore Co Prob	Phones	435.20
Windstream – Gen 1484	Phone admin fees	2151.53
Windstream – Hwy	Phones	312.37
Windstream – Hwy 1480	Phone admin fees	228.32
Windstream – Shf 4340	Phone admin fees	715.47
Windstream – Shf	Phones	608.34
Windstream – 4377 Vets	Phone admin fees	120.73
Windstream – Cthse Gen	Phones	2229.56
Windstream – Vets	Phones	231.94
<u>Road Fund</u>		
Highway Department Employees	Salaries	44,913.69
All Copy Products	Copy overage	61.74
Bauer Built Tire	Tires	3342.51
Beatrice Board of Public Works	Utilities	736.59
Beatrice Concrete Sand & Gravel	Rock & Gravel	18,126.60
Beatrice Iron & Metal Co.	Tools, supplies	363.11
Constellation NewEnergy	Utilities	154.05
Farmer's Cooperative	Tires	9565.44
Hard Rock Quarries, LLC	Rock & gravel	2504.72

Heartland Tires & Treads, Inc.	Tires	9043.44
Mainelli Wagner & Assoc.	Engineering consulting	60,950.00
Midwest Area Refuse Solutions	Gbg svc	74.24
NMC Exchange	Parts, oil	14,852.67
Norris Public Power Dist.	Utilities	522.39
O'Reilly Auto Parts	Parts	74.98
Sapp Bros. Petroleum, Inc.	Fuel	21,083.96
Surplus Center	Supplies	36.00
U.S. Auto Force	Tires	3120.00
U.S. Bank – Purchase cards	Flags	451.87
<u>Insurance Fund</u>		
Clabaugh Pharmacy	Co. employee flu shots	1595.00
Gage County Health Insurance	Employee health ins. claims pd.	57,879.44
Mutual of Omaha	Ins. premiums	556.22
<u>Community/Economic Development Fund</u>		
NGage (Gage Area Growth Ent.)	Qtrly share pmt	42,545.61
<u>911 Emergency Management Fund</u>		
City of Beatrice	Qtrly 911 svc fee	59,106.16
<u>General Fund</u>		
Ameritas	County share of Employees Retirement	11,992.92
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,025.84
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	26,202.91
<u>Road Fund</u>		
Ameritas	County share of Employees Retirement	3,031.70
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,307.31
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	8,632.08

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

Motion made by Swavely, seconded by Dorn to approve claim #24010229 to Hard Rock Quarry in the amount of \$2,504.72, bringing the total amount of claims paid through January 24, 2024 to \$921,734.37. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Margaret Haith, 104 W Granville Ave., Beatrice NE spoke under public comments regarding the smell from CAFO's and the current ½ mile setback not being far enough, would like it to be changed.

Committee reports were given by Swavely on Bldg. & Grounds, Tiemann on Equalization, Jurgens on Finance/Insurance, and Shf Gustafson on Law Enforcement. Break in committee reports for a timed agenda item.

Motion made by Swavely, seconded by Dorn to open public hearing at 9:16 a.m. to hear support and/or opposition from the public on Special Use Permit #2023-6 for the placement of a Telecommunications Tower to be located on a tract of land in the NE corner of the North ½ of the West ½ of Section 6 in Blakely Township, Gage County, Nebraska. Motion carried 7-0.

P&Z Administrator Lisa Wiegand gave the P&Z's recommendation of approval of the SUP. She discussed the location being on Cammack's ground near Tri County School, notices that were given, P&Z's public hearing was held, distance from tower to nearby residences, that all requirements were met, and that the P&Z Commission recommends approval with the condition that during the construction phase, Elm Road is maintained at the current condition or better, which the permit holder has agreed to. Jerrod Foutes, 4714 W 80<sup>th</sup> St., Prairie Village KS, said that he represents Horvath Communications who will be the owner and Verizon who will be the main tenant, and that in the permit process it is agreed that tower space will be provided to the county for 911 use. He also stated that the tower meets all FAA requirements.

Motion made by Dorn, seconded by Swavely to close public hearing at 9:33 a.m. Motion carried 7-0.

Back to committee reports – Lisa Wiegand on Emergency Management & P&Z, and Haxby on Road & Bridge. Topics of discussion during all committee reports included repairs needed for Shf phone backup; introduction of Wymore Police Chief Bobby Martinez who came from Cheyenne County; issues with Shf. hybrid vehicle; next P&Z meeting is on Feb. 22<sup>nd</sup> at 7:00 p.m.,

with public hearing on SUP for commercial ag business; sub-committee of Haxby, Swavely and Dorn to re-review zoning regs changes to recommend to P&Z, public should contact one of the 3 with ideas; public welcome to give input at the Feb. 5<sup>th</sup> committee meetings at 8:00 a.m. on livestock regs and setbacks; Marcella Rademacher spoke and provided documentation of odor issues with the CAFO in Hanover Twp., stating she lives 1 mile west and ½ mile north and the smell is constant, the vents and incinerator are running at all times, said Brandon Oltman on Buckeye Rd nearby had someone driving by stop at his residence because they could smell what they thought was propane but it was actually the incinerator, Laura Fikar who lives SE of facility sent Marcella a message this morning that said the smell was terrible, maybe the Supervisors should go for a drive today, Kevin & Kristen Meyer has said the smell is all the time and even coming into their house, a group has gone to NDEE and all they say is that odor is subjective, she says the value of her place has plummeted because no one wants to live with that; Haxby thanked Hwy crews for work with snow removal; Township Association Annual Meeting will be on Feb. 8, 2024 at 7:00 p.m. at the Veterans Club with infrastructure outreach included; and discussion on grants in process.

**RESOLUTION CERTIFYING PROPER COMPLETION OF PROJECT**

Gage County  
Resolution No. 24-02

**WHEREAS**, Gage County and State entered into an agreement entitled “County Bridge Matching Program Agreement”, for the structure number C003414725 (the Project), Program Agreement Number BL2103 signed by State on the 22<sup>nd</sup> day of February, 2021; and,

**WHEREAS**, Gage County has now completed the construction of the Project that was identified in the Program Agreement; and,

**WHEREAS**, this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

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

- (1) The Project, for Structure No. C003414725, has been properly constructed by County and its contractor, in accordance with the terms of the Program Agreement.
- (2) The bridge was constructed in strict compliance with
  - (a) the plans and specifications including any State-approved change orders,
  - (b) all applicable design standards, and
  - (c) the conditions and requirements of the Program Agreement.
- (3) County understands that it is the owner of the bridge, and that it is solely responsible for the design, inspection, construction, reconstruction, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal commitments applicable to the project.
- (4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOT Project Number: STWD-CBMP(5)  
NDOT Control Number: 00974D  
NDOT LPA Control Number: 00974D(c)  
NDOT Project Name: County Bridge Match Program

Adopted this 24<sup>th</sup>, day of January, 2024 at Beatrice, Nebraska.

The Board of Supervisors of Gage County

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

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  
Signature County Clerk

Motion made by Lytle, seconded by Dorn to approve adopting Resolution #2024-2 Certifying Proper Completion of Project for CBMP(5) for the structure number C003414725, Program Agreement Number BL2103. Hwy Supt Kuhnke said this project was a bridge structure on SW 176<sup>th</sup> Rd, South of Hwy 136 and East of Filley. It was a Bridge Match project. He reported that there will be 2 more projects coming up, one on SW 61<sup>st</sup>, North of Belvedere, and one on SW 75<sup>th</sup>, ½ mile North of Scott. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to approve the 2024 Board Committees and Appointments. Motion carried 7-0.

Motion made by Lytle, seconded by Dorn to approve the 2024 Board of Supervisors Standing Rules. Motion carried 7-0.

Short break at 10:13 a.m. Back in session at 10:23 a.m. with all members previously listed present.

Motion made by Swavely, seconded by Dorn to move into closed session at 10:23 a.m. for security and negotiations. Motion carried 7-0.

Motion made by Swavely, seconded by Dorn to come out of closed session at 10:56 a.m. Motion carried 6-1 with Haxby voting nay.

Chairman declared Board of Supervisors meeting adjourned at 10:56 a.m. until February 7, 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 24<sup>th</sup> day of January, 2024.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk