



# Gage County Board Minutes

The Gage County Board of Supervisors met on April 2, 2025, at 8:45 a.m. as per public notice given on the county website and in the Beatrice Daily Sun on March 20, 2025, copy of the proof of publication being on file in the County Clerk’s Office. The agenda for all meetings is kept continually current and is available for public inspection at the County Clerk’s Office during normal business hours and was communicated in the advance notice of the meeting. The Board of Supervisors has the right to modify the agenda to include items of an emergency nature only, at such public meeting. All of the proceedings shown hereafter were taken while in the convened meeting which was open to the attendance of the public.

Supervisors Rex Adams, Rick Clabaugh, Emily Haxby, Erich Tiemann, Gary Lytle, Eddie Dorn, and Terry Jurgens present.

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 \$567,907.73 which does not include claim #25040114 to Diversified Drug Testing in the amount of \$185.00, claim #25040117 to Johnny’s Welding in the amount of \$33.11 and claim #25040121 to R.L. Tiemann Const. Inc. in the amount of \$52,091.98 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Gage County Disaster Declaration for damage from March 19, 2025 storm; 6. Receive and place on file 2024 Annual report for Clatonia Rescue Squad.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	174,361.61
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	Jail onsite medical svcs	188.25
All Copy Products	Assr copy overage	75.63
Amazon.com, LLC	Treas tower fan	59.49
American AED, LLC	13 replacement batteries	3825.90
AT&T Mobility Accounts, LLC	Shf cell phones	646.64
AutoZone	Supplies	27.14
Beatrice Lawn Care	Snow removal, ice melt	3420.00
Beatrice Public Library	Amer. Sign Language	500.00
Beatrice Public Schools	Juv. Justice grant	3474.26
Black Hills Energy Ext 5089	Utilities	287.21
Capital Business Systems	ROD copier lease	79.00
Capital City Transfer Svcs.	Autopsy expns	329.40
Cardinal Assessment Group, LLC	Review bldg. permits, acreages	10,275.00
CASA of Gage County	Child advocacy expns	1137.39
Charter Communications Spctrm2019	Prob. internet	210.00
Clearly Communications	Phones/IT	2833.14
Column Software PBC	Daily Sun publications	868.13
Correctional Risk Services	Inmate medical	7214.47
Critical Hire	Shf pre-empl exam	25.00
Dr. Eric Thomsen	Mntl Hlth hrng	110.00
Sandra Eltiste	Prior svc retirement	12.00
First Wireless, Inc.	Twr rental	440.00
Griffiths Hovendick Chapel	Transport	425.00
HD Supply Facilities Maint.	Shf clng supplies	351.96
Hometown Leasing	Prob copier leases	738.47
Jerry Shelton, Atty	Atty fees	593.75
Johnson Co. Shf.	Boarding inmates	130.00
Jurors	Jury fees	3878.70
Joyce Kassing	Prior svc retirement	20.00
Kraviec, Maurstad Law	Child Suppt. Enf. Atty	2398.05
Lammel Plumbing	Det. shwr supplies	53.20
Lancaster Co. Shf.	Svc of papers	8.19
Land Survey Tech	Co. Surveyor operating expense	9089.10
Lepant Law Office	Atty fees	2105.00

Murray Law, PC	Atty fees	3173.00
NACO	Conf. fees	175.00
NE Health & Human Svcs.	St. Inst.	336.00
NE Machinery Co.	Generator maint., battery	4002.83
Nelson, Clark & Timan	Public Defender, seminar fee	6596.15
Odell Vol. Fire & Rescue	Qrtrly EMS svc.	1500.00
Pinnacle Bank	ROD deposit books	149.80
Pinpoint Communications	Cths internet	270.17
Priority Printing	Treas printed materials	55.00
Quadient Finance USA, Inc.	Shipping chgs	386.82
Quill – Det.	Offc supplies	40.99
Quill – Prob.	Offc supplies	531.31
Quill – Treas	Offc supplies	32.55
Kristine Riekenberg	Mntl hlth hrng	110.00
SE NE Communications	Prob phones	110.03
Secretary of State	Atty cert copies	40.00
Security Services	Shf/Det fire alarm inspec.	200.00
The Sherwin-Williams Co.	Painting supplies	34.62
Staples Business Credit	Shf offc supplies	27.68
Summit Food Service	Jail meal svc.	6064.37
T-Mobile USA, Inc.	Shf twr dump	50.00
Top Notch Painting	Supplies, labor	6500.00
Tyler Technologies, Inc.	VetraSpec renewal	898.00
UNL Nebraska Extension	Annl Ext Offc internet connectivity	1200.00
US Postal Svc #8062070	Pstg for meter	25,000.00
Verizon Wireless Prob 339-1	Phones	354.18
Windstream – Wlbr Prob	Phones	55.33
Woods & Aitken, LLP	Prof lgl svcs	1768.00
Zoellner Ford of Beatrice	Veh svc/rpr	892.40

Road Fund

Highway Department Employees	Salaries	43,329.93
Beatrice Concrete Sand & Gravel	Rock & gravel	35,331.98
Black Hills Energy 6863	Utilities	147.87
Black Hills Energy 8861	Utilities	402.28
Bomgaars	Battery chgr, supplies	224.64
Capital One, NA	Shelving	88.00
Constellation NewEnergy – Gas Div.	Utilities	489.93
Diversified Drug Testing	Alcohol testing	185.00
DMC Wear Parts, LLC	Grader blades	5212.50
First Wireless, Inc.	Repeater rental	350.00
Johnny's Welding	Iron	33.11
Mainelli Wagner & Associates	Engineering consulting	21,675.70
Midwest Petroleum Equipment	Repair gas pump	571.97
Norris Public Power Dist.	Utilities	545.70
R.L. Tiemann Const.	Twp gravel & hauling	52,091.98
Rock On, Inc.	Twp gravel & hauling	3861.67
Rose Equipment, LLC	Parts, labor	2196.05

Road & Bridge Sinking Fund

Mainelli Wagner & Associates	Engineering consulting	31,827.60
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Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	3055.03
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Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	26,884.14
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Transportation Development Grant Fund

Felsburg, Holt & Ullevig	Co. Rd. S 26 housing & urban dev.	5157.50
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General Fund

Ameritas	County share of Employees Retirement	12,633.24
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,646.17
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	49,037.27

Road Fund

Ameritas	County share of Employees Retirement	2,924.73
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Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,174.17
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	15,105.76

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

Motion by Adams, seconded by Dorn to approve claim #25040114 to Diversified Drug Testing in the amount of \$185.00. Motion carried 6-0-1 with Clabaugh abstaining due to conflict of interest.

Motion by Dorn, seconded by Adams to approve claim #25040117 to Johnny's Welding in the amount of \$33.11. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

Motion by Dorn, seconded by Adams to approve claim #25040121 to R.L. Tiemann Const. Inc. in the amount of \$52,091.98, bringing the total amount of claims paid through April 2, 2025 to \$620,217.82. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

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

Jason Hartig introduced new Veterans Service Officer Keil Mick to the board. Mick graduated from Wymore High School and served six years in the U.S. Air Force which included two tours overseas in the Middle East. Veterans Service Committee members Donald Junker and Robert Theye were also present.

Angela Johnson, Public Health Solutions Program Manager, spoke to the board about the Healthy Families America Program which is an evidence-based home visitation program. She wanted to share that they are seeing an increase of almost double the referrals in Gage County from last year. Examples of what they see are families living in hotels (some with insect and bedbug infestations), substance use, domestic violence, and even deaths from overdose and suicide. She said it's hard when they're having to be in intervention mode instead of the prevention mode that they are intended for. She said there is also good happening such as teen mothers who stay in the program and go on to graduate from high school and break the generational cycle. Johnson said her main purpose today is to bring awareness to the board about what is happening in the county.

Motion by Haxby, seconded by Clabaugh to approve recommendation on Special Designated Liquor License for BLT Investments, LLC dba 402 Sports Bar & Grill for the Nebraska Cattlemen's Ball to be held on June 7 & 8, 2025. Motion carried 7-0.

Discussion on time reduction on the culvert project awarded to Vogtscapes. Tiemann explained there was a request for an extension of completion date from Nov. 1, 2024 to May 1, 2025 due to rain, then C-34(1262) was removed from the total project reducing the project by 45 days, then there was a 30-day hold-up waiting for Windstream to move lines, taking the date back to mid-April. Tim Vogt, owner, and Keith Sunderman, Project Manager, questioned if 1262 was pulled before the extension was granted as that would have affected the days also. Mark Kuhnke said he listened to the audio from the meeting when the extension was discussed and the motion was worded *with project 1262 on hold*. Vogt said with the delays of Windstream, the non-refundable dollars lost on the bond for the pulled 1262 project, and some snow days, they feel they should be allowed a few days. He said if it could be settled on the date of June 1<sup>st</sup>, they could probably get it done. Pause in discussion for timed bid opening.

Motion by Dorn, seconded by Adams to approve closing bids at 9:15 a.m. on RFQ for Congressional Project Funding (CPF) through HUD (Housing and Urban Development). Motion carried 7-0.

Back to Vogtscapes discussion. Vogt said if they could have until June 1<sup>st</sup>, they would do what it takes to get it done by then. Clabaugh said the board just wants it finished and wants to know when that will be. Jurgens said the longer it goes on, the more prices for products go up that Vogtscapes will have to deal with, so he suggested to give them until June 1<sup>st</sup> and they get it done. Adams agreed. Tiemann pointed out that it's been 14 months since the project was bid out. Jurgens reminded the board that Vogtscapes has done excellent work for Gage County in the past. Haxby said since the project is in her district, she's been getting a lot of the calls asking when it's going to be finished and why there aren't people out there working on it. Lytle stated that, as contractors, some delay considerations should be figured into the bid and the county was more than generous in moving the date out to May 1<sup>st</sup>. He's concerned that they're setting a precedent by continuing to move the date back. Lytle asked Co. Atty Harris if the May 1<sup>st</sup> date could be left out there with the understanding that if it's completed by June 1<sup>st</sup> then we work something out on the liquidated damages and maybe we're agreeable that as long as it gets done by June 1<sup>st</sup> we're OK. Harris said you could have another meeting close to June 1 to get progress report and make a decision that day. Pause in discussion for timed agenda item for bid opening. Tiemann asked for motion to close bidding on Hwy Dept. pickup.

Motion by Dorn, seconded by Lytle to approve closing bidding at 9:30 a.m. for a 2024 or newer regular cab pickup for the Hwy Dept. Motion carried 7-0.

Back to Vogtscapes discussion. Motion made by Jurgens, to extend the culvert projects until June 1, 2025, seconded by Dorn. Haxby said she opposes, stating that even with the adjustments to days with removing 1262, adding days for Windstream delay, it would bring ending date to April 15<sup>th</sup> so she feels that May 1<sup>st</sup> is a good compromise. We had a Nov. 1 deadline for a reason and that was not met, and we were gracious to extend that deadline out 6 months to May 1<sup>st</sup> due to rain. She has to answer to the people in the area. Adams questioned how much further it will push it out if we do call up the bond and have to find someone else to finish it. Vogt said he has no problem working to get it done and coming back again at the beginning of May to plead their case and prove they are a reputable company. Kuhnke said permits have been submitted by Windstream on the remaining sites but there's only one or two crews doing these so there are delays everywhere. Vogt said he doesn't want to open the project and close the road, then be delayed again by Windstream. Lytle said he won't vote for June 1 – he thinks leaving it May 1 is a good opportunity for Vogtscapes to prove themselves, get it in a spot where it can be done by June 1, and we'll have a conversation on April 30<sup>th</sup> when you can show yourself out well. Clabaugh agreed. Vogt said he is fine with leaving it at May 1 as long as we have a discussion about Windstream slowing them down. He said they're willing to come back to the April 30<sup>th</sup> meeting to discuss. Tiemann stated there is a motion to extend the finish date for culvert projects to June 1, 2025, and if the motion does not pass, the intent is to keep this open for discussion at the April 30, 2025 meeting. Tiemann called for the vote. Motion carried 4-3 with Adams, Tiemann, Dorn and Jurgens voting Yea, Clabaugh, Haxby and Lytle voting Nay. Haxby reiterated that she doesn't like the precedent being set by this. Lytle asked Vogt to come back with a progress update on April 30<sup>th</sup>, Vogt agreed to come back.

Back to bids on RFQ for Congressional Project Funding (CPF) through HUD. Motion by Dorn, seconded by Clabaugh to accept all bids. Bids were given to Haxby to open. Bids were received from Miller and Associates, JEO Consulting, and Mainelli Wagner & Associates. Tiemann asked Haxby to pause for a moment.

Tiemann asked Bev Acton and Sarah Behrends to come forward to talk about the Cattlemen's Ball. Acton and her husband Terry are hosting the Ball this year and Behrends is with 402 Sports Bar & Grill who will hold the liquor license for the event. Acton gave an update on where things are at with the Ball. She stated her name and address for the record as Beverly Acton, 31250 S 94<sup>th</sup> Rd., Holmesville, NE. Acton said she wanted to take time to thank the Board for all of the support they've given to her and her husband Terry and the Ball. They've worked with Lisa in Emergency Management coordinating all the firefighters, culverts have been made available by the county and trees in ditches have been removed, a tourism grant was approved by the county for transportation of guests, the Sheriff's Office working with them on the liquor license recommendation, and the overall support of the community has been appreciated. Starting May 15<sup>th</sup>, the first of 9 tents will arrive and be put up with others to follow. There will be a Ranch Rodeo on Saturday afternoon which will have twelve 4-man teams. The main entertainer will be singer Gabby Barrett then Nebraska native Jordan Schoch will perform in the Saloon Tent. There will also be a tent from Buffet coming where you can get multiple free medical tests done and there have been some amazing donations for the live auction. Acton gave kudos to the Chairman of the event and the 40-50 subcommittees, all working to make this event all come together. She hopes everyone can make it out and they're really looking forward to it.

Back to RFQ bids. Miller and Associates, and JEO Consulting both declined to submit proposals. Mainelli Wagner & Associates submitted a letter of qualifications of their design team and a list of their capabilities. Haxby said since we only received one response with qualifications for this project, she would move to accept using Mainelli Wagner & Associates as the engineer for our CPF Project. Since there was already a motion made to accept bids that had not been voted on, Tiemann asked Dorn and Clabaugh if they would like to amend their motion and second to include accepting and awarding the bid to Mainelli Wagner & Associates. Jurgens asked if there was an amount. Haxby explained that before taking bids, the Request for Qualifications and selection of a qualified engineer have to be done in order to get reimbursed for funding through the grant process. Prices will come at a later date when we ask for proposals. Dorn and Clabaugh both agreed to amend their motion and second. Motion carried 7-0.

Back to bids on Hwy pickup. One bid was received from Twin Rivers for a 2024 Dodge Ram 3500 regular cab, 140" wheel base, 6.4-liter gas engine, gear ratio 3.73, will add running boards, price of \$45,609.00, delivery by April 30, 2025. Kuhnke said with the addition of the running boards the bid meets all specs.

Motion by Lytle, seconded by Dorn to approve accepting and awarding bid on 2024 Dodge Ram pickup to Twin Rivers in the amount of \$45,609.00. Motion carried 7-0.

Committee reports were given by Dave Jones on Bldg. & Grounds, Tiemann on Law Enf./ Emer. Mgmt., Human Resources/Employee Relations, and Equalization, Jurgens & Tiemann on Finance/Insurance, and Haxby and Mark K. on Road & Bridge. Topics of discussion included 2<sup>nd</sup> floor slow sink drains solution, work on entrance doors, removing bricks from windows in upper attic for air circulation, replacing burnt out LED lights on courthouse exterior & looking at lenses, Applied Connective progress on board room project, reassessment of county property – rural then Beatrice, working on Fall 2024 gravel allotments, an update on Rockford Road and culvert projects, and an update from Co Atty Harris on litigation cases. Taylor McHenry, Barneston Fire Chief and 3 & 33 Mutual Aid Association Chairman for 2025, was asked by Lisa Wiegand to speak to the board about what it means to be an active participant for deployment on the 3 & 33 Task Force. He said that the Task Force is a valuable asset as they are the only one on this side of the state. All of the emergency response teams in the area are under-staffed and under-funded so it’s invaluable to have a team ready to deploy for extended incidents where local jurisdictions and their mutual aid partners get burnt out. You can’t monitor a wild fire for 24 hours a day with a small number of volunteers for an extended time when they’re leaving jobs and families to be there. We can provide a break for them to rest, reset and regroup until they’re ready to come back and take over. Same goes for floods, tornadoes, and any other catastrophic incidents that need emergency services. McHenry said they often get asked what they gain from the Task Force. He reflected that *if you’re asking yourself that question then you’re probably in the wrong line of work*. He values the relationships they’ve formed with the local agencies, agencies across the state, and at the NEMA level, forming a trust that they will all be there for each other when needed. If members are deployed and there is a local incident, other local districts step in to cover. Lytle thanked McHenry and all of the Task Force members for their efforts saying it’s a big deal and important to have people willing to volunteer to be on the force, ready to go out and learn new techniques and skills as you travel to different areas. Tiemann also commended the Task Force members for putting their lives on the line when they go out, in spite of the fact that they’re taking time away from family and jobs and not getting paid to do it. It’s actually costing you time and money but you still do it, so we want to thank you very, very much for all you do.

Motion by Dorn, seconded by Haxby to move into closed session at 10:23 a.m. for litigation. Motion carried 7-0.

Jurgens left meeting at the end of closed session.

Motion by Haxby, seconded by Adams to come out of closed session at 11:16 a.m. Motion carried 6-0.

Motion by Haxby, seconded by Dorn to approve allowing Jeff Kirkpatrick to file an appeal in Case #CI24-148, between Pinpoint Communications and Gage County. Discussion. Motion failed 3-3 with Haxby, Tiemann and Dorn voting yea, Adams, Clabaugh and Lytle voting nay.

Motion by Haxby, seconded by Adams to approve setting a Special Meeting to discuss possible litigation, allowing time to gather and present further information. Tiemann asked for date and time of proposed meeting, Haxby set it for Friday, April 11, 2025, at 9:00 a.m. Motion carried 4-2 with Adams, Clabaugh, Haxby and Tiemann voting yea, Lytle and Dorn voting nay.

Chairman declared Board of Supervisors meeting adjourned at 11:20 a.m. until the Special Meeting on April 11, 2025.

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

/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 2<sup>nd</sup> day of April, 2025.

(SEAL)

/s/ Dawn Hill  
Dawn Hill  
Gage County Clerk