

The Gage County Board of Supervisors met on August 5, 2026, at 8:47 a.m. as per public notice given on the county website and in the Beatrice Daily Sun on July 23, 2026, 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 \$1,116,232.50, which does not include claim #2608000060 to Johnny's Welding in the amount of \$1,128.98, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1352 to Northern Natural Gas, Northern will be closing Juniper Road, East of SW 89th Road, this section of road will be used for a by-pass and staging area. This section of road will be closed for approximately 30 days. Located North of Section 23, T-4-N, R-5-E, Blakely Twp.; 6. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of July 2026.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Gross pay	178,049.15
911 Custom	Shf uniforms	100.00
All Copy Products	EM copier lease	169.40
Ashley Riggle	Transcript	91.30
Black Hills Energy Det 8852	Utilities	197.34
Black Hills Energy Ext 5089	Utilities	62.69
Black Hills Energy Shf 1674	Utilities	51.26
Cardinal Assessment Group	BOE referee	9650.00
Charter Comm. Spectrum 2019	Jail cable TV	249.00
Cidnet	Data	999.90
City of Beatrice	Prob offc lease	20,354.22
Correctional Risk Svcs.	Inmate medical	405.00
Critical Hire	Pre-empl exams	25.00
Dept. of Corr. Svcs.	Boarding inmates	2529.80
Eakes Offc. Solutions	Offc supplies	1899.42
Fankhauser, Nelsen et al	Atty fees	3278.00
Gage Co. Court	Court costs	1594.00
Gage Co. Register of Deeds	Filing	34.00
Garrison Law Firm	Atty fees	2963.00
Hometown Leasing	Prob. suppl., copiers	458.56
Jefferson Co. Shf.	Court costs	19.00
Joyce Kassing	Prior svc retirement	20.00
Ken's Pest Control	Trtmnt	125.00
Kravec Maurstad Law	Child Suppt Enf Atty	3076.92
Kristine Riekenberg	Ct reporting	2255.00
Lammel Plumbing	Repairs	320.95
Murray Law	Atty fees	2858.50
NASASP	Dues	39.00
NE Health & Human Svcs.	St. Inst.	360.00
NE Window Coverings	Blinds	2900.00
Nelson, Clark & Timan	Public Defender	6346.15
Nicole Stoner	Mlg	118.56
Norris Public Power	Twr utilities	42.54
Philippi Electric	Replace light	208.00
Pinpoint Comm.	Internet svc	550.34
Quadient Finance	Shipping	184.77
Quill Ext	Offc supplies	134.83
Quill Co Ct	Offc supplies	420.59

Quill Prob	Offc supplies	154.00
Reagan Law Offc.	Atty fees	1800.00
Sandra Eltiste	Prior svc retirement	12.00
Smith Schafer Davis, LLC	Atty fees	906.25
Spectrum (Charter)	EM cable TV	11.47
Summit Food Svc.	Jail meal svc.	6468.24
T-Mobile USA	Shf expns	50.00
TK Elevator Corp.	Elevator maint.	291.28
TreviPay	Prob supplies	128.00
Tri County Credit Bulletin	Subscr.	172.25
UNITI	Prob phones	55.21
Verizon Wireless EMS 8923-1	EM cell phones, hot spots	223.93
Verizon Wireless GCSO	Cell phones, 4G cards	930.50
Verizon Wireless EMS 6384-1	Cell phones	325.15
Verizon Wireless Prob 339-1	Cell phones	312.82

Road Fund

Highway Department Employees	Gross pay	44,974.85
Beatrice Concrete Ready Mix	Concrete	490.00
Beatrice Concrete Sand & Gravel	Rock & gravel	33,701.96
Black Hills Energy Hwy 6863	Utilities	78.01
Bomgaars	Supplies	188.21
Cather & Sons Const.	Asphalt	8807.08
Central States Hydraulic Svcs.	Parts	199.74
Eakes Office Solutions	Offc supplies	270.47
Johnny's Welding	Parts, labor	1128.98
Newman Signs	Sign posts	1607.75
Norris Public Power	Utilities	650.43
Pavers, Inc.	Asphalt	8683.20
Rock On, Inc.	Hauling material	3737.61
Rose Equipment, LLC	Parts	314.54

Road & Bridge Sinking Fund

Gus Construction Co., Inc.	STWD-CBMP(9), Adams West brdg match	279,450.01
Vogt Enterprises, LLC	C-34(1095) Clat SW, (1103) Filley N culverts	85,524.96

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	4331.34
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Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	136,091.63
Lucent Health Solutions	Ins premiums, admin fees	42,084.67

Diversion Program Fund

Diversion Employees	Gross pay	1,979.79
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Federal Grant Fund – Transportation Development

Felsburg, Holt & Ullevig	Contract lgl svcs	3767.88
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Community Economic Development Fund

NGAGE	Econ dev	33,677.55
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General Fund

Ameritas	County share of Employees Retirement	12,816.33
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	12,736.08
Gage County Clerk – Health Plan	Co. share of Empl. health ins. – Gen & Road	138,489.48

Road Fund

Ameritas	County share of Employees Retirement	3,035.82
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,259.40

Diversion Program Fund

Ameritas	County share of Employees Retirement	99.97
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	151.45

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

Motion by Dorn, seconded by Lytle to approve claim #2608000060 to Johnny's Welding Inc. in the amount of \$1,128.98, bringing the total amount of claims paid through August 5, 2026 to \$1,117,361.48. Motion carried 6-0-1 with Jurgens abstaining due to conflict of interest.

Speaking under public comments were Ashley Mason, Elizabeth Shotkoski-Jurgens, Bryce Nielsen, Sean Fintel, Diane Mulder, Jeff Buechler, Eldon Ideus, Lisa Dorn, Don Petersen, Kyle Ruse, spoke against and Tom Ulrick, regarding wanting a public hearing on whether to allow data centers in the county, how it would affect economic development, and if a moratorium is needed on permit applications.

Veteran's Service Officer Keil Mick introduced the Veteran's Honor Award recipient, Danny DeLong, to the Board. Danny served in the Army from July 28, 1969 to July 20m 1971 under the MOS 11F40 Infantry Operations and Intelligence Specialist with the 2nd Battalion 502nd Infantry Division. He was promoted to the rank of Sergeant on April 28, 1970. Danny was also a part of the 101st Airborne Division and received the Brave Eagle Coin and many other awards including the Vietnam Service Medal, Bronze Star with 1 Oakleaf Cluster, combat Infantry Badge, Army Commendation Medal for Meritorious Service, Air Medal, M16 Expert Marksman & M14 Sharpshooter. Danny serves on many volunteer committees to support veterans. He is an avid runner and encourages others on mastering their fitness goals. Danny spoke about his time and also presented several individuals with gifts.

Committee reports were given by Dave Jones on Bldg. & Grounds; Tiemann on Equalization; Jurgens on Finance/Insurance; Keil Mick on Veteran's Service Committee; Tiemann on Human Resources/Employee Relations; Shf Gustafson & Lisa Wiegand on Law Enforcement/Emergency Management; and Haxby on Road & Bridge. Topics included Vets Offc state training; veteran deaths in the county; Gage County Fair; and disaster declarations.

Break at 9:43 a.m. Back in session at 9:52 a.m. with all members previously listed present.

RESOLUTION

SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2026

Resolution No. 26-14

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and,

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

Be it resolved that the County Board Chairperson of Gage County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 5th day of August, 2026, at Beatrice, Nebraska.

County Board Members

/s/ Emily M. Haxby

/s/ Gary Lytle

/s/ Eddie Dorn

/s/ Erich Tiemann

/s/ Terry Jurgens

/s/ Rick Clabaugh

/s/ Rex Adams

County Board Member Jurgens 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 of Clerk

Motion by Jurgens, seconded by Dorn to approve adopting Resolution #26-14 authorizing the signing of the County Annual Certification of Program Compliance 2026. Motion carried 7-0.

Motion by Jurgens, seconded by Dorn to approve the County Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards 2026. Motion carried 7-0.

Discussion on proposed changes to Livestock Regulations as recommended by the Planning & Zoning Commission. P&Z Administrator Lisa Wiegand walked the board through the suggested changes based on Planning & Zoning recommendations. The Board went back through them to discuss any changes they might want to make. County Attorney Amanda Fanning gave an interpretation on the statute pertaining to holding a public hearing, saying that it is not required, but the Board could hold one if they wish.

Motion by Jurgens, seconded by Adams to approve removing paragraph #7. Motion carried 6-1 with Haxby voting nay.

Adams wanted to revisit the tree plan, discussion.

Motion by Adams, seconded by Haxby to approve adding tree plan for facility, paragraph 6b (7). Motion carried 7-0.

Motion by Haxby, seconded by Jurgens to approve keeping the setbacks back to the original distances. Discussion. Motion by Adams, seconded by Lytle to amend the motion to approve leaving Facility B at the original setback distance, and to change Facility A setback to 1/8 as P&Z recommended in the proposed updated regs. Vote on amended motion carried 5-2 with Haxby and Jurgens voting nay.

Motion by Haxby, seconded by Lytle to approve having a Public Hearing on Livestock Regulation changes as has been done in the past. Motion carried 7-0. A public hearing will be set where the proposed changes to Livestock Regulations will be presented.

Discussion on appointing Bruce Vitosh and Nick Boller as county representatives on the Gage Development Coalition Board. This would remove Haxby, Clabaugh and Adams from the GDC Board.

Motion by Adams, seconded by Clabaugh to approve removing Clabaugh and Haxby from the GDC Board and replacing them with Bruce Vitosh and Nick Boller as representatives for the entire county effective immediately, with a board member remaining on. Haxby suggested that Rex should stay on the GDC board. Motion carried 7-0.

Discussion took place on Planning & Zoning's recommendation for a data center permit application moratorium. Tiemann addressed some of the comments and questions that have been raised by the public during public comments.

Motion by Jurgens, seconded by Adams to approve placing an 8-month moratorium on data center facility permits with the option of extending if needed. Further discussion. Jurgens called for the question, carried 6-1 with Haxby voting nay. Vote on original motion carried 5-2 with Clabaugh and Haxby voting nay.

Motion by Haxby, seconded by Clabaugh to approve setting public hearing to review P&Z's recommendation of an 18-month moratorium (as opposed to the 8-month voted on above), on data center facility permits – date and venue to be determined. Motion carried 7-0.

Break at 12:08 p.m. Back in session at 12:21 p.m. with all members previously listed present except Jurgens.

Motion by Dorn, seconded by Lytle to move into closed session at 12:21 p.m. for pending litigation. Motion carried 6-0.

Haxby left during closed session.

Motion by Dorn, seconded by Lytle to come out of closed session at 12:44 p.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 12:45 p.m. until August 19, 2026.

Board minutes can also be viewed on the Gage County website at www.gagecountynegov.

/s/ Dawn Hill

/s/ Erich Tiemann

Dawn Hill
Gage County Clerk

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 5th day of August, 2026.

(SEAL)

/s/ Dawn Hill
Dawn Hill
Gage County Clerk