

The Gage County Board of Supervisors met on September 16, 2026, at 8:45 a.m. as per public notice given on the county website and in the Beatrice Daily Sun on September 3, 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, Eddie Dorn, and Terry Jurgens present, Gary Lytle absent.

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 \$1,404,171.53 except claim #2609000181 to Johnny's Welding in the amount of \$425.37 & claim # 2609000190 to R.L. Tiemann Const. Inc. in the amount of \$47,686.64 to be voted on separately; 4. approve correspondence received and place on file; 5. approve receiving Step #3 on wages paid June 14, 2026, to June 27, 2026, grievance filed by FOP #45; 6. approve receiving 2025 Annual Report of Wymore Emergency Medical Services.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Gross pay	182,431.89
Jurors	Jury pay	1358.52
Amazon Capital Services	Co Ct supplies	37.95
Applied Connective Technologies	IT svcs, supplies, labor	13,072.74
Automatic Rain Sprinkler Systems	Sprinkler heads, parts, labor	8110.40
Beatrice Postmaster/US Postal Svc.	EM box rent	132.00
Benchmark Gov. Solutions	Trng meals	222.95
Bragg Animal Control	Svc	120.00
Capital Business Systems	Co Ct copier lease	93.30
Charter Comm. Spectrum 2019	Prob internet	220.76
Cidnet	Inmate data for purchase	999.90
City of Beatrice	Qtrly EMS svc	45,000.00
Clatonia Rescue Squad	Qtrly EMS svc	4500.00
Clearly Comm.	Co phones	2849.18
Clerk of District Court	Court costs	600.28
Column Software	Publications	2260.08
Correctional Risk Services	Inmate medical	17,873.28
Cortland-Lancaster Rural Fire Dist.	Qtrly EMS svc	1500.00
Culligan of Lincoln	Water cooler	141.00
DAS St. Acctng Cntrl Fin 6507	Data proc.	46.00
Diode Technologies	Monitoring	62.94
Eakes Office Solutions	Offc suppl.	3429.59
Farmers Cooperative	Tires, grease, oil, fuel	2613.13
First Wireless	EM svc agrmt, equip rnt, repairs	1313.12
Gage County	Fund transfer to Road	400,000.00
Gage County Court	Court costs	676.00
Gage County Sheriff	Fees/mlg	649.93
Garrison Law Firm/Dustin Garrison	Atty fees	814.00
Gleason Dental Clinic	Inmate dental	885.00
Glenwood Telecomm.	Prob phones	79.90
Green Way Lawn Svcs.	Mowing, chemicals	865.00
Holiday Inn Kearney	Lodging	839.70
Hometown Leasing	Equip. leases	610.97
ISolved Benefit Svcs.	FBA admin. fees	191.10
Jacie Milius	Mlg reimb.	328.32
Jamie Fugate	Mlg reimb.	380.00
Johnson Co. Shf.	Boarding inmates	910.00
Kalkwarf & Smith Law Offcs.	Atty fees	2462.50
Kraviec, Maurstad Law	Child Suppt. Enf. Atty, pstg.	3115.14
Lancaster Co. Shf.	Court costs	35.36

Mead Lumber Co.	Sod cutter rent	49.50
Microfilm Imaging Systems	Courts scanning equip rent	457.00
MIPS, Inc.	Data proc.	5732.02
Murray Law	Atty fees	4598.85
NE Law Enf. Training Ctr.	Shf tuition, lodging for cont. ed.	500.00
Nelson, Clark & Timan	Public Defender	6346.15
Noakes Htng. & A/C	Replace control bd.	806.30
Norris Public Power Dist.	Horvath twr utilities	51.48
Northeast Auto	Shf veh remove stickers	400.00
Paper Tiger Shredding	Doc shredding	248.90
Pickrell Rural Fire Dist.	Qtrly EMS svc	1500.00
Pinpoint Comm.	Co. internet	275.17
Priority Printing	Treas title env.	586.33
Quadient Leasing USA	Meter lease	2907.96
Quill – Ext.	Offc suppl.	165.90
Quill – Co Ct	Offc suppl.	630.00
Quill – Prob.	Offc suppl.	66.01
Region 5 Systems	Co contribution	12,518.00
Sapp Bros. Petroleum	Jail/Shf fuel	2162.87
Sarpy Co. Shf.	Svc of papers	38.89
SE NE Communications	Prob phones	110.30
Security Services	Fire alarm monitoring	70.00
Sheridan Industries	Ext Offc janitorial svcs	120.00
Stanard Appraisal Svcs.	Appraisal maint., TERC rep.	10,867.50
Summit Food Svc.	Jail meals	6732.46
The Radar Shop	Equip repair	47.50
The Resolution Center	Juv. truancy cases	1360.00
TK Elevator Corp.	Elevator maint.	291.28
TreviPay	Prob. suppl.	538.05
UNITI	Prob. phones	55.13
US Bank Purchase Cards	Suppl., travel, meals, uniforms, etc.	1373.98
Verizon Wireless GCSO	Cell phones	930.46
Verizon Wireless VSAT	Investigative expns.	270.00
Verizon Wireless EMS 6384-1	Cell phones	325.16
Verizon Wireless Prob 339-1	Cell phones	312.82
Vigilnet America	Juv monitoring	1378.00
Village of Adams	Qtrly EMS svc.	4500.00
Washington Co. NE Shf.	Boarding inmates	2015.00
Washington Co. KS Shf.	Boarding inmates, medical	15,114.11
Zultys, Inc.	Prob. phones	474.68

Road Fund

Highway Department Employees	Gross pay	45,153.86
Ace Irrigation & Mfg.	Culverts spot welded cmp	470.00
Beatrice Concrete Sand & Gravel	Rock & gravel	97,940.10
Beatrice Iron & Metal	Parts, suppl.	440.80
Beverly Holsing Trust	Easements	447.57
City of Wymore	Utilities	89.41
Crete Lumber	Ice	100.00
Diamond T Truck & Trailer	Parts	253.72
Eakes Office Solutions	Shop towels	48.65
Farmers Cooperative	Fuel, alignment	913.72
Fastenal Co.	Parts, supplies	27.97
First Wireless	Repeater rental	350.00
Gage Co. Register of Deeds	File easement	22.00
Gage Co. Equipment	Parts	322.57
Jim Hawk Truck Trailers	Supplies	132.80
Johnny's Welding	Hoses, labor	425.37
Landmark Implement	Parts	58.80
Mead Lumber Co.	Equip rent, supplies	58.32
Medical Enterprises, Inc.	Drug/alcohol testing	113.00
MIPS, Inc.	Hwy prog.	192.32
NE Machinery Co.	Parts	425.47
Nippon Sanso Matheson, Inc.	Welding suppl.	256.74
O'Reilly Auto Parts	Parts, tool	1096.12
Pavers, Inc.	Asphalt	6231.93
R.L. Tiemann Const.	Twp gravel, hauling	47,686.64
RDO Truck Center, LLC	Parts	62.16

Rock On, Inc.	Hauling material	8209.94
Rose Equipment	Part	38.89
Sapp Bros. Petroleum	Fuel	11,377.07
U.S. Auto Force	Tires	243.74
US Bank Purchase Cards	Supplies	46.16
Verizon Connect Fleet USA	Veh GPS	547.50
Village of Adams	Utilities	29.20
Village of Odell	Utilities	60.75
Vogt Enterprises	Brdg mtch, culvert projects	213,344.31

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online	228.27
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Insurance Fund

Gage Co. Health Insurance	Employee hlth ins claims paid	49,620.64
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Diversion Program Fund

Diversion Employees	Gross pay	2,121.10
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General Fund

Ameritas	County share of Employees Retirement	13,028.52
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	13,109.76
Gage County Clerk – Health Plan	Co. share of Empl. health ins. – Gen & Road	141,385.48

Road Fund

Ameritas	County share of Employees Retirement	3,047.88
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,271.99

Diversion Program Fund

Ameritas	County share of Employees Retirement	105.34
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	162.27

Motion made by Dorn, seconded by Jurgens to approve the consent agenda. Motion carried 6-0.

Motion by Dorn, seconded by Adams to approve claim #2609000181 to Johnny's Welding in the amount of \$425.37. Motion carried 5-0-1 with Jurgens abstaining.

Motion by Jurgens, seconded by Dorn to approve claim # 2609000190 to R.L. Tiemann Const. Inc. in the amount of \$47,686.64. This brings the total amount of claims paid through September 16, 2026, to \$1,452,283.54. Motion carried 5-0-1 with Tiemann abstaining.

Speaking during public comment were Margaret Haith, Kevin Keller & Marcella Rademacher. Lytle present in meeting.

Committee reports were given by Dorn & Dave Jones on Building & Grounds; Tiemann on Equalization & Human Resources; Jurgens on Finance & Rd & Brdg; Lytle on Law Enf & Emg Mgmt. Topics included flags around the courthouse, moving the generator, winter lights meeting, grievances filed & jail options.

Discussion took place on Livestock regulations. Haxby presented a survey on the livestock regulations that she had made available online with 100+ individuals responding.

Motion by Haxby, seconded by Lytle to approve adding to #6b (5) *if needed*. Motion carried 7-0.

Motion by Adams, seconded by Clabaugh to approve changing Facility B back to ¼ mile adding to 6b (8) Tree plan for the facility *along the roadside*. (no vote)

Motion by Haxby to amend previous motion, seconded by Jurgens to approve tree plan *and tree maintenance plan* for the facility. Motion carried 5-2 with Tiemann & Lytle voting nay.

Motion by Haxby to amend motion pertaining to Facility B above to 3/8 mile to non-participant. Motion died for lack of second.

Motion by Haxby, seconded by Dorn to change from 1/8 mile to ¼ mile on Facility A. Motion failed 2-5 with Adams, Clabaugh, Tiemann, Lytle & Jurgens voting nay.

Motion by Haxby, seconded by Lytle to postpone voting on livestock regulations for 2 weeks so the board could review her survey. Motion failed 2-5 with Adams, Clabaugh, Tiemann, Lytle & Jurgens voting nay.

RESOLUTION NO. 26-18

WHEREAS, the Gage County Board of Supervisors has before it for consideration a proposal for the amendment of Section 6.4 (currently “Livestock Confinement Facilities/Operations”) of the Gage County Zoning Regulations;

WHEREAS, on August 20, 2025, the Gage County Board of Supervisors approved by majority vote a proposal for an amendment of the Section 6.4 of the regulations to be considered by the Gage County Planning and Zoning Commission;

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this amendment proposal with its own modifications, the date of said public hearing being June 16, 2026, at 7:30 p.m., in the Gage County District Courtroom;

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of a proposed amendment to Section 6.4 of the Gage County Zoning Regulations; and

WHEREAS, the Gage County Board of Supervisors on September 2, 2026, at 9:30 a.m., held a public hearing to take input on this proposed amendment after proper notice and publication of said hearing; and

WHEREAS, the opportunity for public comments was heard in support of, as neutral to, and in opposition to the proposed amendment and were considered by the Gage County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA, that the attached proposed amendment of Section 6.4 of the Gage County Zoning Regulations, shall be;



approved as amended on Sept. 16, 2026 for the following reasons: following input at public hearings and information received during those hearings.



disapproved for the following reasons _____.

Motion made by Adams, seconded by Clabaugh to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Adams, Clabaugh, Tiemann, Lytle, Dorn, Jurgens

Nay: Haxby

/s/ Erich Tiemann
Chairman

Subscribed and sworn to before me this 16th day of September, 2026.

/s/ Dawn Hill
Gage County Clerk

Motion by Adams, seconded by Clabaugh to adopt Resolution #26-18 on Livestock Regulations. Motion carried 6-1 with Haxby voting nay.

Short break at 9:39 a.m. – back in meeting at 9:48 a.m.

Caleb Fjone spoke on the different bids that were received on a county app and what the anticipation of the app will do for those that use it. Motion by Haxby, seconded by Lytle to approve awarding the bid on Gage Connect App to Don't Panic pending contract approval. Motion carried 7-0.

Discussion took place on the Data Center moratorium resolution.

RESOLUTION NO. 26-19

WHEREAS, the Gage County Board of Supervisors has before it for consideration a proposal for the temporary amendment of Article 6 (Special Use Permit) of the Gage County Zoning Regulations;

WHEREAS, on May 20, 2026, the Gage County Planning & Zoning Commission voted to set for public hearing a proposal to temporarily amend Article 6 of the regulations to include a moratorium on the approval of Special Use Permits for the construction of data centers while zoning regulations are considered;

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this amendment proposal, the date of said public hearing being June 16, 2026, at 6:45 p.m., in the Gage County District Courtroom;

WHEREAS, the Gage County Planning and Zoning Commission has voted unanimously to recommend approval of a temporary amendment to the regulations for a moratorium on Special Use Permits for the construction of data centers for a period of 18 months to allow time to review and adopt applicable regulations that protect public health and safety with additional concern for protecting against depreciating property values of affected landowners; and

WHEREAS, the Gage County Board of Supervisors on September 2, 2026, at 4:00 p.m., held a public hearing at the Hevelone Center to take input on this proposed amendment after proper notice and publication of said hearing for approving or disapproving the proposed amendment; and

WHEREAS, the opportunity for public comments was heard in support of, as neutral to, and in opposition to the proposed amendment and were considered by the Gage County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA, that the proposed amendment to Article 6 of the Gage County Zoning Regulations for the imposition of a moratorium on the approval of special use permits for the construction of data centers, shall be:



approved for a period of 12 months for the following reasons:
due to not having clear regulations in place and a moratorium is
necessary to obtain more information in order to develop
regulations.



disapproved for the following reasons _____.

Motion made by Adams, seconded by Haxby to adopt the foregoing Resolution.
 All members present as listed and voted as follows:

Yea: Adams, Clabaugh, Haxby, Tiemann, Lytle, Dorn, Jurgens

Nay: NONE

/s/ Erich Tiemann
 Chairman

Subscribed and sworn to before me this 16th day of September, 2026.

/s/ Dawn Hill
 Gage County Clerk

Motion by Adams, seconded by Haxby to approve adopting Resolution #26-19 invoking a 12-month moratorium on Data Center permits beginning today (9/16/26) (this eliminates the previous one set for at 8 mo. moratorium) due to not having clear regulations in place. Motion carried 7-0.

Discussed providing direction/guidance to the Planning & Zoning Commission on the Data Center regulations.

Motion by Adams, seconded by Lytle to approve sending to P&Z the following to Develop Datacenter regulations based upon the following considerations: sales & property tax revenue, water usage & plan (closed loop v. others), wastewater provisions, perimeter tree plan, sound,

energy production, enforcement of violations, environmental issues, infrastructure: roads, bridges, enforcement, and other items that are deemed relevant or necessary for the development of Datacenter regulations. Motion carried 7-0.

GAGE COUNTY
RESOLUTION OF ADOPTION AND APPROPRIATIONS
#26-20

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2026, to June 30, 2027, prepared by the Budget Making Authority, was transmitted to the County Board on the 16th day of September, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Gage County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2026, to June 30, 2027, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Gage County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2026, and ending June 30, 2027.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 16th DAY OF SEPTEMBER, 2026.

COUNTY BOARD

<u>/s/ Gary Lytle</u> <u>/s/ Eddie Dorn</u> <u>/s/ Terry Jurgens</u> <u>/s/ Erich Tiemann</u>	<u>/s/ Richard Clabaugh</u> <u>/s/ Rex Adams</u> <u>/s/ Emily M. Haxby</u>
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Attest:

/s/ Dawn Hill
Gage County Clerk

Motion by Haxby, seconded by Lytle to approve adopting Resolution #26-20, adopting the County Budget for FY. 2026-2027. Motion carried 7-0.

RESOLUTION SETTING THE PROPERTY TAX REQUEST
RESOLUTION NO. 26-21

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provide that the Governing Body of GAGE County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of GAGE County resolves that:

1. The 2026-2027 property tax request be set at:

General Fund	\$	11,782,731.08
0	\$	-
0	\$	-
0	\$	-
2. The total assessed value of property differs from last year’s total assessed value by 7.86 percent.
3. The tax rate which would levy the same amount of property taxes as last

year, when multiplied by the new total assessed value of property would be 0.21784 per \$100 of assessed value.

4. GAGE County proposes to adopt a property tax request that will cause its tax rate to be 0.223286 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of GAGE County will increase last year's budget by 6.86 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2026.

Motion by Haxby, seconded by Lytle to adopt Resolution #26-21.

Voting yes were:

/s/ Gary Lytle

/s/ Terry Jurgens

/s/ Eddie Dorn

/s/ Erich Tiemann

/s/ Rick Clabaugh

/s/ Rex Adams

/s/ Emily M. Haxby

Voting no were:

None

Dated this 16th day of September, 2026.

Attest: /s/ Dawn Hill

Gage County Clerk

Motion by Haxby, seconded by Lytle to approve adopting Resolution #26-21 setting 2026-2027 tax request at a different rate than 2025-2026 tax request. Motion carried 7-0.

Short break at 10:47 a.m. – back in meeting at 10:56 a.m. with Jurgens and Haxby out.

Motion by Dorn, seconded by Clabaugh to go into closed session at 10:56 a.m. for pending litigation. Motion carried 5-0. Haxby present in closed session at 11:01 a.m.

Motion by Lytle, seconded by Dorn to come out of closed session at 11:21 a.m. Motion carried 6-0.

Motion by Adams, seconded by Dorn to approve sheriff's decision and requesting Atty. Jerry Pigsley to develop a response for chairman to sign. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:22 a.m. until September 30, 2026.

Board minutes can also be viewed on the Gage County website at 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 16th day of September, 2026.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk