



Gage County Board Minutes



The Gage County Board of Supervisors met on June 7, 2017, at 8:45 a.m. with Terry Jurgens, John Hill, Myron Dorn, Gary Lytle, Dennis Byars, and Erich Tiemann present, Matt Bauman absent.

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.

Chairman Dorn 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: General Agenda; Minutes from previous meeting and committee meetings; claims audit in the amount of \$849,332.48 which does not include claim #17060061 to R.L. Tiemann in the amount of \$25,816.03, to be voted on separately; approve correspondence received and place on file; approve District Court Summary Fee Report and Register of Deeds Fee Report for the month of May, 2017; approve Permit No. 1067 for Windstream Nebraska, Inc. – will be plowing in 490’, 5’ below ditch and boring 400 feet, 6 feet below flow line, 3 feet inside the South right-of-way to move cable for County culvert Project C-34(1085), located in the SW ¼ of Section 25, T-3N, R-6E (Riverside Twp.); approve and place on file report from Dave Jones listing surplus property valued under \$500 that was sold.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	126,302.05
Associated Computer Systems, Ltd.	Computer equip., maint.	3499.39
Beatrice Daily Sun	Subscriptions Clk, Vets	439.78
Black Hills Energy	Ext., Shf., Det. utilities	316.37
Charter Communications	EM cable TV	7.40
DAS St. Accntng. Cntrl Fin 6506	Network Svcs. charges	478.44
Eakes Office Solutions	Offc. supplies	405.95
Sandra Eltiste	Prior svc. retirement	12.00
Infinisource	Admin. fees	99.75
Joyce Kassing	Prior svc. retirement	20.00
Land Survey Tech	Co. Surveyor operating expns.	3786.40
MailFinance	Postage meter lease	1609.80
NACO	Co. Assn. mbrshp. dues	2538.05
Norris Public Power	Utilities	165.11
O’Keefe Elevator Co.	Elevator maint.	214.02
Philippi Electric	Elec. supplies/labor	1098.39
Pickrell Rural Fire	Qtrly EMS svc.	1500.00
Quill – Treas.	Offc. supplies	77.10
Alice Riggert	Prior svc. retirement	25.00
Sentrixx	Alarm monitoring cthse.	180.00
U.S. Bank Purchase Cards	Bd. manual; Bldg/Grnds supplies	148.22
U.S. Post Svc. – Postmaster	Clk, Treas PO Box rent	548.00
Verizon	Wireless phones	1377.30
Vivial	Phone listing	23.25
Westlake Hardware	Bldg/Grnds supplies	452.73
Windstream	Phones	4080.04
<u>General Fund – Law Enforcement Expenses</u>		
Advanced Auto Dealers	Shf. website mgmt.	29.00
Beatrice Community Hospital	Shf. blood alcohol draw	81.35
Bentjen Garrison Law	Atty fees	1031.00
CBM Managed Services	Jail meals	1540.30



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Diode	Shf. card reader svc. call	80.00
First Wireless	Radio repair	133.50
Gage County	Prob. phones	405.00
Gage County Court	Atty cert. copies	1.75
Jerry Shelton, Atty	Atty fees	1907.50
Koenig Law Firm	Atty fees	520.00
Latimer Reporting	Deposition transcript	111.00
Lynn Peavey Co.	Drug & blood alcohol tests	682.00
Mahloch Law Office	Atty fees	2076.00
NASASP	Natl. Assn. St. Agencies Surplus Prop. dues	39.00
Quill – Prob.	Offc. supplies	1558.07
Region V Systems	EPC billing	955.00
Deb Silverman	Prelim. ct. hearing	152.75
Smith Schafer Davis & Gaertig	Atty fees	2843.00
Eugene Stanbrough	Ammunition	565.00
Staples Advantage	Shf. Offc. supplies	158.71
Thomson Reuters	Law Library Plan	121.74
WalMart	Prob. supplies	90.21
Washington Co. Sheriff's Office	Inmate medical	364.85

General Fund – Extension Office/4-H Expenses

Blue Valley Door	Downspout repair w/ \$84 credit	26.25
Konica Minolta	Qtrly copy fees	1781.99
Pam's Cleaning	Janitorial svc.	200.00
Quill – Ext.	Offc. supplies	212.95

Road Fund

Highway Department Employees	Salaries	45769.42
Ace Sand & Gravel	Gravel & hauling	27,979.36
Beatrice Concrete Sand & Gravel	Rock & Gravel	34,263.48
Black Hills Energy	Utilities	57.71
City of Wymore	Utilities	103.46
Constellation	Utilities	36.53
Midwest Service & Sales	Bridge planks	18,854.72
Orschelns	Bolts, shovels, cart	181.46
Pam's Cleaning	May janitorial svc.	140.00
R.L. Tiemann Const.	Hauling gravel	25,816.03
Road Builders	Part	327.64
Rush Creek Quarries	Twp. rock	1054.15
Schwarz Paper Co.	Restroom supplies	71.82
Sunbelt Rentals	Air hammer	950.00
Surplus Center	Part, trlr. jack	65.72
Topkote, Inc.	Armor coating	227,000.00
Tractor Supply Co.	Bolts, paint, supplies	262.90
Ultra-Chem, Inc.	Oil	210.84
Westlake Hardware	Supplies	85.40

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging Tax	4749.43
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Insurance Fund

Cypress Benefit Administrator	Third party ins. admin. fees	24,600.76
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Gage County Health Ins.	Empl. health ins. claims pd.	30,476.96
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Inheritance Fund

Topkote, Inc.	Armor coating	206,394.24
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General Fund

Ameritas	County share of Employees Retirement	8,634.81
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	9,191.10
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	23,054.14

Road Fund

Ameritas	County share of Employees Retirement	2,972.78
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,350.15
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,487.58

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

Motion made by Jurgens, seconded by Lytle to approve claim #17060061 to R.L. Tiemann in the amount of \$25,816.03, bringing total of claims approved through June 7th to \$875,148.51. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Gary Bures, 8964 W Plum Rd., Odell NE, spoke under public comments.

Committee reports were given by Byars on Building & Grounds/Winter Lights, Jurgens on Finance/Insurance, Lytle on Law Enforcement/Emergency Management, and Jurgens on Road & Bridge.

Planning & Zoning Commission Chairman Dennis Rosene spoke to the board on Special Use Permit #2017-3 and gave the commission’s recommendation to approve.

Motion made by Tiemann, seconded by Lytle to open public hearing at 9:18 a.m. to hear support and/or opposition from the public on Special Use Permit No. 2017-3, for placement of a temporary concrete and/or asphalt plant, located in the NE ¼ of NE ¼ of Section 28, Paddock Township. Motion carried 6-0.

Chairman Dorn received the P & Z findings of fact which was filed as Exhibit #1, wherein the Planning Commission had a motion to recommend that the Board of Supervisors approve the Special Use Permit 2017-3 – the vote to recommend approval was 5 for, 2 absent, and 0 against. Terrence Wilhelms with Werner Construction of Hastings, NE also spoke.

Motion made by Lytle, seconded by Tiemann to close public hearing at 9:22 a.m. Motion carried 6-0.

RESOLUTION NO. 17-14

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, #2017-3, for the placement of a temporary concrete/ asphalt plant located in the NE ¼ of Section 28 of Paddock Township;

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this special use permit, the date of said public hearing being May 8, 2017 at 6:30 p.m., in the Gage County Board of Supervisors meeting room;

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of this special use permit, #2017-3; and



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WHEREAS, this special use permit is in an agricultural zoning district, located in Northeast quarter of Section 28 of Paddock Township; and

WHEREAS, the Gage County Board of Supervisors on this June 7, 2017 has held a public hearing to take input on this special use permit after proper notice and publication of said hearing for approving or disapproving Special Use Permit #2017-3; and

WHEREAS, public comments were heard in support of and in opposition to the special use permit 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 special use permit, #2017-3, shall be approved for the placement of a temporary concrete/asphalt plant.

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

Yea: Jurgens, Hill, Dorn, Lytle, Byars, Tiemann
Nay: None

/s/ Myron Dorn
Chairman

Subscribed and sworn to before me this 7th day of June, 2017.

/s/ Dawn Hill
Gage County Clerk

Motion made by Jurgens, seconded by Tiemann to approve Resolution #17-14 on Special Use Permit #2017-3 for placement of a temporary concrete/asphalt plant located in the NE ¼ of Section 28 of Paddock Township. Motion carried 6-0.

RESOLUTION NO. 17-15

WHEREAS, it has been reported that there are insufficient funds in the 2016-2017 District Judge’s Budget to finish paying for the obligations of said budget; and

WHEREAS, the Gage County Board of Supervisors does not wish the District Judge’s Budget to incur obligations within its budget which would be in excess of the present appropriation and thereby violate State law; and

WHEREAS, the Gage County Board of Supervisors has determined that it is in the best interests of Gage County, Nebraska, to increase the District Judge’s Budget by Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), and said amount should be taken from the County General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that the District Judge’s Budget should be and is hereby increased in the sum of Twenty-Five Thousand and 00/100 Dollars



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(\$25,000.00), which shall be taken from the County General Fund.

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

Yea: Jurgens, Hill, Dorn, Lytle, Byars, Tiemann

Nay: None

/s/ Myron Dorn
Chairman

Subscribed and sworn to before me this 7th day of June, 2017.

/s/ Dawn Hill
Gage County Clerk

Motion made by Byars, seconded by Lytle to approve Resolution #17-15 to transfer \$25,000 from General Fund to District Judge's budget for operation of the department. Motion carried 6-0.

Motion made by Byars, seconded by Lytle to approve contract between Gage County and Stephen Kraviec, Attorney, P.C., L.L.O., for Child Support Enforcement, effective July 1, 2017 through June 30, 2019. Motion carried 6-0.

Motion made by Tiemann, seconded by Byars to open public hearing at 9:30 a.m. to hear support and/or opposition to from the public on Permit No. 2017-1r, for a Re-Zone request (AG1 to AG4), located in the E ½ of Section 5, Lincoln Township. Motion carried 6-0.

Planning & Zoning Commission Chairman Dennis Rosene spoke to the Board on the zoning change request, and presented the commission's findings of fact, filed as Exhibit #1, which stated their findings were that the area does not meet the intended purpose of an AG4 area and that the commission voted to recommend that the Board deny the re-zone request 2017-1r with a vote of 5 for, 2 absent, 0 against.

Speaking at the public hearing were Ron Mazza, Board Member Terry Jurgens who shared Exhibit #2 which was a petition against the re-zoning, and he read the petition signees names into the record, Jerry Meyer, Terri Sue Mazza, Kristen Hassebrook, Robert Jacobson, Walter Zulkoski, Mike Holtmeier, Tracy Crawford (who presented Exhibits #3 & #4 which were Deeds), Dick Goertzen, and Ryan Greenwood with Domina Law.

Jurgens left meeting at 11:23 a.m.

Motion made by Tiemann, seconded by Hill to close the public hearing at 11:27 a.m. Motion carried 5-0.

Discussion on possible ways to dispose of the county's property located at 221 S 7th St., Wymore, NE.

Motion made by Lytle, seconded by Byars to approve moving forward with selling the county's property located at 221 S 7th St., Wymore, NE, setting the date and time for the sale at July 12, 2017 at 10:00 a.m. at the county courthouse. Short break at 11:30 a.m. More discussion and vote taken after the break. Motion carried 5-0.

Discussion on the process for paying overtime/holiday hours, which is that if it's not designated otherwise, money is paid out.

Motion made by Tiemann, seconded by Hill to move into closed session at 11:46 a.m. for Security and Litigation Update. Motion carried 5-0.



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Motion made by Tiemann, seconded by Lytle to move out of closed session at 1:00 p.m. Motion carried 5-0.

No action was taken on the agenda item having Chairman sign conflict of interest letter with Keating O’Gara Law.

Chairman declared Board of Supervisors meeting adjourned at 1:00 p.m. until June 21, 2017.

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

/s/ Dawn Hill

Dawn Hill
Gage County Clerk

/s/ Myron Dorn

Myron Dorn, 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 7th day of June, 2017.

(SEAL)

/s/ Dawn Hill

Dawn Hill
Gage County Clerk