



Gage County Board Minutes



Board of Supervisors Meeting – July 19, 2017

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The Gage County Board of Supervisors met on July 19, 2017, at 8:46 a.m. with Terry Jurgens, John Hill, Matt Bauman, Myron Dorn, Gary Lytle, Dennis Byars, and Erich Tiemann 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.

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 \$478,907.84 which does not include claim #17070112 to Beatrice Lawn Care in the amount of \$1,181.75 or claim #17070159 to R.L. Tiemann Const. in the amount of \$2,314.47, to be voted on separately; approve correspondence received and place on file; approve Summary Fee Report for District Court and Register of Deeds Fee Report for the month of June, 2017; approve Utility Permit #1070 to Windstream Nebraska, Inc., boring 130’ by 5’ deep under S 32nd Road and Hickory Road and trenching in 2662’ in the North ditch 5’ deep to replace temporary cable, located in the NW ¼ Section 16 SE, SW ¼ Section 8, T-4N, R-6E (Midland Twp.) and will be boring 160’ 5’ deep under Hickory Rd. and SW 61st Road; approve specs and call for bids on Project referred to as STWD-CBMP(1) C-34(1092), Gage County: Triple 12’x’x50’ box culvert; C-49(220), Johnson County: Triple 12’x12’x57’ box culvert; & C-64(94) Nemaha County: Triple 14’x14’x41’ box culvert – bids to be opened on August 30, 2017 at 9:30 a.m.; approve specifications and call for bids on Fall Rock & Gravel – bids to be opened on August 16, 2017 at 9:45 a.m.; approve reappointing Dennis Rosene to the Planning & Zoning Commission for another term effective July 1, 2017.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	126,924.56
Bear Graphics	Misc. Record book & index pgs.	218.06
Beatrice Board of Public Works	Utilities	6307.69
Beatrice Humane Society	Qtrly funding	3750.00
Beatrice Lawn Care	Mowing, fert., grub cntrl.	1181.75
Capital Business Systems, Inc.	ROD copier lease	565.00
Charter Communications	Emer Mgmt cable TV receivers	7.40
Culligan of Lincoln	Water & cooler	68.23
Diode Communications	Vets Offc. internet	24.95
Eakes Office Solutions	Office supplies	2088.35
Echo	Fluorescent lights, elec. box	98.95
Konica Minolta	Copier agrmnts.	835.67
Land Survey Tech	Co. Surveyor operating expns.	980.40
Lincoln Journal Star	Assr. & Co. publications	412.23
Mead Lumber	Supplies	53.22
MIPS, Inc.	Computer support, programs	2484.33
NE Assn. Clks. ROD, Elec. Comm.	ROD wkshp regis.	50.00
Norris Public Power Dist.	EM utilities	177.81
O’Keefe Elevator Co.	Elevator maint.	214.02
R.L. Tiemann Construction	Replace sidewalks around cthse.	2314.47
Sanitary Garbage Co.	Ext., cthse., shf. garbage svc.	282.88
Schmader Electric Const. Co.	Siren maint. labor, supplies	2959.00
Stanard Appraisal Svcs.	Appraisal svcs.	1520.00
Van’s Waterproofing	Shf roof, rmv/cap chmny, fix holes in bldg.	2660.00
Vivial	Phone directory listing	23.25
Voice News	Publications	303.28



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Westlake Hardware	Shf. & B&G supplies	137.06
<u>General Fund – Law Enforcement Expenses</u>		
Advanced Auto Dealers	Shf website svc.	29.00
Advanced Correctional Healthcare	Jail on-site medical svc.	3370.71
Amen Law	Prof. legal svcs.	2360.00
Beatrice Community Hospital	Blood draws, inmate medical	7252.67
Vicki Brolhorst	Pstg. reimb.	18.69
Butler, Galter & O'Brien	Prof. legal svcs.	3840.00
Carriage Motor Co.	Key for van	39.91
CBM Managed Services	Jail meals	4592.26
Chief Supply	Jail uniforms	353.94
City of Beatrice	Prob. Offc. qtrly utilities	1838.74
CMH Clinics	Jail empl. physical	110.00
Cornhusker State Ind.	Jail lndry supplies	50.00
Credit Information Systems	Shf. mbrshp.	50.00
Dept. of Correctional Svcs.	Inmate boarding/medical	6817.20
Farmers Cooperative	Jail fuel for generator	203.28
Gage Co. Detention Petty Cash	Reimb. janitorial supplies	359.95
Gage Co. Petty Cash	Atty reimb. tax sale cert #4478	2959.42
GT Distributors – Austin	Firearm	372.00
Huls Body Shop, Inc.	Towing	265.00
IAPE – Intl. Assn. for Prop. & Evid.	Mbrshp	50.00
Jerry Shelton, Atty	Atty fees	742.50
Jones Automotive	Remove/install 2 radars	515.00
Lepant Law Office	Atty fees	900.00
LexisNexis	Shf mbrshp.	50.00
Michael's Appliance Repair	Jail dishwasher repair	837.95
Microfilm Imaging Systems	Co. & Dist. Ct. scanning equip. rent	437.00
Midwest Process Services	Civil process fees	314.04
Mom's Corner	Commissary supplies	42.36
National Geographic	Jail subscr.	67.00
NE Health & Human Services	Patient care	93.00
NE Trauma Acute Care Surgery	Inmate medical	30.75
NSA/POAN	Regis.	100.00
O'Reilly Automotive	Cleaning suppl., wiper blades	37.46
Paper Tiger	Doc. shredding	35.00
Quill – Det.	Jail offc., jntrl., ktchn., inmate supplies	469.31
Quill – Prob.	Offc. supplies	209.10
Saline Co. Law Enf. Center	Boarding inmates	300.00
SE Nebraska Communications	Prob. phones	123.36
Seward Co. Detention Center	Boarding inmates	3965.00
Smith, Schafer, Davis, Gaertig	Atty fees	5391.59
Software Unlimited	Atty software maint. fee	2760.00
Solution One	Shf copier lease	89.20
Staples Advantage	Shf. offc. supplies	458.34
Stephen Kraviec	Child Suppt. Enf. Atty	2218.46
Sun Blockers	Tint shf. veh. windows	135.00
T.O. Haas Tire	Tires, repairs; veh. repair	1387.04
Lee Timan	Public Defender	5730.77
Valvoline Instant Oil Change	Shf. oil changes	274.94
Verizon	Prob. & Shf. wireless phones	1302.34
Washington Co. Sheriff's Offc.	Boarding inmates	9415.00



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Windstream	Prob. phones	597.18
Wolfe, Snowden, Hurd, Luers & Ahl	Prof. legal svcs.	1580.00

Road Fund

Highway Department Employees	Salaries	44,275.18
Beatrice Area Solid Waste Agency	Waste disposal	791.00
Beatrice Board of Public Works	Utilities	465.21
Beatrice Concrete Ready Mixed	Concrete	370.28
Beatrice Concrete Sand & Gravel	Rock, Twp & County gravel	38,676.15
Beatrice Daily Sun	Subscr.	219.89
Beatrice Iron & Metal	Parts, supplies	1154.67
Cather & Sons Const.	Asphalt	7346.40
City of Wymore	Utilities	93.92
Cornhusker Intl. Trucks	Parts	217.34
Crete Lumber & Farm Supply	Ice	63.00
Farmers Cooperative	Svc. call, repairs	198.00
Filter Care	Cleaning filters	46.00
Lampton Welding Supply	Welding supplies	255.83
L.T.R., Inc.	Towing	785.50
Larry's Tire & Service, Inc.	Alignment	69.95
Matheson Tri-Gas	Welding chemicals, cyl. rental	554.07
Mead Lumber	Lumber, bits	86.20
Michael Todd & Company, Inc.	Strobe light	162.87
Midwest Radiator	Repair	740.00
Miller Seed	Fence, cable ties	568.95
MIPS, Inc.	Hwy computer pkg.	176.00
NE-IA Fasteners Corp.	Parts	258.73
Networkfleet, Inc.	Veh. GPS	177.80
O'Reilly Automotive	Parts, supplies	1509.59
Rock On, Inc.	Twp. hauling	13,792.73
Sanitary Garbage Co.	Garbage svc.	71.43
Schwarz Paper Co.	Towels	122.15
T.O. Haas Tire & Auto	Tubing, tires, tire disposal	538.22
Truck Equipment Service	Studs, nuts	51.20
Yant Equip.	Nozzle	85.77

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Computer indexing	204.75
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	76,941.47
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General Fund

Ameritas	County share of Employees Retirement	8,643.42
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	9,183.45
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	24,730.08

Road Fund

Ameritas	County share of Employees Retirement	2,878.40
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,242.42
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	10,199.07



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Motion made by Hill, seconded by Bauman to approve the consent agenda. Motion carried 7-0.

Motion made by Byars, seconded by Bauman to approve claim #17070112 to Beatrice Lawn Care in the amount of \$1,181.75 and claim #17070159 to R. L. Tiemann Const. in the amount of \$2,314.47, bringing total of claims approved to \$482,404.06. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

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

Committee reports were given by Dave Jones on Building & Grounds/Winter Lights, Bauman & Jurgens on Finance/Insurance, Hill on Human Resources/Employee Relations, Lytle and Sheriff Gustafson on Law Enforcement/Emergency Management and Jurgens on Road & Bridge.

Motion made by Jurgens, seconded by Tiemann to approve setting August 16, 2017 at 9:30 a.m. as the date and time for public hearing on Special Use Permit 2017-4, expansion of a livestock facility located in the NW ¼ of Section 16, Hanover Twp. Motion carried 7-0.

Motion made by Jurgens, seconded by Tiemann to approve agreement between Gage County and NDOR for the 2017 Fracture Critical Bridge Inspection. Motion carried 7-0.

RESOLUTION
SIGNING OF THE PROJECT PROGRAM AGREEMENT
2017 FRACTURE CRITICAL BRIDGE INSPECTION

Gage County
Resolution No. 17-21

Whereas: the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

Whereas: Gage County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid projects;

Whereas: Gage County and the NDOR wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

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

Chair of the Gage County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between Gage County and the NDOR.

Gage County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number: STP-NBIS(110) & NBIS(108)
NDOR Control Number: 00953A & 00958A
NDOR Project Name: 2017 Fracture Critical Bridge Inspection

Adopted this 19th day of July, 2017 at Gage County, Nebraska.



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The Board of Supervisors of Gage County

/s/ Myron Dorn

/s/ Matt Bauman

/s/ John A. Hill

/s/ Terry Jurgens

/s/ Gary Lytle

/s/ Dennis M. Byars

/s/ Erich Tiemann

Board Member Jurgens moved the adoption of said resolution. Member Byars seconded the motion.

Roll Call: 7 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed and billed as adopted.

Attest:

/s/ Dawn Hill

County Clerk

Motion made by Jurgens, seconded by Byars to approve Resolution #17-21, signing of the Project Program Agreement for 2017 Fracture Critical Bridge Inspection. Motion carried 7-0.

RESOLUTION **NO. 17-22**

WHEREAS, within the boundary lines of Gage County, Nebraska, both Townships and the County are responsible for road maintenance of certain and specified roads within said County, and

WHEREAS, certain roads under township jurisdiction and maintenance become highly traveled and for the safety of the traveling public it becomes necessary that the County evaluates said roads, and

WHEREAS, after the County completes a traffic count and a traffic study, if said roads are determined to be of the volume to warrant County maintenance,

THEREFORE, BE IT RESOLVED that the County will become responsible for all maintenance and new construction of the following described road:

RIVERSIDE TOWNSHIP: That portion of road along the North side of Section 15, T-3N R-6E, that the Township currently maintains will become the responsibility of Gage County on July 19, 2017.

Or more simply stated: The County of Gage will be responsible for the one half mile running East/West from the point starting at the NW corner of Section 15, T-3N R-6E (Riverside) funning one half mile East to the point ending at that portion of road running North within Section 10, T-3N R-6E (Riverside)

ALSO PER THIS RESOLUTION, the Township of Riverside agrees to assume the maintenance of the County road within their Township at the following described location:

RIVERSIDE TOWNSHIP: The South 2320 feet portion of road running North/South within Section 10, T-3N R-6E (Riverside).



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PASSED AND APPROVED BY THE BOARD OF SUPERVISORS THIS 19th
DAY OF JULY, 2017.

ATTEST: BOARD OF SUPERVISORS

/s/ Dawn Hill
County Clerk

/s/ Myron Dorn
Chairperson

Riverside Township:

/s/ Melvin W. Oltmans
Chairperson

/s/ Betty J. Buss
Clerk

Motion made by Jurgens, seconded by Tiemann to approve Resolution #17-22 that the County of Gage will be responsible for the one-half mile running East/West from the point starting at the NW corner of Section 15, T-3N, R-6E (Riverside) running one half mile East to the point ending at that portion of road running North within Section 10, T-3N, R-6E (Riverside). Motion carried 7-0.

Discussion on changing the process used for rock & gravel bids which are currently done every 6 months.

Motion made by Lytle, seconded by Bauman to approve changing the process from bidding every 6 months for rock & gravel to bidding for the entire year beginning with the Spring 2018 bids. Motion carried 7-0.

Motion made by Byars, seconded by Bauman to approve Interlocal Agreement to create the Southeast Region to provide for cooperative public safety services by and among the counties of Cass, Gage, Fillmore, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Seward, Thayer and York. Motion carried 7-0.

Discussion on the 911 agreement between the City of Beatrice and Gage County. County Attorney Roger Harris would like some additional information included in the agreement pertaining to the trailer. No action was taken pending further discussion needed.

Motion made by Bauman, seconded by Lytle to approve a rewritten Interlocal Agreement between Richardson, Nemaha, Pawnee, Johnson and Gage Counties for cost sharing of the Bailiff position for District Judge Julie Smith, First Judicial District. which was originally approved at the July 5, 2017 meeting. Motion carried 7-0.

Motion made by Lytle, seconded by Bauman to approve the Subgrant Agreement between Gage County and the Nebraska Department of Health & Human Services Division of Children and Family Services Child Support Enforcement Program and having the Chairman sign the agreement and audit requirement certification. The purpose of the amendment is to extend the current agreement to account for the work of the Clerk of District Court as it relates to Child Support Enforcement. The amendment is effective from 10/1/2017 through 9/30/2018. Motion carried 7-0.

Motion made by Byars, seconded by Lytle to open public hearing at 9:33 a.m. to hear support of and/or opposition to the issuance by Hospital Authority No. 1 of Gage County, Nebraska of Health Care Revenue Refunding Bonds (Beatrice Community Hospital & Health Center Project), Series 2017 in the maximum aggregate face amount of \$31,375,000 (the bonds), for the benefits of Beatrice Community Hospital & Health Center. Motion carried 7-0.

Speaking on the bonds was Mike Rogers of Omaha, NE.

Motion made by Lytle, seconded by Hill to close public hearing at 9:43 a.m. Motion carried 7-0.

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF GAGE, NEBRASKA**



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A RESOLUTION APPROVING THE)
ISSUANCE, SALE AND DELIVERY BY)
HOSPITAL AUTHORITY NO. 1 OF GAGE)
COUNTY, NEBRASKA OF NOT TO EXCEED)
\$31,375,000 PRINCIPAL AMOUNT OF ITS)
HEALTHCARE FACILITIES REVENUE) RESOLUTION NO. 17-23
REFUNDING BONDS (BEATRICE)
COMMUNITY HOSPITAL AND HEALTH)
CENTER PROJECT), SERIES 2017, SOLELY)
FOR THE PURPOSES OF SECTION 147(f) OF)
THE INTERNAL REVENUE CODE OF 1986, AS)
AMENDED, AND RELATED MATTERS)

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GAGE, NEBRASKA:

Section 1. The Board of Supervisors (the “**Board**”) of The County of Gage, Nebraska (the “**County**”) hereby finds and determines as follows:

(a) Notice of a public hearing was published in the *Beatrice Daily Sun* on July 1, 2017 concerning the proposal by Hospital Authority No. 1 of Gage County, Nebraska (the “**Authority**”) to issue its Health Care Revenue Refunding Bonds (Beatrice Community Hospital and Health Center Project), Series 2017 (the “**Bonds**”), in accordance with the provisions of the Hospital Authorities Act (Sections 23-3579 to 23-35,120, inclusive, Reissue Revised Statutes of Nebraska, as amended).

(b) Pursuant to such notice, a public hearing on the proposal to issue the Bonds on behalf of Beatrice Community Hospital and Health Center, Inc., a Nebraska nonprofit corporation (the “**Borrower**”), has been conducted by the Board at the time and place specified in such notice and all persons who appeared were given an opportunity to express their views for or against the proposal to issue the Bonds.

(c) All objections or other comments relating to the issuance of the Bonds have been heard and have been duly considered by the Board in connection with the adoption of this Resolution.

(d) (1) A general functional description of the type and use of the project, the same being to (a) refinance the Authority’s \$30,000,000 outstanding principal amount of Health Care Facilities Revenue Bonds (Beatrice Community Hospital and Health Care Center Project), Series 2010B, which bonds were issued to finance or refinance a portion of the costs of constructing, equipping and furnishing a new hospital facility and related improvements and (b) finance improvements, equipment and furnishings to the new hospital facility, all of such improvements located and to be located at 4800 Hospital Parkway, Beatrice, Nebraska 68310 (collectively, the “**Project**”) has been accurately described in such notice of meeting and is hereby approved; (2) the maximum face amount of the Bonds has been accurately described in such notice of hearing and is hereby approved; and (3) the initial owner, operator or manager of such facilities has been accurately described in such notice of hearing and is hereby approved.

(e) The members of the Authority met in public session on July 13, 2017



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at 7:30 a.m. at the offices of the Borrower, at which time the members of the Authority authorized and approved the issuance and delivery of the Bonds and the execution and delivery of the documents relating to the Bonds.

Section 2. As required by and solely for the purposes specified in Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the issuance by the Authority of the Bonds in the aggregate principal amount not to exceed \$31,375,000 on such terms and conditions as shall be determined by the Authority, or its authorized representative, is hereby approved. The Bonds will be special, limited revenue obligations of the Authority payable by the Authority solely from payments to be received by the Authority pursuant to a related loan agreement (collectively, the “**Loan Agreement**”) between the Authority and the Borrower which is pledged under the related trust indenture authorizing the issuance of the Bonds (collectively, the “**Indenture**”), and from the amounts in the various funds and accounts created pursuant to the related Indenture (except the Rebate Fund), including investment earnings thereon. As security for payment of the Bonds, the Authority will pledge to the trustee under the Indenture, for the benefit of the registered owners of the Bonds, the payments under the Loan Agreement and the amounts in the various funds and accounts created pursuant to such Indenture (except the Rebate Fund) and investment earnings thereon. The principal or redemption price of and interest on the Bonds are payable solely from the amounts to be paid under the Loan Agreement and otherwise as provided in the Indenture and in the Loan Agreement; and nothing in the Bonds, the Loan Agreement or in the Indenture shall be construed as pledging any other funds or assets of the Authority.

The Bonds will be special, limited revenue obligations of the Authority. The Bonds shall not be deemed to constitute an indebtedness, liability or general obligation of the Authority, the County, the State of Nebraska (the “**State**”) or any political subdivision thereof within the meaning of any constitutional or statutory provision or a pledge or loan of the faith and credit of the Authority, the County, the State or any political subdivision thereof. None of the Authority, the County, the State or any political subdivision thereof shall be obligated to pay the principal or redemption price of or interest on the Bonds except from the special funds pledged therefor, and neither the faith and credit nor the taxing power, if any, of the Authority, the County, the State or any political subdivision thereof is pledged for the payment of the principal or redemption price of or interest on the Bonds or any other costs incidental thereto. None of the County, the State or any political subdivision thereof shall in any event be liable for the payment of the principal or redemption price of or interest on the Bonds or for the performance of any pledge, obligation or agreement undertaken by the Authority.

Section 3. The approval granted hereby (a) is solely and only for the purpose of satisfying the requirements of Section 147(f) of the Code, (b) is not intended, nor should it be construed to be, final approval of the issuance of the Bonds or a commitment of any kind on the part of the County or any official or officer thereof to issue the Bonds and (c) is not intended, nor should it be construed to constitute, any review or approval by the County or any official or officer thereof of the credit of the Borrower, nor any type of guaranty by the County or any official or officer thereof of the repayment of all or any part of the Bonds.



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PASSED: July 19, 2017 at Beatrice, Gage County, Nebraska.

**BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF GAGE, NEBRASKA**

/s/ Myron Dorn

/s/ Matt Bauman

/s/ John A. Hill

/s/ Terry Jurgens

/s/ Gary Lytle

/s/ Dennis M. Byars

/s/ Erich Tiemann

Motion made by Byars, seconded by Jurgens to approve Resolution #17-23 for the issuance, sale and delivery by Hospital Authority No. 1 of Gage County, Nebraska of not to exceed \$31,375,000 principal amount of its health care facilities revenue refunding bonds (Beatrice Community Hospital & Health Center Project), Series 2017, solely for the purposes of Section 147(f) of the internal revenue code of 1986, as amended, and related matters. Motion carried 7-0.

Discussion on updating and replacing cameras and equipment for the security system. Dave Jones spoke on the different cameras.

Motion made by Tiemann, seconded by Bauman to replace DVR and 2 cameras now and slowly phasing out others. Motion carried 6-1 with Lytle voting nay.

Discussion on moving county payroll back an additional week in arrears making the payroll a full pay period in arrears. Sheriff Gustafson and Julie Slaven spoke. Employees would have the option of using up to 40 hours of vacation time to supplement the pay period that would only be paying for one week of work.

Motion made by Lytle, seconded by Tiemann to approve moving county payroll an additional week in arrears, making the payroll a full pay period (2 weeks) in arrears, to be effective the third pay period in September, 2017, and offering employees the option of using up to 40 hours of vacation time to supplement their pay. Motion carried 6-1 with Bauman voting nay.

Motion made by Lytle, seconded by Hill to move into closed session at 10:45 a.m. for personnel issues. Motion carried 7-0.

Bauman left meeting at 10:45 a.m.

Motion made by Hill, seconded by Tiemann to move out of closed session at 11:36 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:40 a.m. until August 2, 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 19th day of July, 2017.



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(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk