



Gage County Board Minutes



Board of Supervisors Meeting – November 8, 2017

1

The Gage County Board of Supervisors met on November 8, 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.

Pledge of Allegiance recited.

Consent Agenda included the following items: General Agenda; Minutes from previous meeting and committee meetings; claims audit in the amount of \$758,353.54; approve correspondence received and place on file; approve District Court Clerk Summary Fee Report and Register of Deeds fee report for the month of October, 2017; approve appointing Lisa Wiegand as the Planning & Zoning Director effective 11/6/2017; approve calling for bids on 2011 Cimline 230 crack sealing machine #1C92M1527BM119036 – bids to be opened on December 6, 2017 at 9:15 a.m.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	123,848.39
Adams Rescue	Qtrly EMS svcs	4500.00
Advanced Auto Dealers	Shf website maint.	29.00
Advanced Correctional Healthcare	On-site inmate medical	2846.55
Amen Law	Prof. legal svcs.	900.00
Beatrice Community Hospital	Blood draw	115.75
Black Hills Energy	Utilities Ext Offc, Shf	395.27
Blue Valley Comm. Action	Qtrly funding	3725.00
Cardmember Svc. – Shf.	Fuel	21.00
CBM Managed Services	Jail meals	3127.23
Clerk of District Court	State & svc. fees	936.28
Comfort Inn, Kearney	Lodging	199.90
DAS St. Acctng. Cntrl Fin 6506	Jail cthse ntwk sv chgs,	663.09
DAS St. Acctng. Cntrl Fin 6507	Shf state radio system use	562.00
Dell Marketing	Shf laptop, Dist Ct toner	2654.74
Sandra Eltiste	Prior svc retirement	12.00
FAC	Courts/Prob calendars	72.64
Frankhauser, Nelsen, Werts et al	Atty fees	858.13
Gage County	Prob. phones, trnsfr \$ to 911 Fund	204,478.00
Hamm Glass	Det. Ctr. door glass	22.35
Holiday Inn Kearney	Lodging	199.90
Hometown Leasing	Atty copier lease	141.44
Intl. Municipal Lawyers Assn.	Mbrshp	345.00
Joyce Kassing	Prior svc. retirement	20.00
Keating, O’Gara, Nedved & Peter	Atty fees	14,484.50
Koenig Law Offc.	Atty fees	3483.00
Lammel Plbg.	Repair backflow	202.75
Lancaster Co. Sheriff’s Offc.	Serving papers	8.26
Land Survey Tech	Co. Surveyor oper. expns.	3963.69
Latimer Reporting	Depo. transcript	77.40
Lepant Law Offc.	Atty fees	1250.00
Mahloch Law Offc.	Atty fees	621.00



Gage County Board Minutes



Microfilm Imaging Systems, Inc.	Courts' scanning equip. rent	404.00
Modern Marketing	Bloodborne pathogen kits	621.28
NACO	Conf. regis. Clk, Dst Ct., 5 Bd Mbrs.	875.00
NE Public Health Env. Lab	Blood alcohol tests	105.00
Nemaha Co. Clerk	Bailiff wages reimbursed	2958.00
Nestor & Mercure	Atty fees	1885.00
Noakes	Heater repair	143.75
O'Keefe Elevator Co.	Elevator maint.	214.02
O'Reilly Automotive	Batteries	126.59
Pam's Cleaning	Ext Offc janitorial svc Oct	200.00
Public Health Solutions	Funding FY 17-18	4154.00
Quill – Ext.	Offc supplies	180.43
Quill – Det.	Offc supplies	135.98
Quill – Prob.	Offc supplies	310.81
Quill – Treas.	Offc supplies	345.47
Region V Systems	EPC billing	3629.00
Alice Riggert	Prior svc retirement	25.00
Sack Lumber	Boards, adhesive	121.96
Security First Bank	Clk checks	111.89
Security Services	Jail alarm monitoring	30.00
Smith, Schafer, Davis, Gaertig, LLC	Atty fees	13,106.39
Staples Advantage	Shf env., printer	236.64
Stephen Kraviec	Child Suppt. Enf. Atty	2218.46
Sun Blockers	Tint Shf veh windows	60.00
Supplyworks	Restroom, janitorial supplies	452.65
Thomson Reuters	West Inf. for Law Library	2140.00
Lee Timan	Public Defender	5730.77
Tracker Products, LLC	Shf labels & ribbons for evidence rm.	79.80
Twin Rivers	Shf. veh. repairs	3511.52
U.S. Bank	Chgs on Co. purchase cards	355.27
USPS – Hasler	Postage for meter	10,000.00
Verizon	Wireless phones	345.35
Vivial	Phone book listing	24.20
WalMart	Prob. supplies	70.19
Washington Co. Sheriff's Offc.	Inmate medical	207.23
Westlake Hardware	Shf, B&G supplies	519.13
Windstream	Phones	3405.74
Woods & Aitken	Prof. legal svcs.	919.50

Road Fund

Highway Department Employees	Salaries	45,940.83
Beatrice Concrete Sand & Gravel	Screenings, rock, gravel	52,523.30
Black Hills Energy	Utilities	55.59
Cather & Sons Constr., Inc.	Asphalt	3007.20
City of Wymore	Utilities	93.92
Constellation Energy	Utilities	29.06
Echo Group	Supplies	169.54
Fastenal	Supplies	185.03
NACO	Conf. registr.	125.00
Jarred Thimm	Seed	537.00
Newman Traffic Signs	Road signs	1719.00
Rock On, Inc.	Hauling	19,253.22



Gage County Board Minutes



Board of Supervisors Meeting – November 8, 2017

3

Tractor Supply Co.	Supplies	218.14
WalMart	Supplies	42.10

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	7002.98
-----------------------------------	-------------	---------

Insurance Fund

Gage Co. Health Insurance	Employee hlth ins claims paid	65,120.36
---------------------------	-------------------------------	-----------

Inheritance Fund

Gage Co. Petty Cash	Reimb. for real estate escrow pmt.	10,000.00
---------------------	------------------------------------	-----------

911 Communication Fund

City of Beatrice	Qtrly 911 svc fee	52,500.00
------------------	-------------------	-----------

General Fund

Ameritas	County share of Employees Retirement	8,500.54
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	8,862.57
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	28,829.25

Road Fund

Ameritas	County share of Employees Retirement	3,101.04
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,346.48
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,746.10

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

David Hellige spoke under public comments regarding petition submitted to have something done with the traffic issues at the intersection of 19th & Dorsey Streets.

Committee reports were given by Byars on Bldg. & Grounds/Winter Lights, and Jurgens on Finance/Insurance and Road & Bridge.

Sheriff Millard Gustafson introduced new officer with the Sheriff's Dept., Benny Noordhoek, who will be full-time after working for the department part-time for 3 or 4 years. Previously, he worked as a criminal investigator for the state.

RESOLUTION NO. 17-35

WHEREAS, the County of Gage is the owner and holder of several certificates of tax sale of several parcels of real estate, Certificates #11235 issued to the County of Gage for all delinquent regular taxes thereon, and which having been regularly advertised and offered for sale at tax sale, and remaining unsold for want of bidders, or having been sold to the County of Gage and certificates of tax sale issued thereon under provisions of Nebraska Revised Statutes, Section 77-1809 (1943); and,

WHEREAS, as of October 3, 2017, more than Three (3) years and less than Three (3) years Six (6) months have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tracts has expired.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that Roger Harris, Gage County Attorney, by and



Gage County Board Minutes



Board of Supervisors Meeting – November 8, 2017

4

through his Deputy County Attorneys, be and hereby is directed, as promptly under the circumstances as it is reasonably possible so to do, to institute action to foreclose the lien of all taxes delinquent whether regular or special, on all real estate within Gage County, Nebraska, which having been heretofore advertised and offered for sale and remaining unsold for want of bidders were sold to the County of Gage, and Certificates of Tax Sale issued thereon, and that the costs of abstracting be paid from the General Fund.

BE IT FURTHER RESOLVED that the Gage County Treasurer be and is hereby directed to issue Treasurer's certificates of tax sale in favor of Gage County on all parcels of real estate offered for sale for less than Three (3) consecutive years that were not sold for want of bidders.

Motion made by Tiemann, 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 8th day of November, 2017.

/s/ Dawn Hill
Gage County Clerk

Motion made by Tiemann, seconded by Lytle to approve Resolution #17-35 directing County Attorney to institute action to foreclose the lien of all taxes delinquent within Gage County, Nebraska and remain unsold for want of bidders, and direct County Treasurer to issue Treasurer's Certificates of Tax Sale in favor of Gage County on all parcels offered for sale for less than three (3) consecutive years and not sold for want of bidders. Motion carried 6-0.

Motion made by Tiemann, seconded by Lytle to move into closed session at 9:07 a.m. for negotiations and real estate. Motion carried 6-0.

Motion made by Lytle, seconded by Tiemann to recess closed session at 9:15 a.m. to be continued later in the meeting. Motion carried 6-0.

Motion made by Byars, seconded by Lytle to approve the purchase agreement for real estate at 609 Washington Street, Beatrice, Nebraska, and authorize the chairman to sign to same. Motion carried 6-0.

Recess until 9:30 a.m. for timed agenda item.

Back in session at 9:30 a.m. with all members previously listed as present.

Motion made by Tiemann, seconded by Jurgens to open public hearing at 9:30 a.m. to hear support and/or opposition from the public on Special Use Permit No. 2017-8 for splitting off acres for cell phone service located in the SE ¼ of Section 9, Blakely Township. Motion carried 6-0. Planning & Zoning's Findings of Fact for Special Use Permit #2017-8 was received as Exhibit #1. Mike Harms of Grand Island spoke representing Viaero Wireless. Had discussion on the reason that P & Z denied the permit was due to setbacks. Lisa Wiegand spoke as the current P & Z Administrator on how the process should be handled and that she has no issues with moving forward with the permit. Viaero would like to have the board make a decision today.



Gage County Board Minutes



Motion made by Byars, seconded by Tiemann to close public hearing at 10:02 a.m. Motion carried 6-0.

RESOLUTION NO. 17-36

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, #2017-8, for the use of 4.2-acre lot with a cell phone tower built in 1982 on the property located at SE ¼ section 9, Blakely Township, on the corner of W Hickory Road and SW 103 Road, an AG1 district;

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 October 10th, 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 disapproval of this special use permit, #2017-8; and,

WHEREAS, this special use permit is in an agricultural zoning district, located at the corner of SW 103rd Road and W Hickory Road, in Section 9, Blakely Township; and,

WHEREAS, the Gage County Board of Supervisors on this 8th day of November, 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 #2017-8; 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, #2017-8, shall be approved/disapproved for the use and upgrading on the cell phone tower located on the 4.2-acre lot.

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

Yea: Jurgens, Dorn, Lytle, Byars, Tiemann

Nay: Hill

/s/ Myron Dorn
Chairman

Subscribed and sworn to before me this 8th day of November, 2017.

/s/ Dawn Hill
Gage County Clerk

Motion made by Byars, seconded by Tiemann to approve Resolution #17-36 granting Special Use Permit #2017-8 for the use of 4.2-acre lot with a cell phone tower, located in the SE ¼ of Section 9, Blakely Township. Motion carried 5-1 with Hill voting nay.



Gage County Board Minutes



Board of Supervisors Meeting – November 8, 2017

6

Recess at 10:07 a.m. until council arrives to continue closed session on negotiations. Back in closed session at 10:28 a.m.

Jurgens left during closed session.

Motion made by Lytle, seconded by Byars to move out of closed session at 11:40 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 11:40 a.m. until November 22, 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 8th day of November, 2017.

(SEAL)

/s/ Dawn Hill

Dawn Hill
Gage County Clerk