



Gage County Board Minutes



The Gage County Board of Supervisors met on October 23, 2019, at 8:46 a.m. with John Hill, Matt Bauman, Erich Tiemann, Eddie Dorn, Dennis Byars and Gary Lytle present, Terry Jurgens 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.

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 \$1,149,609.83 which does not include claim #19100125 to Beatrice Lawn Care in the amount of \$832.25 and claim #19100213 to Hard Rock Quarries in the amount of \$2,113.28, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1141 to Windstream Nebraska, LLC – Will be installing new telephone line into existing pedestal #197PD located 1260’ South of SW 29th & W Gage Road and plowing in cable going West on private property to State of NE tower building. Located in NE ¼ Section 5 T-6N, R-6E (Highland Twp). 6. Approve Utility Permit #1142 to RDG Geoscience & Engineering, Inc. – will be installing a ground water remediation system: 2 air injection wells will be located within county right-of-way on the North side of A Street, approximately 20’ North of the center line of A Street between 1st & 2nd Street in Holmesville. Wells will be bored 8.75” in diameter 40’ deep. 2” diameter PVC air conveyance piping will be connected to each of the injection wells in trenches excavated by a back hoe 2’ wide x 3.5’ deep. Located in the NW ¼, SW ¼, NE ¼ Section 29 T-3N, R-7E (Rockford Twp); 7. Approve Utility Permit #1143 to Diller Telephone- will be boring & plowing; in approximately 12 miles of fiber cable. Will bore 5 to 10’ below all creeks, culverts & road crossings 3” in diameter encased in 1 ¼” smooth wall pipe. Plowing will be placed as close to the 33’ right-of-way as possible, 4 to 5’ below grader ditch. Located in the South side of Section 34 T-3N, R-5E (Lincoln Twp), South side of Sections 8, 9, 10, 11 & 16; North side of Sections 9 & 10; East side of Section 16; West side of Section 3, 9, 12, 16 & all in T-2N, R-5E (Elm Twp).

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	135,990.02
Advanced Correctional Healthcare	Inmate on-site medical svcs	425.32
All Copy Products	Shf copier lease/copies	97.15
Ashley Homestore	Fridge for evidence storage	1379.00
Beatrice Board of Public Works	Utilities	484.70
Beatrice Iron & Metal	W/s repair	29.95
Beatrice Lawn Care	Mowing & fertilizer	832.25
Charles Bentjen, Atty	Atty fees	1440.00
Blue Valley Door	Svc call	91.00
Bob Barker	Inmate provisions	768.57
Candlewood Suites	ROD lodging	104.95
City of Beatrice	Qtrtrly Prob Offc utilities	2085.63
CleanItSupply	Jail laundry supplies	115.62
Credit Information Systems	Mbrshp, empl. screen	61.00
Culligan of Lincoln	Water cooler	30.50
DAS St. Acctng. Cntrl Fin 6507	Statewide radios	924.00
DataShield	Doc. shredding	28.96
Dawson Co. Sheriff	Boarding inmates	6750.00
Douglas Co. Sheriff	Shf. fees	39.61
E-Z Stop	Fuel	425.37



Gage County Board Minutes



Eakes Office Solutions	Office supplies	2568.15
Electronic Contracting Co.	Dist Ct replace amp	3776.90
En Pointe Technologies	Acrobat subscr.	570.48
First Wireless	Fire tower repairs	851.05
Gage Co. Court	Cert. copies	6.75
Garcia Clinical Lab	Lab svcs.	15.00
Gleason Dental Clinic	Inmate dental	100.98
Greater NE Business Center	Ext. Offc. veh. rent/fuel	357.98
Holiday Inn, York	Shf. lodging	208.00
Jack's Uniforms & Equip.	Supplies	35.50
Jerry Shelton, Atty	Atty fees	967.50
Konica Minolta	Copier leases/copies	352.85
Lammel Plumbing, Inc.	Supplies, labor	144.13
Lincoln Journal Star	Publications	1418.68
Lynn Peavey Co.	Bld/alc kits	128.40
Mahloch Law Office	Atty fees	301.50
Maximus, Inc.	Prep. of Cost Allocation Plan	2600.00
Mead Lumber	Supplies	81.57
Microfilm Imaging Systems	Court scanning equip. rent	404.00
MIPS, Inc.	Computer support/programs	2786.91
NE Health & Human Svcs.	Patient care	186.00
NE Emergency Medicine	Inmate medical	170.15
NI Government Services	Sat. phone svc.	74.23
Paper Tiger	Doc shredding	35.00
Personnel Evaluation, Inc.	Pre-employment checks	60.00
Philippi Electric	Circuit for cooler	425.31
Physicians Laboratory	Autopsy	2050.00
Priority Printing	Treas. env.	578.59
Quill – Det.	Offc. supplies	55.98
Quill – Ext.	Offc. supplies	204.10
Quill – Prob.	Offc. supplies	115.88
Ray Allen Mfg.	K-9 supplies	257.98
Region V Services	Qtrly participation	9928.50
Region V Systems	EPC billing, LB302 contrib.	13,585.75
Richardson Co. Shf.	Housing inmates	3575.00
Sanitary Garbage Co.	Garbage svc.	294.76
Sapp Bros.	Shf/Jail fuel	3900.26
SE NE Communications	Prob. phones	112.45
Secretary of State	Cert. copies	100.00
Security Services	Monitor Det. Center	31.50
Sheridan Industries	Ext. Offc. janitorial svc.	150.00
Spectrum	EM cable TV	7.30
Stanard Appraisal Svcs.	Appraisal maint.	3136.00
Staples Advantage	Offc. supplies	162.66
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2354.96
Summit Food Service, LLC	Jail meals	3192.33
T.O. Haas	Tire/veh. repairs, Shf/Jail	2004.43
The Home Depot Pro	Janitorial/restroom supplies	541.58
The Voice News	Publications	597.76
Lee Timan	Public Defender	5730.77
TimeKeeping Systems, Inc.	Jail security equip.	609.02
U-Save Pharmacy	Inmate medical	378.59



Gage County Board Minutes



Board of Supervisors Meeting – October 23, 2019

3

U.S. Bank – Purchase Cards	Supplies, uniforms	565.21
Valvoline	Oil changes	474.06
Verizon	EM hot spot	169.81
Washington Co. Sheriff	Boarding inmates	13,836.35
Windstream – Prob.	Phones	110.87
Windstream – Wilber Prob.	Phones	45.29
Windstream – Fillmore Co. Prob.	Phones	428.73
Windstream – Hwy	Phones	2800.00
Woods & Aitken	Prof. legal svcs.	1373.00
Zultys	Prob. phone svc.	406.09

Road Fund

Highway Department Employees	Salaries	47,068.39
Beatrice Area Solid Waste Agency	Rubbish disposal	720.00
Beatrice Concrete Sand & Gravel	Rock & gravel	36,313.50
Beatrice Iron & Metal Co.	Parts, supplies, tools	1247.67
Cather & Sons Const.	Asphalt	9646.20
Concrete Industries, Inc.	Concrete	952.00
Constellation	Utilities	21.34
Cornhusker Intl. Trucks	Parts	209.64
Crete Lumber	Ice	63.00
Eakes Office Solutions	Offc. supplies	72.81
Farmers Cooperative	Tires, oil	1173.22
Fastenal	Bolts, nuts, washers	87.25
Filtercare of NE, LLC	Cleaning filters	11.70
Hard Rock Quarries, LLC	Rock	2113.28
Inland Truck Parts & Svc.	Parts	1794.97
Jim Hawk Truck Trailers	Parts	228.60
Larry’s Tire & Service	Tires, repairs	530.00
Mead Lumber	Clamps, lights	55.54
Metal Culverts, Inc.	Culverts	4641.00
MIPS, Inc.	Hwy prog package	176.01
NMC	Parts, labor	6609.81
Norris Public Power	Utilities	206.36
O’Reilly Auto	Parts, supplies	2903.75
Rewound Power Motors	Repairs	171.22
Rock On, Inc.	Hauling	12,241.32
Sanitary Garbage Co.	Garbage svc.	74.25
Sapp Bros.	Fuel, oil	20,730.92
T.O. Haas	Tire repair	20.00
Truck Equipment Svc.	Parts	833.30
Verizon Connect	Veh. GPS	137.79
Vermeer	Sharpen blades	53.86
Wick’s Sterling Trucks	Parts	54.04

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Computer prog.	210.32
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Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	31,275.71
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Drug Law Enforcement Fund



Gage County Board Minutes



Board of Supervisors Meeting – October 23, 2019

4

Law Office of Chris Halsor	Training	350.00
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Emergency Management 911 Fund

City of Beatrice	Qtrly 911 svc. fee	55,697.25
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Road Bond Fund

DTCC (Depository Trust & Clrng Co)	Road Bond interest & principal pmt.	600,445.00
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General Fund

Ameritas	County share of Employees Retirement	9,418.70
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	9,681.66
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	31,457.25

Road Fund

Ameritas	County share of Employees Retirement	3,177.09
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,435.23
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,295.30

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

Motion made by Byars, seconded by Hill to approve claim #19100125 to Beatrice Lawn Care in the amount of \$832.25 and claim #19100213 to Hard Rock Quarries in the amount of \$2,113.28, bringing the total of claims approved through October 23, 2019 to \$1,152,554.36. Motion carried 5-0-1 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 Bldg. & Grounds/Winter Lights, Bauman on Finance/Insurance, Shf. Gustafson on Law Enforcement/Emergency Management and Hill on Road & Bridge.

Larry Allder of Cortland, Spokesman of the Prairie Wind Watchers spoke to the board on a text amendment to the wind regulations. Discussion took place on the setbacks and what permits were received, the process that needs to take place to notify interested parties prior to any hearing the Planning & Zoning Board or Board of Supervisors may have. The County Attorney and Planning & Zoning Administrator will work together to get a process in place.

Motion made by Hill, seconded by Bauman to close bidding at 9:35 a.m. and accept, reject or award bids for culvert project “Gage County ER-CP-3242, C-34(1158). Motion carried 6-0.

Bids were received from Ace/Eaton Metals of Kearney NE, Contech Engineered Solutions of Lincoln NE, Midwest Service & Sales of Schuyler NE, and Metal Culverts, Inc. of Jefferson City MO. Bids were referred to Hwy. Supt. Galen Engel for review with a recommendation to be made later in the meeting.

Sheriff Gustafson introduced new Deputy Mike Hager to the board. Hager said he grew up in DeWitt, NE prior to going into the military and just recently moved back to the area. Gustafson also introduced new K-9 dog handler Dax Brydl and the K-9 dog Buster to the board. Brydl said he and Buster went to 6 weeks of training and have completed the training and are certified for narcotics. Brydl also said Buster is super smart and has a high drive to work.

Motion made by Bauman, seconded by Lytle to approve Visitor Improvement Grant to the City of Wymore for McCandless Park Project for phase 3 (restroom/concession facility), in the amount of \$30,000.00. Motion carried 6-0.

Motion made by Bauman, seconded by Hill to approve the Year-End Certification of the County Highway Superintendent. Motion carried 6-0.



Gage County Board Minutes



RESOLUTION #19-35

SIGNING OF THE YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT FORM 2019

Resolution No. 19-35

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment;

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent to the NDOT using the Year-End Certification of County Highway Superintendent form;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be It Resolved that the County Board Chairperson of Gage County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form.

Adopted this 23rd day of October, 2019 at Beatrice, Nebraska.

County Board Members

/s/ Matt Bauman

/s/ Gary Lytle

/s/ John A. Hill

/s/ Erich Tiemann

/s/ Eddie Dorn

/s/ Dennis M. Byars

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

Roll Call: 6 Yes 0 No 0 Abstained 1 Absent
Resolution adopted, signed and billed as adopted.

Attest:

/s/ Dawn Hill

(Signature of Clerk)

Motion made by Byars, seconded by Bauman to approve Resolution #19-35 for Signing of the Year-End Certification of the County Highway Superintendent Form 2019. Motion carried 6-0.



Gage County Board Minutes



Motion made by Bauman, seconded by Hill to approve a funding request from CASA in the amount of \$10,000.00. Motion carried 6-0.

Discussion on the Gage County Public Defender agreement with Lee Timan for July 1, 2019 through June 30, 2022. The proposed agreement was for a 3-year contract with a salary of \$165,000 for each year. Stephanie Clark spoke to the board about the contract as Lee Timan was in court. Discussion was had on the amount that the board would like to see. Stephanie discussed the changes in the case load, etc. and also said that Mr. Tieman was agreeable to a 5 year agreement for the same amount per year.

Motion made by Lytle, seconded by Hill to approve a 5-year contract with a flat amount of \$165,000.00 per year for each of the five years with the term being from July 1, 2019 to June 30, 2024. Motion carried 4-2 with Hill, Bauman, Byars and Lytle voting aye, Tiemann and Dorn voting nay. Clark stated that their office would bring up a new contract with the revisions to the term, pay and case load.

Hwy. Supt. Engel gave his recommendation to accept the low bid from Contech Engineered Solutions in the amount of \$24,367.60 for the Culvert Project “Gage County ER-CP-3242, C-34(1158)”.

Motion made by Bauman, seconded by Lytle to approve accepting the bid from Contech Engineered Solutions in the amount of \$24,367.60 for the Culvert Project “Gage County ER-CP-3242, C-34(1158)”. Motion carried 6-0.

RESOLUTION NO. 19-36
AMENDING RESOLUTION NO. 18-01

WHEREAS, Section 23-1114 of the Revised Reissue Statutes of Nebraska provides that the salary of elected officers of the County shall be set for a four-year term at a date not later than January 15 of the year in which a general election will be held for the respective offices; and

WHEREAS, the Gage County Board of Supervisors has given careful study to the work and responsibility relating to the various offices.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that the following schedule of salaries be adopted for the term of office commencing January of 2019 for the designated offices per annum:

<u>Office</u>	<u>Year</u>	<u>% Increase</u>	<u>Adjusted Pay</u>
County Treasurer	2019	Beginning pay	\$62,769.67
	2020	3.0%	\$64,652.76
	2021	3.0%	\$66,592.34
	2022	3.0%	\$68,590.11
County Clerk	2019	Beginning pay	\$62,769.67
	2020	3.0%	\$64,652.76
	2021	3.0%	\$66,592.34
	2022	3.0%	\$68,590.11
County Assessor	2019	Beginning pay	\$62,769.67
	2020	3.0%	\$64,652.76
	2021	3.0%	\$66,592.34
	2022	3.0%	\$68,590.11
Register of Deeds	2019	Beginning pay	\$62,769.67
	2020	3.0%	\$64,652.76



Gage County Board Minutes



	2021	3.0%	\$66,592.34
	2022	3.0%	\$68,590.11
Clerk of District Court	2019	Beginning pay	\$62,769.67
	2020	3.0%	\$64,652.76
	2021	3.0%	\$66,592.34
	2022	3.0%	\$68,590.11
County Sheriff	2019	Beginning pay	\$77,931.20
	2020	3.0%	\$80,269.14
	2021	3.0%	\$82,677.21
	2022	3.0%	\$85,157.53
County Attorney	2019	Beginning pay	\$94,149.56
	2020	3.0%	\$96,974.05
	2021	3.0%	\$99,883.27
	2022	3.0%	\$102,879.77
Board of Supervisors	2019	Beginning pay	\$24,343.57
	2020	3.0%	\$25,073.88
	2021	3.0%	\$25,826.10
	2022	3.0%	\$26,600.88
County Surveyor	2019	Beginning pay	\$24,343.57
	2020	3.0%	\$25,073.88
	2021	3.0%	\$25,826.10
	2022	3.0%	\$26,600.88

BE IT FURTHER RESOLVED that in addition to the above salary, the above elected officials, including the members of the Gage County Board of Supervisors, shall receive during his or her term of office at county expense the employee's portion of the County's health and medical plan, the same as offered to all County employees.

BE IT FURTHER RESOLVED that in addition to the above salary, the above elected officials, including the members of the Gage County Board of Supervisors, may elect to receive during his or her term of office a payment per month in lieu of the County's payment as described above for the County's Health and Medical Plan of Fifty Percent (50%) of what the County is paying at the time for the monthly single premium paid under the County's Health and Medical Plan that is being offered to all county employees.

BE IT FURTHER RESOLVED that the Gage County Attorney shall not engage in the private practice of law, directly or indirectly, and shall not directly or indirectly refer any legal matter or civil or criminal litigation to any lawyer, nor directly or indirectly recommend or suggest to any person the employment of any particular lawyer or lawyers to counsel in, conduct, defend, or prosecute any action, case, claim, demand, or legal proceeding, whether in litigation or otherwise.

BE IT FURTHER RESOLVED that all elected officials, exclusive of the County Surveyor and County Supervisors, shall devote their full time and energies to the duties and responsibilities of their elected offices. Outside employment may be granted by a majority vote of the Gage County Board of Supervisors and shall not be withheld for arbitrary reasons.

BE IT FURTHER RESOLVED that the Gage County Board of Supervisors' Chairman shall receive One Hundred Dollars (\$100.00) per month additional salary for serving as Chairman.



Gage County Board Minutes



BE IT FURTHER RESOLVED that in addition to the above salary and benefits, all elected officials, including members of the Gage County Board of Supervisors, shall be enrolled in and shall receive the benefits of the County employee’s retirement plan as set forth by *Neb.Rev.Stat., §23-2301*.

BE IT FURTHER RESOLVED that the following schedule of compensation shall apply to the budget-making and levy-making designates of Gage County: any elected official who is qualified to serve as the budget-making authority and is designated as such by the County Board of Supervisors shall receive Three Thousand Eighteen dollars and fifty eight cents (\$3,018.58) plus any cost of living in 2018, and a cost of living increase, if any, added to the adjusted base for each year for the years 2019, 2020, 2021 and 2022. The cost of living increase will be based on the Consumer Price Index as established by the Bureau of Labor Statistics for the Midwest Region, U.S. Department of Labor – using U.S. City average for urban wage earners and clerical workers as of May 1, of each budget or levy year. This payment will be issued in a lump sum and be reported on the designees W-2 for that tax year. This incurred payment shall not be included in the calculation of the filing fee for any elected county official, and the County Board will be able to annually make their decision on whom to prepare the budget document.

BE IT FURTHER RESOLVED that any elected official who is qualified to serve as the levy-making authority and is designated as such by the County Board of Supervisors, shall receive Seven Hundred Fifty-One Dollars and Fifteen cents (\$751.15) plus any cost of living in 2018, and a cost of living increase, if any, added to the adjusted base for each year for the years 2019, 2020, 2021 and 2022. The cost of living increase will be based on the Consumer Price Index as established by the Bureau of Labor Statistics for the Midwest Region, U.S. Department of Labor – using U.S. City average for urban wage earners and clerical workers as of May 1 of each budget or levy year. This payment will be issued in a lump sum and be reported on the designees W-2 for that tax year. This incurred payment shall not be included in the calculation of the filing fee for any elected county official, and the County Board will be able to annually make their decision on whom to prepare the levy document.

BE IT FURTHER RESOLVED that the County Clerk will also serve as the County Election Commissioner, and receive additional compensation in the amount of Six Thousand Two Hundred Thirty dollars and ninety cents (\$6,230.90) in 2018, and a cost of living increase, if any, added to the adjusted base for each year for the years 2019, 2020, 2021 and 2022. The cost of living increase will be based on the Consumer Price Index as established by the Bureau of Labor Statistics for the Midwest Region, U.S. Department of Labor – using U.S. City average for urban wage earners and clerical workers as of May 1 of each budget or levy year. This payment will be issued in a lump sum and be reported on the designees W-2 for that tax year. This incurred payment shall not be included in the calculation of the filing fee for any elected county official.

BE IT FURTHER RESOLVED that the Gage County Board of Supervisors wishes to set the following salaries and percentages of their respective officials’ salary for the Chief Deputy Sheriff, Deputy Assessor, Deputy Clerk of the District Court, Deputy Register of Deeds, Deputy Treasurer, Deputy County Clerk, and Chief Deputy County Attorney:

	(% of officials)	
Deputy Assessor	75%	\$47,077.25
Deputy Clerk of District Court	75%	\$47,077.25
Deputy Register of Deeds	75%	\$47,077.25
Deputy Treasurer	75%	\$47,077.25
Deputy County Clerk	75%	\$47,077.25
Chief Deputy County Attorney	80%	\$75,319.65
Chief Deputy Sheriff	80%	\$62,344.96

WHEREAS, this salary shall be a base salary for these persons beginning with any elected term of those offices in January, 2019 through December, 2019; and



Gage County Board Minutes



WHEREAS, the above-mentioned deputies will receive the same percentage of increase as the elected officials in those offices for the remainder of the following years:

- January, 2020 – December, 2020
- January, 2021 – December, 2021
- January, 2022 – December, 2022

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

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

/s/ Erich Tiemann
 Chairman

Subscribed and sworn to before the this 23rd day of October, 2019.

/s/ Dawn Hill
 Gage County Clerk

Motion made by Bauman, seconded by Lytle to approve Resolution #19-36 which would amend Resolution #18-01 to correct typographical errors. Motion carried 6-0.

Motion made by Dorn, seconded by Hill to adjourn meeting at 10:26 a.m. Motion carried 5-1 with Bauman voting nay.

Chairman declared Board of Supervisors meeting adjourned at 10:26 a.m. until November 6, 2019.

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

/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 23rd day of October, 2019.

(SEAL)

/s/ Dawn Hill
 Dawn Hill
 Gage County Clerk