



# Gage County Board Minutes



The Gage County Board of Supervisors met on July 15, 2020, at 8:45 a.m. with Terry Jurgens, John Hill, Matt Bauman, Erich Tiemann, Eddie Dorn, Dennis Byars and Gary Lytle 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.

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 \$486,154.76 which does not include claim #20070147 to Hard Rock Quarries in the amount of \$1,355.52 and claim #20070151 to Johnny’s Welding in the amount of \$2,747.98, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit #1154 to Windstream Nebraska LLC – will be boring 5’ below bottom of East Oak Rd. approximately 650’ East of intersection for 66’ to place a new SEB6X24 line encased in a 2” rigid conduit, to provide service to Dan Hankerton. Located in NW ¼ Section 2 T-2N, R-6E (Sicily Twp.) and SW ¼ Section 35 T-3N, R-6E (Riverside Twp.)

According to State Statute 23-122, counties having a population of less than one hundred fifty thousand inhabitants shall cause to be published, between July 15 and August 15 of each year, the employee job titles and the current annual, monthly or hourly salaries corresponding to such job titles.

County Supervisor	Bi-weekly	964.38
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County Supervisor	Bi-weekly	964.38
County Supervisor	Bi-weekly	964.38
County Supervisor, Chairman	Bi-weekly	1010.53
County Assessor	Bi-weekly	2486.64
County Attorney	Bi-weekly	3729.77
County Clerk	Bi-weekly	2486.64
County Treasurer	Bi-weekly	2486.64
Clerk of District Court	Bi-weekly	2486.64
Register of Deeds	Bi-weekly	2486.64
County Election Commissioner	Annually	6579.57
Co. Rlf./General Assistance Admin.	Bi-weekly	209.18
County Sheriff	Bi-weekly	3087.27
County Surveyor	Bi-weekly	964.38
Deputy County Assessor	Bi-weekly	1864.98
Chief Deputy County Attorney	Bi-weekly	2983.82
Deputy County Attorney	Bi-weekly	2258.40
Deputy County Attorney	Bi-weekly	2130.23
Deputy County Clerk	Bi-weekly	1864.98
Deputy Clerk of District Court	Bi-weekly	1864.98
Deputy Register of Deeds	Bi-weekly	1864.98
Deputy County Treasurer	Bi-weekly	1864.98
Chief Deputy Sheriff	Bi-weekly	2469.82
Emergency Management Director	Bi-weekly	1688.00



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Highway Superintendent	Bi-weekly	2665.60
Veterans Service Officer	Bi-weekly	1806.40
Building & Grounds Superintendent	Bi-weekly	2081.60
Personal Property Records Tech.	Bi-weekly	1409.60
Clerical Assistant	Bi-weekly	1348.00
Accounts Payable Clerk	Bi-weekly	1444.00
Payroll Clk/Election Specialist	Bi-weekly	1377.60
Administrative Asst/Payroll Spec.	Bi-weekly	1385.60
Assistant Custodian	Bi-weekly	1336.00
Account Clerk II	Bi-weekly	1200.00
Account Clerk II	Bi-weekly	1335.20
Account Clerk II	Bi-weekly	1408.00
Account Clerk II	Bi-weekly	1270.40
Veterans Service Assistant	Bi-weekly	1308.80
Legal Assistant II	Bi-weekly	1446.40
Legal Assistant II	Bi-weekly	1285.60
Legal Assistant II	Bi-weekly	1458.40
4-H Program Manager	Bi-weekly	1433.60
Dist. Court Bailiff	Bi-weekly	1459.20
Court Services Clerk	Bi-weekly	1283.20
Clerical Assistant II	Bi-weekly	1270.40
Receptionist	Bi-weekly	1128.80
Records Tech.	Bi-weekly	1243.20
Administrative Assistant	Bi-weekly	1713.60
Road Deputy	Bi-weekly	1608.80
Road Deputy	Bi-weekly	2010.40
Road Deputy	Bi-weekly	2010.40
Road Deputy	Bi-weekly	2010.40
Road Deputy	Bi-weekly	1894.40
Road Deputy	Bi-weekly	1666.40
Road Deputy	Bi-weekly	1837.60
Road Deputy	Bi-weekly	2010.40
Special Services Deputy Sergeant	Bi-weekly	2314.40
Sergeant	Bi-weekly	2238.40
Sergeant	Bi-weekly	2012.00
Investigator	Bi-weekly	2053.60
Transport Officer	Bi-weekly	1534.40
Corrections Officer	Bi-weekly	1337.60
Corrections Officer	Bi-weekly	1238.40
Corrections Officer	Bi-weekly	1484.80
Corrections Officer	Bi-weekly	1238.40
Corrections Officer	Bi-weekly	1386.40
Corrections Officer	Bi-weekly	1583.20
Corrections Officer	Bi-weekly	1238.40
Corrections Officer	Bi-weekly	1436.00
Corrections Officer	Bi-weekly	1534.00
Corrections Officer	Bi-weekly	1337.60
Corrections Officer	Bi-weekly	1238.40
Corrections Sergeant	Bi-weekly	1841.60
Admin. Asst.	Bi-weekly	1424.00
Admin. Asst./Weed Superintendent	Bi-weekly	1584.00
Bridge Foreman	Bi-weekly	1892.80



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Shop Foreman	Bi-weekly	1892.80
Asphalt Foreman	Bi-weekly	1892.80
Dirt Foreman	Bi-weekly	1892.80
Mechanic I	Bi-weekly	1452.80
Sign Tech	Bi-weekly	1554.40
Sign Tech	Bi-weekly	1554.40
Welder/Fabricator	Bi-weekly	1542.40
Operator I	Bi-weekly	1328.00
Operator II – Truck Driver	Bi-weekly	1426.40
Operator II – Truck Driver	Bi-weekly	1426.40
Operator II – Truck Driver	Bi-weekly	1426.40
Operator II – Asphalt	Bi-weekly	1426.40
Operator II	Bi-weekly	1426.40
Operator II	Bi-weekly	1426.40
Operator II	Bi-weekly	1426.40
Operator II – Bridge	Bi-weekly	1426.40
Operator II – Motor Grader	Bi-weekly	1432.80
Operator II – Motor Grader	Bi-weekly	1432.80
Operator II – Motor Grader	Bi-weekly	1432.80
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Operator II – Motor Grader	Bi-weekly	1432.80
Operator II – Motor Grader	Bi-weekly	1432.80
Operator III	Bi-weekly	1475.20
Operator III	Bi-weekly	1475.20
Operator IV – Crane	Bi-weekly	1595.20

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	142,965.57
Advanced Auto Dealers	Shf. website maint.	29.00
<u>General Fund cont'd.</u>		
Advanced Correctional Healthcare	Jail on-site medical svcs.	6495.30
Beatrice Board of Public Works	Utilities	6339.03
Beatrice Comm. Hospital	Jail CPR classes	260.00
Blue Valley Public Safety	Siren repairs	2219.15
Capital Business Systems	ROD copier lease	860.00
Chapin Law Office	Atty fees	1606.50
Clerk of District Court	St. & Shf. fees	259.00
Culligan of Lincoln	Water cooler	44.25
DataShield	Doc shredding	35.76
Deluxe	DC checks/deposit books	512.42
Lloyd Dickinson	Contract equalization referee work	2350.00
Diode Communications	Monitoring	80.85
Diode Technologies	Security camera repairs	95.00
Eakes Office Solutions	Offc. supplies	1081.82
Fastenal	Supplies	68.59
Gage Co. Treasurer	Titles, tire tax for Shf vehicles	30.00
Greater NE Business Center	Ext. Offc. veh lease	340.00
Gropp Law & Mediation	Atty fees	1431.00
Hometown Leasing	Prob. equip. lease	255.99
Infinisource Benefit Svcs.	Monthly admin. fees	133.00
Insight	Computer program subscr. renewals	1567.44
Ken's Pest Control	Ext. Offc. pesticide sprays	70.00



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Konica Minolta	Copier leases	139.05
Lincoln Journal Star	Assr. publication	41.92
Matt Kosmicki Law, LLC	Atty fees	5789.00
Mead Lumber	Supplies	294.59
Microfilm Imaging Systems	Courts scanning equip. rent	192.00
Midwest Medical Transport	Inmate transport	880.97
MIPS, Inc.	Computer support, programs	2694.92
Murray Law	Atty fees	441.00
Noakes	A/C repairs	176.92
Norris Public Power	Tower utilities	46.88
O’Keefe Elevator	Elevator maint.	465.16
Priority Printing	Assr, Prob supplies	656.60
Quill – Prob	Offc. supplies	377.71
R & B Arms, LLC	Supplies	215.00
Russ’s Market	Ext. Offc. supplies	4.99
Sack Lumber	Supplies	108.45
Sapp Bros.	Shf & Jail fuel	3912.91
SE NE Communications	Falls City Prob. phones	122.27
Software Unlimited	Atty’s Offc. software annl. maint.	4550.96
Stanard Appraisal Svcs.	Appraisal maint.	784.00
Staples	Shf supplies	177.38
Stephen Kraviec, PC LLO	Child Suppt Enf. Atty, postage	2332.91
Summit Food Svc.	Jail meal svc.	1763.78
The Home Depot Pro	Latex gloves	149.59
Thomson Reuters	West Info. Law Library	2338.18
Lee Timan	Public Defender	6346.15
Valentino’s	Ext. Bd. Mtg. meal	36.26
Verizon	Wireless phones – Prob. & Shf.	1012.49
Vivial	Phone listing	26.25
Westlake Hardware	Supplies	57.67
Wollenburg Construction	Replace Shf. windows	1433.91
Zultys	Prob. phones	406.09

## Road Fund

Highway Department Employees	Salaries	46,204.74
Beatrice Board of Public Works	Utilities	505.70
Beatrice Concrete Sand & Gravel	Rock & gravel	43,482.60
Beatrice Iron & Metal	Parts, tools, supplies	1953.37
Cather & Sons Const.	Asphalt	10,071.60
City of Wymore	Utilities	79.34
Concrete Ind., Inc.	Patching material	952.00
Crete Lumber & Farm Supply	Ice	63.00
Dakota Fluid Power, Inc.	Part	480.44
Farmers Cooperative	Fuel, oil	3426.17
Hard Rock Quarries, LLC	Rock	1355.52
<u>Road Fund cont’d.</u>		
Heartland Tires & Treads	Tires	3109.50
Inland Truck Parts	Parts, labor	866.81
Jim Hawk Truck Trailers	Part	58.44
Johnny’s Welding	Parts, labor	2747.98
Konica Minolta	Copier lease	68.61
Lampton Welding	Cyl. rental	74.95





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Midwest Service & Sales	Proj. culverts	48,030.77
MIPS, Inc.	Hwy pkg.	179.53
Motor Fuels Division	Diesel tax	2452.00
NMC	Parts, labor	16,977.56
O'Reilly Auto Parts	Parts, supplies	464.17
Rock On, Inc.	Hauling	5638.80
Rose Equipment, LLC	Parts	47.84
Sanitary Garbage Co.	Trash removal/landfill fee	74.25
Sapp Bros.	Fuel, oil	15,647.82
Schwarz Paper Co.	Janitorial supplies	160.23
Speece Lewis Engineers	Engineering svcs.	600.00
Surplus Center	Parts	39.98
Truck Center Companies	Parts	43.48
Westlake Hardware	Supplies, tool	192.15
Yant Equipment	Repair diesel pump, nozzle	1077.45

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online	214.89
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Insurance Fund

Gage County Health Insurance	Employee hlth ins claims paid	10,463.78
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General Fund

Ameritas	County share of Employees Retirement	9,799.95
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,344.13
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,355.30

Road Fund

Ameritas	County share of Employees Retirement	3,118.78
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,366.92
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 7-0.

Motion made by Jurgens, seconded by Dorn to approve claim #20070147 to Hard Rock Quarries in the amount of \$1,355.52. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Hill, seconded by Dorn to approve claim #20070151 to Johnny's Welding in the amount of \$2,747.98 bringing the total amount of claims paid through July 15, 2020 to \$490,258.26. Motion carried 6-0-1 with Jurgens 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, Jurgens on Finance/Insurance, Hill on Human Resources/Employee Relations, Lisa Wiegand on Law Enforcement/Emergency Management, and Hill on Road & Bridge.

Paul Hay spoke to the board about the tire amnesty program that will be held on August 19, 2020. Hay said the event is not for commercial retailers and they will be accepting only Gage County tires.

County Attorney Roger Harris spoke about needing a motion to add agenda item regarding SE NE Adult Drug Court.



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Motion made by Lytle, seconded by Bauman to approve allowing the addition of the agenda item regarding the agreement with Southeast Nebraska Adult Drug Court. Motion carried 7-0.

Motion made by Byars, seconded by Lytle to approve the Southeast Nebraska Adult Drug Court Interlocal Agreement with Fillmore, Gage, Jefferson, Thayer and Saline counties, effective July 1, 2020 through June 30, 2021. Motion carried 7-0.

Discussion on the resolution to study the existing zoning regulations related to wind energy. Tiemann explained the resolution and discussed the Attorney General's opinion. Attorney David Levy stated that per statute 23-114.01 the moratorium is illegal. He also stated that his client opposes a 1-mile setback, and that if the board would want to follow Lancaster county's requirements his client would support that. Attorney David Bargen indicated that it is not illegal to pass the resolution for a moratorium, and that the statute referenced is for planning and zoning, not for the resolution.

## **RESOLUTION #20-15**

WHEREAS, the County of Gage has a comprehensive development plan; and

WHEREAS, the County of Gage, Nebraska has zoning regulations in place which are intended to direct the location of specific uses and provide for proper separation of conflicting uses; and

WHEREAS, the County of Gage has seen an interest in additional wind energy conversion turbines; and

WHEREAS, the County Board of Gage County wishes to study the existing zoning regulations related to this use; and

WHEREAS, the likelihood of additional wind farms in Gage County is probable, the County Board desires to review regulations which are appropriate for the county and its residents; and

WHEREAS, the Gage County Planning Commission shall be directed to review the County Zoning Regulations and to then make specific recommendations for changes to the County Zoning Regulations dealing with wind energy before accepting, granting or recommending a conditional use permit for the construction of wind turbines; and

WHEREAS, the County Board finds that the most appropriate way to work on said regulations is without the possibility of new applications coming forward during a time frame which allows consideration of appropriate wind energy conversion regulations.

NOW THEREFORE, in consideration of the foregoing statement, the County Board of Gage County, Nebraska, hereby adopts the following resolution:

“BE IT RESOLVED, by the County Board of Gage County, Nebraska, that a three (3) month moratorium on accepting any wind farm applications is hereby invoked and approved.”

“BE IT FURTHER RESOLVED, that this moratorium will be extended if necessary in order to allow the planning and zoning commission to conduct public meetings, including but not limited to public hearings, in direct regards to current and potential changes to regulations pertaining to wind farms; and



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to further allow any potential changes to be passed on to the Gage County Board of Supervisors for review, approval, or disapproval with the same previously mentioned considerations as allowed for the Planning and Zoning Commission.”

“BE IT FURTHER RESOLVED, that the Board of Supervisors of Gage County, Nebraska, hereby directs the Gage County Planning & Zoning Commission to review the county zoning regulations, to conduct any hearings, if necessary, and to make specific recommendations for changes to the county zoning regulations dealing with wind energy before accepting, granting or recommending a conditional use permit for the construction of wind turbines and that such recommendation shall be made within two (2) months of the signing of this Resolution.”

“BE IT FURTHER RESOLVED, that the said three (3) month moratorium shall become effective as of the date of the approval of this Resolution.”

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

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

Nay: None

/s/ Erich Tiemann  
Chairman

Subscribed and sworn to before me this 15<sup>th</sup> day of July, 2020.

/s/ Dawn Hill  
Gage County Clerk

Motion made by Bauman, seconded by Jurgens to approve adopting Resolution #20-15 to study the existing zoning regulations related to wind energy. Motion carried 7-0.

Motion made by Byars, seconded by Dorn to approve removing the agenda item regarding accepting Special Use Permits for wind and solar energy. Motion carried 7-0.

Discussion on the FOP agreement. Samuel Christensen with FOP Lodge 45 discussed the differences between the county and the FOP.

Motion made by Jurgens, seconded by Dorn to approve rejecting the FOP’s final offer agreement. Motion carried 7-0.

Motion made by Bauman, seconded by Lytle to approve implementing the county’s three-year Final Offer Agreement with the FOP in full, with an effective date of today (July 15, 2020). Motion carried 7-0.

Motion made by Hill, seconded by Bauman to approve removing duplicate agenda item regarding the Southeast NE Adult Drug Court Interlocal Agreement. Motion carried 7-0.

There was no discussion on the 2020-2021 County Budget.

Motion made by Bauman, seconded by Dorn to move into closed session at 10:22 a.m. for personnel issues. Motion carried 7-0.



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Jurgens left meeting during closed session.

Motion made by Dorn, seconded by Bauman to move out of closed session at 11:07 a.m. Motion carried 6-0.

Motion made by Bauman, seconded by Dorn to adjourn Board of Supervisors Meeting at 11:07 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:07 a.m. until July 29, 2020.

Board minutes can also be viewed on the Gage County website at [www.gagecountynebraska.us](http://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 15<sup>th</sup> day of July, 2020.

(SEAL)

/s/ Dawn Hill

Dawn Hill  
Gage County Clerk