



Gage County Board Minutes



Board of Supervisors Meeting – September 9, 2020

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The Gage County Board of Supervisors met on September 9, 2020, at 8:45 a.m. with Terry Jurgens, John Hill, Matt Bauman, Erich Tiemann, Eddie Dorn and Dennis Byars present, Gary Lytle 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 \$560,753.53; 4. approve correspondence received and place on file; 5. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of August, 2020; 6. Approve specifications and call for bids on 2020-2021 snow removal for the courthouse, Sheriff/Jail, Veterans Office, Former Buss Stop location and parking lots. Bids to be opened October 7, 2019 at 9:15 a.m.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	135,075.50
Beatrice Board of Public Works	Utilities	6551.04
Beatrice Community Hospital	Training, inmate medical	281.36
Charles Bentjen	Atty fees	513.00
Brock Law Offices, PC LLO	Atty fees	13,499.03
City of Beatrice	Inmate medical	377.51
Clerk of District Court	St. & Shf. fees	145.82
Consolidated Management Co.	Meals at training	109.32
DAS St. Acctng. Cntrl Fin 6506	Svc chgs for AFIS	184.72
Eakes Office Solutions	Offc supplies	1233.19
Echo Group	Bulbs, ballast	214.57
Fox Funeral Home	Transport for autopsy	400.00
Gage Co. MAPS	Comm. based juv. svcs.	26,891.78
Great Plains Uniforms	Shf. uniforms	658.00
Jefferson Co. Sheriff	Svc of papers	19.00
Konica Minolta	Ext. Offc. copy fees	256.59
Lammel Plumbing	Supplies	178.50
Lepant Law Offc.	Atty fees	657.90
Lincoln Journal Star	Publications	691.14
Mahloch Law Offc.	Atty fees	1239.50
Matt Kosmicki Law, LLC	Atty fees	427.50
Microfilm Imaging Systems	Scanning equip rent	192.00
Midwest Connect	Early voting app cards	6312.00
Midwest Process Svcs.	Civil process fees	136.58
MIPS, Inc.	Comp. programs & support	3195.80
Murray Law, PC LLO	Atty fees	594.00
NE Law Enf. Training Center	Training lodging	40.00
NE Dept. of Agriculture	Weed literature	35.00
NE Dept. of Revenue P.A.D.	Assr. cont. ed.	360.00
NE Public Health Env. Lab	Blood alcohol tests	210.00
Norris Public Power	Utilities	49.34
O’Keefe Elevator Co.	Elevator maint. (2 mos)	465.16



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Paw Prints	Boarding K-9	612.00
Philippi Electric	Parts, labor	423.80
Pony Express Vet Clinic, PA	K-9 supplies	23.79
Priority Printing	Assr rural property record cards	577.50
Quadient	Folding machine maint.	712.51
Quill – Ext.	Offc supplies	61.56
Quill – Prob.	Offc supplies	619.31
Quill – Treas.	Offc supplies	194.78
Leandra Rohmeyer	Witness fees	43.57
Secretary of State	Cert. copies	60.00
Security Services	Annl. fire alarm insp.	160.00
Martha Seymour	Witness fees	22.30
Spectrum Business	Jail cable TV	174.98
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2283.86
Story Co. Clerk of Dist. Court	Cert. copy	49.20
Summit Food Svc.	Jail meal svc.	1725.79
Lee Timan	Public Defender	6346.15
Uhl's Sporting Goods	Vets Offc plaque	25.00
U.S. Bank – Purchase Cards	Supplies, meals, etc.	669.44
USPS – Postmaster	Presort permit	240.00
Verizon – Shf.	Wireless phones	640.16
Verizon – Prob.	Wireless phones	357.60
Vivial	Phone directory listing	26.25
WalMart	Prob. supplies	112.71
Windstream – Vets	Phones	359.52
Wollenburg Construction	Install 2 windows at Shf.	1606.02

Road Fund

Highway Department Employees	Salaries	45,770.74
Beatrice Board of Public Works	Utilities	585.24
Beatrice Concrete Sand & Gravel	Rock & gravel	40,364.60
Beatrice Iron & Metal	Parts, tools, supplies	2256.60
Cather & Sons Constr.	Asphalt	6049.20
City of Wymore	Utilities	77.53
Constellation	Utilities	23.56
Contech Engineered Solutions	Culverts	11,219.99
Dakota Fluid Power, Inc.	Part	50.56
Eakes Office Solutions	Offc supplies	64.47
Filtercare of NE	Cleaning filters	44.50
Frerichs Properties, LLC	Expenses RE: crop damage	168.00
Gage Co. Register of Deeds	Filing	22.00
Interstate Power Systems	Parts, labor	3642.52
Konica Minolta	Copier maint.	46.03
Matheson	Welding supplies	198.22
Mead Lumber	Supplies	27.92
Midwest Svc. & Sales	Culverts	28,559.44
MIPS, Inc.	Hwy program	179.53
NE-IA Industrial Fasteners Corp.	Paint	44.90
Noakes	A/C repair	641.99
RDO Truck Centers	Parts	43.91
Rock On, Inc.	Hauling	11,843.73
Rose Equipment, LLC	Parts, labor	1333.65



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Schwarz Paper Co.	Supplies	73.20
Tractor Supply	Shovel	32.99

Visitor’s Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	5944.30
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Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	214.89
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Insurance Fund

Shawn Parrott	Ins. reimb.	401.84
Gage County Health Insurance	Employee hlth ins claims paid	85,151.76
Lucent Health Solutions	Ins. premiums, admin. fees	29,973.08

General Fund

Ameritas	County share of Employees Retirement	9,295.75
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	9,682.99
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	29,688.78

Road Fund

Ameritas	County share of Employees Retirement	3,089.49
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,342.84
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,166.27

Insurance Fund

Ameritas	County share of Employees Retirement	27.12
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	30.74

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

Lytle joined meeting at 8:47 a.m.

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

RESOLUTION NO. 20-22

WHEREAS, the Gage County Board of Supervisors has been presented with a request for an amendment to Gage County wind energy regulations by Larry Allder;

WHEREAS, the Gage County Planning and Zoning Commission has held a public hearing to consider this amendment, the date of said public hearing being July 30, 2020, at 6:30 p.m., in the Hevelone Center of Beatrice High School;

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of the proposed amendment; and

WHEREAS, the Gage County Board of Supervisors on the 26th day of August, 2020, held a public hearing to take input on the proposed amendment after proper notice and publication of said hearing for approving or disapproving the Allder Amendment; and

WHEREAS, public comments were heard in support of and in opposition to



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the amendment 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 proposed amendment is:

- approved for the reasons stated on the record.
- approved as submitted.
- disapproved for the reasons stated on the record.

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

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

/s/ Erich Tiemann
Chairman

Subscribed and sworn to before me this 9th day of September, 2020.

/s/ Dawn Hill
Gage County Clerk

Motion made by Byars, seconded by Dorn to approve adopting Resolution #20-22 on amendment changes to the Gage County Wind Regulations as proposed by Larry Allder. Considerable discussion was had on the text amendment and most Supervisors receiving calls & letters on the amendment said the majority of those were in support of the 1-mile setback. Jurgens stated that he spoke to people in his area who are against the one-mile setback and that he would vote against the amendment. Jurgens also read a statement written by Dave Anderson of Odell. Motion carried 6-1 with Jurgens voting nay.

Motion made by Dorn, seconded by Bauman to approve changing the language in the text amendment from “Commissioners” to “Supervisors”. Motion carried 7-0.

Discussion took place on referring any recommendations for review to the Planning & Zoning Commission. Hill said he would like the setbacks in the regs that were not addressed in the text amendment to be reviewed and consistent. Discussion also included the possibility of creating zones across the county pertaining to wind.

Left discussion of the recommendations to P&Z due to a timed agenda item.

Motion made by Lytle, seconded by Dorn to open public hearing at 9:23 a.m. to hear support and/or opposition to possible minimum maintenance road classification of 4685’ of road running between Sections 18 & 19 T-4N, R-6E and 220’ of road curving south at the west end of Juniper Road into Section 19 T-4N, R-6E stopping at the Railroad tracks (Midland Twp.). Motion carried 7-0.

Matt Langley spoke on the road and Hwy Supt. Galen Engel recommended changing the classification of the road to minimum maintenance.

Motion made by Byars, seconded by Bauman to close public hearing at 9:27 a.m. Motion carried 7-0.



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RESOLUTION NO. 20-23

WHEREAS, the Midland Township officials have asked that the 4685 feet of road running between Sections 18 and 19 T-4N, R-6E, and 220 feet of road curving South at the West end of Juniper Road into Section 19 T-4N R-6E, stopping at the railroad tracks in Gage County, Nebraska, as shown on the map attached hereto as Attachment “A” be reclassified from Local to Minimum Maintenance; and

WHEREAS, the County Highway Superintendent was directed by the County Board of Supervisors, Resolution No. 20-16, to study the road use and condition at the following location: 4685 feet of road running between Sections 18 and 19 T-4N R-6E, and 220 feet of road curving South at the West end of Juniper Road into Section 19 T-4N R-6E, stopping at the railroad tracks (Midland Township); and

WHEREAS, said road is not a mail route or school bus route; and

WHEREAS, said road is a dead-end road; and

WHEREAS, said road serves existing owners so that no existing property shall be landlocked; and

WHEREAS, the County Highway Superintendent found that said road has no houses located on it; and

WHEREAS, a public hearing was held prior to approving Resolution; and

WHEREAS, the County Highway Superintendent recommends said road be reclassified to “Minimum Maintenance”.

NOW, THEREFORE, BE IT RESOLVED, by the Gage County Board of Supervisors that said road as described be reclassified as a “Minimum Maintenance” road and further directs that the County Highway Superintendent to file the necessary documents and forms with the Board of Classifications and Standards, State of Nebraska.

PASSED AND APPROVED THIS 9th DAY OF SEPTEMBER, 2020.

Motion by: Bauman Second by: Lytle

Vote: Aye - 7 Nay - 0

GAGE COUNTY BOARD OF SUPERVISORS

/s/ Erich Tiemann
Board Chairman – Erich Tiemann

ATTEST:

/s/ Dawn Hill
County Clerk, Dawn Hill

Motion made by Bauman, seconded by Lytle to approve adopting Resolution #20-23 reclassifying the 4685’ of road running between Sections 18 and 19 T-4N, R-6E and 220’ of road curving South at the West end of Juniper Road into



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Section 19 T-4N, R-6E, stopping at the railroad tracks (Midland Twp) from local to minimum maintenance. Motion carried 7-0.

Back to discussion on recommendations to Planning & Zoning on items for review.

Motion made by Hill, seconded by Bauman to send recommendation to P&Z for review of all existing setbacks & any others with public use, especially campgrounds, and adjust setbacks to 1-mile or greater, adjust the decibels to recommended 40 day & 37 night as was originally recommended, and to consider using the property line as the setback limit. Motion carried 6-1 with Jurgens voting nay.

Bauman left meeting at 9:31 a.m.

Motion made by Lytle, seconded by Dorn to open public hearing at 9:31 a.m. for the purpose of hearing support, opposition, or suggestions from taxpayers relating to the following proposed FY 20-21 County budget. Motion carried 6-0. Speaking during the public hearing was Greg Lauby of Wymore, NE.

Motion made by Byars, seconded by Dorn to close public hearing at 9:57 a.m. Motion carried 6-0.

RESOLUTION SETTING THE PROPERTY TAX REQUEST

RESOLUTION NO. 20-24

WHEREAS, Nebraska Revised Statute 77-1601.2 provides that the Governing Body of the Gage County passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Gage County, resolves that:

1. The 2020-2021 General Fund property tax request be set at \$12,204,565.51.
2. The total assessed value of property differs from last year's total assessed value by -1%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.425777 per \$100 of assessed value.
4. Gage County proposes to adopt a property tax request that will cause its tax rate to be \$0.389699 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, to total operating budget of \$49,253,749.56 Gage County will exceed last years by 21%.

Motion made by Lytle, seconded by Hill to adopt Resolution #20-24.

Voting Yes: Jurgens, Hill, Tiemann, Dorn, Byars, Lytle

Voting No: None

Motion carried: 6-0



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Dated this 9th day of September, 2020.

ATTEST: /s/ Dawn Hill
County Clerk

/s/ Erich Tiemann
Board of Supervisors, Chairman

Motion made by Lytle, seconded by Hill to approve adopting Resolution #20-24 setting the 2020-2021 tax request at a different rate than the 2019-2020 tax request. Motion carried 6-0.

**GAGE COUNTY
RESOLUTION OF ADOPTION AND APPROPRIATIONS
#20-25**

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2020, to June 30, 2021, prepared by the Budget Making Authority, was transmitted to the County Board on the 9th day of September, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Gage County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2020, to June 30, 2021, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Gage County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2020, and ending June 30, 2021.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 9th DAY OF SEPTEMBER, 2020.

COUNTY BOARD

/s/ Dennis M. Byars
/s/ John A. Hill
/s/ Terry Jurgens
/s/ Erich Tiemann
/s/ Eddie Dorn

/s/ Gary Lytle

Motion made by Byars, seconded by Dorn to approve adopting Resolution #20-25 adopting the County Budget for FY 2020-2021. Motion carried 6-0.

Motion made by Lytle, seconded by Jurgens to approve recommendation for a Special Designated Liquor License for Tall Tree Tasting, LLC, for a Fall Festival Event located at the 4 Generations Barn on October 24, 2020. Motion carried 6-0.

RESOLUTION NO. 20-26



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WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2020-3, for an anhydrous ammonia plant;

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 August 13, 2020, at 7:45 p.m., in the Board of Supervisors meeting room;

WHEREAS, the Gage County Planning and Zoning Commission has recommended approval of this special use permit, #2020-3; and

WHEREAS, this special use permit is in an agricultural zoning district, located in the Southeast Quarter of Section 31, Township 4 North, Range 8 East; and

WHEREAS, the Gage County Board of Supervisors on the 9th day of September, 2020, 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 #2020-3; 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, (SUP) #2020-3, for an anhydrous ammonia plant is:

- approved for the reasons stated on the record.
- approved
- disapproved for the reasons stated on the record.

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

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

Nay: None

Bauman absent.

/s/ Erich Tiemann
Chairman

Subscribed and sworn to before me this 9th day of September, 2020.

/s/ Dawn Hill
Gage County Clerk

Motion made by Jurgens, seconded by Dorn to approve adopting Resolution #20-26 granting Special Use Permit #2020-3 for the addition of an Anhydrous Ammonia (NH3) station to existing commercial site located in the SE ¼ of Section 31 (Filley Twp.) – Farmers’ Cooperative – Dorchester. Motion carried 6-0.



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Motion made by Byars, seconded by Lytle to approve sending a letter to EMS Agencies to extend the EMS agreements by one year, ending on June 30, 2021. Motion carried 6-0.

Committee reports were given by Jurgens on Finance/Insurance and Hill on Road & Bridge.

Motion made by Hill, seconded by Dorn to adjourn Board of Supervisors meeting at 10:06 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 10:06 a.m. until September 23, 2020.

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 9th day of September 2020.

(SEAL)

/s/ Dawn Hill

Dawn Hill
Gage County Clerk