



Gage County Board Minutes



Board of Supervisors Meeting – March 10, 2021

1

The Gage County Board of Supervisors met on March 10, 2021, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, 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.

Chairman Tiemann also announced that LB103 has made it out of Legislative Committee with one change to increase the amount to \$5 million per year, thanks to Senator Steve Erdman.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$608,720.05 which does not include claim #21030003 to Beatrice Lawn Care in the amount of \$3,050.00, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Register of Deeds Fees Report & District Court Summary fee report for the month of February, 2021; 6. Receive County Audit for Fiscal year ending 6/30/2020 and place on file; 7. Receive & place on file the Adams Rescue 2020 annual report; 8. Approve advertising for an Assistant Highway Superintendent; 9. Approve Utility Permit #1181 to Scott Spilker - Will be boring an 8” diameter for an 8” PVC waterline and boring a 4” diameter for a 480 3 phase electric line 5’ below bottom of grader ditch and under township road for 66’, located approximately 2900’ North of Hickory Road on SW 32nd Rd in the NE ¼ Sec 8 & NW ¼ Sec 9 T-4N, R-6E (Midland Township).

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	135,661.15
Advanced Correctional Healthcare	Inmate pharmacy	6.15
Beatrice Board of Public Works	Utilities	6075.18
Beatrice Lawn Care	Snow removal, hauling	3050.00
Charles Bentjen, Atty	Atty fees	1863.00
Black Hills Energy	Utilities	1226.69
Dax Brydl	Labor	25.54
City of Beatrice	Qtrly Prob. Offc. utilities	1579.95
Clerk of District Court	St. & Shf fees, docket fees	686.65
Cornhusker State Industries	Janitorial supplies	300.00
Cortland Rural Fire Board	Qtrly EMS svcs.	1500.00
Culligan of Lincoln	Water cooler	55.75
Diode Communications	Monitoring cths. & Vet’s Offc.	80.85
Diode Technologies	Equip., supplies, labor	972.55
Gage County	Trnsfr from Misc Gen Fnd to Econ Dev Fnd	138,849.10
Garcia Clinical Laboratory	Inmate lab svcs.	90.00
Hometown Leasing	Prob. Offcs. copier leases	313.22
Huls Body Shop	Towing	80.00
Jerry Shelton, Atty	Atty fees	405.00
Jones Automotive	Radio Equip., labor	597.09
Konica Minolta	Ext. Offc. copier lease	115.15
MIPS, Inc.	Computer support/programs	2635.92
NACO	Mtg. regis.	80.00
NE Law Enf. Training Center	TABE tests	20.00
NE Assn. of County Treasurers	NACT dues	50.00



Gage County Board Minutes



Board of Supervisors Meeting – March 10, 2021

2

NE State Fire Marshall, Fuels Div.	Boiler inspections	72.00
Nelson, Clark & Timan, PC LLO	Public Defender	6346.15
Nestor & Mercure, Attys	Atty fees	1633.50
Noakes Heating & Air Cond.	Labor	128.00
Norris Public Power	Utilities – Horvath tower	54.45
Northeast Auto	Veh. lease	550.00
Theodore Paben	Ext. Offc. snow removal	100.00
Paper Tiger Shredding	Doc shredding	58.76
Pell Reporting	Deposition transcripts	209.51
Pickrell Rural Fire Dist.	Qrtrly EMS svc.	1500.00
Pictometry Intl. Corp.	1-yr lic. agrmnt.	1650.00
Pro1Tek	Jail supplies	446.37
Quadient Leasing USA	Postage meter lease	2068.17
Quill – Det.	Offc. supplies	327.57
Quill – Ext.	Offc. supplies	2.69
Quill – Prob.	Offc. supplies	179.23
Quill – Treas.	Offc. supplies	29.17
SE NE Communications	Falls City Prob. phones	111.27
Secretary of State	Cert. copies	20.00
Security Services	Relocate horn strobe	116.55
Solheim Law Firm, LLC	Atty fees	1126.09
Spectrum (Charter)	Jail cable TV	188.33
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2283.86
Summit Food Service, LLC	Jail meal svc.	2040.14
The Radar Shop, Inc.	Radar repair	670.00
The Wymore Arbor State	Publications	347.82
U.S. Bank – Purchase Cards	Dues, supplies, equip.	761.04
Verizon Wireless – Shf	Phones	640.16
Verizon Wireless – Prob.	Phones	357.91
Village of Clatonia/Clatonia Rescue	Qrtrly EMS svc.	4500.00
WalMart	Supplies	95.50
Westlake Hardware	Supplies	64.04
Windstream – Shf	Phones	1302.62
Windstream – Vets	Phones	373.68
Woods & Aitken, LLP	Prof. legal svcs.	171.50
Zultys, Inc.	Prob. phones	406.09
911 Custom	Supplies	62.00

Road Fund

Highway Department Employees	Salaries	51,847.05
American Legion Post 27	Twp mtg. cookies	99.00
Beatrice Board of Public Works	Utilities	1320.03
Beatrice Iron & Metal	Supplies, tools	1730.90
City of Wymore	Utilities	212.96
Commercial Industrial Supply, LLC	Shop furnace repairs	257.38
Constellation NewEnergy	Utilities	341.65
Echo Group (JESCO)	Plugs	86.70
Hamm Glass	Grader window	373.00
Jasper Engine Exchange	Chevy V8 engine	2921.00
Landmark Implement	Oil filter	61.12
MIPS, Inc.	Hwy program	179.53
NMC Exchange, LLC	Parts, grader blades	44,823.59



Gage County Board Minutes



The Wymore Arbor State	Publications	63.45
Tractor Supply Co.	Ext. cords	155.98
WalMart	Ext. cords	179.98
Westlake Hardware	Supplies	120.51
Zoellner Ford of Beatrice	Parts, labor	1326.29

Road & Bridge Sinking Fund

Midwest Infrastructure, Inc.	Cert. 4, final pmt., C-34(1121), Blue Sprngs NE	4300.00
------------------------------	---	---------

Visitor’s Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	7606.08
-----------------------------------	-------------	---------

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	NE Deeds Online w/ numerical indexes	214.89
------------	--------------------------------------	--------

Insurance Fund

Gage County Health Insurance	Employee hlth ins. claims paid	36,608.31
Lucent Health Solutions	Ins. premiums, admin. fees	30,879.95

Community/Economic Development Fund

NGage (Gage Area Growth Ent.)	Co. share of expenses	33,560.97
-------------------------------	-----------------------	-----------

General Fund

Ameritas	County share of Employees Retirement	9,414.38
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	9,827.03
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,021.92

Road Fund

Ameritas	County share of Employees Retirement	3,499.69
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,807.66
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,545.94

Motion made by Haxby, seconded by Dorn to approve the consent agenda. Motion carried 7-0.

Motion made by Jurgens, seconded by Dorn to approve claim #21030003 to Beatrice Lawn Care in the amount of \$3,050.00, bringing the total of claims paid through March 10, 2021 to \$611,770.05. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

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

Discussion on proposed Resolution supporting the 2nd amendment. Those speaking in favor of or in opposition to the resolution, in addition to board members, were Ashley Mason, Bev Acton, Jim Crabtree, Eric Book & children, Bill Ambroz, Lowell Dell, Gayland Regier, Patti Milligan, and John Moore.

RESOLUTION #21-05

WHEREAS, the Second Amendment to the United States Constitution provides that it is the right of the people to keep and bear arms, and that right shall not be infringed; and,

WHEREAS, Article I, Section 1-1 of the Nebraska Constitution also provides the right to keep and bear arms, specifically “for security of defense of self, family,



Gage County Board Minutes



home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes,” and all provides that such right shall not be infringed; and,

WHEREAS, the United States Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and,

WHEREAS, it is the desire of the Gage County Board of Supervisors to declare its support of the Second Amendment to the United States Constitution and Article I, Section 1-1 of the Nebraska Constitution; and,

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors hereby declare that we support the rights and liberties of all Gage County citizens guaranteed by the United States and Nebraska Constitutions.

BE IT FURTHER RESOLVED, that this Board affirms its support for the duly elected Sheriff of Gage County, Nebraska, and his/her continuing efforts to uphold the United States and Nebraska Constitutions, and will oppose any law that would infringe on the right of the legal citizens to keep and bear arms, including but not limited to limitations, registration, excess levy or fees, or seizure at any time.

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

YEA: Jurgens, Haxby, Tiemann, Dorn, Byars, Lytle

NAY: Schuller

/s/ Erich Tiemann
Erich Tiemann, Chairman

Subscribed and sworn to before me this 10th day of March, 2021.

/s/ Dawn Hill
Dawn Hill, Gage County Clerk

Motion made by Haxby, seconded by Byars to approve the shorter version of the resolution with the addition of language as read by Haxby. Discussion ensued on the topic. Byars called for the question to end debate, vote was taken and passed 6-1 with Schuller voting nay. The original motion was then voted on and the motion carried 6-1 to approve adopting Resolution #21-05 as read by Haxby, with Schuller voting nay.

Short recess at 9:45 a.m. Back in session at 9:54 a.m. with all members previously listed present except Jurgens.

Motion made by Dorn, seconded by Haxby to approve recommendation to the NE Liquor Control Commission of Roger Henrichs as the manager of Gage County Agricultural Society. Motion carried 6-0.

The Board received the recommendation from Hwy. Superintendent Galen Engel to accept all the bids that were submitted at the February 24th meeting.

Motion made by Lytle, seconded by Byars to approve accepting and awarding all rock & gravel bids, using according to lowest price and availability, that were received at the February 24, 2021 board meeting. Motion carried 6-0.



Gage County Board Minutes



RESOLUTION NO. 21-06

WHEREAS, the County of Gage is the owner and holder of certificates of tax sale for parcels of real estate, Certificates #11252, 11253, 11263, 11264, 11266 and 11269 acquired by the County of Gage for all delinquent regular taxes thereon, and which having been regularly advertised and offered for sale at tax sale under provisions of Nebraska Revised Statutes, Section 77-1809, and which was transferred for value to the County of Gage; and,

WHEREAS, as of March 1, 2021, more than Three (3) years and less than Three (3) years nine (9) 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 through his Chief Deputy County Attorney, Amanda Spracklen-Hogan, 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 Certificates of Tax Sale issued thereon as was sold to the County of Gage, 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 Lytle, seconded by Dorn to adopt the foregoing Resolution. All members present as listed and voted as follows:

Yea: Haxby, Schuller, Tiemann, Dorn, Byars, Lytle

Nay: None

/s/ Erich Tiemann
Chairman

Subscribed and sworn to before me this 10th day of March, 2021.

/s/ Dawn Hill
Gage County Clerk

Motion made by Lytle, seconded by Dorn to approve adopting Resolution #21-06 to commence foreclosure of parcels of real estate with tax sale certificate #'s of 11252, 11253, 11263, 11264, 11266 and 11269, and directing the county attorney and deputy county attorneys institute action to foreclose the lien of all taxes delinquent, and directing the County Treasurer to issue Treasurer’s certificates of tax sale in favor of Gage County, on all parcels of real estate offered for sale and were not sold for want of bidders. Motion carried 6-0.

Committee reports were given by Byars on Bldg. & Grounds/Winter Lights, Lytle on Finance/Insurance, Shf. Gustafson on Law Enforcement, and Dorn on Road & Bridge.



Gage County Board Minutes



Board of Supervisors Meeting – March 10, 2021

6

Motion made by Dorn, seconded by Haxby to adjourn Board of Supervisors meeting at 10:22 a.m. Motion carried 5-0-1 with Lytle abstaining.

Chairman declared Board of Supervisors meeting adjourned at 10:22 a.m. until March 24, 2021.

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 10th day of March, 2021.

(SEAL)

/s/ Dawn Hill

Dawn Hill
Gage County Clerk