



# Gage County Board Minutes



Board of Supervisors Meeting – June 16, 2021

1

The Gage County Board of Supervisors met on June 16, 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.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$3,286,108.83 which does not include claim #21060234 to Hard Rock Quarries in the amount of \$21,953.76, claim #21060237 to Johnny’s Welding in the amount of \$774.24, and claim #21060250 to R.L. Tiemann Construction in the amount of \$4,197.12, 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 May, 2021; 6. Approve declaring 2014 Dodge Charger, VIN# 2C3CDXATXE344848, Silver, 132,484 miles, as surplus and placing on Purple Wave; 7. Approve Permit #1196 to Norris Public Power District - will be boring a 4” diameter 12.5 kv electric line encased in a 4” sub duct pipe 5’ below bottom of road ditches for 66’ for an electric utility crossing under SW 29<sup>th</sup> Rd, approximately 1110’ North of West Birch Rd. Located in the SE ¼ Sec 29 and SW ¼ Sec 28 T-6N, R-6E (Highland Twp); 8. Approve Permit #1197 to Windstream Nebraska LLC. – will be plowing a 48 WSFOC cable 5’ below the West grader ditch along South 12<sup>th</sup> Rd. going North of address #351 for 284’ to a Hand Hole by pedestal #F553N. Located in the NE ¼ Sec 2 T-6N, R-6E (Highland Twp); 9. Approve additional work on the Courthouse by Masonry Construction for the South Entry Lower Clocktower in the amount of \$25,000.00.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	141,617.78
Advanced Auto Dealers, Inc.	Shf. website maint.	29.00
Advanced Correctional Healthcare	Jail on-site medical/mntl hlth svcs.	7696.21
All Copy Products, Inc.	Shf/Clk DocRecord maint. agrmnts	968.33
AT&T Mobility Accounts, LLC	Shf. FirstNet phone svc.	165.60
Axon Enterprise, Inc.	Security supplies – Shf.	20,876.00
Beatrice Board of Public Works	Utilities	4030.41
Blackburn Technologies	Prob. equip., labor	3942.40
Bob Barker Co.	Inmate provisions	198.30
Capital One, NA	Prob. supplies	67.49
Cass County Court	Cert. copy	4.50
Centec Cast Metal Products, Inc.	Svc. markers	911.07
City of Beatrice	Gbg svc., qtrly EMS svcs.	45,264.96
Clerk of District Court	St. & Shf. fees	218.43
Connected Solutions Group	IT labor	3369.68
Consolidated Management Co.	Meals at trng.	173.55
Correctional Risk Svcs.	Inmate medical	2165.75
Cortland Rural Fire Bd.	Qtrly EMS svcs.	1500.00
Credit Information Systems	Mbrshp	50.00
Culligan of Lincoln	Water cooler	32.86
Danko Emergency Equip. Co., Inc.	First Aid kit supplies	465.00
DAS St. Acctng Cntrl Fin 6507	Stwd radios	193.60
Datashield Corp.	Doc shredding	21.68
Diode Communications	Monitoring	80.85



# Gage County Board Minutes



Eakes Office Solutions	Offc. supplies, equip., etc.	11,279.51
Echo Group	Bulbs	80.30
Jeffrey Gaertig, Atty	Robe	422.00
Gage County	Fund trnsfrs for budget obligations	1,409,808.45
Gage Co. MAPS	Juv. justice	7634.45
Gage Co. Sheriff's Offc.	Shf. fees/mlg	1956.02
Greater NE Business Center	Ext. Offc. veh. rent	340.00
Hamm Glass	Assr glass counter top	394.93
Holiday Inn Express, York	NIRMA wkshp	330.00
Hometown Leasing	Copier leases	313.22
Huls Body Shop, Inc.	Towing	135.00
Insight Public Sector, Inc.	Prob. Adobe licensing	1567.44
Isolved Benefit Svcs.	Admin. fees	118.75
Johnson Co. Shf.	Boarding inmates	325.00
Justice Data Solutions	Jail mgmt software	2900.00
Ken's Pest Control	Ext. Offc. pest control	70.00
Lammel Plumbing	Faucets	259.20
Mahloch Law Office	Atty fees	2227.00
Mead Lumber	Supplies	223.62
Microfilm Imaging Systems	Courts scanning equip rent	457.00
Midwest Process Svcs.	Civil process fees	526.97
Rachelle Milligan	Witness fees	20.00
MIPS, Inc.	Computer support, programs, ROD computer	4046.99
NE Law Enf. Training Center	Fleet use fees	175.00
Nebr. UC Fund	Unemployment	2534.00
Nelson, Clark & Timan	Atty fees, public defender	8092.15
NIRMA	Gen. Liability Ins.	142,259.00
Noakes Heating & A/C	Parts, labor	154.34
Norris Public Power	Utilities for tower and Gen. Asst.	107.36
Northeast Auto	Towing	130.00
O'Reilly Auto Parts	Supplies	15.98
Paper Tiger Shredding	Doc shredding	88.30
Philippi Electric	Det. Ctr. repairs	112.00
Pollack & Ball, LLC	Atty fees	1143.00
Precision Signs and Graphics	Veh repairs	350.00
Priority Printing	Bd/Clk env., Prob. bus. cards	503.39
Quadient Leasing	Equip. lease	2068.17
Quill – Det.	Offc. supplies	1035.92
Quill – Ext.	Offc. supplies	1360.05
Quill – Prob.	Offc. supplies	4222.45
Quill – Treas.	Offc. supplies, EM ink	711.74
Kristine Riekenberg	Court reporting	267.00
Sapp Bros. Petroleum	Shf./Jail fuel	3641.50
SE NE Communications	Prob. phones	111.92
Secretary of State	Cert. copies	20.00
Security Services	Monitor Shf. fire alarm	33.00
Sheridan Industries	Ext. Offc. janitorial svcs.	120.00
Slims Body Shop	Shf. veh. repair	220.00
Smith, Schafer, Davis, et al	Atty fees	6510.23
SMPC, LLC	Assr. server host	5749.19
Stanard Appraisal Svcs., Inc.	Assr. appraisal maint., pickup work	8278.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2353.01



# Gage County Board Minutes



Summit Food Service	Jail meals	3673.12
T.O. Haas	Tires, alignment, etc.	2511.70
Hazey Taylor	Witness fees	20.00
The Home Depot Pro	Supplies	108.51
The Wymore Arbor State	Publications, subscriptions	317.26
Thomson Reuters	Law Library West Info. chgs	2384.94
John Trauernicht	Tree stump grinding	75.00
U-Line, Inc.	EM bags	60.30
UNL Cooperative Extension	UNL Intern cost share	171.95
U.S. Bank – Purchase Cards	Meals, supplies	1190.74
U.S. Post Service/Postmaster	Stamps, PO box fees	2061.00
U.S. Postal Svc.	Postage for meter	25,000.00
Verizon Wireless – Shf.	Cell phones	480.12
Verizon Wireless – EM	Cell phones	166.67
Verizon Wireless – Prob.	Cell phones	357.09
Village of Clatonia/Clatonia Rescue	Qrtrly EMS svcs.	4500.00
Washington Co. Shf.	Inmate boarding/medical	12,766.37
Westlake Hardware	Shf sanitizing suppl., B&G wheel barrow, rags	477.83
Willet & Carothers	Atty fees	1833.00
Windstream – Wilber Prob.	Phones	47.47
Windstream – Ext.	Phones	1182.70
Windstream – Fillmore Co. Prob.	Phones	419.31
Windstream – Hwy	Phones	511.06
Wolfe, Snowden, Hurd, et al	Prof. legal svcs.	120.00
Wollenburg Construction	Replace windows at Shf. Offc.	1652.83
Woods & Aitken	Prof. legal svcs.	6059.15
Zoellner Ford of Beatrice	Shf/Jail veh oil changes	109.86
Zultys, Inc.	Prob. phone system	432.48

## Road Fund

Highway Department Employees	Salaries	48,279.03
Ace Irrigation	Culverts	39,403.90
Barco Municipal Products, Inc.	Asphalt Lute handle	216.50
Bauer Built Tire	Tires, wheels	8251.34
Beatrice Area Solid Waste Agency	Rubbish disposal	688.00
Beatrice Board of Public Works	Utilities	397.90
Beatrice Concrete Ready Mix	Concrete	829.75
Beatrice Concrete Sand & Gravel	Rock & gravel	36,168.24
Beatrice Iron & Metal	Parts, tools	2392.40
Blue Valley Door Co., Inc.	Trolley operator	1120.00
Capital One, NA	Supplies	5.72
Caterpillar Financial Svcs. Corp.	Skid loader lease	4200.00
Cather & Sons Const.	Asphalt	9532.20
City of Beatrice	Gbg. svc.	74.24
City of Wymore	Utilities	254.69
Concrete Industries Inc.	Concrete	952.00
Cornhusker Intl. Trucks	Parts	495.23
Dakota Fluid Power, Inc.	Parts	245.49
Eakes Office Solutions	Offc. supplies	209.96
Farmers Cooperative	Tires, fuel	8018.34
Filtercare of NE, LLC	Filter cleaning	11.85
First Wireless	Radio repair	479.99



# Gage County Board Minutes



Gage County Equipment, Inc.	Part	46.20
Hard Rock Quarries, LLC	Rock & gravel	21,953.76
Inland Truck Parts	Parts	1017.94
Jim Hawk Truck Trailers	Supplies	215.05
Johnny’s Welding, Inc.	Parts	774.24
Konica Minolta	Copier maint.	58.57
Lampton Welding Supply	Welding rod	165.00
Larry’s Tire & Service	Repairs, changeovers	882.00
Midwest Service & Sales	Surveyor flags, culvert	10,640.00
Midwest Unlimited, LLC	Supplies	106.05
MIPS, Inc.	Hwy program	175.53
Murphy Tractor & Equip.	2 motor graders	495,136.00
Newman Signs, Inc.	Signs	1377.80
NIRMA	Hwy General Liability ins.	109,531.00
NMC Exchange, LLC	Parts	985.01
O’Reilly Auto Parts	Parts, supplies	916.30
PowerPlan	Parts, labor	1936.60
R.L. Tiemann Const.	Hauling material	4197.12
RDO Truck Center Co.	Parts, labor	725.00
Rewound Power Motors	Parts	239.90
Rock On, Inc.	Hauling material	13,621.48
Sapp Bros. Petroleum	Fuel	20,794.60
Sta-Bilt Construction	Armor coat material	390,260.71
T.O. Haas Tire	Tires	928.92
The Wymore Arbor State	Subscription, publications	32.15
Tractor Supply	Bolts, supplies	107.88
Truck Center Companies	Parts	1925.74
U.S. Auto Force	Tires	1118.64
Verizon Connect	Veh. GPS	323.80
Westlake Hardware	Tool, supplies	99.06
Wymore Oil Co., Inc.	Propane	68.50

Register of Deeds Preservation & Modernization Fund

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

Gage County Health Insurance	Employee hlth. ins. claims paid	61,964.21
U.S. Treasury Internal Revenue Svc.	PCORI fees	486.78

General Fund

Ameritas	County share of Employees Retirement	9,699.20
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,268.14
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	28,439.60

Road Fund

Ameritas	County share of Employees Retirement	3,200.53
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,534.70
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,545.94

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



# Gage County Board Minutes



Board of Supervisors Meeting – June 16, 2021

5

Motion made by Jurgens, seconded by Dorn to approve claim #21060234 to Hard Rock Quarries in the amount of \$21,953.76, and claim #21060250 to R.L. Tiemann Construction in the amount of \$4,197.12. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Dorn, seconded by Haxby to approve claim #21060237 to Johnny's Welding in the amount of \$774.24, bringing the total amount of claims approved thru June 16, 2021 to \$3,313,033.95. 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 Bldg. & Grounds, Jurgens on Finance/Insurance, Sheriff Gustafson on Law Enforcement, Lisa Wiegand on Emergency Management/Planning & Zoning, and Jurgens on Road & Bridge. Topics of discussion were the avenue of flags, Wymore tower, boiler inspection, Shf. surplus vehicles, inmate insurance, zoning regs.

Discussion on the KS/NE Heritage Plan. Terry Acton discussed the Heritage plan Break in discussion for a timed agenda item.

Motion made by Lytle, seconded by Dorn to close bidding at 9:15 a.m. and accept, reject or award bids for Highway Striping Project for approximately 33.39 miles of highway striping. Motion carried 7-0.

Bid was received from Straight-Line Striping of Grand Island, NE, with 3 options presented. Bid was referred to Hwy Superintendent for review and recommendation later in the meeting.

Acton continued speaking on Heritage Plan. He stated that Farm Bureau advises everyone to be cautious when considering the plan. Don Schuller felt the people needed to take a wait and see attitude until more guidelines are available. Break for timed public hearing agenda item.

Motion made by Lytle, seconded by Dorn to open public hearing at 9:30 a.m. to hear support and/or opposition from the public on Planning & Zoning Special Use Permit 2021-2, for the placement of a Temporary Asphalt/Concrete Plant to be located in the SE ¼ of Section 21, in Paddock Township. Motion carried 7-0.

P&Z Administrator Lisa Wiegand stated that the Planning & Zoning Commission had no opposition expressed at their public hearing on the permit. Terry Wilhelms with Werner Construction spoke on the plant site.

Motion made by Lytle, seconded by Dorn to close public hearing at 9:35 a.m. Motion carried 7-0.

Hwy. Supt. Galen Engel gave his recommendation to the board on the highway striping bid. He recommended awarding the bid to Straight-Line Striping with their Option #3, edge striping on both sides, centerline and no passing stripes, in the amount of \$40,809.25.

Motion made by Lytle, seconded by Byars to approve awarding bid to Straight-Line Striping with their Option #3, edge striping on both sides, centerline stripe and no passing zone stripes, in the amount of \$40,809.25. Motion carried 7-0.

Discussion continued on Heritage Plan. A resolution to take action on this matter will be on the June 30<sup>th</sup> agenda.

Motion made by Lytle, seconded by Dorn to approve the Southeast Nebraska Adult Drug Court Interlocal Agreement with Fillmore, Gage, Jefferson, Thayer and Saline Counties, effective July 1, 2021 through June 30, 2022. Motion carried 7-0.

Roger Henrichs spoke to the board regarding the Gage County Ag Society's request for the Board's recommendation of approval of a special designated liquor license for a beer garden on the midway at the Gage County Fair, July 28-31, 2021. Shf. Gustafson stated that he has no concerns in granting a favorable recommendation to the Liquor Commission.



# Gage County Board Minutes



Motion made by Lytle, seconded by Haxby to approve making a recommendation to the NE Liquor Commission of approval of a special designated liquor license for a beer garden on the midway at the Gage County Fair, July 28-31, 2021. Motion carried 7-0.

## **RESOLUTION # 21-09**

**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 moratorium on accepting any wind farm applications is hereby invoked and approved, extending through December 31, 2021.”

**“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 to further allow any potential changes 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 moratorium shall become effective as of the date of the approval of this Resolution.”

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

Yea: Jurgens, Haxby, Tiemann, Dorn, Byars

Nay: Schuller, Lytle



# Gage County Board Minutes



/s/ Erich Tiemann

Chairman

Subscribed and sworn to before me this 16<sup>th</sup> day of June, 2021.

/s/ Dawn Hill

Gage County Clerk

Motion made by Dorn, seconded by Haxby to approve adopting Resolution #21-09, extending the moratorium on submitting wind/solar permit applications through December 31, 2021. Motion carried 5-2 with Schuller and Lytle voting nay.

Discussion on allowing townships to substitute rock for gravel in their allotments. Discussed the benefits of rock vs. gravel, the fact that it sometimes hinges on the weather. and it depends on the availability of rock vs. gravel at the time since several pits have closed. Galen stated that rock and gravel both work down into the road base when it rains but gravel will tend to work itself back up to the surface when it is maintained but rock will stay embedded. Doug Parde, 13515 E Chestnut Rd, Adams, commented on the dust produced by rock causing visibility issues when meeting or following other traffic, but rock is better than nothing. Becky Borgman told the board that the Hwy. Dept. is working on the Fall 2020 allotments now and stated that it was approved to allow townships to substitute up to 2 miles (1 for Fall 2020 and 1 for Spring 2021) of rock for gravel due to gravel not being available. Jurgens suggested letting the townships decide whether they would like to have rock or gravel for their full allotments for the Fall 2020 and Spring 2021 allotments.

Motion made by Jurgens, seconded by Lytle to approve allowing townships to decide whether they want rock or gravel for their full allotment of miles for the Fall 2020 and Spring 2021 allotments, and for the Fall 2021 allotments, go back to the option of substituting up to 2 miles of rock in lieu of gravel. Motion carried 7-0.

Motion made by Lytle, seconded by Haxby to approve a 1-year extension to the current Emergency Medical Services agreements and to look at them in the future. Motion carried 7-0.

Motion made by Lytle, seconded by Haxby to approve having the Nebraska Auditor of Public Accounts conduct 3 years of auditing services for fiscal years ending June 30, 2021, 2022 and 2023. Motion carried 7-0.

Motion made by Dorn, seconded by Jurgens to adjourn Board of Supervisors Meeting at 10:29 a.m. Motion carried 6-1 with Lytle voting nay.

Chairman declared Board of Supervisors meeting adjourned at 10:29 a.m. until June 30, 2021.

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 16<sup>th</sup> day of June, 2021.

(SEAL)

/s/ Dawn Hill

Dawn Hill



# Gage County Board Minutes



Board of Supervisors Meeting – June 16, 2021

8

Gage County Clerk