



Gage County Board Minutes



Board of Supervisors Meeting – November 3, 2021

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The Gage County Board of Supervisors met on November 3, 2021, at 8:46 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, 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 \$505,940.57, which does not include claim #21110065 to Hard Rock Quarries, LLC in the amount of \$1,985.37 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve Utility Permit 1223 to Northern Natural Gas, will be excavating, evaluating, and repairing an anomaly found next to a buried main pipe line. Excavation and access will be in west grader ditch along South 23rd Road, approximately 1,775 feet north of Hwy 136 & Hwy 4. Located in section 36, Southeast quarter, T-4-N, R-6-E of Midland Township; 6. Approve Utility Permit 1224 to Windstream of Nebraska, LLC –Will be adding permanent service to 26452 SW 61st Road. Windstream will start at pedestal 5045/40EF, bore a 2” diameter by 5’ deep line under Scott Street and then start to plow a 3” trench by 48” deep line in the West grader ditch, plow around culvert and stop plowing 680’ North of Scott Street. From this location Windstream will then bore a 2” diameter by 5’ deep line under Southwest 61st Road to East side of road and continue bore into private property for new service to 26452 SW 61st Road. Once completed, Windstream will pick up all temporary cable. Located in Section 31, Southwest quarter, T-4-N, R-6-E, Midland Township; 7. Appointing Gage County Highway Superintendent as the Flood Plan Administrator; 8. Approve receiving 2021 Distress Warrant list; 9. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of October, 2021.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	144,517.66
Advanced Auto Dealers	2 mos. Shf website maint.	58.00
AT&T Mobility Accounts	Shf. phones	165.60
Beatrice Fire Protection	Shf. extinguisher recharge	18.95
Beatrice Humane Society	Qtrly funding	4250.00
Black Hills Energy	Utilities	355.79
Blue Valley Community Action	Qtrly funding	3725.00
Bob Barker Company, Inc.	Inmate provisions	1104.69
Bragg Animal Control	Check in 3 dogs at shelter	60.00
Brooks Insurance Agency	Gen. Asst.	345.52
Bryan West Medical Center	Inst. patient medical care	1251.03
Clerk of District Court	St. & Shf. fees	890.94
Consolidated Management Co.	Shf. meals at training	138.09
Correctional Risk Services, Inc.	Inmate medical	14,336.49
DAS St. Acctng. Cntrl. Fin. 6507	License	34.50
Dell Financial Svcs.	Computer rent	191.15
Dept. of Correctional Svcs.	Inmate boarding/medical	3134.44
E-Z Stop, Inc.	Gen. Asst.	100.00
First Wireless	Radios, repeater & tower rent	850.00
Gage County Sheriff’s Offc.	Shf fees & mileage	475.41
Garcia Clinical Lab	Inmate medical	399.00
Holiday Inn, Kearney	Lodging	1826.20



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Jerry Shelton, Atty	Atty fees	382.50
Johnson Co. Shf.	Summons fee	6.61
Lincoln Journal Star	Jail subscr.	489.00
McKesson Medical Surgical, Inc.	Inmate medical	344.90
Midwest Automatic Fire Sprinkler	Annl. inspection & backflow test	497.50
Midwest Special Svcs., Inc.	Travel, meals – inmate transfer	964.25
MIPS, Inc.	Time clock cords	60.00
Naylor Rappl Law Offc.	Atty fees	700.50
NE Health & Human Svcs.	Patient care	819.00
Nelson Clark & Timan, PC LLO	Public Defender	6346.15
Nemaha Co. Shf.	Jury trial supplies	298.06
Norris Public Power Dist.	Utilities	40.37
Northeast Auto	Veh. lease	550.00
Pinnacle Bank (Court)	Labels	56.54
Precision Auto Tune	EM veh. repairs	575.25
Priority Printing	Atty business cards	50.00
Quill – Det.	Offc. supplies	128.44
Quill – Ext.	Offc. supplies	201.68
Quill – Treas.	Offc. supplies	6.55
Ramada Midtown Conf. Center, GI	Lodging	288.00
SE NE Communications	Prob. phones	106.75
Smith, Schafer, Davis, LLC	Atty fees	3350.75
Southeast NE CASA	Funding	10,000.00
Spectrum	Shf. cable TV	174.29
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty	2283.86
Summit Food Svc.	Jail meal svc.	3819.12
The Voice News	Publications	489.03
The Wymore Arbor State	Publications	742.51
Trauernicht Const., Inc.	Landscaping dirt	381.60
U.S. Bank – Purchase cards	Supplies, fuel, etc.	542.77
Verizon Wireless – EM	Cell phones	232.18
Verizon Wireless – VSAT	Shf. svc.	50.00
Windstream – Omaha Prob.	Phones	119.18
Windstream – Shf.	Phones	1327.37
Windstream – Cths.	Phones	4167.75
Windstream – Vets	Phones	386.28

Road Fund

Highway Department Employees	Salaries	47,485.56
Beatrice Concrete Sand & Gravel	Rock & gravel	24,000.62
Black Hills Energy	Utilities	86.17
Blue Valley Door Co., Inc.	Supplies, labor	212.00
Bomgaars	Supplies	24.35
Constellation NewEnergy	Utilities	39.49
Diversified Drug Testing, LLC	Drug/alcohol testing	185.00
First Wireless, Inc.	Repeater rental	300.00
Hard Rock Quarries, LLC	Rock & gravel	1985.37
Mainelli Wagner & Assoc.	Engineering consulting	16,186.34
Medical Enterprises, Inc.	Process drug/alcohol tests	145.00
Michael Todd & Co., Inc.	Supplies	192.94
Norris Public Power Dist.	Utilities	233.35
Rewound Power Motors	Parts, labor	222.10



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Rock On, Inc.	Hauling materials	5614.39
The Voice News	Publication	5.74
Tractor Supply	Parts, supplies	174.95

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	12,786.00
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	74,221.17
Lucent Health Solutions, LLC	Ins. premiums, admin. fees	32,698.09

STOP Program Fund

City of Beatrice	Co. share of evidence collection unit	1433.00
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General Fund

Ameritas	County share of Employees Retirement	9,960.87
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,458.94
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	29,848.78

Road Fund

Ameritas	County share of Employees Retirement	3,205.23
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,460.60
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	12,167.78

Lytle joined meeting at 8:48 a.m. during the reading of the consent agenda items.

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

Motion made by Jurgens, seconded by Dorn to approve claim #21110065 to Hard Rock Quarries, LLC in the amount of \$1,985.37, bringing the total amount of claims approved through November 3, 2021 to \$507,925.94. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Greg Lauby, 312 N 10th St., Wymore NE, appeared during public comments requesting the board have an agenda item to work with Senator Myron Dorn on introducing a bill allowing the county to hire a lobbyist and having the state pay additional funds.

Committee reports were given by Dave Jones on Bldg. & Grounds/Winter Lights, Jurgens on Finance/Insurance, Shf. Gustafson on Law Enforcement, Lisa Wiegand on Emergency Management and Planning & Zoning, and Jurgens on Road & Bridge. Topics of discussion included the Holiday Lights event to be on Nov. 21, 2021 at 5:30 p.m.; safe exchange zone completion; firing range changes by the city; Covid booster clinic to be at fairgrounds on 11-21; Turkey Creek stream gauge funding; next P&Z mtg. on Nov. 9th; and tree and shrub letter to landowners.

NGage Executive Director Trevor Lee presented the NGage quarterly report.

Motion made by Byars, seconded by Lytle to approve receiving the report and placing it on file. Motion carried 7-0.

Shf. Gustafson presented the annual statistics report for the Sheriff's Office and Courthouse Screening Station, and Sergeant Trevor Rue presented the annual statistics report for the Detention Center.

Motion made by Dorn, seconded by Lytle to approve receiving the reports and placing them on file. Motion carried 7-0.



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Discussion on sending a letter of recommendation to the Nebraska Department of Transportation to place speed control lighting by Tri County School on Hwy 103.

Motion made by Lytle, seconded by Haxby to approve sending a letter to the Nebraska Department of Transportation recommending placement of speed control lighting by Tri County School on Hwy 103. Motion carried 7-0.

Discussion took place on the installation of the speed control light by Tri-County School

Mr. Schlueter had told the County board committee that the State estimated \$60,000 and that the State would pay for half. Mr. Schlueter said he would be meeting with Jefferson County and asking that they pay ¼ of the amount and asked that Gage pay ¼ of the amount, approx. \$15,000.

Schuller suggested \$10,000, said he feels like the State should be paying for this and that we have plenty of things we need to spend our money on, don't know if this is what we should be spending our money on.

Motion made by Haxby, seconded by Lytle to approve the County paying one fourth (up to \$15,000) for the installation of speed control lighting by Tri County School on Hwy 103.

Motion carried 6-1 with Schuller voting nay.

Motion made by Jurgens, seconded by Lytle to approve Memorandum of Understanding of Community-Based Juvenile Services Aid Program and Adult Diversion Programming. Christina Lyons explained the programs and the MOU. Motion carried 7-0.

Discussion on the proposed wind regulation amendments with the following motions being made:

Section 6.65, #13: Motion made by Haxby, seconded by Byars to remove the language “after a period of two (2) years” and add the language “within 10 days of being in service, and the applicant must notify the P & Z Administrator. At the end of year 3, the meteorological tower must be completely removed and back in the state it was pre-construction”. Motion failed 3-4 with Haxby, Dorn and Byars voting yea, and Jurgens, Schuller, Tiemann and Lytle voting nay.

Section 6.70, A., #1 a.: Motion made by Haxby, seconded by Dorn to strike “Five (5)” and replace it with “Three (3)” dBA maximum 10-minute leq allowed above ambient noise level (per Lancaster County Health Department). Motion carried 5-2 with Haxby, Tieman, Dorn, Byars and Lytle voting yea, Jurgens and Schuller voting nay.

Motion made by Dorn, seconded by Jurgens to approve the wind regulations amendment as presented. After discussion it was noted that there were items that needed to be reviewed by the County Attorney prior to voting.

The motion and second to approve the amendments as a whole were withdrawn, the item will be placed on the November 17, 2021 agenda for action.

At the Board of Supervisors Committee Meetings on Nov. 1, 2021, the board was presented with 2 different options to consider for redistricting County Supervisor District boundaries as is required by law following the 2020 decennial census numbers.

RESOLUTION #21-20

WHEREAS, the United States Constitution, federal law, the Nebraska Constitution and Nebraska Statutes require census updates; and,

WHEREAS, after these census updates have been certified to the local county government it was found by the Gage County Board of Supervisors that it was necessary to redistrict the County Board of Supervisors' districts to comply with the one-person, one-vote rulings; and,



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WHEREAS, Gage County, through the 2020 federal census, is found to have 21,704 citizens with a mean district population of 3,101; and,

WHEREAS, the Gage County Board of Supervisors feels that it is in the best interests to divide the supervisory districts and have these districts as close to the mean district population of 3,101 as possible; and,

WHEREAS, Exhibit A, Proposal #1, attached is a list showing the area covered by each District, the population of each District, and color-coded maps of the rural areas and the areas of the City of Beatrice covered by each of the Districts, 1 through 7.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS that the supervisory districts shall be as found on Exhibit A, Proposal #1.

BE IT FURTHER RESOLVED that for clarification, Riverside East will mean that portion of Riverside Township found east of U.S. Highway 77; Riverside West will mean that portion of Riverside Township found west of U.S. Highway 77; Lincoln North will mean that portion of Lincoln Township found north of Highway 136; Lincoln South will mean that portion of Lincoln Township found south of Highway 136; and sections 31-36 of Filley Township will mean those sections between Hoyt Road and Scott Road, from S. 108th Road east to S. 190th Rd.

BE IT FURTHER RESOLVED that the effective date of these changes shall be November 3, 2021.

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

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

Nay: Schuller

Motion carried 6-1

/s/ Erich Tiemann
Chairperson

Subscribed and sworn to before me this 3rd day of November, 2021.

/s/ Dawn Hill
County Clerk

*see attached Exhibit A

Motion made by Byars, seconded by Dorn to approve adopting Resolution #21-20 (presented as Option #1), establishing new Gage County Supervisor District boundaries due to changes in census numbers from the 2020 census. Discussion was had on the 2 options and the areas that would be affected by each option. Schuller made a motion to table the issue for 2 weeks until the next board meeting, seconded by Haxby, motion failed 1-6 with Schuller being the only Aye vote. Vote was taken on the original motion to adopt Resolution #21-20 which represents change Option #1 as presented. Motion carried 6-1 with Schuller voting nay.

Discussion on County Board meeting times. Schuller would propose having meetings at 4:30 or 5:00 p.m. Haxby stated that the Beatrice City Council meets in the evenings and doesn't have any better turnout from the public. Byars feels that the current meeting times are appropriate. Lytle agrees with Byars, possibly could have an evening meeting quarterly.



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Tiemann added that these aren't evening jobs these are day jobs that when individuals run for Supervisor, they need to know the meeting times when they seek election.

Short recess at 11:05 a.m. Back in session at 11:15 a.m. with all members previously listed present.

Motion made by Dorn, seconded by Byars to move into closed session at 11:15 a.m. for personnel. Motion carried 7-0.

Motion made by Dorn, seconded by Byars to move out of closed session at 11:26 a.m. Motion carried 7-0.

Motion made by Schuller to adjourn the meeting at 11:27 a.m., motion died due to lack of second.

Chairman declared Board of Supervisors meeting adjourned at 11:27 a.m. until November 17, 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 3rd day of November, 2021.

(SEAL)

/s/ Dawn Hill

Dawn Hill
Gage County Clerk