



Gage County Board Minutes



Board of Supervisors Meeting – April 20, 2022

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The Gage County Board of Supervisors met on April 20, 2022, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn 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 asked for a moment of silence to remember Supervisor Dennis Byars who recently passed away.

Consent Agenda included the following items: 1. General Agenda; 2. Minutes from previous meeting and committee meetings; 3. claims audit in the amount of \$3,618,792.88 except claim #22040183 to Hard Rock Quarries LLC in the amount of \$8,988.55, claim #220400186 to Johnny’s Welding Inc. in the amount of \$227.14 and claim #22040197 to R.L. Tiemann Construction Inc. in the amount of \$27,073.70 to be voted on separately below; 4. approve correspondence received and place on file; 5. approve receiving and place on file the 2021 Annual report for Odell Volunteer Fire & Rescue; 6. approve Utility Permit #1241 to Roehr’s Machine – Roehr’s will be placing a new 480-volt electrical line & 8” water line to new pivots. Roehr’s will dig one 14” wide by 5’ deep trench in county ROW and across Township Road for new lines for pivots. Located in Southeast section of 12 & Northeast section of 13, T-2-N, R-6-E, Sicily Twp.; 7. approve Utility Permit #1242 to Northern Natural Gas - Northern Natural Gas will be replacing a block valve on a line and will need to occupy the county ROW for work and will also at a later date need to close Scott Road between 103rd Road and 117th Road to run a by-pass pipe over the road during installation. Construction is scheduled to start May 2nd but road closure would not happen till July. Located in Northeast section of 4, T-3N, R-5E Lincoln Twp & Southeast section of 33, T-4-N, R-5-E Blakely Twp; 8. approve adding Emily Haxby to Region V Systems; 9. approve quote from Masonry Construction for removal of water proof sealant on the Entire North Elevation including Chimneys and Returns at the East Elevation on the Courthouse in the amount of \$49,313.00.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	144,369.95
Advanced Auto Dealers	Website monthly svc.	29.00
Advanced Correctional Healthcare	Jail on-site medical svcs.	9,576.73
All Copy Products Inc	Copier lease/copies	1,756.17
Beatrice Board of Public Works	Utilities	5,179.91
Beatrice Fire Protection LLC	Ext. office/Prob. Office fire ext. insp.	149.95
Blackburn Technologies	Clerk & Atty computers, supplies	444.58
Boarders Inn & Suites	Emerg mgm. travel expense	96.00
BW Plus Grand Island Inn & Suites	Clerk-Election, travel expense	96.00
Capital One	Prob-office supplies	126.85
City of Beatrice	Utilities	287.96
Clerk of District Court	St. & svc. Fees	760.97
CMH Clinics	Jail-medical exams	648.50
Credit Information Systems	Shf. invest. exp, Jail medical exam	50.00
Culligan of Lincoln	Water cooler	78.00
DAS ST Accounting-Central 6507	Dist Ct. fees	54.60
Datashield Corporation	Prob. Office supplies	92.12
Dell Financial Services LLC	Shf. Rental/lease	680.08
Diode Communications	Monitoring Crt. House & Vets off.	80.85
Diode Technologies	Shf. replaced camera	263.15



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Eakes Office Solutions	Office equip, supplies, etc.	7,384.35
Echo Group Inc	Crt. House light bulbs, ballast, etc.	407.66
Election Systems & Software LLC	Election printing/publications	41.19
Sandra Eltiste	Retirement-prior svc.	12.00
Farmers Cooperative	Sheriff-fuel	496.79
Gage County	Transfer of funds	3,003,531.32
Gage County Sheriff's Office	Shf. Fees & mileage	2,151.75
General Fire & Safety Equip. Inc	Crt. house semi-annual inspection	328.00
Helmink Printing & Graphic Design	Printing/pub. Provisional ballots	772.16
Hometown Leasing	Copy machine lease	313.22
Huls Body Shop Inc	Investigative exp.	110.00
Isolved Benefit Services	Administrative fees	788.42
Jefferson County Sheriff's Office	Co. court cost	7.00
Jerry L Shelton, Atty	Juvenile court cost	1,035.00
Joyce A Kassing	Retirement-prior svc.	20.00
Lincoln Journal Star	Printing & publications	637.01
Lynn Peavey Co Inc	Shf. law enf. supplies	55.52
Mahloch Law Office	Juvenile court cost	1,320.25
Matthew K Kosmicki Law LLC	Atty fees	4,333.00
Mead Lumber	Janitorial supplies	47.98
Microfilm Imaging Systems Inc	Courts scanning equip. rent	457.00
Midwest Process Services	Civil process fees	485.38
MIPS Inc	Computer support, programs, etc.	2,835.20
Murray Law PC LLO	Atty. Fees	1,111.50
NE Health & Human Services	Patient care	363.00
NE Weed Control Association	Registration fee	120.00
Nebraska Assn of Co. Treasurers	Registration fee	125.00
Nelson Clark & Timan PC LLO	Atty fees	6,346.15
Nemaha County Sheriff	Court cost	6.00
Norris Public Power District	Utilities	46.70
Northeast Auto	Investigative exp.	196.00
O'Reilly Auto Parts	Shf. law enf. supplies	132.87
Paper Tiger Shredding Inc	Shredding	282.65
Pictometry International Corp	Assessor renewal for connect acct.	1,650.00
Pollack & Ball LLC	Atty fees	665.00
Priority Printing	Election index cards	487.50
Quill – Ext.	Office supplies	83.31
Quill – Treas.	Office supplies	107.02
Ramada	Weed – travel expense	79.00
Reagan Melton & Delaney LLP	Atty fees	836.00
Region V Services Central Office	Quarterly payment	9,928.50
Region V Systems	Quarterly payment	13,639.00
Sapp Bros Petroleum Inc	Shf/Jail – fuel	4,851.90
Ricky A Schreiner	robe	553.95
SE Nebraska Communications	Telephone svc.	116.80
Security Services	Fire alarm insp.	261.00
Sheridan Industries	Janitorial agreement	150.00
Smith Schafer Davis LLC	Atty fees	621.30
Spectrum (Charter)	Atty computer software maint.	678.00
Spectrum (Charter)	Emerg. Mgm service	9.46
Stephen J Kraviec PC LLO	Child suppt. Enf. Atty, postage	2,383.34
Summit Food Service LLC	Jail meals	5,913.70



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T O Haas Tire	Shf/Jail grease, oil, repairs, etc.	2,480.00
The Voice News	Printing & publications	612.43
The Wymore Arbor State LLC	Printing & publications	619.41
Thomson Reuters West Pymt Center	Software subscription charges	2,432.64
TK Elevator Corporation	Elevator maintenance	240.21
Twin Rivers Chrysler Jeep Dodge	Shf vehicle repair	640.00
US Bank/Corp Payment System	Supplies, etc.	477.30
US Postal Service/Postmaster	Postage	275.00
Verizon Wireless (County EMS)	Ipad and svc.	167.93
Verizon Wireless (Probation)	phones	344.79
Washington County Sheriff's Office	Inmate boarding	13,950.00
Westlake Ace Hardware Inc	Supplies	174.10
Willet & Carothers Law Office	Atty fees	2,515.00
Windstream (Extension Office)	Phones	585.78
Windstream (Highway Dept)	Phones	515.28
Wymore Public Library	Fiscal yr. 21/22 budget request	3,600.00
Zultys Inc	Prob. Phone svc.	64.29

Road Fund

Highway Department Employees	Salaries	47,329.05
All Copy Products Inc	Contract overage charge	66.91
Beatrice Board of Public Works	Utilities	642.40
Beatrice Concrete Co/Sand & Gravel	Rock	85,726.89
Beatrice Iron & Metal Co Inc	Parts, tools, supplies	2,083.08
City of Beatrice	Utilities	74.24
City of Wymore	Utilities	190.66
Commercial Industrial Supply LLC	Service call	265.23
Cornhusker Int'l Trucks Inc	Parts	1,821.11
Crete Lumber & Farm Supply Inc	Shop supplies	70.00
Eakes Office Solutions	Office & janitorial supplies	214.49
Farmers Cooperative	Propane	35.88
Fastenal Company Inc	Shop supplies	75.33
Hard Rock Quarries LLC	Rock	8,988.55
Inland Truck Parts Inc	Brake parts	1,694.38
Interstate Power Systems Inc	Parts and labor	3,639.96
Johnny's Welding Inc	Parts	227.14
Lampton Welding Supply Co Inc	Supplies	173.59
Landmark Implement Inc	Parts	52.45
Lincoln Journal Star	Publications	46.06
Matheson Tri Gas Inc	Oxygen bottles	149.72
Mead Lumber	Screws, bolts, etc.	25.11
Menards Lincoln South	Tools	129.04
Midwest Petroleum Equipment	Materials for fuel system	16,260.00
MIPS Inc	Hwy pkg program/support	186.72
O'Reilly Auto Parts	Parts	647.15
Pickrell Lumber & Hardware Inc	Bridge nails	225.00
R L Tiemann Construction Inc	Gravel and hauling	27,073.70
RDO Truck Center Co	Sensor	310.69
Rock On Inc	Gravel hauling	6,807.54
Sapp Brothers Petroleum Inc	Fuel, oil	31,113.33
The Voice News	Publications	29.64
The Wymore Arbor State LLC	Publications	25.65



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Truck Center Companies	Shop supplies	109.20
US Auto Force	Tires	1,566.92
Verizon Connect NWF Inc	Veh. GPS	259.04
Westlake Ace Hardware Inc	Paint, hinge weld, etc.	117.16
Zoellner Ford of Beatrice	Parts & labor	1,358.70

Register of Deeds Preservation & Modernization Fund

MIPS Inc	Computer program/support	218.08
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Insurance Fund

Dennis Byars	Health Ins. reimb.	96.79
Gage County Health Insurance	Employee health ins. claims paid	16,994.08

911 Emergency Management Fund

City of Beatrice	4 th qtr. ambulance svc. fee	56,811.00
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General Fund

Ameritas	County share of Employees Retirement	9,929.74
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	10,466.31
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	28,009.43

Road Fund

Ameritas	County share of Employees Retirement	3,194.66
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,473.70
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,166.27

Insurance Fund

Ameritas	County share of Employees Retirement	6.53
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	7.40

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

Motion made by Jurgens, seconded by Dorn to approve claim #22040183 to Hard Rock Quarries LLC in the amount of \$8,988.55 and claim #22040197 to R.L. Tiemann Construction Inc., in the amount of \$27,073.70. Motion carried 5-0-1 with Tiemann abstaining.

Motion made by Dorn, seconded by Lytle to approve claim #22040186 to Johnny's Welding Inc., in the amount of \$227.14, to be voted on separately below. This brings the total amount of claims approved thru April 20, 2022 to \$3,655,082.27. Motion carried 5-0-1 with Jurgens abstaining.

Speaking under public comments was Ashley Mason, Beatrice Ne. She indicated that she was there to be fully transparent about why she decided to show support for the efforts of the recall of Don Schuller. Don's actions on this council violated his oath to the constitution & the constituents of Gage County. I spoke with the filler and took the time to listen to the meetings with Don's votes in question. America is not a Republic. America is a representative democracy, founded by the People for the People.

County supervisors are to only vote as their constituents want. I want this board to know that Don has stated that he thinks it's inappropriate for someone outside his district to file. But he feels confident in actively recruiting people to run against his fellow supervisors.

What Don does on this board affects the entire county. Not just his district. We can't have narrow mindedness on this board. That is why the law is written the way it is- to protect the people from those who seek to much power. When there is an imbalance between what the people want and what the elected are doing, it is the people's responsibility to step up and act. There is never a need to wait out an election cycle to replace those who are not truly serving. Each supervisor



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here took an oath to be the civil servant of the people. Knowing that their role in the government is solely to protect the rights of the individual person.

This means they are to serve the people. To do as the people want. To vote as the people want.

To be transparent with the numbers, Don Schuller's district has just over 1,900 people. During his election cycle, he was the only name on the ballot. He received just over 900 votes. That's not a land slide victory. The people had no one else to choose.

In addition to those votes casted, over 400 people chose to write in another candidate because they didn't believe that Don would serve them. They had a better understanding of their rights during an election. To be fully transparent, as a civil servant, you have no power over the constituents in your district. They have the power to hold you each accountable to the oath you took & law you swore to protect. Yet time again, as volunteers went door to door to collect signatures the volunteers were told and I quote, "if I sign this petition, I fear the retribution I will receive from Don Schuller." No citizen of Gage County should ever fear their elected! And the citizens are in fear!

Don himself went door to door telling people it was wrong for them to support this recall. It was wrong for someone outside his district to call him out on his failings. He believes it's too easy for the people to file a recall. While volunteers go out today continuing to gather signatures & acting without fear or intimidating tactics educate the people in your district Don, that they the people are in fact the balance needed for our government to stay within its limit & that each civil servant works for them.

I want you to know, that no matter the results of this recall, you Don Schuller County Supervisor for district 6 in Gage County are not powerful.

You are to be a servant daily, not just when your poor behavior has been called to attention. The people are watching and they are not fooled. You are to only vote the way the constitution & the people want. Your record speaks for itself. You chose to ignore the voice of people who have signed this recall already and will sign today. Your opinion & your desire to control along with your manipulative actions have no place in this county.

While some have told the volunteers that they are afraid to sign, they are also saying that they are disappointed & repulsed by your actions Don Schuller & they will not be voting to reelect someone who is so blatantly seeking to run this county through intimidation and fear.

If nothing else, I ask that you stop blaming others for your inability to truly listen. Your attempt at transparency is not the issue. Your constituents want you to stop talking and listen to them.

Committee reports were given by Dave Jones on Building & Grounds, Terry Jurgens on Finance/Insurance & Road & Bridge & Lisa Wiegand on Law Enf & Emer. Mgmt. Items discussed were the repairs on the Courthouse building.

Nicole Stoner, Extension Educator presented an Extension update.

Motion made by Lytle, seconded by Haxby to receive the Extension report and place on file. Motion carried 6-0.

Lytle out of meeting at 9:14 a.m.

Ashley Griess, Chief Probation Officer presented the annual Probation update along with Chris Reece, Drug Court Coordinator presenting the Drug Court update. District 1 serves Fillmore, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee, Richardson, Saline & Thayer counties. Chris stated there are 2 problem solving courts, 1 based in Wilber and the other in Auburn. This is an option to incarceration. The statistics show the highest age group in drug court are the 21-25 age group and it is equal between men and women as participants.

Motion made by Dorn, seconded by Haxby to receive & place Probation & Drug Court report on file. Motion carried 5-0.

RESOLUTION #22-06

WHEREAS, the Gage County Planning Commission has previously held hearings and has recommended that the County Board of Supervisors seek designation as a Sunny York Farms by the State of Nebraska, Department of Agriculture; and,



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WHEREAS, the Gage County Board of Supervisors conducted a public hearing on April 6, 2022 after due publication and notice, and received comments from the public concerning designation as a Sunny Yolk Farms; and,

WHEREAS, the Board of Supervisors of Gage County desires to develop the expansion of existing poultry laying operation complying with AU Setbacks to 1 mile; and,

WHEREAS, the Board of Supervisors of Gage County acknowledges that poultry is important to the economic well-being of Gage County; and,

WHEREAS, the Board of Supervisors of Gage County intends to work with all other governmental jurisdictions within its boundaries in implementing poultry development within the county; and,

NOW, THEREFORE, be it resolved and hereby declared that Gage County fully supports the Sunny Yolk Farms program in Nebraska with its expansion of current poultry operations to four buildings.

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

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn

Nay: None

PASSED AND APPROVED this 20th day of April, 2022.

/s/ Erich Tiemann

Subscribed and sworn to before me this 20th day of April, 2022.

/s/ Dawn Hill
Gage County Clerk

Motion made by Dorn, seconded by Jurgens to adopt Resolution #22-06 on Special Use Permit 2022-1, to support the expansion of existing poultry operation located in the NW¼ of Section 16, in Hooker Township. Motion carried 5-0.

Short recess @ 9:42 a.m.

Back in session @ 9:47 a.m. with Schuller absent.

Schuller in meeting @ 9:48 a.m.

No action on Ngage Quarterly Report. Item will be on next agenda.

Motion made by Dorn, seconded by Haxby to adjourn @ 9:49 a.m. Motion carried 5-0.

Chairman declared Board of Supervisors meeting adjourned at 9:49 a.m. until May 4, 2022.

Board minutes can also be viewed on the Gage County website at www.gagecountynebraska.us.

/s/ Dawn Hill
Dawn Hill

/s/ Erich Tiemann
Erich Tiemann, Chairman



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Gage County Clerk

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 20th day of April, 2022.

(SEAL)

/s/ Dawn Hill

Dawn Hill

Gage County Clerk