



Gage County Board Minutes



Board of Supervisors Meeting – August 24, 2022

1

The Gage County Board of Supervisors met on August 24, 2022, at 8:45 a.m. with Terry Jurgens, Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely 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 \$666,897.56 which does not include claim #22080124 to Beatrice Lawn Care, Inc. in the amount of \$500.00, claim # 22080219 to Hard Rock Quarries, LLC. in the amount of \$18,020.92, claim #22080227 to R.L. Tiemann Const. Inc. in the amount of \$65,345.73 & claim #22080220 to Johnny’s Welding Inc., in the amount of \$376.19, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving County Offices Inventory Statements and place on file; 6. Approve specs and call for bids on Project C-34 (1133). Bids to be opened on September 21, 2022 at 9:45 a.m.; 7. Approve specs and call for bids on materials for project C-34 (1156), (1187), (1188) and (1235). Bids to be opened on September 21, 2022 at 10:00 a.m.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	157,195.67
Advanced Auto Dealers, Inc.	Shf website maint.	58.00
Advanced Correctional Healthcare	Jail onsite medical svcs.	6996.63
All Copy Products, Inc.	Copier leases & overages	687.26
Arbor Ink, LLC	Dist. Ct. supplies	792.81
AutoClear, LLC	Baggage scanner	17,886.00
BASWA	Brush disposal	10.00
Beatrice Board of Public Works	Utilities	6987.42
Beatrice Lawn Care, Inc.	Tree & pkgng lot spraying	500.00
Black Hills Energy	Utilities	357.18
Carrot-Top Inc., Inc.	Flags for cths	555.05
City of Beatrice	Gbg svc.	264.96
Clabaugh Pharmacy	Inmate meds	27.63
Clerk of Dist. Ct.	St. & Shf fees	445.31
Consolidated Management Co.	Meals at trng	97.05
Credit Information Systems	Mbrshp	75.00
Dawson Co. Shf. Inmate Housing	Housing inmates	6660.00
Diode Technologies	Shf equip., door controller	803.96
Garcia Clinical Lab	Inmate lab svcs.	5.00
Garrison Law Office	Atty fees	503.50
Green Way Lawn Services	Mowing & grub control	695.00
Hometown Leasing	Atty copier lease	138.82
Jefferson Co. Shf	Svc fees	38.00
Jerry Shelton, Atty	Atty fees	4092.50
Jurors	Jury fees	1170.03
Nathan Koch	Witness fees	22.50
Lammel Plbg.	Supplies, labor	93.60
Lincoln Journal Star	Publications	1111.19
Lynn Peavey Co.	Drug/alcohol test	135.45



Gage County Board Minutes



Board of Supervisors Meeting – August 24, 2022

2

Mahloch Law Office	Atty fees	1641.00
McKesson Medical Surgical, Inc.	Inmate medical	344.90
Microfilm Imaging Systems	Co ct. scanning equip rent	265.00
Midwest Process Svcs.	Civil process fees	299.28
MIPS, Inc.	Receipts, comp suppt, programs	2893.46
Murray Law, PC LLO	Court costs	4522.00
NACO	Dues	460.00
NE Health & Human Svcs.	St Inst	372.00
NE Law Enf. Training Center	Cont. educ.	250.00
NE Air Filter, Inc.	Filters	1235.41
Nelson, Clark & Timan	Public Defender, postage	6821.15
O'Reilly Auto Parts	Supplies	173.36
Physicians Laboratory	Autopsy expense	2553.00
Pollack & Ball, LLC	Atty fees	4208.50
Priority Printing	Perforated card stock	498.26
Production Creek	Shf uniforms, inmate clothing	100.00
Psychological Resources	Eval.	150.00
Quadient, Inc.	Env. opener maint.	696.00
Quill – Ext.	Offc supplies	1423.17
Richardson Co Jail	Housing inmates	1375.00
Sapp Bros.	Shf/Jail fuel, oil	7253.55
Secretary of State, Elec. Div.	Voter ID cards	100.00
Security Services	Monitor alarms	34.00
Sheridan Industries	Ext. Offc. janitorial svcs.	90.00
Spectrum	EM cable TV	10.52
Stanard Appraisal Svcs.	Appraisal maint.	7260.00
Stephen Kraviec, PC LLO	Child Suppt. Enf. Atty, postage	2464.57
Summit Food Svc.	Jail meal svc.	2644.50
T.O. Haas Tire Co.	Grease, oil, repairs	1491.44
The Home Depot Pro	Supplies	232.12
Thomson Reuters West Pmt. Ctr.	Law Library subscr.	2432.64
TK Elevator Corp.	Elevator maint.	240.21
U.S. Bank – Purchase cards	Supplies	170.00
Verizon Wireless – EMS 6384-1	Cell phones	208.16
Verizon Wireless – VSAT	Cell phones	200.00
Washington Co. Shf.	Housing inmates	13,950.00
Willet & Carothers Law Offc.	Atty fees	647.00
Windstream – Cths	Phones	4208.61
Windstream – Ext.	Phones	587.39
Windstream – Hwy	Phones	513.48
Windstream – Shf	Phones	1287.58
Wolfcom Enterprises	Shf veh equip.	39,919.00

Road Fund

Highway Department Employees	Salaries	48,156.27
BASWA	Trash disposal	24.00
Beatrice Board of Public Works	Utilities	527.30
Beatrice Concrete Sand & Gravel	Rock & gravel	35,155.83
Black Hills Energy	Utilities	36.07
Cather & Sons Const.	Asphalt	3626.52
City of Beatrice	Gbg svc.	74.24
Commercial Industrial Supply	Shop furnace repair	1391.87



Gage County Board Minutes



Crete Lumber & Farm Supply	Ice	105.00
Farmer’s Cooperative	Propane	39.30
Gage County Treasurer	Hwy trlr lic	15.00
Hard Rock Quarries	Rock	18,020.92
Johnny’s Welding	Labor, supplies	376.19
Lincoln Journal Star	Publications	46.65
Midwest Unlimited	Parts, supplies	373.80
MIPS, Inc.	Hwy program	192.32
NMC	Parts, supplies	1835.30
O’Reilly Auto Parts	Parts	536.47
Painter Paul Ltd.	Towing	1284.00
R.L. Tiemann Const.	Hauling material	65,345.73
RDO Truck Centers	Parts	375.04
Rock On, Inc.	Hauling material	4071.18
Sapp Bros.	Fuel, oil	22,143.40
U.S. Auto Force	Tires	1350.29

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Deeds online w/ numerical indexes	220.08
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	134,026.46
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Covid American Rescue Plan Fund

Universal Broadband Consulting, Inc.	Consulting on brdbnd proj w/ Nextlink	18,817.50
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General Fund

Ameritas	County share of Employees Retirement	10,911.30
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,502.74
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	27,634.59

Road Fund

Ameritas	County share of Employees Retirement	3,250.57
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,533.76
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,495.44

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

Motion made by Jurgens, seconded by Swavely to approve claim #22080124 to Beatrice Lawn Care, Inc. in the amount of \$500.00, claim # 22080219 to Hard Rock Quarries, LLC. in the amount of \$18,020.92, claim #22080227 to R.L. Tiemann Const. Inc. in the amount of \$65,345.73. Motion carried 6-0-1 with Tiemann abstaining due to conflict of interest.

Motion made by Swavely, seconded by Dorn to approve claim #22080220 to Johnny’s Welding Inc., in the amount of \$376.19, bringing the total amount of claims approved through August 24, 2022 to \$751,140.40. 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 and Tiemann on Finance/Insurance, Tiemann on Human Resources/Employee Relations, Lytle and Shf. Gustafson on Law Enforcement, and Jurgens on Road & Bridge.



Gage County Board Minutes



Rachel Kreikemeier presented the NGage quarterly report.

Angie Bruna gave a Gage County Tourism update. She said that Megan Bartz is the new tourism coordinator and touched on the awards ceremony to be held on Oct. 6th, and the tourism’s presence on social media and their Facebook page.

Motion made by Swavely, seconded by Lytle to approve placing the NGage and Tourism reports on file. Motion carried 7-0.

Nicole Stoner presented an Extension Office update. She reported that there are 2 remaining Fall episodes of Yard & Garden left, they had 3,482 total exhibits at the Gage County Fair, 190 static exhibits were selected to represent Gage County at the Nebraska State Fair, 7 livestock exhibitors will take 16 animals to exhibit, 3 youth were selected to model in the Fashion Show, 1 will participate in Horticulture Identification, Tree Identification, and Insect Identification contests, 7 will participate in the State Public Speaking contest, and 2022 was the first year for the Gage County Unified Showing 4-H Club which pairs disabled youth with a 4-H member “buddy”, providing them with an avenue to learn about agriculture, show animals at the county fair, and engage in practices where they can build confidence. Three youth and three buddies participated in Unified Showing this year.

Health Director Kim Showalter presented an overview of Public Health Solutions which was founded in 2002 and serves Gage, Saline, Jefferson, Fillmore and Thayer counties. Showalter stated that they are working on raising awareness of the importance of mental health and health equity.

County Assessor Patti Milligan was present in the meeting at 9:28 a.m.

Motion made by Lytle, seconded by Dorn to receive and place on file a copy of the valuations for the political subdivisions for 2022. Motion carried 7-0.

Motion made by Dorn, seconded by Swavely to receive preliminary requests for levy allocation to County Board from Townships, Rural Fire Districts, Gage County Historical Society and Gage County Agricultural Society. Motion carried 7-0.

RESOLUTION #22-13, 2022

Whereas, Nebr. State Statute 77-3443(3) requires all political subdivisions subject to county levy authority to submit a preliminary request for levy allocation; and

Whereas, the political subdivisions that are subject to Gage County Levy authority are agricultural society, historical society, rural fire districts and townships; and

Whereas, the Gage County Board of Supervisors has determined that due to the number of political subdivisions and taxing parcels that would be affected, that a levy will be established and if the subdivisions request is over that levy, their levy will be reduced to respective amounts as set out herein;

NOW, THEREFORE, BE IT RESOLVED by the Gage County Board of Supervisors that the levy rates will be as follows:

Agricultural Society**	0.003918
Historical Society	0.000900
Rural Fire Districts	0.030000
Townships	<u>0.075000</u>
Total	0.109818



Gage County Board Minutes



BE IT FURTHER RESOLVED by said Board that if any of the political subdivisions that are subject to the county levy authority neglects to submit a request, the Board will use their last year’s budget request to determine the levy rate subject to limitations found in the resolution;

BE IT FURTHER RESOLVED that the Gage County Board of Supervisors does hereby allocate the following:

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
Gage Co. Ag Society** General	135,000.00	0.003918	135,000.00	0.003918
Historical Society	40,000.00	0.001161	31,000.00	0.000900

RURAL FIRE DISTRICTS

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
Adams Rural Fire* (General Fund)	84,000.00	0.036132	69,744.13	0.030000
Barneston Rural Fire* (General Fund)	36,000.00	0.040305	26,795.38	0.030000
Beatrice Rural Fire* (General Fund)	225,000.00	0.034480	195,765.45	0.030000
Blue Springs Rural Fire* (General Fund)	65,000.00	0.040333	48,347.00	0.030000
(Sinking Fund)	<u>19,595.00</u>	<u>0.012159</u>		
Total	84,595.00	0.052492		
Clatonia Rural Fire* (General Fund)	27,000.00	0.038779	20,887.70	0.030000
Cort-Lanc Rural Fire* (General Fund)	91,608.00	0.043306	63,461.15	0.030000
(Sinking Fund)	<u>4261.00</u>	<u>0.002014</u>		
Total	95,869.00	0.045320		
Filley Rural Fire* (General Fund)	92,000.00	0.035446	77,865.19	0.030000
Odell Rural Fire (General Fund)	21,000.00	0.008139	21,000.00	0.008139
Pickrell Rural Fire (General Fund)	56,566.00	0.028028	56,566.00	0.028028



Gage County Board Minutes



Wymore Rural Fire* (General Fund)	95,588.00	0.066476	43,137.87	0.030000
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TOWNSHIPS

<u>Political Subdivision</u>	<u>Property Tax Request</u>	<u>Tax Rate</u>	<u>Allowable Tax Request</u>	<u>Tax Rate</u>
Adams Township	64,793.46	0.030466	64,793.46	0.030466
Barneston Township	43,911.00	0.058228	43,911.00	0.058228
Blakely Township**	59,250.00	0.029020	59,250.00	0.029020
Blue Springs-Wymore	43,911.00	0.036909	43,911.00	0.036909
Clatonia Township	69,662.00	0.066272	69,662.00	0.066272
Elm Township**	35,000.00	0.034455	35,000.00	0.034455
Filley Township*	73,000.00	0.082040	66,735.96	0.075000
Glenwood Township	42,600.00	0.041669	42,600.00	0.041669
Grant Township	46,000.00	0.041857	46,000.00	0.041857
Hanover Township**	45,000.00	0.044144	45,000.00	0.044144
Highland Township	40,108.00	0.025128	40,108.00	0.025128
Holt Township	46,321.00	0.038727	46,321.00	0.038727
Hooker Township	33,405.00	0.039981	33,405.00	0.039981
Island Grove Township*	44,720.88	0.078297	42,837.87	0.075000
Liberty Township	37,707.36	0.057686	37,707.36	0.057686
Lincoln Township	48,057.30	0.048814	48,057.30	0.048814
Logan Township	39,000.00	0.039528	39,000.00	0.039528
Midland Township** (Sinking Fund)	46,000.00 N/A	0.044624	46,000.00	0.044624
Total				
Nemaha Township**	40,000.00	0.024638	40,000.00	0.024638
Paddock Township	51,935.00	0.058120	51,935.00	0.058120



Gage County Board Minutes



Riverside Township**	59,000.00	0.043283	59,000.00	0.043283
Rockford Township**	39,000.00	0.043464	39,000.00	0.043464
Sherman Township	29,719.74	0.040753	29,719.74	0.040753
Sicily Township	50,206.44	0.054720	50,206.44	0.054720

*over amount allowed
 **last year's tax request
 ***special election

Motion by Lytle to adopt Resolution #22-13, 2022, seconded by Dorn.
 Voting yes were Jurgens, Haxby, Schuller, Tiemann, Dorn, Lytle, Swavely
 Voting no were None

Motion carried 7-0.

ATTEST:

/s/ Erich Tiemann
 Chairperson, Board of Supervisors

/s/ Dawn Hill
 Gage County Clerk (SEAL)

Motion made by Lytle, seconded by Dorn to approve adopting Resolution #22-13 setting the final allocation of levy authority for the following: Townships, Rural Fire Districts, Gage County Historical Society and Gage County Agricultural Society. Motion carried 7-0.

Motion made by Lytle, seconded by Swavely to approve intent to purchase three 2022 Ford Police Interceptor vehicles, due to significant savings in doing so and the lack of available vehicles. Some insurance dollars from a vehicle that had hail damage will be used also and the price per vehicle would be approximately \$38,284.00. Motion carried 7-0.

RESOLUTION NO. 22-14

WHEREAS, Nebraska Revised Statutes Section 77-6403 provides, in relevant part, that “Any county that has a qualified judgment in excess of twenty-five million dollars rendered against it may, upon adoption of a resolution by the affirmative vote of at least a two-thirds majority of all elected members of the County Board, impose a sales and use tax of one-half of one percent on transactions that are subject to the state sales and use tax under the Nebraska Revenue Act”; and,

WHEREAS, the Board of Supervisors of Gage County, Nebraska met at a regularly scheduled public meeting duly called on September 11, 2019, in order to consider whether to impose a sales and use tax of one-half of one percent on all transactions in the County that are subject to the state sales and use tax, in addition to any state and city sales taxes lawfully imposed on such transactions; and,

WHEREAS, the Board of Supervisors of Gage County approved Resolution #19-32 on September 11, 2019 to impose said sales and use tax as authorized by Neb. Rev. Stat. §77-6403; and,



Gage County Board Minutes



WHEREAS, Resolution #19-32 further provides that said sales and use tax shall cease after the qualified judgment has been paid in full or seven years, whichever is earlier; and,

WHEREAS, the termination of said sales and use tax requires timely notice and protocols within the Nebraska Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Gage County, Nebraska, that the imposition of the sales and use tax of one-half of one percent as authorized by Neb. Rev. Stat. §77-6403 and Resolution #19-32 shall cease or otherwise be terminated as of January 1, 2023.

Motion made by Dorn, seconded by Swavely to adopt the foregoing Resolution.

All members present as listed and voted as follows:

Yea: Jurgens, Haxby, Schuller, Tiemann, Dorn, Swavely, Lytle

Nay: None

/s/ Erich Tiemann
Chairman

ATTEST:

/s/ Dawn Hill (SEAL)
County Clerk

Motion made by Dorn, seconded by Swavely to approve adopting Resolution #22-14 resolving that the imposition of the sales and use tax of one-half of one percent as authorized by Neb. Rev. Stat. §77-6403 and Resolution #19-32, shall cease or otherwise be terminated as of January 1, 2023. Tiemann explained that this resolution means that the sales tax will cease at the end of December, 2022. There will be a September, 2022 payment, and the final payment of the judgment will be made in May, 2023. The resolution adopting the half cent sales tax stipulated that there had to be a federal judgment in excess of \$25 million and the county mill levy had to be maxed out at 50 mils. Taxes are based on calendar year and the mill levy will no longer be maxed out at 5 mill in 2023, so the sales tax needs to end in 2022. He said there was fear that the sales tax would be permanent but the board and Sen. Dorn’s Office were both emphatic that this sales tax would be temporary and only for the purpose of paying the judgment. He also talked about how the board, Sen. Dorn and the Dept. of Revenue all worked together to make the payment process effective so as to be able to pay off the judgment earlier than originally projected, cutting approximately 30% off of attorney bills and interest. The Dept. of Revenue requires a notice of one quarter (3 months) prior to the sales tax ceasing, which would be Sept. 1st, so the timing is appropriate to put the termination in place. Haxby spoke about the process of implementing the sales tax and recognized Sen. Myron Dorn for getting the legislation passed on the sales tax law and the \$4 million in payments, John Hill and Erich Tiemann who spent a lot of time talking to senators and pleading our case, and the many other senators for all of their work in getting the sales tax legislation passed. She also thanked County Clerk Dawn Hill for her extra work with figuring it all in to the county budget and Attorney Roger Harris for his work with the Judgment. Haxby said that despite criticism and questions from many, the prior Board and the current Board continued to keep a positive attitude through it all and continued to support businesses in the county and encourage new businesses for added growth, so that when the judgment is paid, we are in a position to move forward without having dug a hole too big to get out of. Haxby added that Sen. Dorn has expressed how excited he is about how quickly and efficiently this has been handled by the county. Tiemann added that the county was able to maintain normal operations as much as possible and to continue with several road projects like armor coating roads, putting tubes in and bridge repairs/replacements through this process, all without needing an additional bond. He also thanked Dawn Hill, Roger Harris and John Hill as well as the rest of the board for all their work which was instrumental in getting through this process. Tiemann added that the board wants to thank the public for all of their support, and that although there was some opposition, all in all the public was very supportive. He



Gage County Board Minutes



said that when the sales tax was added there was skepticism that it would never be removed, but the Board always had the public’s best interest at heart and is sticking to their promise that it would be removed, so it’s nice to have some good news to report. Lytle also thanked Joel Nelson and Joel Bacon, the attorneys who worked on the insurance end, for their diligent efforts in finding all of the insurance coverage under the county’s policy that could possibly be utilized. Tiemann called for the vote. Motion carried 7-0.

Break at 10:13 a.m. Back in session at 10:19 a.m. with all members previously listed present.

Discussion on FY 22-23 county budget. The public hearing on the budget will be held on September 7, 2022.

Motion made by Dorn, seconded by Lytle to adjourn Board of Supervisors Meeting at 10:59 a.m. Motion carried 7-0.

Chairman declared Board of Supervisors meeting adjourned at 10:59 a.m. until September 7, 2022.

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 24th day of August, 2022.

(SEAL)

/s/ Dawn Hill
Dawn Hill
Gage County Clerk