



Gage County Board Minutes



Board of Supervisors Meeting – September 21, 2022

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The Gage County Board of Supervisors met on September 21, 2022, at 8:45 a.m. with Emily Haxby, Don Schuller, Erich Tiemann, Eddie Dorn, Dave Swavely and Gary Lytle present, Terry Jurgens 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 \$562,368.10, which does not include claim #22090131 to Johnny’s Welding in the amount of \$155.94 and claim #22090199 to R.L. Tiemann Construction in the amount of \$21,797.10, to be voted on separately; 4. approve correspondence received and place on file; 5. Approve sheriff’s distress warrant report; 6. Approve striking personal property taxes where a distress warrant has been issued for at least 2 (two) years and remain uncollected; 7. Approve receiving treasurer’s list of delinquent taxes on parcels of real estate in the County, which remain unsold for want of bidders and directing the County Treasurer to issue county tax sale certificates; 8. Approve Utility Permit #1255 to Lower Big Blue NRD. The NRD will be place a new water line for service to resident in Holmesville. NRD will excavate an open trench 2” wide by 6’ deep from the corner of 2nd Street & B Street in the south grader ditch working west to residence. This was an emergency permit; I gave the approval to the NRD to start work on this due to resident did not have running water due to broke line. Located in lots two and three of Block eleven Holmesville Nebraska, NE ¼ section of 29 T-3-N R-7-E, Rockford Twp.; 9. Approve Utility Permit 1256 to Unite Private Networks (UPN). UPN will be replacing an underground fiber network cable running along county road South 36th for a Gage County Culvert Project. UPN will install new pull box at the end of each tie-in location and bore a 2” by 48” deep fiber line in the West grader ditch for approximately 1800’ between pull boxes. Fiber line will be bored to 10’ depth around structure. Located East of Section 6, T-2-N, R-7-E, Blue Springs/Wymore Twp.; 10. Approve specifications and call for bids on 2022-2023 snow removal for the courthouse, Sheriff/Jail, Veterans Office, Former Buss Stop location and parking lots. Bids to be opened October 5, 2022 at 9:15 a.m.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	154,212.92
Advanced Auto Dealers Inc.	Website monthly svc.	29.00
Advanced Correctional Healthcare	Jail on-site medical svcs.	8,077.52
All Copy Products	Treas. Copier lease/ECO repairs	135.00
Autozone	Battery for Assessors vehicle	152.99
Axon Enterprise Inc.	Shf. law enforce. supplies	14,400.00
Beatrice Board of Public Works	Utilities	6,980.19
Beatrice Iron & Metal Co. Inc.	Corrections vehicle repair	45.00
Blue Rivers Area Agency/Aging	1 st qtr. payment	8,715.00
Capital City Concepts LLC	Shf. wage/benefit study	9,000.00
City of Beatrice	Monthly trash svc.	287.96
Clerk of District Court	Shf. fees	178.77
Credit Information Systems	Shf. investigative expense/empl. screen	50.00
Culligan of Lincoln	Water cooler	73.00
DAS St Accntng Cntrl Fin 6507	Dist Ct fees	54.60
Dawson Cnty Sheriff Inmate Hsng	Inmate boarding	5,265.00
Des Moines Stamp Mfg Co.	Office supplies	33.90
Diode Communications	Monitor Vets & Cths alarms	80.85
Diode Technologies	Door repair	195.00



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Eakes Office Solutions	Office equip. supplies, etc.	2,718.19
Echo Group Inc. (Jesco)	Light bulbs, electrical supplies, etc.	899.45
Fankhauser Nelsen Werts et al	Dist. Ct. attorney fees	1,282.50
Gage County Court	Co. Court attny fees - juvenile court	403.75
Garcia Clinical Laboratory	Inmate medical	15.00
Garrison Law Office	Dist Ct attorney fees	742.50
Green Way Lawn Services	Mowing for August	345.00
Hometown Leasing	Attorney copier lease	138.82
Isolved Benefit Services	Admin fees	288.20
Jerry L Shelton Atty	Attorney fees	2,090.00
Johnny's Welding Inc.	Det cntr floor drain repair	155.94
<u>General Fund cont.</u>		
Ken's Pest Control	Ext office – pest control	70.00
Lammel Plumbing Inc.	Plumbing repairs cths & det cntr	3,361.53
Lancaster Cnty Sheriff's Office	County court costs	36.00
Lincoln Journal Star	Publications	382.84
Marshall & Swift Boeckh LLC	Residential cost handbook	379.95
Microfilm Imaging Systems Inc.	Dist ct & Cnty ct maint agreement	457.00
Midwest Process Services	Dist ct & Cnty ct civil processing fees	264.96
MIPS Inc.	Office supplies, microfilm, data processing	3,367.20
Murray Law PC LLO	Dist ct attny fees	3,952.00
NE Health & Human Services	Patient care	372.00
Nelson Clark & Timan PC LLO	Attny fees	6,346.15
Noakes Heating & Air Cond.	Air cond repairs	335.80
NPZA	Atty office registration fees	190.00
O'ReillyAuto Parts	Shf & Corr vehicle repair & supplies	98.79
Paper Tiger Shredding Inc.	Shredding svc.	130.00
Pinnacle Bank	ROD deposit books	103.99
Quill (Extension Office)	Office supplies	54.80
Region V Systems	EPC svcs.	25,307.25
Kristine M Riekenberg	Dist ct costs	322.50
Sapp Bros Petroleum Inc.	Shf/Jail fuel	5,885.02
SE Nebraska Communications	Probation phones	118.36
Security Services	Shf monitoring of fire alarm	34.00
SE Nebraska Development Dist.	Membership dues	11,522.00
Sheridan Industries	Ext ofc monthly janitorial fees	150.00
Soap Opera Laundry	cleaning of mop heads & dust rags	39.40
Spectrum	Emg Cable	29.30
Stanard Appraisal Svcs Inc.	Appraisal maintenance	10,067.50
Stephen J Kraviec PC LLO	Child Suppt. Enf. Atty, postage	2,514.01
Summit Food Service LLC	Jail Meals	8,152.50
The Voice News	Publications	702.42
Thomson Reuters West Pymt Cntr.	Law Library chgs.	2,432.64
Time Warner Cable	Internet svc.	152.96
TK Elevator Corporation	Elevator repairs	854.81
Twin Rivers Chrysler Jeep Dodge	Shf. vehicle repair	292.48
U.S. Bank Purchase Cards	Meals, fuel, supplies	217.36
US Postal Service	Emrg. Mgm postal box rent	108.00
Verizon Wireless	Emrg. Mgm. wireless phones	208.16
Washington County Sheriff's Office	Inmate boarding	4,030.00
Washington County Sheriff's Office	Inmate boarding	13,950.00
Westlake Ace Hardware Inc	Parts, supplies, etc.	95.85



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Windstream – Extension Office	Phones	587.39
Windstream – Highway Dept.	Phones	513.41

Road Fund

Highway Department Employees	Salaries	48,039.84
Bauer Built Tire	Tires	511.88
Beatrice Area Solid Waste Agency	Rubish removal	45.45
Beatrice Board of Public Works	Utilities	502.17
Beatrice Concrete Sand & Gravel	Rock & Gravel	25,923.87
Beatrice Iron & Metal Co Inc.	Parts, tools, supplies	349.05
Cather & Sons Construction Inc.	Asphalt	8,290.68
City of Beatrice	Monthly trash svc.	74.24
City of Wymore	Utilities	79.56
Constellation	Utilities	45.72
Cornhusker International Trucks Inc.	Supplies	67.82
Eakes Office Solutions	Janitorial supplies	39.05
Farmers Cooperative	Propane	37.40
Filtercare of Nebraska LLC	Filters	72.55
Inland Truck Parts Inc.	Parts	474.50
Jim Hawk Truck Trailers Inc	Mud flaps	240.12
Landmark Implement Inc	Filter	120.11
LTR Inc	Towing	1,633.19
Mead Lumber	Supplies	19.09
Metal Culverts Inc	Culverts	7,802.84
Midwest Petroleum Equipment	Repair fuel pumps	1,370.00
Midwest Unlimited LLC	Parts, tools	140.45
MIPS Inc	Hwy pkg. program/support	192.32

Road Fund cont.

NMC Exchange LLC	Parts, labor	3,412.74
O ‘Reilly Auto Parts	Parts, tools	464.01
PowerPlan	Parts, labor	2,129.71
R L Tiemann Construction Inc	Gravel & hauling	21,797.10
RDO Truck Center LLC	Part	343.97
Rock On Inc	Township gravel & hauling	3,514.20
Rose Equipment LLC	Part	269.60
Sapp Brothers Petroleum Inc	Fuel, oil	31,172.96
T.O. Haas Tire	Tires	878.53
The Voice News	Publications	55.00
Truck Equipment Service Co.	Parts	917.13
US Auto Force	Tires	1,130.12
Verizon Connect	Veh. GPS	518.08
Westlake Ace Hardware Inc	Supplies	76.64

Register of Deeds Preservation & Modernization Fund

MIPS, Inc.	Computer program/support	220.08
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Insurance Fund

Gage County Health Insurance	Employee health ins. claims paid	21,160.87
Mutual of Omaha	Admin. fees	357.37

Stop Program Fund

Beatrice Police Department	Diversion program supplies	2,775.00
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City of Beatrice	Diversion program supplies	1,433.00
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Inheritance Fund

Dorothy J Schroeder Estate	Refund of inher. tax	883.95
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General Fund

Ameritas	County share of Employees Retirement	10,708.55
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,189.15
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	28,292.93

Road Fund

Ameritas	County share of Employees Retirement	3,242.72
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	3,505.54
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	11,495.44

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

Motion made by Swavely, seconded by Dorn to approve claim #22090131 to Johnny’s Welding in the amount of \$155.94. Motion carried 6-0.

Motion made by Dorn, seconded by Swavely to approve claim #22090199 to R.L. Tiemann Construction in the amount of \$21,797.10, bringing the total amount of claims paid through September 21, 2022 to \$584,321.14. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

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

Committee reports were given by Swavely and Dave Jones on Building & Grounds/Winter Lights; Haxby on Finance/Insurance; Scott Bates on Veterans’ Service; Lytle on Law Enf/Emg Mgmt. and Dorn on Road & Bridge. Items of discussion – Linden tree & Hackberry tree needing removal; concrete work on driveway is progressing; courthouse washing & repairing moving along; Bates stated that Veterans should not sign up with the Camp Lejune ads as it can jeopardize their current benefits, suggests speaking their Veterans Service Officer; and Mark Kuhnke spoke on the plans for the Buss bridge.

Senator Myron Dorn said he wanted to apologize on not being here when they voted on the Beatrice 6 and the budget. He said the process that we went through the first years on the board Terry & I had a conversation that this shouldn’t be that long, that was 12 years ago. Dorn remembered talking to Doug Kennedy (KWBE) on the first case, we had been dismissed, the judge had thrown us out of the case. This has been a long process and so thankful that, we at the state we are, all the legal process & now all the payment process has finally come to where we can finally see the end. I have had several Senators visit with and comment, wow you have done this in this amount of time. Senator Dorn spoke about how much it has saved the tax payer with a ¼ section of ground by paying the judgment 4 years early. He also thanked Dawn (Hill) for all the work that she did. He remembered when he and Dawn went to the Attorney Joel Nelson of Keating O’Gara and all of those boxes that you had. He thanked them for what they did thru the process, we were always, always told we had no insurance. Then in May or June when he spoke with Erich about coming and talking about the sales tax and then meeting with Erich & Dawn and they said they thought we could be ending this sooner, he said he thought my goodness, that is great news, he couldn’t believe it. Dorn said this is great news for the 6 defendants, great news for the county and great news we as a county can close this part of the chapter, off the taxpayers’ shoulders, that this is taken care of.

When on the board, all of the special meetings, the decisions being made, so thankful that this is where it is at. With the help from the State, I appreciate that, thankful for the Senators for passing those bills, the sales tax. If you would have told me we would have that amount of money, that is tremendous. How the Co. board has helped manage this, I think for the county it is so exciting. All the discussions, financial, what it was going to do to the county, those weren’t easy discussions.



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Haxby said as a freshman Senator, getting all this done was extraordinary and really helped out here & again thank you to you and the previous board. I've only been here a year and half and it was already worked through and there was a lot of time spent on it, a lot of unfounded criticism toward the process, and not much they could do about, and you helped out a lot.

Tiemann said he wanted to thank Senator Dorn for all of the time when on the board that you and Dawn put in and you and Roger put into this. To get 2 bills put through like that, the county is very lucky to have you in Lincoln as our representative. We are very proud of you. Tiemann also said he wanted to thank Dawn too, behind the scenes, and Myron knows this first hand too, the amount of time that the Clerk's office puts in, not just on items like this but all of our ideas, it usually comes down to the Clerk's office. Just like talking in June, Senator Dorn came to say what can I do for you guys, how can we make this work out quicker? When we did look at the numbers, we were all pleasantly surprised, Senators Dorn's office worked back and forth with the Clerk's office to figure out how the sales tax was going to roll back, can we move our tax asking to make this work. They were very helpful and thank you for your time and for your time in Lincoln and we are looking forward to your 4 more years in Lincoln.

Hill thanked Senator Dorn for walking with her through all of that and through the scary time of the possibility of the County facing bankruptcy and what that would have meant for the County. Senator Dorn said now that you mention that, Jim Overcash was the attorney and we found that this was not something that not too many counties that had those types of discussions had thought about. I thank him and all the other attorneys.

Schuller said Myron thank you for what you have done, I know it was a lot of hard work and some persuasiveness to get the State to help us, but I also want to thank Senator Roy Baker for submitting the first bill and having it prepared for you when you got into office to submit at that time.

Lisa spoke on the Planning & Zoning recommendations on the additions to Gage County Zoning Regulations to include Lower Big Blue and Nemaha Natural Resource Districts Dam Breach Hazard maps to # 1 in 5.18; 5.28; 5.39; and 5.48, and to update the Flood Insurance Rate Map (FIRM) Map to the 2010 version. Had no opposition at their hearing.

Break at 9:19 a.m. to wait for timed agenda item. Back in meeting at 9:30 a.m. with Haxby temporarily out.

Motion made by Swavely, seconded by Dorn to go into public hearing at 9:30 a.m. Motion carried 5-0. Jeff Ray with JEO spoke during public hearing

Lisa also spoke about a permit; it would go to Mark if in Flood plain and what needs to be done to mitigate.

Motion made by Schuller, seconded by Swavely to come out of the public hearing at 9:38 a.m. Motion carried 5-0.

Break at 9:39 a.m. – Back in meeting at 9:45 a.m.

Motion made by Swavely, seconded by Dorn to close bids on Project C-34 (1133). Motion carried 5-0.

Bids were received from General Excavating for a total amount of \$526,755.44; Bauer for total amount of \$451,634.50; Gus Construction for a total of \$411,974.64 and Van Kirk Construction for a total of \$522,568. Bids were reviewed by Highway Supt for recommendation later in meeting.

Break at 9:53 a.m. Back in meeting at 10:00 a.m.

Motion made by Dorn, seconded by Swavely to close bids at 10:00 a.m. for Projects C-34(1156), (1187), (1188) and (1235). Motion carried 5-0.



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Recommendation was received from Kuhnke on the bid for project C-34 (1133). His recommendation was Gus Construction in the amount \$411,974.64.

Haxby present in meeting.

Motion made by Dorn, seconded by Swavely to approve recommendation of awarding the bid to Gus Construction for project C-34 (1133) in the amount of \$411,974.64. Motion carried 6-0.

Jason Zoellner, Whispering Pines HOA, stated that most of the lots have been sold and now with taxable dollars that have been generated they were wondering how to go about possibly paving the road in front of the addition. What were the options available, Mark Kuhnke indicated there might be a couple options, one was forming a paving district (everyone on the frontage would need to agree) and there would be a levy, the other would be for the HOA to come up with the money upfront and donate it to the county. Cost was estimated that it could be around \$400 – \$600,000. Additional discussion took place on what the possibilities could be, if a way could be found for this area and other areas in the county. Mark Mainelli of Mainelli Wagner spoke about what was happening in other counties. The county would like to see further investigation into the options available.

Break at 10:39 a.m. – Back in at 10:45 a.m.

Discussion took place on the Resolution for the Gage County Rural Broadband project. Haxby said this all started over 1 year ago. We received almost \$4.2 million in ARPA funds and decided to invest it in broadband because it would affect the most people; from farmers in field, people working from home, kids being able to do their homework or do remote learning, and more. The impact would be far-reaching; medicine, education, agriculture, businesses...the list goes on. We put out a request for proposals, received 3 responses, and our committee spent days finding the best one to provide this once in a lifetime opportunity to our county; we picked Nextlink and started contract negotiations. It is finally here. I want to start by thanking this board for their patience as we worked through all the fine details of this contract. There was a lot of work that went into this with a lot of challenges along the way and sometime in there I had to take a couple days off to have a kid. While it is easy to rush through to the finish line, it was very important to spend time with the fine details because a legal contract like this can have different effects with something as simple as a comma placement. We were trying to get the best for our constituents while staying true to the vision of the project. With that, I really appreciated my fellow supervisors, Erich Tiemann and Eddie Dorn, for their committee involvement to see this project through. It was many extra hours of their time that made this possible.

I know we've gone over these many times, but here are some key parts to this project:

- No throttling, blocking, data caps, or paid prioritization
- Drop placed in the right of way to 950 homes in our project area
- It will be built in 2 years
- 100/100 for \$50 up to 2 gig/2 gig for \$100
- No modem/router fees
- Warehouse/office in county
- 3 wi-fi areas
- ACP program
- Fiber in conduit
- Will try to participate in future funding sources for more of the county.

Haxby also acknowledged individuals that collaborated on this project to make it a success, Loel Brooks and David Young with Universal Broadband consulting. She stated they were awesome to work with. Their years of experience were vital to the project. Oliver Borchert-Williams with the Southeast Nebraska Development District who has been there from the beginning and supplied a wealth of information, and Claude Aiken representing Nextlink. He has been great to work with and flew here from DC to be here for this big day.



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Haxby said this is a great opportunity for our county and she was glad to be a part of the broadband committee. This is good for the economic growth of our county and we are already working on other funding sources to try to serve our entire county with a reliable broadband service.

Loel Brooks, President and Cofounder of Universal Broadband Consulting Company spoke about the broadband project. Brooks stated this project is I think, one of the most important projects in terms of what it does and why it does what it does that the state has seen. Broadband connectivity is probably the most important economic & community development tool that we have in the State & probably the most important economic we have had in our respective lifetimes. It is no longer a luxury to have broadband & reliable broadband & speedy broadband, it's a necessity. Mr. Brooks stated numerous reasons that broadband is a necessity in everyday living. He stated that this is a huge step and other counties are watching. Congratulations to yourselves and this community and I feel you will see this modeled again and again. Congratulations on a remarkable achievement.

Also speaking was Oliver Borchert-Williams with Southeast Nebraska Development District (SENDD). Borchert-Williams said just about exactly a year ago he spoke to the board on how SENDD was becoming involved in broadband and how Gage might use the 4 million allocation of ARPA funds, and now 12 months later I'm thrilled to see this finally drawing to a close potentially and, if approved, to see fiber in the ground. He echoed what Loel Brooks said about the remarkable nature of this project. It will make Gage County one of the most connected counties in the State and make Gage County a leader across the State and likely across the country, when it comes to County involvement in public/private partnerships, when it comes to broadband, this is a momentous project and he was honored to have been a part of it. He said he would like to commend the County Board as well as Supervisors Haxby, Tiemann & Dorn for their work on this project.

Claude Aitken, Chief Strategy Officer for Nextlink, flew in from D.C. to be here today and agreed with what Loel and Oliver said. He is excited to be part of the project. He outlined what residents can expect moving forward. He stated since the project began North of Beatrice they would likely start North and work Northward from there. There would be vehicles around as they walk the project first prior to laying any fiber. Next, residents will see machinery and conduit. This may slow during the winter months. The last part is what is called blowing the fiber through and then will run drops to every household on the project. Mr. Aitkin wanted to thank the board and the broadband committee and for the leadership of Supervisor Haxby.

There was discussion on the coverage of the project. Aaron Clark, Regional Director for Nextlink, Lincoln, NE, mentioned that the original proposal showed fixed wireless and fiber. It was determined early on that the focus would be on fiber for this project. He said Nextlink plans for future projects in the rest of the county, using other available dollars. There are public maps on their website that will provide the areas for future projects. There is a large area in the South that has coverage by other providers and Nextlink would need to avoid overlapping.

Randy Sandman, Diode Communications had a couple of questions, he wanted to know if the contract would be made public and he was concerned of overbuilding, and also what role is Gage County going to have in the oversight.

Loel Brooks stated that the funding does not allow for overbuilding. The role of the county is being used in the highest level of public service, to protect the interest of the consumer here and that has never been done in the state.

THE COUNTY OF GAGE, NEBRASKA RESOLUTION NO. 22-17

RESOLUTION OF THE COUNTY OF GAGE, NEBRASKA (THE "COUNTY") AUTHORIZING THE DISBURSEMENT OF FOUR MILLION DOLLARS (\$4,000,000.00) OF THE COUNTY'S ARPA FUNDS PURSUANT TO THAT CERTAIN BROADBAND INFRASTRUCTURE CONSTRUCTION AND OPERATIONS AGREEMENT BY AND BETWEEN THE COUNTY AND AMG NEBRASKA ISP, LLC A/K/A NEXTLINK INTERNET, A NEBRASKA LIMITED LIABILITY COMPANY (THE "COMPANY") FOR THE PURPOSE OF PERMITTING THE COMPANY TO



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ACCESS THE COUNTY’S RIGHT OF WAY TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN AND REPAIR A BROADBAND NETWORK IN THE ELIGIBLE AREA OF THE COUNTY, AND TO OFFER AND PROVIDE BROADBAND SERVICE TO ELIGIBLE HOUSEHOLDS IN THE ELIGIBLE AREA OF THE COUNTY (THE “**PROJECT**”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY:

SECTION 1. Broadband Infrastructure Construction and Operations Agreement. The Board of Supervisors of the County finds and determines as follows:

- (a) That the County is authorized and empowered under applicable laws of the State of Nebraska to allocate and disburse funds it has received pursuant to the American Rescue Plan Act of 2021 (the “**Act**”) (“**ARPA Funds**”) for the purpose of making necessary investments in high-speed internet broadband (“**Broadband**”) infrastructure within its geographic jurisdiction.
- (b) That in furtherance of the purposes of the Act and the best interests of the County as stated herein on January 26, 2022, the County published a Request for Proposals to solicit responses and other documents from internet service providers and other organizations qualified to deploy, operate and maintain a broadband internet network that meets the eligibility requirements set forth under ARPA to ensure that currently unserved and underserved Households in unincorporated areas of the County are served by high-speed, reliable and affordable broadband services (“**RFP**”), a copy of which is attached hereto as **Exhibit A**.
- (c) That, on March 4, 2022, the Company responded to the RFP with a proposal to deploy, operate and maintain Fiber Optic Broadband Services to 100% of Eligible Households (the “**Proposal**”), a copy of which is attached hereto as **Exhibit B**.
- (d) That on April 6, 2022, the County selected the Proposal of the Company to deploy, operate and maintain the Broadband Network in the County in reliance on the terms, conditions, and representations of the Company described therein in response to the terms of the RFP.
- (e) The parties desire to enter into the Broadband Infrastructure Construction and Operations Agreement (the “**Agreement**”) to permit the County to enter, occupy, and use Right of Way to construct, install, operate, maintain, and repair Fiber Optic Infrastructure and related Facilities to offer and provide Broadband Service to Households in the County in accordance with the RFP and the Proposal.

SECTION 2. Execution of Agreement. The Agreement is hereby in all respects authorized, approved, and confirmed, and the Chair or Vice-Chair of the Board of Supervisors and the County Clerk or Deputy County Clerk is hereby authorized and directed to execute and deliver the Agreement, including necessary counterparts, in substantially the form and content as **Exhibit C** hereto attached, but subject to the County’s final written approval of the Company’s engineering plans for the proposed Broadband Network, which approval shall not be unreasonably withheld.

SECTION 3. Section Headings. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning or construction, interpretation, or effect of this Resolution.



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SECTION 4. Conflicting Provisions Repealed. All resolutions, orders or ordinances or parts hereof, in conflict with the provisions of this Resolution, are to the extent of such conflict hereby repealed. If any section, paragraph, clause or provision of this Resolution (including the exhibits hereto attached which are made a part hereof and incorporated herein by reference) shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of the Resolution or of the said exhibits.

SECTION 5. Effectiveness. This Resolution shall be in full force and effect from and after its passage as provided by law.

THE COUNTY OF GAGE, NEBRASKA

By: /s/ Erich Tiemann
Chair of the Board of Supervisors

ATTEST:
/s/ Dawn Hill
County Clerk

NOTE: Exhibits A, B and C are on file at the Gage County Clerk’s Office for viewing.

Motion made by Haxby, seconded by Dorn to adopt Resolution #22-17 for Gage County Rural Broadband Project. Motion carried 6-0.

Mark presented recommendation on bid for projects C-34 (1156), (1187), (1188) and (1235), he recommended Contech as the lowest bidder.

Motion made by Lytle, seconded by Dorn to approve to accept bid from Contech in the amount of \$155,721.00 for projects C-34 (1156), (1187), (1188) and (1235). Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:30 a.m. until October 5, 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 21st day of September, 2022.

(SEAL)

/s/ Dawn Hill
Dawn Hill
Gage County Clerk