



The Gage County Board of Supervisors met on April 3, 2024, at 8:47 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 \$429,452.67 which does not include claim #24040049 to Hard Rock Quarries, LLC in the amount of \$13,036.27 and claim #24040054 to R.L. Tiemann Const. Inc. in the amount of \$44,410.58 to be voted on separately; 4. approve correspondence received and place on file; 5. Approve receiving and place on file the 2023 Annual report for Clatonia Rescue Squad, Cortland Volunteer Fire & Rescue & Wymore Emergency Medical Services; 6. Approve cancelling check #23080181 to Windstream in the amount of \$6,389.22; 7. Approve District Court Summary Fee Report & Register of Deeds Fee Report for the month of March, 2024; 8. Approve Utility Permit #1299 to Roehrs Machinery, Roehrs will be installing a new electrical line for irrigation. Starting at the South grader ditch along Lilac Road approximately 1,500 feet east of SW 89th, Roehrs will bore under Lilac Road for new electrical line into the North grader ditch of Lilac Road. Once in North grader ditch Roehrs will continue all work on private property. Located South of Section 11 and North of Section 14, T-3-N, R-5-E, Lincoln Twp.; 9. Approve Utility Permit #1300 to Pinpoint Communications Inc, Pinpoint will be installing a new communications line on S. 1st between Sargent and Dorsey Road. Starting on Sargent Road in the North grader ditch, Pinpoint will bore along the outer edge of the ROW in the North grader ditch for approximately 630’, place a vault, bore under Sargent Road to the South into the West grader ditch of S. 1st Road and continue boring for 2,630’ south to Doresy, then bore under S. 1st Road to the east in to the north grader ditch of Dorsey Road for 215’ and end work. Pinpoint will be installing a new communications line on Juniper Road in the South grader ditch. Pinpoint will start approximately 522’ east of Intersection S 1st & Juniper Road, bore 393’ to the west in the South grader ditch ROW and place a ground level box. Pinpoint will be installing a new communications line for residence at 462 Juniper Road. Pinpoint will bore under Juniper Road from the South grader ditch to the North grader ditch and continue work on private property. Pinpoint will be installing a new communications line for residence at 22890 S. 1st Road. Pinpoint will bore under S. 1st Road from the West grader ditch to the East grader ditch and continue work on private property Located in sections N-27, E-27, IN-26, N-22, N-23 and IN-23 Midland Township T-4-N, R-6-E. 10. Approve support letter for appropriations grant for Clatonia Well.

<u>General Fund</u>	<u>Description</u>	<u>Amount Allowed</u>
Courthouse Employees	Salaries	163,748.11
All Copy Products	Ext Offc copier overage, co. programs	943.92
Applied Connective Technologies	IT svcs.	10,365.00
Beatrice Community Hospital	Shf dep CPR/AED trng	300.00
Black Hills Energy	Utilities	676.19
Blue Rivers AAA	Funding	25,273.50
Capital Business Systems	ROD copier lease	71.07
Charter Comm. – Spectrum 2019	Jail cable TV	199.99
Clerk of District Court	Court costs	213.07
Cornhusker State Ind.	Laminate counters – Dist Ct.	11,664.00
Crete Vet Clinic	Vet call	87.00
DAS St. Acctng Cntrl Fin 2732	Data processing	196.00
DataShield Corp.	Doc shredding	29.60
Diode Technologies	Svc call	364.50
Sandra Eltiste	Prior svc retirement	12.00
First Wireless	Tower rental, radio repair	512.19
Hometown Leasing	Prob Offcs copier leases	472.70
Jerry Shelton, Atty	Atty fees	4309.44
Joyce Kassing	Prior svc retirement	20.00

Kraviec, Maurstad Law	Child Suppt Enf Atty	2398.05
Lammel Plumbing	Toilets, supplies	609.34
Land Survey Tech	Co. Surveyor operating expns	3804.55
Midwest Card & ID Solutions	ID badge supplies	71.96
Midwest Process Services	Civil process fees	433.80
MIPS, Inc.	Treas. supplies	804.00
Nelson, Clark & Timan	Public Defender, Atty fees	6946.15
Polaris Law Group	Atty fees	456.00
Quill – Prob	Offc supplies	502.18
Quill – Treas	Offc supplies	87.34
Smith, Schafer, Davis, LLC	Atty fees	549.25
Soap Opera Laundry	Mop & rag cleaning	21.00
Summit Food Svc.	Jail meal svc	5669.72
Thomson Reuters, West Pmt. Ctr.	Law Library supplies	2784.69
Tyler Technologies	VetraSpec	898.00
U.S. Post Office – Postmaster	Prob stamps	450.00
Verizon Wireless EMS 8923-1	Cell phones	217.23
Windstream – Ext.	Phones	308.32
Windstream – Hwy	Phones	308.32
Windstream – Shf	Phones	606.54
Windstream – 4377 Vets Offc	Phones	137.54
Windstream – Gen Info	Phones	2229.56
Windstream – Vets	Phones	231.94

Road Fund

Highway Department Employees	Salaries	40,722.54
A+ United Radiator Repair	Radiator	650.00
Beatrice Concrete Sand & Gravel	Rock & gravel	10,045.41
Black Hills Energy	Utilities	373.49
Bomgaars	Tools, bolts, supplies	858.47
Constellation NewEnergy	Utilities	541.33
Diversified Drug Testing	Drug/alcohol testing	140.00
First Wireless	Repeater rental	350.00
Hard Rock Quarries, LLC	Rock & gravel	13,036.27
Medical Enterprises, Inc.	Drug/alcohol tests	40.00
Midwest Petroleum Equip.	Repair gas pump	1089.43
Midwest Unlimited	Parts	474.95
Norris Public Power	Utilities	472.63
R.L. Tiemann Const., Inc.	Twp gravel & hauling	44,410.58
RDO Truck Center, LLC	Parts, labor	46,276.38
Rose Equipment, LLC	Parts	642.50

Visitor's Promotion Fund

Beatrice Area Chamber of Commerce	Lodging tax	5171.09
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Insurance Fund

Gage Co. Health Insurance	Employee health ins claims paid	13,492.94
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General Fund

Ameritas	County share of Employees Retirement	11,839.61
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	11,978.39
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	25,859.74

Road Fund

Ameritas	County share of Employees Retirement	2,748.76
Security First Bank	Co. share of Empl. Soc. Sec. & Medicare	2,988.06
Gage County Clerk – Health Plan	Co. share of Empl. health insurance	8,632.08

Haxby asked to have #9 pulled for additional discussion.

Motion made by Haxby, seconded by Dorn to approve the consent agenda minus #9 Motion carried 6-0.

Motion made by Haxby, seconded by Lytle to table item #9 – Utility permit. Discussion took place on tabling the permit for further review. Concerns were raised that residents would be left without coverage. Haxby indicated that Nextlink has already received a permit for this area and wants to make sure that if Pinpoint comes in that they will provide service to the entire area, not just a few residences.

Break for timed agenda item.

Earl Adam was the Veteran Honors recipient. Scott Bates, Veteran Service Officer, introduced Earl. Earl Adam enlisted in the United States Army June 25, 1970, Earl was promoted to SPC E4 on June 21, 1971 and Honorably Discharged December 29, 1971. Earls MOS was an 11B Light Weapons Infantry. His awards include Combat Infantry Badge, the National Defense Service Medal, the Vietnamese Service Medal, the Vietnamese Campaign Medal with (1960-) device, the Army Commendation Medal, and the Expert Marksmanship Badge for the M16 Rifle. Scott invited Earl to say a few words. Earl thanked Gary Schramm for nominating him. He said, I lived on the Kansas border and had an Odell, NE address and was #2 on the draft list in Washington Co. I worked at Beardmore Chevrolet before being drafted and thought I would get the motorpool, that didn't happen. I went to Ft. Leonardwood for basic training and then received orders to go to Ft. Ord that was infantry AIT and then I knew I would be going to Vietnam. He flew into Vietnam and saw a few tracers fly by the plane as he was coming in. After a couple of days, he went to get his extra pair of glasses and saw 2 guys severely injured, they hit a mine with their truck. A couple of days later went for training and was sent to the 25th Inf. Div. & Reconnaissance. Went out in 5-man teams for guard duty, which was kind of scary, especially at night. Every 2 hours they pulled a shift. There were lizards and wild pigs and stuff running around in the jungle, didn't know what would happen next. One guy that was with him had been dusted off on a cobra gun ship trying to take Hamburger Hill, about 142 died on trying to take Hamburger Hill. Went on 12-day missions because we couldn't get resupplied. He was there about 3 months and the 25th stood down so he was sent to the 23rd. I started in the Delta and went from one end of Vietnam to the other in the time I was there. They used herbicide to kill foliage all around to see stuff. Started to use Agent Orange a little later on. In the dry season we would drink out of the stream when we ran out of water. They would usually carry 12 qts of water in their 100 lb packs. In the Spring of 70, some 20 million gallons of herbicide was sprayed roughly over 1/4th of Vietnam. Strange to see the bare ground. In 2018 he was diagnosed with Multiple Myeloma cancer as a result of Agent Orange and take infusions weekly for the rest of his life. Adam said he has no regrets, it was an honor to serve my country. I felt fortunate to come home cause there were 58,000 that didn't.

Motion made by Dorn, seconded by Swavely to close bids for 2024 Gage County Culvert project at 9:15 a.m. Motion carried 6-0.

Discussion continued on the agenda item #9 Utility permit. Motion to table item carried 6-0.

Bids for 2024 Gage County Culvert Project were opened and read. Bids were received from Ace Eaton in the amount of \$219,623.40; Metal Culverts in the amount of \$206,762.90; Contech in the amount of \$221,578.00 & Midwest Service & Sales in the amount of \$279,090.28.

Motion made by Dorn, seconded by Lytle to refer bids to Highway Supt to review and give recommendation. Motion carried 6-0.

Motion made by Swavely, seconded by Dorn to approve claim #24040049 to Hard Rock Quarries, LLC in the amount of \$13,036.27 and claim #24040054 to R.L. Tiemann Const. Inc. in the amount of \$44,410.58, bringing the total amount of claims paid through April 3rd to \$486,899.52. Motion carried 5-0-1 with Tiemann abstaining due to conflict of interest.

Steve Knoche was present and speaking under public comments. He would like to request to resurface the Virginia road. Maybe the county can obtain a grant for this project.

Committee reports were given by Dave Jones on Building & Grounds; Tiemann on Equalization; Haxby on Finance/insurance and Road & Bridge; Scott Bates on Veterans' Service Committee & Millard on Law Enf/Emg Mgmt. Items of discussion Dist. Court leak, Entrance doors, boardroom updates.

Motion made by Lytle, seconded by Swavely to close bids @ 9:40 a.m. on the Cameras for highway dept and the access control system. Motion carried 6-0.

Bids were received from Diode Communication in the amount of \$23,574.95 & Applied Connective in the amount of \$23,388.80 on the cameras for highway dept.

Motion made by Lytle, seconded by Swavely to refer bids to Building & Grounds for review and recommendation. Motion carried 6-0.

Short recess at 9:53 a.m. Back in session at 10:04 a.m. with Haxby temporarily out.

Tiemann recognized Annette Corter for her years of service to the county and wished her well in her retirement.

Dakota Hurley, Tourism Coordinator, presented two Visitor Improvement Grants to the Board. The first was for the Leadership Beatrice Class #18 in the amount of \$20,000 for Pioneer Park project.

Haxby rejoined meeting at 10:11 a.m.

Motion made by Lytle, seconded by Swavely to approve Visitor Improvement Grant to Leadership Beatrice Class #18 in the amount of \$20,000. Motion carried 6-0.

The second Visitor Improvement Grant was to Food4Hope in the amount of \$25,000 for build out of The Community Learning Center.

Motion made by Lytle, seconded by Swavely to approve Visitor Improvement Grant to Food4Hope. Motion carried 6-0.

Dakota presented the Tourism quarterly report.

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

Dave Jones recommended Applied Connective for door controller bid, in the amount of \$52,715.99 and Applied Connective for the cameras in the amount of \$23,388.80 for base bid.

Motion made by Lytle, seconded by Swavely to approve Applied Connective bid for the door controllers. Motion carried 6-0.

Motion made by Haxby, seconded by Lytle to approve Applied Connective bid for Cameras at highway dept. Motion carried 6-0.

Mark Kuhnke recommended Metal Culverts for the Gage County 2024 Culvert Project in the amount of \$206,762.90.

Motion made by Lytle, seconded by Dorn to approve Metal Culverts bid for 2024 Culvert Project. Motion carried 6-0.

RESOLUTION NO. 24-05

**RESOLUTION
&
STATEMENT OF FACTS**

WHEREAS, the Gage County Board of Supervisors has been presented with a request for a special use permit, (SUP) #2024-1 for the placement of a Commercial Retail Agriculture Building;

WHEREAS, the Gage County Planning Commission (“Planning Commission”) and Gage County Board of Supervisors (“Board”) are duly authorized under the Gage County Zoning Regulations and are required to adopt a Statement of Factual Findings according to Neb. Rev. Stat. §23-114.01(6) (Reissue 2012);

WHEREAS, the Planning Commission and County Board have established the following Statement of Factual Findings;

1. An Application was submitted for a Special Use Permit (“SUP”) for a Commercial Retail Acgriculture Building located in an agricultural zoning district on a tract of land in the southwest quarter of Section 32 of the Holt Township.
2. On February 22, 2024, the Planning Commission held public hearings to receive input on SUP #2024-1. The opportunity for public comments was held for testimony in support of, neutral to, and/or in opposition to the SUP.
3. On February 22, 2024, the Planning Commission voted 7-0 to recommend approval of the SUP #2024-1 finding that the location and land use is

suitable to operate a commercial retail agriculture business.

- 4. In recommending approval of SP #2024-1, the Planning Commission found that the Application complied with the guidelines of Article 6.2 of the Gage County Zoning Regulations.
- 5. On March 20, 2024, after proper notice and publication, the Board held a public hearing and public comments were heard in support of, neutral to, and/or in opposition to the SUP #2024-1.
- 6. On April 3, 2024, the Board considered whether the Application met all the requirements of the Gage County Zoning Regulations and held a vote to approve or disapprove SUP #2024-1.

NOW, THEREFORE, BE IT RESOLVED BY THE GAGE COUNTY BOARD OF SUPERVISORS OF GAGE COUNTY, NEBRASKA that the special use permit #2024-1 for the placement of a Commercial Retail Agriculture Building in the south-west quarter of Section 32 of the Holt Township, shall be:

- approved for the reasons stated on the record.
- approved with conditions: _____.
- disapproved for the reasons stated on the record.

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

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

Nay: None

Gage County Board of Supervisors

4-3-2024 Dated: By: /s/ Erich Tiemann
Erich Tiemann, Chairman

Subscribed and sworn to before me this 3rd day of April, 2024.

/s/ Dawn Hill
Gage County Clerk

Motion by Lytle, seconded by Dorn to adopt Resolution #24-05 for the placement of a commercial retail agriculture business to be located on a tract of land in section 32, Holt Twp. Motion carried 6-0.

Motion by Dorn, seconded by Schuller to go into closed session at 11:11 a.m. for negotiations. Motion carried 6-0.

Motion by Schuller, seconded by Swavely to come out of closed session at 11:26 a.m. Motion carried 6-0.

Chairman declared Board of Supervisors meeting adjourned at 11:26 a.m. until April 17, 2024.

Board minutes can also be viewed on the Gage County website at www.gagecountyne.gov.

/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 April, 2024.

(SEAL)

/s/ Dawn Hill
Dawn Hill
Gage County Clerk

