

# Pierce County Board Minutes



## COMMISSIONERS PROCEEDINGS

October 11, 2016

The Pierce County Board of Commissioners met pursuant to adjournment on Tuesday, October 11, 2016, at 9:10 A.M. with the following members present: Marvin Elwood, Jr. and Brad Albers; Terry J. Wragge was absent. Co. Clerk Shannon Wragge, Judge Ross Stoffer, Judge Mark Johnson, Clerk of District Court Vickie Prince and News Reporter Randee Falter were present.

Notice of the meeting was given in advance as shown by the Certificate of Publication on file in the County Clerk's office. Availability of the agenda was communicated in the advance notice of the meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Motion by Albers, seconded by Elwood, to appoint Brad Albers as Chairman Pro Tem due to the absence of Chairman Terry J. Wragge. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Chairman Pro Tem Albers called the meeting to order at 9:10 A.M. and presided. Chairman Pro Tem Albers stated that the Open Meetings Act is posted on the north wall of the board room with more copies available at the County Clerk's office.

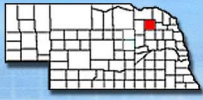
Motion by Elwood, seconded by Albers, to approve the agenda. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

The minutes of September 26, 2016 were approved as printed.

Motion by Albers, seconded by Elwood, to approve the fee reports as submitted by Vickie Prince, Clerk of District Court, Rick Eberhardt, County Sheriff and Shannon Wragge, County Clerk, for September 2016; approve Treasurer's receipts for various funds for Christine Bahr, County Treasurer, for September 2016 and placed on file in the County Clerk's office, total \$657,539.96 and to audit and allow the following claims presented for payment and instructed the County Clerk to issue checks for payment of same on the various funds. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

**GENERAL FUND:** Ashburn Funeral Homes Inc-removal & transfer for autopsy-\$533.50; Black Hills Energy-service-\$27.52; Blaser Appraisal-review of commercial properties-\$14,520.00; Credit Bureau Services Inc-wage garnishment-\$187.54; Election Systems & Service-ballots & coding-\$1,690.75; Faith Regional Physician Services LLC-prisoner medical-\$20.00; Ann Fenton-reimb. mileage-\$92.88; First Concord Benefits Group-adm. Fees-\$10.00; Great America Financial Services-postage meter lease-\$119.00; Jack's Uniforms & Equipment-supplies-\$142.79; Mitch Jensen-reimb. garnishment fee-\$288.02; LexisNexis-software-\$1,112.40; Magdanz Inc-supplies-\$234.02; Midwest Bank-co share-\$3,384.72; MIPS Inc-service & support-\$573.79; NE NE News Company-ads-\$1,420.43; NE Nebraska RC & D-2016/2017 sponsor dues-\$3,000.00; NE Dept of Agriculture-registration-\$45.00; Norfolk Vacuum Sales & Service-repairs-\$12.50; Pierce Auto-repairs-\$64.00; Pierce County Petty Cash Fund-reimb. meals-\$22.95; Pierce County Court-court costs-\$225.00; Pierce County Leader-ads-\$1,857.69; Pierce County Treasurer-garnishment fee-\$2.50; Pierce County District Court-court costs-\$180.00; Pierce Telephone Co Inc-service-\$1,930.28; Michael J. Pommer, CPA-professional services for 15/16 audit-\$7,000.00; Prince Auto Repair Inc-repairs-\$78.55; Ray's Lawn Care & Repair-Snapper mower-\$2,164.19; Ray's Lawn Care & Repair-Snapper mower-\$2,164.19; Region IV Inc-2<sup>nd</sup> quarter dues-\$2,340.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,071.39; Security Shredding-shredding-\$140.00; Stonacek Memorial Chapel-removal & transfer for autopsy-\$310.00; State of NE/IMS-service-\$448.00; Payroll-\$44,906.60.

**COUNTY HIGHWAY FUND:** Bazile Aggregate Co LLC-gravel-\$5,231.25; Chad's Tire Service-repairs & tires-\$253.00; Cornhusker Auto Inc-repairs-\$50.10; Eastern NE Telephone-service-\$102.09; Eisenmann Supplies Inc-repair parts-\$160.00; Filter Care-repair parts-\$214.55; JEO Engineering & Consulting-engineering-\$6,795.50; Leiting Auto Supply-repair parts & supplies-\$129.08; Lorenz Automotive-repair parts-\$593.02; Magdanz Inc-supplies-\$29.99; Manzer Equipment-down payment on 2012 Challenger tractor-\$55,235.00; Matheson Tri Gas Co-repair parts-\$45.90; Midwest Bank, NA-co share-\$2,134.14; NE NE PPD-



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service-\$59.00; Paul's Welding-repairs-\$83.48; Pierce Telephone Co Inc-service-\$68.47; Plainview Telephone Co-service-\$47.31; Plainview City-utilities-\$320.00; Plainview True Value-supplies-\$18.36; Prince Auto Repair Inc-repairs-\$248.28; R & D Welding-repairs-\$108.33; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,770.27; Safety Kleen-repairs-\$466.68; Steinkraus Service-diesel-\$3,198.66; Payroll-\$28,499.78.

**E911 FUND:** CenturyLink-E911 access-\$72.88; Pierce Telephone Co Inc-E911 access-\$104.52; Plainview Telephone Co-E911 access-\$34.73.

**E911 WIRELESS FUND:** CenturyLink-E911 access-\$243.99; Midwest Bank, NA-co share-\$137.72; Pierce Telephone Co Inc-E911 access-\$316.44; Plainview Telephone Co-E911 access-\$116.27; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$121.52; Payroll-\$1,800.00.

**REGISTER OF DEEDS P & M FUND:** MIPS-deeds online service-\$568.10.

**VISITOR PROMO FUND:** NE NE News Company-ad-\$6.27; Pierce County Leader-ad-\$5.85.

Clerk of District Court Vickie Prince, Judge Ross Stoffer and Judge Mark Johnson were present to visit with the Board about updating the audio and video equipment in the courtroom at an approximate cost of \$10,000 to \$15,000. No decision made at this time. The three were going to get informal bids for the project.

Zoning Administrator Heather McWhorter, Ryan Zimmerman and Ed Swanson were present and discussion held on the Swanson Lotsplit in pt of the S ½ SE ¼ in 30-26-2 (5.22 acres) and the Ryan Zimmerman Lot Split in pt E ½ 26-25-3 (22.72 acres).

Motion by Elwood, seconded by Albers, to approve the Ryan Zimmerman Lot Split in pt E ½ (22.72 acres) in Section 26, T25N, R3W, Pierce County, NE. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to approve the Swanson Lotsplit in pt of the S ½ SE ¼ (5.22 acres) in Section 30, T26N, R2W, Pierce County, NE. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

The legal was read for the 9:30 a.m. public hearing to receive public comments pertaining to amendment to Certification of Occupancy, Article 7 of the Pierce County Zoning & Subdivision Regulations. Chairman Pro Tem Albers opened the hearing at 9:50 a.m. Zoning Adm. Heather McWhorter answered questions the Board had on the amending of the zoning regulations pertaining to Certification of Occupancy. There were no written comments or objections and no one else from the public was present. Chairman Pro Tem Albers closed the hearing at 9:52 a.m.

Motion by Elwood, seconded by Albers, to approve Resolution #2016-20 as follows:

## RESOLUTION #2016-20

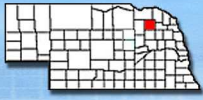
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF PIERCE, NEBRASKA UNDER AUTHORITY GRANTED BY THE PIERCE COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

WHEREAS, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the 2003 Pierce County Zoning and Subdivision Resolution and Legislative Bill 186 (1978).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby amends the Pierce County Zoning and Subdivision Resolution by amending the following language into the Zoning Regulations, specifically by amending the text in Article 705, Certificate of Occupancy of the Pierce County Zoning Regulations, as follows:

705 Certification of Zoning Compliance ~~Occupancy~~.

No structure or land shall be hereafter used or the use changed thereof until a Certificate of Zoning Compliance ~~Occupancy~~ shall have been issued by the Zoning Administrator. A Certificate of Zoning Compliance ~~Occupancy~~ for a new building, or for the alteration of an existing structure shall be applied for coincident with the application for a zoning permit and shall be issued within ten days after the erection or alteration of such building is completed in conformity with these regulations.



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No Certificate of Zoning Compliance Occupancy shall be issued for residential purposes for a partially completed or portion of a building. No structure shall be used as a temporary residence. Application for a change of use of land or existing structure shall be made on forms provided by the Zoning Administrator and shall state the proposed use is in conformity with these regulations.

NOW, THEREFORE, LET IT BE FURTHER BE RESOLVED, that this Resolution shall take effect and be in force upon adoption of this resolution.

SIGNED and ADOPTED at Pierce, Nebraska this 11<sup>th</sup> day of October, 2016.

Whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Discussion held on the re-appointment of the Pierce County Planning & Zoning Commissioner members and also let the Board know that 2 members are still needed, one from Plainview and from rural Pierce County.

Motion by Albers, seconded by Elwood, to approve the re-appointment of the following to the Pierce County Planning & Zoning Board for a 3 year term: Tom Nathan, Gerry Krueger, Charles Hoffmann, Byron Wragge, Ranea Rystrom, Randy Ganseboom, Larry Schaefer, Dwaine Hoffman and Neil Bloomquist. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Robert Baird, Chairman of the Pierce County Visitor Bureau visited with the County Board asking if the County Board was in agreement to belong and pay dues to the Norfolk Area Visitors Bureau to share in tourism advertising costs for Pierce County in conjunction with Madison and Stanton County for \$2,500/calendar year. Baird was informed that the County Board went along with the Pierce County Visitor Bureau decision since they are in control of the money in the Visitor Promo and Improvement funds.

Motion by Elwood, seconded by Albers, to authorize the Board Chairman Pro Tem, to sign the Certification of Cost Allocation Plan with Maximus. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to approve Resolution #2016-21 as follows:

## RESOLUTION #2016-21

WHEREAS, the Pierce County Court is directed by the Nebraska State Court Administrator, on recommendations of the Auditor of the State of Nebraska, to establish separate cash drawers for each employee of the Pierce County Court.

WHEREAS, the amount shall be no less than \$20.00 and no more than \$200.00 per cash drawer.

WHEREAS, said cash drawers are to be funded by petty cash funds through a claim filed by the Pierce County Court and approved by the Pierce County Board of Commissioners.

WHEREAS, EACH Pierce County Court employee shall use the petty cash funds for the limited purpose of making change for payments made by court users paying fines, fees and costs payable to the Pierce County Court.

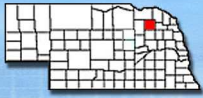
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Commissioners, that beginning July 7, 2016, Pierce County will have the sum of \$50.00 which is hereby appropriated out of the Miscellaneous General Fund to the Pierce County Cash Drawer Fund and the Pierce County Court is hereby custodian of such account.

SIGNED and ADOPTED at Pierce, Nebraska this 11<sup>th</sup> day of October, 2016.

Whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Motion by Albers, seconded by Elwood, to accept and approve the 2015-2016 Audit Report as submitted and placed on file in the Pierce County Clerk's office. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to approve Resolution 2016-22 and Agreement for the Pierce East Co. Road (552 Avenue, 553 Avenue & 853 Road) closure/Detour for the Project No. STP-98-5 (107) between Pierce County and Nebraska Dept. of Road. Roll call vote: Aye: Elwood and Albers; Wragge absent. Nay: None. Motion carried.



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There being no further business, Chairman Pro Tem Albers adjourned the meeting at 10:20 A.M. and will meet again at a regular meeting on Monday, October 24, 2016 at 9:10 A.M. as County Board of Commissioners, said meeting is open to the public. An agenda for such meeting, kept continuously current, is available for public inspection at the office of the County Clerk.

/s/ Brad Albers  
Chairman Pro Tem, Pierce County  
Board of Commissioners

/s/ Shannon Wragge  
Pierce County Clerk

I, Shannon Wragge, Pierce County Clerk, do hereby certify that all the subjects contained in the foregoing proceedings are contained in the agenda for the meeting kept continuously current and available for public inspection at my office; that such subjects were contained in said agenda for at least 24 hours prior to the meeting; that the minutes of said meeting were in written form and available for public inspection within 10 working days and prior to the next convened meeting of said body; that any news media requesting notification concerning said meetings or said County Board were provided advance notification of the time and place of said meetings and the subjects to be discussed at said meeting.

/s/ Shannon Wragge  
Pierce County Clerk

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