

Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

May 6, 2019

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, May 6, 2019, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Jim Schmit and Terry J. Wragge. Co. Clerk Shannon Wragge, Co. Assessor Jean Lubke, Zoning Adm. Heather McWhorter, Alexander Retzlaff, Randy Stromberg, Gurney Lorenz, Phil Lorenzen, Andy Forney, Richard Koenig 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. Chairman Wragge called the meeting to order at 9:10 A.M. and presided. Chairman Wragge 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 Wragge, to amend agenda to add: Authorize Chairman to sign Agreement and Notice to Proceed with Husker Engineering Inc, Burwell, NE, for the FEMA 2019 857/548 Rd Restorations JEO #190591. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

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

The minutes of April 22 and 30, 2019 were approved as printed.

Assessor Lubke presented to the Board the 19/20 FY Appraisal Contract with CTS/Alisha White, Pierce, NE for appraisal services at a cost of \$50 per parcel.

Motion by Elwood, seconded by Schmit, to approve the 19/20 FY Appraisal Contract with CTS/Alisha White, Pierce, NE, for appraisal services at a cost of \$50 per parcel. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Gurney Lorenz to put a sign along Hwy 20 on property located in pt of the NE ¼ SE ¼ 26-28-1.

Chairman Wragge opened the hearing at 9:15 a.m. Zoning Adm. McWhorter and Gurney Lorenz were present and answered questioned the Board had on the Conditional Use Permit. There were no written comments or objections and no one from the public was present. Chairman Wragge closed the hearing at 9:17 a.m.

Motion by Schmit, seconded by Elwood, to approve Resolution #2019-10 as follows:

RESOLUTION #2019-10

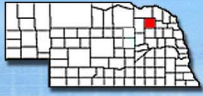
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF PIERCE, NEBRASKA UNDER AUTHORITY GRANTED BY THE PIERCE COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

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).

Finding of Facts

1. The property is zoned A-1 Agricultural Intensive.
2. Regulations require a Conditional Use Permit to place the sign.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Gurney Lorenz to place a sign along Highway 20 as per Section 6.11 of the Pierce County Zoning and Subdivision Resolution, on the following described land:



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**Part of the NE ¼ of the SE ¼ of Section 26, Township 28 North, Range 1 West of the 6th P.M.,
Pierce County, Nebraska.**

NOW, THEREFORE, BE IT ALSO RESOLVED, the below listed conditions must be complied with by all current and future owners of the property described above and failure to comply with said conditions may result in forfeiture of this Conditional Use Permit.

1. This Conditional Use Permit allows a Business Sign to be placed along Highway 20.
2. This Conditional Use Permit is permanent and may be transferred between owners.
3. This is for a small announcement that is not over 6 square feet in area, unless it is a bulletin board not over 18 square feet in area and must be set back at least 20 feet from the highway,
4. A copy of the signed permit must be recorded with the Pierce Register of Deeds office

NOW, THEREFORE, BE IT FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown of the Official Zoning Map of Pierce County, previously adopted by reference, and said zoning map is hereby reincorporated as a part of the Pierce County, Nebraska Zoning and Subdivision Resolution as amended.

ADOPTED at Pierce, Nebraska this 6th day of May, 2019

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Marvin Elwood, Jr., District #1 Commissioner

/s/ Jim Schmit, District #2 Commissioner

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Discussion was held on the Interlocal Agreement with Madison County for the 19/20 FY and beyond for Zoning Adm. position shared with Madison County.

Motion by Wragge, seconded by Elwood, to approve Interlocal Agreement with Madison County for the 19/20 FY and beyond for Zoning Adm. position shared with Madison County with Pierce County sharing in 30% of costs. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Randy Stromberg was present to discuss with the Board the bridge inspector position for 2019.

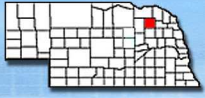
Motion by Elwood, seconded by Schmit, to authorize and approve Randy Stromberg to inspect the bridges that need to be done in 2019 at a cost of \$125.00 per bridge. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Wragge, to approve and authorize the Chairman & Clerk to sign the First Concord Insurance Buy-down Form. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Wragge, to approve and authorize the Chairman & Clerk to sign the Sub-Group Application for the 2019/2020 county health insurance plan year as a \$2,500.00 deductible for the single BC/BS of NE Health Insurance policy with the county employee paying the first \$1,000.00 and the county paying the next \$1,500.00 of the deductible for the employee only and to approve the NACO BC/BS dental plan, with a paid premium for the employee only on both dental and health. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Discussion was held on hiring a finance contractor to compile and input financial information regarding damages caused by DR-4420 2019 Flooding. Nicole Sullivan and Sandy Hansen submitted applications for the position.

Motion by Schmit, seconded by Elwood, to approve Sandra Hansen with Tom Hansen, CPA, Wayne, NE, to compile financial information regarding damage caused by Flood DR-4420 at a rate of \$80 per hour plus



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any out of pocket expenses incurred. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Schmit, to approve Resolution #2019-9 as follows:

RESOLUTION #2019-9

WHEREAS, due to Section 39-1904 of the Nebraska Revised Statutes, the 2018-2019 County Road Fund budget does not include a property tax dollar request, and

WHEREAS, the 2018-2019 county budget was balanced by a fund transfer of \$3,220,000.00 from the General Fund to the County Road Fund,

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Commissioners that the Pierce County Clerk is directed to transfer the following funds thru the claim process as follows:

Road/Bridge Fund	<u>\$1,000,000.00</u>
Total	\$1,000,000.00

of the Property Taxes collected by the General Fund to above list. Disregard any previous resolutions on transfers.

Dated this 6th day of May, 2019

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Marvin Elwood, Jr., District #1 Commissioner

/s/ Jim Schmit, District #2 Commissioner

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Discussion was held on the Pierce County Visitor Board's newly revised By-Laws.

Motion by Schmit, seconded by Elwood, to approve the Pierce County Visitor Board's newly revised By-Laws. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Discussion was held on applying for the Scrap Tire Grant Project for 2020 with NE DEQ as the dates to apply have changes to July 3-August 14, 2019. To date NE DEQ has not listed what counties have received the 2019 Scrap Tire Grant.

Motion by Elwood, seconded by Wragge, to authorize the Clerk to apply for grant funds for the Scrap Tire Grant Project for 2020 with Nebraska Dept. of Environmental Quality Waste Management Division, with the project to be held at the Plainview or Osmond Shop if granted depending on 2019 awarding. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Discussion was held on appointing Kelli Sindt to be the Personal Advocate for Pierce County as directed by Region 11 EMS.

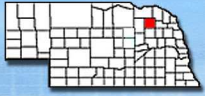
Motion by Schmit, seconded by Elwood, to appoint Kelli Sindt, Pierce, to be Personal Advocate for Pierce County. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Schmit, to recommend approval to the NE Liquor Control Commission for the request for 3 special designated liquor licenses for Taylors Bar & Grill, Pierce, for the following events at the Pierce County Fairgrounds Pavilion: Thursdays, May 16, 23 & 30, 2019, all from 4:00 p.m. to 12:00 a.m. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Hwy Supt Brian McDonald was present and discussion was held on the re-building of Kaneb Road and Bridge, damaged roads and bridges from the flooding, bid quotes on said flood damaged roads and bridges and bonding of said flood damage.

Motion by Wragge, seconded by Elwood, to Authorize Chairman to sign Agreement and Notice to Proceed with Husker Engineering Inc, Burwell, NE, for the FEMA 2019 857/548 Rd Restorations JEO #190591 at a total cost of \$170,000 and a start date of May 6, 2019. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Phil Lorenzen and Andy Forney, bond agents with D.A. Davidson & Co, Omaha, NE, were present and discussion was held on the bonding of flood damaged roads and bridges. Because of the approval of Resolution 2018-26 that was approved September 2018, said resolution states that if the County Board finds and



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determines that it is necessary and appropriate to declare an official intent to issue tax-exempt bond anticipation notes or bonds for payment of construction and engineering costs or certain road improvements this resolution allows them to call for such bonds. No decision was made.

Motion by Elwood, seconded by Schmit, to approve the Engagement Letter with D.A. Davidson. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Elwood, to approve Resolution #2019 – 11 as follows:

RESOLUTION #2019-11

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF PIERCE, IN THE STATE OF NEBRASKA AUTHORIZING THE ISSUANCE OF LIMITED TAX COUNTY ROAD BONDS IN AN AMOUNT NOT TO EXCEED \$3,000,000, IN ONE OR MORE SERIES, PURSUANT TO SECTION 66-4,101 R.R.S. NEB. 2009 AS AMENDED; AUTHORIZING OFFICERS OF THE COUNTY TO ESTABLISH TERMS AND DETAILS OF ISSUANCE; PROVIDING FOR THE APPLICATION OF DISASTER RELIEF FUNDS FOR PAYMENT OF THE BONDS, PLEDGING HIGHWAY ALLOCATION FUNDS TO THE PAYMENT OF THE BONDS, AND PROVIDING FOR THE LEVY OF AD VALOREM TAXES WITHIN STATUTORY LIMITS IF NECESSARY AFTER THE APPLICATION OF OTHER AVAILABLE FUNDS; PROVIDING FOR THE SALE AND DELIVERY OF THE OF THE BONDS; PROVIDING OTHER DETAILS AS TO THE ISSUANCE OF THE BONDS; AND, AUTHORIZING THE OFFICERS TO TAKE SUCH OTHER ACTIONS AS ARE NECESSARY THERETO.

Said Resolution No. 2019-11 is directed to be attached to the minutes of this meeting and said Resolution is by reference made a part hereof.

The Chairman declared the motion passed and said Resolution No. 2019-11 passed and adopted.

DATED THIS 6TH day of MAY, 2019.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Marvin Elwood, Jr., District #1 Commissioner

/s/ Jim Schmit, District #2 Commissioner

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Susan Norris, Economic Development Director for Plainview City, was present to update the Board on her progress since helping out the Pierce County Economic Development Group and possible housing grants available for the communities in Pierce County.

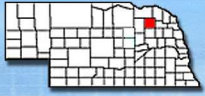
Alvin Polt and Kandace Hanna were present and discussion held on the approval of Resolution 2019-4, vacation or abandonment of 543 Avenue between sections 15/16 of Blaine Township. Decision will be placed on the May 20, 2019 agenda.

Commissioner Jim Schmit excused himself from the meeting.

Discussion was held on the reimbursement to Pierce County Employees for the use of their personal phones being used for county business. Decision was tabled.

Motion by Elwood, seconded by Wragge, to approve 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 Wragge; Schmit absent. Nay: None. Motion carried.

GENERAL FUND: Justin Arnold-reimburse travel-\$21.46; Black Hills Energy-utilities-\$25.54; Bailey Carpenter-mileage-\$194.88; Comfort Inn & Suites-lodging-\$445.00; Eakes Office Solutions-supplies-\$150.16; Elite Office Products-supplies-\$137.34; Ann Fenton-reimburse supplies-\$22.35; First Concord-fees-\$5.00; Floor Maintenance-supplies-\$357.72; Great American Financial Services-meter rent-\$119.00; Jack's Uniforms & Equipment-uniforms-\$428.59; Magdanz-supplies-\$317.42; Midwest Bank-co share-\$3,509.98; MIPS Inc-supplies-\$200.00; NE Assn of Co Clerks-registration-\$125.00; NE NE News Company-ads-\$736.03; NE Law Enforcement Training-sheriff school-\$1,575.00; NE Weed Control Assn-registration-\$270.00; ONE Source-office supplies-\$124.36; Pierce Automotive Supply-repair parts-\$42.16; Pierce Co Court-court costs-\$278.00; Pierce Co Treasurer-transfer to road & bridge-\$1,000,000.00; Pierce Telephone-service-\$2,389.44; City of



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Pierce-utilities-\$3,810.67; Prime Stop-gasoline-\$47.00; Quill-supplies-\$1,203.74; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,151.01; State of NE Networking-service-\$448.00; Terminex-service-\$756.00; Tom’s Service-gas & repairs-\$1,896.57; Walmart-supplies-\$315.87; Payroll-\$48,356.96.

COUNTY HIGHWAY FUND: Apperaa-uniforms-\$84.40; B’s Enterprises-culverts, signs-\$16,554.00; Bauer Built-repairs-\$8,221.34; Becker Grain-service weigh scales-\$210.00; Bomgaars-supplies-\$146.97; Certifies Testing Services-service-\$4,760.00; Chad’s Tire Service-repairs-\$920.91; Circle A-road repair-\$139,579.92; Cornhusker International Trucks-repair parts-\$249.73; Filtercare of NE-service-\$37.45; Dave Friedrich-hauling rock-\$886.00; Gerhold Concrete Co-crushed rock-\$13,663.00; Green Line Equipment-repair parts-\$951.05; Dewey Gubbels-hauling rock-\$6,916.51; Hoffman Construction Inc-road repair-\$3,547.00; Janssen Construction-road repair-\$54,100.00; JEO Consulting Group-engineering-\$26,646.25; Gerry Krueger-purchase dirt-\$3,260.00; L.G. Everist-crushed rock-\$2,100.55; Magdanz-supplies-\$31.45; Martin Marietta-crushed rock-\$9,600.73; Matheson Tri-Gas-supplies-\$55.80; Matteo Sand & Gravel Co Inc-gravel-\$15,501.60; Meisinger Oil-diesel-\$6,170.67; Mendards-supplies-\$359.10; Midwest Bank-co share-\$1,915.82; Northeast Power-utilities-\$267.00; Osmond Farm Supply-diesel-\$2,141.58; Pierce Automotive Supply-repair parts-\$719.49; Pierce Telephone-service-\$71.23; City of Pierce-utilities-\$136.63; Plainview Auto Supply-repair parts-\$86.31; City of Plainview-utilities-\$57.53; Prime Stop-gasoline-\$89.95; R&D Welding-service-\$19.80; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,672.18; Stech Farms-crushed concrete-\$32,040.00; Tom’s Service LLC-gas & repairs-\$1,212.74; Clark Vinson-hauling rock-\$928.60; West-Hodson-crushed concrete-\$19,015.04; Payroll-\$25,234.09.

INHERITANCE FUND: Gilbert R Fuchs Estate-refund-\$16,619.86.

E911 FUND: AT & T-service-\$43.46; CenturyLink-service-\$67.19; Pierce Telephone-service-\$96.30.

E911 WIRELESS FUND: CenturyLink-service-\$252.74; Pierce Telephone-service-\$324.66.

The courthouse and jail inspection was tabled.

There being no further business, Chairman Wragge adjourned the meeting at 11:02 A.M. and will meet again at a regular meeting on Monday, May 20, 2019 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/ Terry J. Wragge
Chairman, 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
