



# Pierce County Board Minutes



## COMMISSIONERS PROCEEDINGS

June 3, 2019

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, June 3, 2019, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Jim Schmit and Terry J. Wragge. Co. Clerk Shannon Wragge, Richard Koenig, Ned Porter, Arland Mozer, Ron Paulsen, Brandy Johnson, Josh Bauermeister Dawnn Tucker, Donna Christiansen, Jocelyn Osborne, Steve Prince, Larry Silhacek, Kathy Lauer, Karen Foster, Ryan Zimmerman and News Reporter Alex Retzlaff.

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

The minutes of May 20, 2019 were approved as printed.

Motion by Elwood, seconded by Schmit, 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, Schmit and Wragge. Nay: None. Motion carried.

**GENERAL FUND:** American Legion Emblem Sales-markers-\$1,328.55; Antelope Co Sheriff-inmate housing-\$755.00; Black Hills Energy-utilities-\$25.06; Consolidated Management Co-sheriff training-\$148.19; Elite Office Products-supplies-\$196.99; Farm & Home Publishers-printing-\$560.00; First Concord-fees-\$5.00; Midwest Bank-co share-\$3,561.60; Mike Stone Plumbing-services-\$120.00; Mips-equipment-\$1,298.84; NE Nebr Co. Assessors Assn-dues-\$25.00; One Office Solution-supplies-\$1,037.77; Pierce County Treasurer-transfer of funds from General to Road/Bridge-\$1,120,000.00; Pierce County District Court-court costs-\$108.00; Pierce City-utilities-\$2,160.48; Vickie Prince-reimburse supplies-\$488.69; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,225.17; State of NE Networking-service-\$448.00; Terminix Processing Center-services-\$64.00; Thomson Reuter-law library-\$1,449.60; Tiger Town-prisoner food-\$1,090.62; US Postal Services-postage-\$300.00; Walmart-supplies-\$164.01; Melissa Wentling-court appointed attorney-\$1,090.90; Zee Medical-supplies-\$98.05; Payroll-\$49,462.04.

**COUNTY HIGHWAY FUND:** Ag Heaters-Ag industrial Equipment-supplies-\$185.00; Evan Aschoff-hauling gravel-\$8,575.00; Bomgaars-supplies-\$41.56; Cedar Beef-gravel & trucking-\$10,449.81; Green Line Equipment-repair parts-\$36.69; Hoffman Construction-hauling gravel-\$4,606.00; JEO Consulting Group-engineering-\$31,383.75; Martin Marietta Materials-gravel-\$2,001.29; Matteo Sand & Gravel Co Inc-gravel-\$10,297.68; Meisinger Oil -diesel-\$3,718.50; Midwest Bank-co share-\$2,030.54; Midwest Service & Sales-supplies-\$3,025.56; Northeast Power-utilities-\$240.00; Osmond Farm Supply-diesel-\$2,188.29; Pierce City-utilities-\$124.88; RDO Truck Centers-repair parts-\$290.28; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,728.86; Rollin' Coal Trucking-hauling-gravel-\$1,608.76; Zee Medical Service-supplies-\$70.30; Payroll-\$26,733.89.

**E911 FUND:** AT & T-service-\$43.46; CenturyLink-service-\$70.00; Geocom-911 maintenance Agreement-\$1,312.92.

**E911 WIRELESS FUND:** CenturyLink-service-\$265.38; Geocom-911 maintenance agreement-\$4,939.08.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Josh Bauermeister to construct a home on less than 40 acres on property located in pt of the SE ¼ SE ¼ 31-27-1 described as Nuesch/Bauermeister Lotsplit.

Chairman Wragge opened the hearing at 9:12 a.m. Zoning Adm. Heather McWhorter and Josh Bauermeister were present and answered questions the Board had on the Conditional Use Permit. There were



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no written comments or objections and no one from the public was present for the hearing. Chairman Wragge closed the hearing at 9:14 a.m.

Motion by Wragge, seconded by Elwood, to approve Resolution #2019-13 as follows and the Nuesch/Bauermeister LotSplit (6.48 acres) in pt SE ¼ SE ¼ Section 31, T27N, R1W, Pierce County, NE:

## RESOLUTION 2019 - 13

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. Density requirements for this zoning district allow for only two houses per quarter, this will be the first home on the quarter section.
3. There is access to an improved county road.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Josh Bauermeister to construct a home on less than 40 acres on NUESCH/BAUERMEISTER LOSTSPLIT as per Section 402: A-1 Primary Agricultural District, of the Pierce County Zoning and Subdivision Resolution, on the following described land:

**Part of the SE ¼ of the SE ¼ of Section 31, Township 27 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 Single Family Home of less than 40 acres.
2. This Conditional Use Permit is permanent and may be transferred between owners.
3. With the passage of this permit, the applicant realizes that the new residence is going to be subject to livestock odors, dust and general nuisance. This does not, however, mean that the applicant is giving up the right to be protected by Pierce County and the State of Nebraska.
4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County board of Commissioners.
5. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.
6. A zoning permit must be approved before construction of the home begins.

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 3<sup>rd</sup> day of June, 2019

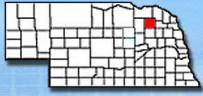
PIERCE COUNTY BOARD OF COMMISSIONERS

/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



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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.

Motion by Schmit, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for a request for special designated liquor licenses all at the Pierce Pavilion for the following: Jerrys Hilltop, LLC, for Saturday, July 20, 2019 from 3pm to 12:30am; for Behemian One Stop for Saturday, July 6, 2019 from 4pm to 1am and for Pierce Community Org for Saturday, June 29, 2019 from 4pm. to 1am Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Elwood, to approve Resolution #2019-15 as follows:

## RESOLUTION #2019-15

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>\$1,120,000.00</u>
Total	<u>\$1,120,000.00</u>

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

Dated this 3<sup>rd</sup> day of June, 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.

Motion by Wragge, seconded by Schmit, to approve Resolution #2019-14 as follows:

## RESOLUTION #2019-14

Whereas, the Commissioners of Pierce County, Nebraska consent and agree that the following resolution was made and approved on Monday, June 3, 2019 at the Pierce County Commissioners Meeting Room during a regular scheduled board meeting.

WHEREAS, the Commissioners of Pierce County consent to adoption of Cash-In-Lieu as an option to our group medical insurance available to the elected officials and full time employees of Pierce County, Nebraska, and

WHEREAS, those elected officials and full time employees of Pierce County, Nebraska electing to participate in the Cash-In-Lieu option, after presenting notice of Proof of Coverage and submitting a signed Affidavit of Other Coverage to the Commissioners of Pierce County, Nebraska be eligible for said cash-in-lieu benefits in the amount of \$500.00 monthly.

THEREFORE, IT IS RESOLVED BY THE PIERCE COUNTY BOARD OF COMMISSIONERS that the Cash-In-Lieu Option offered by First Concord Benefits Group be offered to those elected officials and full time Pierce County employees wishing to participate according to the above requirements. Said Cash-In-Lieu payment shall be addressed as monthly income and all withholding requirements will be administered accordingly.

This policy will go into effect on July 1, 2019

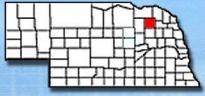
Dated this 3<sup>rd</sup> day of June, 2019

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

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

/s/ Jim Schmit, District #2 Commissioner



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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.

Motion by Schmit, seconded by Elwood, to approve the Protex Central Inc Agreement for fire alarm inspections at a cost of \$1,560.00/years and continue for 3 years. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Jocelyn Osborne with RC & D, met with the County Board and updated them on the progress of NE Nebraska RC & D in the 6-county region, presented an annual report, thanked the County for their past support and asked for \$3,000.00 for the 19/20 fiscal year which the Board will take into consideration when working on the budget.

Discussion was held on political subdivisions subject to county, municipal, or municipal county levy authority and they shall submit a preliminary request for levy allocation to the County Board, whom is responsible for levying such taxes, on or before August 1<sup>st</sup> (SS 77-3443). The County Board will then determine final allocation of levy authority for its subdivision on or before September 1<sup>st</sup>. It was recommended a 2-3% increase.

Pierce and Plainview Librarians Dawnn Tucker and Donna Christiansen were present to discuss the three local city library budgets for 2019-2020 fiscal years. They had received \$16,500 or \$5,500 per library for 18/19 as approved in budget and they submitted a request for a \$500 increase for the 19/20 fiscal year. The Board will take this into consideration when working on the county budget.

Fair board members Kathy Lauer, Karen Foster and Steve Prince were present to ask the Board for \$135,000 for General Fund, \$2,000 for school exhibits and \$96,000 for their Building Fund. Pierce County Ag Society must submit a preliminary request by August 1 and the Board will at that time consider their request.

Motion by Schmit, seconded by Elwood, to approve the Silhacek Lot Split in pt NE ¼ NE ¼ Section 28 T26N, R1W, Pierce County, NE (5.45 acres). Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

The following County Officials and Dept. Heads were present to meet with the Board on budget expectations and allowed increases for the 2019/2020 Fiscal Year: Jean Lubke, Christine Bahr, Ann Fenton and Heather McWhorter and Ted Lohrberg. The County Board would like everyone to keep their budget to a 2% to 3% increase for the 19/20 fiscal year.

Arland Mozer and Ron Paulsen were present to visit with the Board about the horrible shape the county roads are in and to ask to please maintain the roads better.

Ryan Zimmerman and Kendall Steffensen were present.

Motion by Elwood, seconded by Schmit, to go into executive session at 10:08 a.m. regarding litigation issues. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Wragge, to come out of executive session at 10:48 a.m. regarding litigation issues. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Lowell Schroeder with NE NE Economic Development Group was present to discuss the NE Affordable Housing Trust Fund Disaster Application and get Board Chairman Wragge to sign the grant fund application that was approved at the May 20, 2019 board meeting.

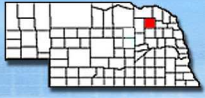
Madison Co. Attorney Joe Smith and Pierce County Attorney Ted Lohrberg were present.

Motion by Wragge, seconded by Elwood, to go into executive session at 10:55 a.m. regarding personnel issues. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Schmit, to come out of executive session at 11:12 a.m. regarding personnel issues. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Chairman Wragge recessed the meeting at 11:14 a.m., Monday, June 3, 2019 and will reconvene later at 1:00 p.m. on Monday, June 3, 2019.

Chairman Wragge reconvened the meeting at 1:08 p.m., Monday, June 3, 2019 with the following members present: Marvin Elwood, Jr., Jim Schmit and Terry J. Wragge. Co. Clerk Shannon Wragge and Co. Attorney Ted Lohrberg were present.



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A phone call was placed to Extension Agent Ann Fenton approving 2 fulltime people in her office for the 19/20 fiscal year.

Discussion was held on flood damaged roads, reported FEMA damages, 19/20 FY budget and the road agreement with wind towers. No decisions were made.

The Board did the quarterly jail and courthouse inspection and all three returned.

There being no further business, Chairman Wragge adjourned the meeting at 1:35 P.M. and will meet again at a regular meeting on Monday, June 17, 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

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