

Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

April 6, 2020

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, April 6, 2020, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Jim Schmit and Terry J. Wragge. Co. Clerk Shannon Wragge, Co. Attorney Ted Lohrberg, Zoning Adm. Heather McWhorter, Bailey Tinker and News Reporters 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 Schmit, to approve the agenda. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

The minutes of March 23, 2020 were approved as printed.

Discussion was held on the motor grader bids received. No decision was made and will be placed on the May 18, 2020 agenda at 9:15 a.m.

Motion by Schmit, seconded by Elwood, to approve the Craig May's Lot Split in pt of the SW ¼ SW ¼ in Section 26, T27N, R2W (8.21 acres), Pierce County, NE. 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 a special designated liquor license for Jerry's Hilltop LLC for an event on Saturday, May 16, 2020 from 3:00 p.m. to 12:30 a.m. at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Elwood, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Elwood, to approve Resolution #2020-6 and the Agreement with NE Dept of Roads pertaining to Project No. NH-20-5(112), Control No. 31677, Agreement No. XL2004 and Project Name: US 81 to Belden. Whereas the original said resolution and agreement 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.

Clerk of District Court Vickie Prince, County Treas. Christine Bahr, Zoning Adm. Heather McWhorter and Co. Attorney Ted Lohrberg were present to discuss with the County Board the COVID-19 pandemic we are experiencing and complying with the social distancing guidelines recommended by Federal and State agencies.

Motion by Wragge, seconded by Elwood, to approve Resolution #2020-7 as follows:

RESOLUTION #2020-7

A RESOLUTION OF THE PIERCE COUNTY BOARD OF COMMISSIONERS' TO ADOPT A TEMPORARY MODIFICATION TO THE PIERCE COUNTY EMPLOYEE HANDBOOK FOR ACCOMODATIONS RELATED TO CORNONAVIRUS (COVID-19) PANDEMIC

WHEREAS, the Pierce County Employee Handbook provides information about working conditions, benefits, policies and procedures.

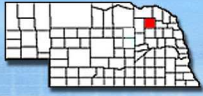
WHEREAS, Pierce County remains committed to equal employment opportunities and the principles of the Americans with Disabilities Act and all other state and federal laws.

WHEREAS, the President of the United States as well as the Governor of the State of Nebraska declared a state of emergency on March 13, 2020, as a result of a nationwide Coronavirus (COVID-19) pandemic.

WHEREAS, on March 18, 2020, the United States Congress passed and the United States President signed into law the Federal Families First Coronavirus Reponses Act, hereinafter referred to "FFCRA," which adopted key provisions affecting employers including the Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act. Both provisions will take effect before April 1, 2020, and will expire on December 31, 2020.

WHEREAS, due to the rapid spread of the Coronavirus pandemic, Pierce County desires to make accommodation to employees and to provide them benefits afforded by FFCRA effective immediately, regardless of the formal effective date of the Act.

WHEREAS, all county offices are directed to conduct business via telephone or electronically when at all possible. County offices will remain OPEN at this time and available for appointments as needed at the discretion of the office head/elected official. All county employees are directed to comply with the protocol set forth below. All staff should report to offices as usual hours and maintain county business as usual, unless and until the elected or appointed official approved telework, work during non-business



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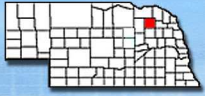
hours or “ready to work” status as deemed consistent with department needs and requirements during the duration of this Pandemic. “Ready to work status means the employee must remain ready and available to work and be subject to being called into work at any time an office head/elected official so request. All telework, work during non-business hours or “ready to work” status is subject to supervisor approval and will be compensated at employee’s normal rate of pay.

All staff should adhere to the following additional directions until further notice:

1. Do not come to work if you are sick. Please refer to the Employee Handbook for sick leave questions that are not related to COVID-19 and refer to Resolution 2020-7 for additional emergency paid sick leave and extended family medical leave benefits as applicable. Keep apprised of the recommendations of the CDC and follow them, including social distancing (6 feet or more apart), limiting the number of people in any room to no more than 10, regular and thorough handwashing and sanitizing work spaces nightly.
2. Each official/office head will be responsible to make the determination whether to allow staff from other offices to enter their respective office.
3. Conduct business telephonically or electronically when at all possible and encourage the use of the drop box located in the front of the Courthouse. The drop box can be used by all county offices and will be open 24/7 and monitored by security camera. It will remain locked and checked thru out the day by the Treasurer/Clerk’s offices. If you should need to access the drop box during the business day, please contact these offices.
4. NO members of the public will be allowed entry into the Courthouse unless by advanced appointments only for essential or time-sensitive matters approved by the office.
5. NO members of the public should be allowed entry into the county building if they answer affirmatively to any of the following questions, other than by express judicial approval. Contact the North Central District Health Department at 402-961-1718 for further information on screening criteria.
 - a. Have you had contact with anyone diagnosed with COVID-19?
 - b. In the past 7 days have you experienced any of the following:
 - i. Fever greater than 100.4 degrees
 - ii. Cough/Cold Symptoms
 - iii. Difficulty Breathing
 - iv. Diarrhea
 - v. Sore Throat
6. If members of the public are allowed entry into a county building, they must be escorted at all times and are not allowed inside individual offices. Business should be conducted in common areas and limited movement in the building is expected.
7. Do not allow entry into the building if a member of the public is standing at the door. Let them know they must have an appointment with an office in the building and direct them to wait outside for the employee who scheduled the meeting to escort them inside. Do not request or expect other offices to escort individuals on your behalf. This is the responsibility of each individual office.
8. The Sheriff’s Office staff will not be conducting VIN/vehicle inspections until further notice.
9. No driver’s examiners are available until further notice.
10. Country Court and District Court will continue as scheduled at this time subject to individual judicial administrative orders and arrangements.
11. Document all purchases made for products or services related to COVID-19 for future FEMA-NEMA reimbursement and make copies of invoices for Clerk’s office.

WHEREAS, effective immediately upon the adoption of this Resolution, subject to the rate and pay caps specified below, All full-time Pierce County employees who meet the following criteria shall be eligible for up to 2 weeks of emergency pay sick leave and All part-time Pierce County employees who meet the following criteria shall be eligible for paid sick leave up to the average number of hours worked over the last two week period, notwithstanding the longevity of employment with Pierce County:

1. Employee is unable to work, or telework, due to being subject to federal, state, or local quarantine or isolation order related to COVID-19.
 - Pay shall be at regular rate of pay.
 - Pay cap of \$511 per day and \$5,110 in aggregate applies.
2. Employee is unable to work, or telework, due to being advised by a health care provide to self-quarantine due to concerns related to COVID-19.
 - Pay shall be at regular rate of pay.
 - Pay cap of \$511 per day and \$5,110 in aggregate applies.
3. Employee is unable to work, or telework, due to experiencing symptoms of COVID-19 and is seeking a medical diagnosis.
 - Pay shall be at regular rate of pay
 - Pay cap of \$511 per day and \$5,110 in aggregate applies



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4. Employee is unable to work, or telework, due to caring for an individual who is subject to a quarantine order or being advised to self-quarantine by a health care provider due to concerns related to COVID-19.
 - Pay shall be at 2/3 of regular rate of pay
 - Pay cap of \$200 per day and \$2,000 on aggregate applies.
5. Employee is unable to work, or telework, due to caring for a child under the age of 18, if the school or place of care for such child has been closed or the child care provider for such child is unavailable due to COVID-19 precautions.
 - Pay shall be 2/3 of regular rate of pay.
 - Pay cap of \$200 per day and \$2,000 in aggregate applies.
6. Employee is unable to work, or telework, due to experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
 - Pay shall be 2/3 of regular rate of pay.
 - Pay cap of \$200 per day and \$2,000 in aggregate applies.

WHEREAS, employees who have been employed by Pierce County for at least 30 calendar days, except emergency responders as defined by the Department of Labor, who are unable to work, or telework, may also qualify for Expanded Emergency and Family Medical Leave under FCCRA to care for a child under the age of 18 because their school or place of daycare has been closed or their childcare provider is unavailable because of the public health emergency. Employees who qualify for said leave will be required to comply with the County's FMLA policy except for modification adopted for FCCRA. Employees will be unpaid for the the initial 10 days of leave pursuant to this section unless they elect to use any paid leave, including Emergency Paid Sick Leave pursuant to FCCRA. Beginning on the 11th day of leave pursuant to this section, employee will be paid 2/3 of the employee's regular rate of pay for the number of hours the employee would have been regularly scheduled to work and may also elect to use 1/3 of their paid leave to the amount of the regular rate of pay. Employees are entitled to a total of 12 weeks of FFCRA will not be provided an additional period of FMLA leave.

WHEREAS, emergency paid sick leave or other benefits pursuant to FFCRA and this Resolution that remain unused shall not carryover from one calendar year to the next and shall not be payable upon termination, resignation, retirement, or other separation from employment.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Commissioners, that due to the state of emergency and rapid spread of the Coronavirus (COVID-19), the accommodation and benefits listed herein are adopted and available to eligible Pierce County employees effective immediately, regardless of the formal effective date of the FFCRA. Provisions in the Pierce County Employee Handbook that are inconsistent herewith are temporarily suspended during the effective dates herein.

Passed and Approved this 6th day of April, 2020

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Board Chairman

/s/ Jim Schmit, District #2 Commissioner

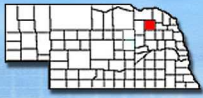
/s/ Marvin Elwood, Jr., District #1 Commissioner

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 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: Black Hills Energy-utilities-\$28.20; Nancy Dolesh-election work-\$96.00; Dugan Business Forms-supplies-\$871.50; Election Systems & Software-supplies-\$2,381.83; Susan Fehringer-election work-\$88.00; First Concord-fees,-\$7.50; Jack's Uniforms & Equipment-supplies-\$166.70; LexisNexis-law library-\$140.00; Lynn Peavey Co-supplies-\$107.00; Madison National Life Ins Co-life, add, ltd premiums-\$68.43; Magdanz-supplies-\$355.99; Menards-equipment-\$100.00; Microfilm Imaging Systems-microfilming-\$46.00; Midwest Bank-co share-\$3,689.90; MIPS Inc-website, microfilming, support-\$616.05; NE News-ads-\$875.23; City of Norfolk-drug test-\$35.00; One Office Solution-supplies-\$37.77; Pierce Co Sheriff Exp. Acct-prisoner transport-\$79.2; Pierce Co Leader-publication-\$1,005.51; Pierce Co Petty Cash-postage, supplies, mileage-\$235.08; Pierce District Court-court costs-\$174.00; Pierce Telephone-service-\$2,605.59; Platte Co Detention Facility-inmate housing-\$150.00; Quill-supplies-\$1,368.27; R&D Welding-services-\$546.83; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,395.26; Schroeder Land Surveying-services-\$160.00; Security Shredding Services-waste disposal-\$70.00; State of NE Networking-service-\$448.00;



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Terminex-service-\$64.00; Tiger Town-prisoner food-\$1,025.61; Toms' Service-gas-\$814.28; Lori Wragge-election work-\$88.00; Payroll-\$51,662.94.

COUNTY HIGHWAY FUND: Appeara-supplies-\$84.40; B's Enterprises-signs-\$145.00; Bazile Aggregate-gravel-\$3,661.05; Cedar Beef-gravel-\$2,219.26; Chad's Tire Service-repairs-\$46.00; Cornhusker International Trucks-repair parts-\$129.58; Eastern NE Telephone-service-\$108.89; Filter Care of Nebraska-service-\$82.85; Green Line Equipment-repair parts-\$49.31; JEO Consulting Group-engineering-\$14,316.75; JR's Shop-equipment-\$9,500.00; Kimball Midwest-supplies-\$789.02; Magdanz Inc-supplies-\$199.31; Manzer Equipment-equipment-\$32,500.00; Martin Marietta Materials-gravel-\$1,742.14; Matheson Tri-Gas-supplies-\$79.84; Matteo Sand & Gravel-gravel-\$19,338.28; Meisinger Oil-diesel-\$2,225.54; Menards-supplies-\$262.72; Midwest Bank-co share-\$2,055.91; NE Machinery Company-repairs-\$3,266.83; Northeast Glass-repairs-\$350.00; Northeast Power-utilities-\$262.00; Pierce Automotive Supply-repair parts-\$906.78; Pierce Telephone-service-\$114.58; Plainview Telephone-service-\$48.11; Plainview City-garbage-\$64.80; Powerplan-repair parts-\$88.89; R&D-supplies-\$394.08; RDO Truck Centers-repair parts-\$35.00; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,812.13; Sapp Bros Norfolk-oil-\$220.00; Tom's Service-gas-\$463.03; West Hodson Lumber-supplies-\$15,249.39; Willow Creek Sand & Gravel-gravel-\$16,185.77; Payroll-\$27,547.95.

REGISTER OF DEEDS FUND: MIPS-computer service-\$320.34.

E911 FUND: AT & T-service-\$44.45; CenturyLink-service-\$50.43; Pierce Telephone-service-\$71.64; Racom-repair-\$43.50.

E911 WIRELESS FUND: Centurylink-service-\$285.76; Pierce Telephone-service-\$349.32.

VISITOR PROMOTION FUND: NE NE News Company-ads-\$6.27.

HIGHWAY BONDS: Tom Hansen, CPA-service-\$41,246.00; JEO Consulting Group-service-\$8,973.75.

There being no further business, Chairman Wragge adjourned the meeting at 9:35 A.M. and will meet at a regular meeting on Monday, April 20, 2020 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
