

Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

August 23, 2021

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, August 23, 2021, at 9:10 A.M. with the following members present: Tom Kuether and Terry J. Wragge; Jim Schmit was absent. Co. Clerk Shannon Wragge, Co. Assessor Jean Lubke, Co. Treasurer Christine Bahr, Zoning Adm. Heather McWhorter, Planning & Zoning Chairman Ryan Zimmerman, Kenny Porter 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 Kuether, seconded by Wragge, to approve the agenda. Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

The minutes of August 9, 2021 were approved as printed.

Marlin Schmit did not show for his scheduled time to talk with Board about problem roads.

Co. Treasurer Christine Bahr was present and discussion held on the pledge and release of collateral and on the Distress Warrant Report to be submitted by County Sheriff by August 1. Approval was tabled as no report was submitted.

Motion by Kuether, seconded by Wragge, to approve the release of old collateral and pledge new collateral at Elkhorn Valley Bank & Trust, Pierce, as submitted by Christine Bahr, Pierce County Treasurer and placed on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

Co. Treasurer Bahr updated the Board on the shortage of funds in the Pierce County Economic Development Fund #2606. Bahr was told by Director Susan Norris last week USDA grant funds were coming to cover the shortage, but funds are needed now so therefore the County needs to transfer funds before approval of the 21/22 FY budget.

Motion by Wragge, seconded by Kuether, to approve Resolution 2021-25 as follows:

RESOLUTION #2021 – 25

WHEREAS, due to Sections 13-315 of the Nebraska Revised Statutes, the 2021-2022 Budget, to be approved by the Pierce County Board of Commissioners on Tuesday, September 7, 2021, includes a transfer of funds from General to Pierce County Economic Development Fund, and

WHEREAS, the Pierce County Economic Development Fund #2606 has insufficient funds, therefore causing money to be transferred before the approval of the 2021-2022 fiscal year budget, and

WHEREAS, the 2021-2022 County Budget is balanced by a fund transfer of \$25,000.00 from the General Fund (0100) to the Pierce County Economic Development Fund (2606),

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

General Fund (0100)	\$25,000.00	to
Pierce County Economic Development Fund (2606)	<u>\$25,000.00</u>	
Total	\$25,000.00	

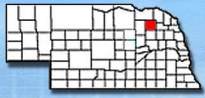
of the Property Taxes collected by the General Fund to above list. Disregard any previous resolutions on transfers.

Dated this 23rd day of August, 2021, at Pierce County, Nebraska.

Chairman of the Board of Equalization

/s/ Terry J. Wragge

/s/ Tom Kuether



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ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Motion by Wragge, seconded by Kuether, to approve Resolution 2021-26 as follows:

RESOLUTION #2021 – 26

WHEREAS, Pierce County Funds are managed by the Pierce County Treasurer (SS 23-601) and the County Board has the authority to direct transfers between County Funds (SS 13-522 to 13-518).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, directs the Pierce County Clerk to transfer the following money thru the claims process to clean up funds or to correct overpayments/underpayments made in the 2020/2021 fiscal year due to the shorting of funds for FICA, Retirement, Cash in Lieu and BCBS Ins Premium:

Fund 0100 (General) to Fund 2606 (PCED) for \$3,314.05

Dated this 23rd day of August, 2021, at Pierce County, Nebraska.

Chairman of the Board of Equalization

/s/ Terry J. Wragge

/s/ Tom Kuether

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Discussion was held on levy allocation for the fire districts and agricultural society. The Board stated that since they kept a 3% increase for the County General and Road Fund Budgets, they should follow suit with the levy allocations for the Ag Society and Rural Fire Districts. The MFO agreement between the county fire districts states all parties agreed to a levy of .250 mill so therefore that is the max levy the County Board can approve for the fire districts and statute states that rural MFO fire districts only need same levy 1 in 3 years, that being, 2021/2022 FY can have different levies.

Motion by Wragge, seconded by Kuether, to approve Resolution 2021-23 as follows:

RESOLUTION #2021 - 23

WHEREAS, Nebraska State Statute 77-3443(3) requires all political subdivisions subject to county levy authority to submit a preliminary request for levy allocation to the county board; and

WHEREAS, the Pierce County Board of Commissioners is the levy authority for the following Fire District Subdivisions in Pierce County,

WHEREAS, all Fire Districts are given not more than 3.5 cents of the County's 15 cents for miscellaneous political subdivisions (per \$100 of valuation);

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Commissioners/Board of Equalization that the tax allocation for the following subdivisions for the 2021-2022 Fiscal Year be limited to and is approved as follows:

<u>SUBDIVISION</u>	<u>FUND</u>	<u>REQUEST</u>	<u>APPROVED</u>	<u>LEVY</u>
Pierce Rural Fire	General	\$91,077.00	\$92,424.43	1.8092 cents
Plainview Rural Fire	General/Sinking	\$87,000.00	\$87,265.83	1.8098 cents
Osmond Rural Fire	General	\$91,462.39	\$81,917.50	1.8391 cents
Hadar Rural Fire	General	\$50,524.18	\$36,088.70	2.5000 cents

Dated this 23rd day of August, 2021, at Pierce County, Nebraska.

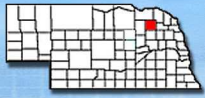
Chairman of the Board of Equalization

/s/ Terry J. Wragge

/s/ Tom Kuether

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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



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Motion by Wragge, seconded by Kuether, to approve Resolution #2021-24 as follows:

RESOLUTION # 2021 - 24

WHEREAS, Nebraska State Statute 77-3443(3) requires all political subdivisions subject to county levy authority to submit a preliminary request for levy allocation to the county board; and

WHEREAS, the Pierce County Board of Commissioners is the levy authority for the Pierce County Agricultural Society Subdivision in Pierce County,

WHEREAS, the Ag Society is to be given not more than 3.5 cents of the County's 15 cents for miscellaneous political subdivisions and may be given an additional 3.5 cents for capital construction and maintenance of county fairgrounds per Nebraska State Statutes 2-257 and 2-259 (per \$100 of valuation);

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Commissioners/Board of Equalization that the tax allocation for the following subdivision for the 2021-2022 Fiscal Year be limited to .5953 cents for General is approved as follows:

<u>SUBDIVISION</u>	<u>FUND</u>	<u>REQUEST</u>	<u>APPROVED</u>
Pierce County Ag. Society	General	\$167,000.00	\$116,694.93

Dated this 23rd day of August, 2021, at Pierce County, Nebraska.

Chairman of the Board of Equalization

/s/ Terry J. Wragge

/s/ Tom Kuether

ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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

Motion by Wragge, seconded by Kuether, to accept and approve the public defender contract with the current firm of Kate M. Jorgensen Law Office P.C., Wayne, NE, as Pierce County's Public Defender at a salary of \$50,000.00 per year for minimum of one year and maximum of two years. Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

Kenny Porter was present to answer questions the Board had on the complaints Zoning Adm. Heather McWhorter has been receiving on K. Porter's Conditional Use Permit that states conditions Porter must be doing to clear road of debris, but the conditions are not being followed. Board had directed McWhorter in July 2021 to send letter letting Porter know that he must comply with the conditions in the Febr. 2013 CUP issued.

Present and discussion was held with Madison County Commissioner Eric Stinson and Keith Rohde, a Madison County resident living along 37th Street, upset with the number of flat tires, traffic, dust and debris left on 37th Street due to the trucks in and out of K. Porter Construction landfill. No decision was made.

Discussion was held on the 30x30 Program directed by President Biden to conserve at least 30% of the lands and water in the US by 2030. No decision was made to pass a county resolution opposing the program.

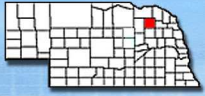
Motion by Wragge, seconded by Kuether, to recommend approval to the NE Liquor Control Commission for the request for a special designated liquor license for Taylors Bar & Grill, Pierce, for an event at the Pierce Pavilion on Saturday, September 25, 2021 from 4:00 p.m. to 1:00 a.m. Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

Motion by Kuether, seconded by Wragge, to appoint Ryan Brodersen to a 3-year term to the Pierce County Planning & Zoning Board. Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

Discussion was held on the 21/22 FY budget and the budget hearings.

Motion by Kuether, seconded by Wragge, to Authorize Clerk to advertise and set public hearing date for Tuesday, September 7, 2021 at 11:00 a.m. to receive input regarding 2021-2022 fiscal year budget, followed by a second public hearing for the adoption of property tax at an amount different than prior fiscal year (per SS 148). Roll call vote: Aye: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

Discussion was held on the newly NACO offered Medical Transportation Program Insurance. No decision was made.



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Motion by Wragge, seconded by Kuether, 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: Kuether and Wragge; Schmit absent. Nay: None. Motion carried.

GENERAL FUND: Avera Medical Group, Pierce-prisoner medical-\$305.00; BCBS of NE-premiums-\$28,149.46; Charm-Tex Inc-supplies-\$565.78; Classic Rentals-service-\$177.40; Dollar General-jail supplies-\$95.25; Egley, Fullner, Montag, Morland, Easland PC-public defender-\$2,500.00; Elite Office Products-maint. agreement- & supplies-\$134.41; First Concord-adm costs & deductibles-\$2,724.65; FP Finance Program-lease postage meter-\$180.09; Hausmann PT-prisoner medical-\$295.00; Johnson Repair-repairs-\$117.50; Johnson's Inc-repairs-\$948.00; Kate M. Jorgensen PC LLO-public defender-\$2,500.00; Lorenz Automotive-repair parts-\$17.98; Lutz Embroidery LLC-supplies-\$10.00; Madison County Sheriff-paper service-\$37.00; Microfilm Imaging Systems Inc-scanner rent-\$46.00; Midwest Bank-co share-\$3,959.85; NACO-registration-\$100.00; NE NE News-ads-\$746.61; NE Health & Human Services-July 2021 boarding-\$186.00; One Office Solutions-supplies-\$895.45; Osmond Mini Mart-gas-\$89.67; Physicians Labortory PC-alcohol test-\$257.00; Pierce Automotive Supply-repair parts-\$77.49; Pierce Chamber of Commerce-dues-\$75.00; Pierce County Leader-ads-\$589.29; Pierce County Treasurer-intra-fund transfer to PCED for 21/22 FY support & correct 20/21 FY budget-\$28,314.05; Pierce County District Court-court costs-\$341.00; Pierce Pharmacy-prisoner meds-\$113.93; Pierce City-utilities-\$2,427.94; Premier Estates of Pierce-prisoner meals-\$468.00; Prime Stop-gas-\$232.11; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,575.06; See the Trainer-prisoner medical-\$395.00; State of NE Central Finance-computer network service-\$80.38; Tiger Town-prisoner food-\$477.35; Wanek Pharmacy-prisoner meds-\$29.20; Western Oil Inc-gas-\$424.86; Zee Medical-supplies-\$27.50; Payroll-\$54,829.73.

COUNTY HIGHWAY FUND: Patrick Abbenhaus-reimb. CDL-\$59.50; Alpha Workforce Health-drug/alcohol tests-\$51.00; Backus Sand & Gravel-gravel-\$31,599.19; Bauer Built-repairs-\$112.00; Black Hills Energy-service-\$35.39; CenturyLink-telephone service-\$79.38; CHI Health-drug test-\$42.00; Classic Rentals-service-\$165.45; Farmer's Pride-propane & diesel-\$3,121.15; Kimball Midwest-supplies-\$405.55; Leiting Auto Supply-repair parts-\$139.54; Meisinger Oil Co-diesel-\$4,501.28; Midwest Bank, NA-co share-\$2,199.45; Midwest Service & Sales Co-signs-\$250.00; NE Glass-repairs-\$450.00; Osmond Farm Supply Center Inc-diesel-\$2,325.66; Osmond Mini Mart-gas-\$444.18; Peterbilt of Norfolk-repairs-\$982.13; Pierce Automotive Supply-repair parts-\$302.04; Pierce County Treasurer-intra-fund transfer to General Fund for 20/21 FY budget correction-\$24,704.97; Pierce City-utilities-\$192.94; Randolph Farm Supply-diesel & gas-\$5,100.52; RDO Truck Centers Co-repairs-\$270.78; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,869.53; Vis's Engine Service-repairs-\$458.47; Wattier True Value-repair parts-\$114.52; Weldon Parts Inc-repairs-\$571.96; Western Oil Inc-gas & repairs-\$336.82; Zee Medical-supplies-\$36.45; Payroll-\$29,902.01.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: BCBS of NE-premiums-\$880.54; Midwest Bank, NA-co share-\$85.79; Benjamin Niyodusenga-contract labor-\$531.90; Pierce County Leader-ad-\$7.20; Pierce County Treasurer-intra-fund transfer to General Fund for 20/21 FY budget correction-\$2,781.43; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$114.23; Lillian Uwanjye-contract labor-\$531.90; Payroll-\$1,692.31.

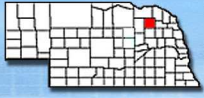
E911 FUND: Geo Comm-repairs-\$500.50.

E911 WIRELESS FUND: Geo Comm-repairs-\$3,349.50.

Discussion was held on the Setback Guidelines and Regulations in place by the Pierce County Planning & Zoning.

Discussion was held on the 1.3 million dollars received from the US Treasury for the American Rescue Plan Act. Pierce County has until December 2024 to use the funds for appropriate uses per released guidelines or give back. Pierce County has received half in spring of 2021 and will receive another half in 2022.

There being no further business, Chairman Wragge adjourned the meeting at 11:32 A.M. and will meet again at a regular meeting on Tuesday, September 7, 2021 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.



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/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
