

# Pierce County Board Minutes



## COMMISSIONERS PROCEEDINGS

January 9, 2023

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, January 9, 2023 at 9:10 A.M. with the following members present: Tom Kuether, Brad Albers and Carl Martinson. Co. Clerk Shannon Wragge, Co. Ext. Agent Ann Fenton, Zoning Adm. Heather McWhorter, Co. Treasurer Christine Bahr, Hwy Supt. Brian McDonald, Tim Braithwait, Ken Beaudette and News Reporter Randee Falter were present.

Chairman Terry J. Wragge was no longer a board member therefore a call for Chairman Pro Tem was made for the county board meeting.

Motion by Albers, seconded by Martinson, to appoint Tom Kuether as Chairman Pro Tem. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Chairman Pro Tem Kuether called the meeting to order at 9:11 A.M. and presided. Chairman Pro Tem Kuether 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 Martinson, seconded by Albers, to approve the agenda. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

The minutes of December 27, 2022 were approved as printed.

Co. Treasurer Christine Bahr was present and discussion held on the release of old collateral and semi-annual statement.

Motion by Albers, seconded by Martinson, to authorize Treasurer to release old collateral with Midwest Bank, Pierce, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the Pierce County Treasurer's Semi-Annual Statement as presented by the County Treasurer for July 1-December 31, 2022. Whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Extension Agent Ann Fenton was present to update the Co. Board and present the 2022 Annual Report. At a later meeting Fenton will present extension board members to approve for 2023.

Motion by Albers, seconded by Martinson, to approve and accept the 2022 Extension Annual Report. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Hwy Supt. Brian McDonald was present and McDonald updated the new board members on ongoing projects, problem roads & bridges that need attention and the Willard Bridge.

Zoning Adm. Heather McWhorter discussed the Buckendahl Lot Split in pt of the NW ¼ 25-26-1.

Motion by Albers, seconded by Kuether, to approve the Buckendahl Lot Split in pt NW ¼ Section 25, T26N, R1W, Pierce County, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Kuether, seconded by Albers, to approve Resolution #2023-1 as follows:

### RESOLUTION # 2023 - 1

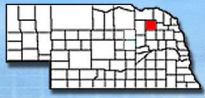
WHEREAS, due to Sections 13-315 of the Nebraska Revised Statutes, the 2022-2023 Budget includes a transfer of funds from General to Pierce County Economic Development Fund, and

WHEREAS, the 2022-2023 County Budget was balanced by a fund transfer of from the General Fund (0100) to the Pierce County Economic Development Fund (2606) for wages and benefits for the PCED Director,

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 for wages and benefits for the PCED Director for the months of October, November and December 2022

General Fund (0100)	\$12,005.64	to
Pierce County Economic Development Fund (2606)	<u>\$12,005.64</u>	
Total	\$12,005.64	

Dated this 9<sup>th</sup> day of January, 2023



# Pierce County Board Minutes



## PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, Board Chairman

/s/ Brad Albers, District #2 Commissioner

/s/ Carl Martinson, District #3 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: Kuether, Albers and Martinson. Nay: None. Motion carried.

Discussion held on the approval of the resolution and employment agreement allowing county board members to receive an hourly rate for roadwork in the remainder of fiscal year 2022/2023.

Motion by Albers, seconded by Kuether, to approve Resolution #2023-2 as follows:

### RESOLUTION #2023-2

WHEREAS, the Nebraska legislature has enacted and the Governor has signed legislation relative to the interest of County officers in public contracts, and

WHEREAS, members of the County Board of Commissioners on occasion engage in work for the County beyond their duties and responsibilities as County Commissioners for which they will receive a direct pecuniary fee or commission as a result of such work, and

WHEREAS, members of the Pierce County Board of Commissioners wish to enter into a contract with Pierce County to provide such services for the remainder of the 2022/2023 fiscal year.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Pierce County, Nebraska, that:

1. Any board member may enter into a contract with Pierce County during the remainder of the 2022/2023 fiscal year for the furnishing of services beyond the statutory responsibilities and duties as County Commissioner.
2. Such commissioner entering into such agreement shall comply with the statutes relating to interest in public contracts, Section 49-14, 103.01, et seq.

## PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, District #1 Commissioner

/s/ Brad Albers, District #2 Commissioner

/s/ Carl Martinson, District #3 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: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Kuether, seconded by Martinson, to approve the 2022/2023 employment contract between Pierce County and Brad Albers, allowing County Board member to receive an hourly rate of \$17.00 an hour, not to exceed \$19.00 for roadwork. Dated this 9<sup>th</sup> day of January, 2023 and whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Kuether and Martinson; Albers abstained. Nay: None. Motion carried.

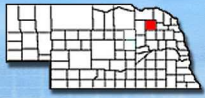
Motion by Kuether, seconded by Albers, to approve the 2022/2023 employment contract between Pierce County and Carl Martinson, allowing County Board member to receive an hourly rate of \$17.00 an hour, not to exceed \$19.00 for roadwork. Dated this 9<sup>th</sup> day of January, 2023 and whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Kuether and Albers; Martinson abstained. Nay: None. Motion carried.

Discussion was held on signs and the NIRMA sign report

Discussion was held on the appointed boards for 2023 for the Pierce County Board Members.

This being the organizational meeting of the County Board, Chairman Pro Tem Tom Kuether called for nominations or a motion for Chairman for 2023 for County Board of Commissioners' and County Board of Equalization.

Motion by Albers, seconded by Martinson, to nominate Tom Kuether, as Chairman of the Pierce County Board of Commissioners for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.



# Pierce County Board Minutes



Chairman Kuether presided.

Motion by Martinson, seconded by Kuether, to nominate Brad Albers as Chairman of the Pierce County Board of Equalization for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to appoint and approve the following Boards: Martinson with Kuether as alternate to the Northeast Nebraska Area Agency of Aging Board; to appoint Albers with Martinson as alternate to Region IV Mental Health Board; to appoint Kuether with Albers as alternate to North Star; to appoint Martinson with Albers as alternate to Goldenrod Joint Housing Authority; to appoint Martinson with Albers as alternate to Juvenile Detention Center Board; to appoint Martinson with Kuether as alternate to County Used Oil Contact person; to appoint Kuether with Albers as alternate to Northeast Nebraska Economic Development District; to appoint Kuether with Martinson as alternate to North Central Public Health Board; to appoint Kuether with Albers as alternate to the Pierce County Economic Development Board; to appoint Albers with Martinson as alternate to the Region 11 Emergency Management Board; to appoint Albers with Martinson as alternate to the Elkhorn Valley LEPC Board; to appoint Albers with Kuether as alternate to the Pierce County E911 Advisory Board; and to appoint Kuether with Albers as alternate to the RC & D Board, all for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the Osmond Republican, Plainview News and Pierce County Leader as the legal newspapers for Pierce County for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Kuether, to approve the County Web Page [www.co.pierce.ne.us](http://www.co.pierce.ne.us) as an additional method of providing notice for Pierce County for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Kuether, to appoint LaVern Schroeder as the County Surveyor for Pierce County for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to appoint Brian McDonald, License No. S1132 Class A, as the County Highway Superintendent for Pierce County for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Albers, to approve the reappointment of Dr. Lane Handke as County Physician and County Coroner Physician for Pierce County for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the appointments and pledged collateral of Midwest Bank, N.A., Pierce, Security Bank, Osmond, Midwest Bank, N.A., Plainview, Nebraska Public Agency Investment Trust (NPAIT), and Elkhorn Valley Bank and Trust, Pierce as Pierce County Bank Depositories for county funds for 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Albers, to approve the machine hire rates for 2023 with the following stipulations: (1) that adjustments in rates may be made at a later date, depending on the cost of fuel. (2) that Pierce County set these rates and does machine work only on request for a small job and when it would be difficult and impractical for a private contractor to haul his machinery to a location for such a small job and the County is already in that location.

\$200 per hour for Backhoe/Excavator with man;

\$150 per hour for Motor Grader with man;

\$150 per hour for Loader with man;

\$200 per hour for Scraper with man;

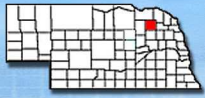
\$125 per hour for 10-yard Dump Truck with man

Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Kuether, to authorize the Chairman to sign the Annual Weed Report for 2022. Roll call vote: Aye: Kuether and Martinson; Albers abstained. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the fee reports as submitted by Co. Sheriff Rick Eberhardt for November and December 2022; Vickie Prince, Clerk of District Court and Shannon Wragge,





# Pierce County Board Minutes



County Clerk for December 2022; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for December 2022 and placed on file in the County Clerk's office, total \$5,151,711.39 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: Kuether, Albers and Martinson. Nay: None. Motion carried.

**GENERAL FUND:** Mark Albin-court appointed attorney-\$1,442.82; Applied Connective Technologies-IT-\$3,245.00; Christine Bahr-reimb. costs-\$220.28; Black Hills Energy-utilities-\$44.57; Crowne Plaza Kearney-lodging-\$649.75; Eakes Office Solutions-supplies-\$35.60; Fitzgerald, Vetter & Temple-court appointed attorney-\$1,476.50; Johnson's Inc-repairs-\$1,418.39; LexisNexis-law library-\$168.00; Madison County Court-court costs-\$50.00; Madison County Sheriff-training-\$177.14; Madison National Life-premiums-\$54.20; Magdanz-supplies-\$191.31; Microfilm Imaging Systems Inc-scanner rent-\$46.00; Midwest Bank-co share-\$4,490.88; MIPS-IT, website, microfilming-\$2,698.99; NE NE News-ads-\$329.11; NE State Fire Marshall Agency-inspection-\$120.00; Pierce County Court-court costs-\$186.00; Pierce Co Treasurer-transfers to Pierce Co Economic Development-\$12,010.64; Pierce Telephone-service-\$1,897.29; Pip Marketing Signs Print-supplies-\$129.49; Plainview News-ads-\$1,085.48; Prime Stop-gas-\$241.03; Vickie Prince-reimb. costs-\$220.00; Quill-supplies-\$302.29; Region IV-1<sup>st</sup> quarter billing-\$2,340.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,205.36; State of NE Central Finance-computer service-\$448.00; Stonacek Funeral Chapel-transportation-\$475.00; Tiger Town Food Center-prisoner food-\$318.26; Tom's Service LLC-gas & repairs-\$561.75; Payroll-\$64,131.67.

**COUNTY HIGHWAY FUND:** AKRS-supplies-\$157.92; Appera-uniforms-\$95.80; B's Enterprises-blades-\$6,980.00; Bomgaars-supplies-\$116.98; Cornhusker Intl-repairs-\$1,437.39; Fastwyre Broadband-service-\$106.38; Filtercare of NE-services-\$103.95; JEO Consulting Group Inc-engineering-\$54,537.50; Jerry's Hilltop-gas-\$353.73; Magdanz-supplies-\$45.91; Matheson Tri-Gas-supplies-\$5.58; McLean Village-utilities-\$78.90; Menards-supplies-\$42.76; Midwest Bank, NA-co share-\$2,650.86; Midwest Service & Sales Co-repair parts-\$286.00; Mitch's Food Center-supplies-\$21.42; NE Machinery LLC-repairs & parts-\$2,721.20; North Central Public Power-utilities-\$292.52; Paul's Welding-repairs-\$1,208.42; Pierce Telephone-service-\$177.69; Plainview Auto Supply Inc-repair parts-\$9.91; Plainview Telephone-service-\$96.63; City of Plainview-utilities-\$80.45; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,310.43; Sapp Brothers-oil-\$860.00; Tom's Service LLC-gas & repairs-\$664.84; West Hodson Lumber Co-supplies-\$6,452.98; Payroll-\$35,991.64.

**PIERCE COUNTY ECONOMIC DEVELOPMENT FUND:** Midwest Bank, NA-co share-\$86.27; NE NE News Co-ad-\$7.07; Osmond City-revitalization plan-\$10,000.00; Plainview News-ad-\$17.80; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$121.19; Payroll-\$1,795.37.

**REGISTER OF DEEDS FUND:** MIPS-IT service-\$344.12.

**E911 FUND:** AT & T-service-\$46.64; CenturyLink-service-\$63.82; Osmond Rural Fire District-reimb. pager service-\$600.00; Page My Cell-Plainview pager service-\$600.00; Pierce Telephone-service-\$136.29; Plainview Telephone-services-\$45.30.

**E911 WIRELESS FUND:** CenturyLink-service-\$148.90; Pierce Telephone-service-\$318.00; Plainview Telephone-service-\$105.70.

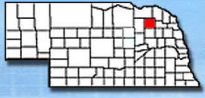
**COURTHOUSE & JAIL SINKING FUND:** West Hodson Lumber Co Inc-supplies-\$215.15.

Discussion was held on hiring a full-time highway superintendent and bridge inspector.

There being no further business, Chairman Kuether adjourned the meeting at 10:35 A.M. and will meet at a regular meeting on Monday, January 23, 2023 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/ Tom Kuether, Chairman  
Chairman, Pierce County  
Board of Commissioners

/s/ Shannon Wragge  
Pierce County Clerk



# Pierce County Board Minutes



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

\*\*\*\*\*