

COMMISSIONERS PROCEEDINGS

May 15, 2023

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, May 15, 2023, at 9:10 A.M. with the following members present: Tom Kuether, Brad Albers and Carl Martinson. Co. Clerk Shannon Wragge, Co. Assessor Jean Lubke, Co. Attorney Ted Lohrberg, Deputy Co. Clerk Susan Peters, Clerk of District Court Vickie Prince, Co. Treasurer Chris Bahr, Deputy Co. Treasurer Heidi Erickson, Co. Sheriff Rick Eberhardt, Zoning Adm. Heather McWhorter Brian Schlote, David Hoffmann, Randall Wolken, Walter & Ronda Kennedy, Ben Fuller, Brent Niese, Jason Von Rentzell, Kenley Silhacek, Rick Bretschneider, Heidi Borg 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 Kuether called the meeting to order at 9:10 A.M. and presided. Chairman 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 May 1, 2023 were approved as printed.

Applied Connective IT Kenley Silhacek was present and discussed with the Board the networking for the courthouse and Planning & Zoning/PCED office.

BOLD NE & NE Easement Action Team was not able to be present to give information about the cons of the carbon pipeline. Discussion was still held among those present about the carbon pipeline.

Motion by Albers, seconded by Martinson, to authorize and approve Chairman, Co. Clerk & Co Attorney to sign the updated NE NE Regional E911 Interlocal Agreement. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to Approve the application for the under crossing of a county road for Cedar Feedlots for a 3" electric line, approximately 1,320' east of 551 Ave, in pt of the NW ¼ Section 12, Township 27 North, Range 2 West, Pierce County, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Kuether, seconded by Martinson, to approve Resolution #2023-9 as follows:

RESOLUTION #2023 - 9

PIERCE COUNTY, NEBRASKA

WHEREAS, an engineering study was made of the intersection of County Avenue 539 Avenue with 858 Road in Pierce County, Nebraska.

WHEREAS, the findings of the engineering study revealed obstacles to visibility resulting in an unsafe condition that can be remedied by stopping east and west bound vehicles at the intersection of County Avenue 539 with 858 Road in Pierce County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Pierce County, Nebraska, that the east and westbound vehicles be stopped at the intersection of County Avenue 539 with 858 Road, Pierce County Nebraska and that the necessary signs be installed.

Dated this 15th day of May, 2023

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, 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.

Motion by Albers, seconded by Martinson, to approve the following to a 3 Year Term (May 2023-May 2026) to the Pierce County Board of Adjustments: Dale Jaeger, Rich Lutz, Scott Kumm and Tom Nathan. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to Approve Resolution #2023-7 as follows:

RESOLUTION # 2023 - 7

WHEREAS, due to Section 39-1904 of the Nebraska Revised Statutes, the 2022-2023 County Road Fund budget does not include a property tax dollar request, and

WHEREAS, the 2022-2023 county budget was balanced by a fund transfer of \$3,785,000.00 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>\$650,000.00</u>
Total	\$650,000.00

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

Dated this 15th day of May, 2023

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, 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.

Zoning Adm. Heather McWhorter discussed with the Board the openings on both the Planning & Zoning and Board of Adjustment Boards and if the County Board knows of persons interested please have them contact Clerk Wragge or McWhorter.

Heidi Borg, Aide for US House of Representative Adrian Smith was present to give the Board an update of his office.

Hwy Supt. Brian McDonald was present and discussion held on the Pierce Neligh Rd Project, Stop Sign resolution and other problem roads and bridges.

Motion by Albers, seconded by Martinson, to authorize and approve Chairman to sign Change Order #4 (add \$71,797.08 to adjust quantities with new total of \$2,663,077.53) and Pay Application #2 for \$1,065,749.68 for the Pierce-Neligh Rd 543-544 Ave Unbonded Concrete Overlay-JEO Project #211073 with A & R Construction Co, Plainview, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

The legal was read for the 9:45 a.m. public hearing to receive public comments concerning the application for GVR Family Limited Partnership to operate a medium cattle operation on property located in pt of the NE ¼ 36-28-2.

Chairman Kuether opened the 9:45 a.m. public hearing at 9:47 a.m. Zoning Adm. Heather McWhorter and Jason Von Rentzell were present and answered questions the Board had on the application. There were no written comments or objections and no one from the public was present for the hearing. Chairman Kuether closed the hearing at 9:57 a.m.

Motion by Albers, seconded by Martinson, to approve Resolution #2023-6 as follows:

RESOLUTION #2023 – 6

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, the Pierce County Planning Commission and the Pierce County Board of Commissioners, having given proper notice and holding public hearings as provided by law and under the authority of and subject to the provision the Pierce County Zoning and Subdivision Resolution and Legislative Bill 186 (1978).

WHEREAS, the Pierce County Planning Commission and the Pierce County Board of Commissioners have established the following Statement of Finding of Facts for the Conditional Use Permit application of GVR Family Limited Partnership:

1. The application is consistent with the Pierce County Comprehensive Plan.
2. The application is consistent with the Pierce County Zoning and Subdivision Regulations.
3. Waivers have been provided for homes within the ¼-mile setback.
4. The property is zoned A-1, Agriculture Intensive.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to GVR Family Limited Partnership to operate a medium cattle operation of up to 999 head of feeder cattle under Section 402, Subsection B, Part 29, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision Resolution, on the following described land:

pt NE ¼ Section 36, Township 28 North, Range 2 West of the 6th P.M., Pierce County, Nebraska (see attached for metes & bounds description)

This Conditional Use Permit shall be subject to the following conditions in addition to those established with the Pierce County Zoning and Subdivision regulations:

Recommended Conditions:

1. This is a Livestock Feeding Operation Conditional Use Permit for the operation of up to 999 head of feeder cattle.

2. This Conditional Use Permit shall be for a period of twenty (20) years from the date of this resolution and may be renewed automatically pending no verifiable complaints.
3. This permit is subject to all the Pierce County Zoning and Subdivision Regulations and the governing powers of the State of Nebraska and shall be constructed to meet both groups.
4. DEQ permits shall be made part of the file.
5. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.

NOW, THEREFORE, BE IT FUTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown on 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 15th day of May 2023.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, 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.

Lucas Popp with GWORKS did a Google Meet with the County Board to add a Road/Streets tab to the county GWORKS program at a cost of \$8,000.00 for implementation and \$6,000.00 yearly cost. No decision was made.

Numerous County employees were present and discussion was held on the 2023-2024 premium rates and plans for the NACO health and dental plans.

Motion by Albers, seconded by Martinson, to approve and authorize the Clerk to sign the NACO Sub-Group Application for the 2023/2024 fiscal year for the county health/dental insurance plan year with the following: Dental PPO BC/BS of NE dental plan with a paid premium for the employee only on dental at \$27.29 and Medical PPO BC/BS of NE Health Insurance plan with a \$2,600.00 deductible with a paid premium for the employee at \$1,070.96, for the employee/spouse or children at \$1,949.79 and for family at \$2,159.51 and approve a Funded Health Reimbursement Arrangement (Funded HRA) for active participating county employees in the health plan with the county contributing \$1,200 for single plan or \$2,800 for employee/spouse/children/family plan; all effective July 1, 2023. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve Resolution #2023-8 as follows:

RESOLUTION #2023-8

WHEREAS, the Commissioners of Pierce County, Nebraska consent and agree that the following resolution was made and approved on Monday, May 15, 2023, 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 \$550.00 monthly.

THEREFORE, IT IS RESOLVED BY THE PIERCE COUNTY BOARD OF COMMISSIONERS that the Cash-In-Lieu Option offered by National Insurance Services 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, 2023

Dated this 15th day of May, 2023

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, 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.

Dustin Wills with Benefit Management was present to visit with the Board about how his company can assist in benefit management.

Beth Ferrell with NACO was present to give the Board updates on NACO & Legislation.

Motion by Albers, seconded by Martinson, to approve the fee reports as submitted by Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for April 2023; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for April 2023 and placed on file in the County Clerk's office, total \$4,938,787.69 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: Antelope County Sheriff-prisoner housing-\$1,600.00; Applied Connective Technologies-service & software-\$3,242.80; Black Hills Energy-service-\$46.61; BCBS-health premiums-\$25,638.02; Brockhaus-Howser-Fillmer Funeral Home-county burial 2023-3-\$2,435.00; Classic Rentals-service-\$229.48; Elite Office Products-maintenance agreement-\$46.03; Ann Fenton-mileage & reimb. supplies-\$84.13; FP Finance Program-meter rent-\$154.09; Jenkins Electric-repairs-\$1,162.40; LexisNexis-law library-\$168.00; Ted Lohrberg-reimb. subscription-\$540.00; Linda Mattson-reimburse supplies-\$168.38; Maximus-cost allocation plan-\$532.53; Microfilm Imaging Systems-scanning services-\$92.00; Midwest Bank-co share-\$4,404.67; MIPS-IT services, website, microfilming-\$2,698.99; NACO Planning & Zoning-annual dues-\$40.00; Neligh Clinic LLC-prisoner medical-\$160.00; NE NE News-publishing-\$503.83; Osmond Mini Mart-gas-\$365.43; Pierce Co Court-court cost-\$157.50; Pierce County District Court-court costs-\$36.00; Pierce County Leader-publishing-\$280.44; Pierce County Treasurer-transfer from General to Road-Bridge-\$650,000.00; Pierce Telephone-telephone-\$1,832.19; Quill-supplies-\$592.53; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,110.77; Stonacek Funeral Chapel-removal & transportation-\$450.00; Tiger Town-prisoner food-\$600.09; Tom's Service LLC-gas & repairs-\$561.00; US Postal Service-CMRS-FP-postage-\$2,000.00; Western Oil LLC-gas-\$634.64; Payroll-\$62,290.07.

COUNTY HIGHWAY FUND: A & R Construction Co-Pierce Neligh Rd Project #211073-\$1,065,749.68; Appeara-uniforms-\$95.80; B's Enterprises-culverts & blades-\$18,190.00; Backus Sand & Gravel-gravel-\$14,623.57; Bazile Aggregate-gravel-\$4,392.96; Carlson Home & Auto Inc-supplies-\$515.75; Chad's Tire Service-repairs-\$630.86; Classic Rentals-service-\$200.18; Dd Steel-repair parts-\$72.22; Fastwyre-service-\$106.61; Filtercare-repairs-\$37.50; Jerry's Hilltop-gas-\$111.89; Leiting Auto Supply-repair parts-\$329.27; Lorenz Automotive-repair parts-\$885.65; Manzer Equipment-repair parts-\$384.83; Matheson Tri-Gas-supplies-\$83.05; McLean Village-utilities-\$80.38; Meisinger Oil Co-diesel-\$4,467.15; Midwest Bank, NA-co share-\$2,538.99; Mitch's Food Center-supplies-\$9.89; Nebraska Trucking-CDL training-\$349.00; NE NE News Company-ad-\$98.88; NMC-repair parts-\$975.87; North Central Public Power-utilities-\$246.77; Osmond Farm Supply-diesel-\$2,904.04; Osmond Mini Mart-gas-\$308.90; Pierce Co Leader-ad-\$84.00; Pierce Telephone-services-\$178.62; Prince Auto Repair Inc-repairs-\$307.26; Plainview Telephone-telephone services-\$96.77; City of Plainview-utilities-\$88.35; Randolph Farm Supply Inc-gas & diesel-\$3,400.16; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,177.93; Steinkraus Service-gas-\$312.00; Tom's Service LLC-gas & repairs-\$915.46; Truck Center of Norfolk-repair parts-\$158.37; West Hodson Lumber & Concrete-supplies-\$1,012.30; Payroll-\$34,520.91.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: BCBS-health premiums-\$1,056.22; Midwest Bank, NA-co share-\$72.53; NE NE News Co-publishing-\$7.00; Pierce County Leader-publishing-\$19.68; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$109.07; Payroll-\$1,615.83.

E911 FUND: Pierce Telephone-services-\$139.29; Plainview Telephone-service-\$45.30.

E911 WIRELESS FUND: Pierce Telephone-services-\$325.00; Plainview Telephone-service-\$105.70.

REGISTER OF DEEDS FUND: MIPS-online services-\$1,005.85.

COURTHOUSE JAIL & SINKING FUND: Binswanger Glass-repairs-\$1,544.26.

BOND FUND: BOK Financial-principal & interest payment-\$257,658.75.

COVID AMERICAN RESCUE FUND: B's Enterprises Inc-911 sign posts-\$14,960.00.

Discussion was held on placing an ad in the newspapers, website and Facebook for part-time and full-time roadworkers, CDL's for roadworkers and on PCED.

There being no further business, Chairman Kuether adjourned the meeting at 12:05 P.M. and will meet again at a regular meeting on Tuesday, May 30, 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, 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
