

COMMISSIONERS PROCEEDINGS

June 12, 2023

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, June 12, 2023, at 9:10 A.M. with the following members present: Tom Kuether, Brad Albers and Carl Martinson. Co. Assessor Jean Lubke, Co. Clerk Shannon Wragge, Co. Sheriff Rick Eberhardt, Co. Treasurer Christine Bahr, Co. Attorney Ted Lohrberg, Zoning Adm. Heather McWhorter, Jennie Martinez, Custodian Linda Mattson, EMS Bobbi Risor, Jeremy Tarr, PCED Susan Norris, Chad Anderson, Bradley Lewon, Mel Hoffmann, Steve Jessen, Doug Koehler, William Douglas, Alfred Homan, Leola Homan 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 9:13 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 and minutes. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

The minutes of May 30, 2023 were approved as printed.

Plainview, Pierce and Osmond Librarians were unable to be present, but submitted their requests via email. Discussion was held on the three local city library budget requests for 2023-2024 fiscal years. They had received \$30,000.00 or \$10,000 per library for the 22/23 fiscal year and they submitted a request for a \$6,000.00 increase for the 23/24 fiscal year or \$2,000 per library. The Board will take this into consideration when working on the county 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 1st (SS 77-3443). The County Board will then determine final allocation of levy authority for its subdivision on or before September 1st. No political subdivisions were present. It was recommended by the Board a 3% increase to the fire districts and ag society asking for levy allocation.

Motion by Albers, seconded by Martinson, to recommend approval to the NE Liquor Control Commission for the request of a designated liquor license for Bohemian One Stop for an event on Saturday, July 1, 2023, from 4:00 p.m. to 1:00 a.m. at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the application for Pierce Telephone Company to Occupy ROW and or Undercross county roads with fiber optic line north of Pierce on Old 98/550 Ave to 861 Rd and then east 2 miles. Roll call vote: Aye: Kuether, Albers and Martinson. 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 2023/2024 Fiscal Year: Shannon Wragge, Jean Lubke, Susan Norris, Christine Bahr, Brett Rix, Linda Mattson, Rick Eberhardt, Heather McWhorter and Ted Lohrberg. The County Board would like everyone to keep their budget to no more than a 3% increase for the 23/24 fiscal year.

The legal was read for the 9:30 a.m. public hearing to receive public comments concerning the application for North Fork Cattle Company, LLC to operate a large cattle operation on property located in pt of the SE ¼ 19-27-2.

Chairman Kuether opened the 9:30 a.m. public hearing at 9:33 a.m. Zoning Adm. Heather McWhorter and Doug Koehler 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 9:36 a.m.

Motion by Albers, seconded by Martinson, to approve Resolution #2023-12 as follows:

RESOLUTION #2023-12

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 North Fork Cattle LLC:

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. There are no homes inside the 1,980-foot setback requirement.
4. The property is zoned A-1 Agricultural Intensive.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to North Fork Cattle LLC to operate a large cattle operation the following described land:

Part of the SE ¼ of Section 19, Township 27 North, Range 2 West of the 6th P.M., Pierce County,

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 1800 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 FURTHER 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.

APPROVED and ADOPTED at Pierce County, Nebraska this 12th day of June 2023.

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.

Discussion was held on the North Fork Cattle Company LLC Lot Split in pt NE ¼ SE ¼ 19-27-2.

Motion by Albers, seconded by Martinson, to approve the North Fork Cattle Company LLC Lot Split in pt of the NE ¼ SE ¼ in Section 19, T27N, R2W (12.68 acres), Pierce County, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve Resolution #2023-11 as follows:

RESOLUTION 2023 - 11

WHEREAS, the Nebraska Public Service Commission (PSC) has stated beginning July 1, 2014, regular funding or set aside funds can be used to pay salaries and consulting costs related to the selection and purchase of equipment and software pursuant to wireless ratio.

THEREFORE, Pierce County is directed by the Nebraska Public Service Commission to transfer \$40,691.82 from the E911 Wireless Enhanced Fund (#2913) to General Fund (0100);

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, direct the Pierce County Treasurer to transfer the following funds thru the claim process as follows:

\$40,691.82 from the E911 Wireless Enhanced Fund (#2913) to General Fund (0100)

PASSED AND APPROVED this 15th day of June, 2023.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, District #1 Commissioner and Chairman

/s/ Brad Albers, District #2 Commissioner

/s/ Carl Martinson, District #3 Commissioner

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, Albers and Martinson. Nay: None. Motion carried.

Steve Jessen and numerous people were present for the presentation of Epic Option by Jessen.

Discussion was held on LB644, directing of the joint budget hearings for the counties, cities, villages, schools and colleges for the 23/24 fiscal year budgets.

Motion by Albers, seconded by Martinson, to designate MIPS as the county vendor for the printing of the LB644 postcards for the joint budget hearings. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Discussion was held on the implementation of the GWORKS Road/Streets tab/software to the county GWORKS program at a cost of \$8,000.00 for implementation and \$4,500.00 yearly cost. No decision was made.

Discussion was held on the hiring of roads workers and a fulltime Hwy Superintendent.

Motion by Albers, seconded by Martinson, to approve the fee reports as submitted by Rick Eberhardt, Co Sheriff for April and May 2023; Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for May 2023; approve Treasurer's receipt's for various funds for Christine

Bahr, County Treasurer, for May 2023 and placed on file in the County Clerk's office, total \$6,084,260.91 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-\$142.50; American Legion Emblem-grave markers-\$1,600.75; Antelope Co Sheriff-prisoner housing-\$120.00; Applied Connective-IT services-\$3,242.80; Avera Medical Group-employee medical-\$150.00; Black Hills Energy-service-\$45.20; Charmtex-supplies-\$343.80; Classic Carpet Care-service-\$248.47; CNA Surety-notary expense-\$40.00; Egley,Fullner,Montag,Morland,Easland-court appointed attorney-\$943.44; Elite Office Products-supplies-\$2,472.58; Ann Fenton-reimb. travel-\$168.98; FP Finance Program-postage meter rent-\$154.09; Hilltop Drugs-prisoner medical-\$16.17; Jeffrey L Hrouda-court appointed attorney-\$1,327.25; Jenkins Electric-repairs-\$2,195.80; Justice Data Solutions Inc-software support-\$2,900.00; LexisNexis-law library-\$168.00; M&M Sanitation-service-\$285.00; Microfilm Imaging Systems Inc-scanner rent-\$92.00; Midwest Bank-co share-\$4,591.99; MIPS-hardware/software & website support-\$2,698.99; NE NE News Company-ads-\$482.35; NIRMA-23/24 FY liability insurance premium-\$147,507.00; One Office Solution-office supplies-\$662.38; Pierce County Court-court costs-\$149.50; Pierce County Leader-ads-\$347.96; Pierce Pharmacy-prisoner-medical-53.91; Pierce Telephone Co Inc-services-\$1,754.07; Platte Co Detention Facility-jail school-\$175.00; Quill-supplies-\$1,232.64; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,591.99; Briton Rodenborg-reimburse travel-\$385.30; Secretary of State-notary expense-\$30.00; Sirchie-supplies-\$133.85; NE State Patrol-license fees-\$187.50; Terminex-yrly service fee-\$851.00; Tiger Town Food Center-prisoner food-\$791.00; Tom's Service LLC-gas & repairs-\$763.04; Western Oil-gas--\$174.07; Payroll-\$61,619.76.

COUNTY HIGHWAY FUND: AgHeaters-Ag & Industrial Equipment-service-\$148.78; Appeara-service-\$119.75; B's Enterprises Inc-culverts-\$25,534.00; Backus Sand & Gravel-gravel-\$32,690.23; Chad's Tire Service-repairs-\$855.04; Classic Carpet Care-service-\$233.26; Colonial Research-supplies-\$956.94; DD Steel-repair parts-\$144.44; Farmers Pride-diesel-\$5,423.28; Fastwyre-telephone-\$106.81; Filter Care-repairs-\$43.90; Heartland Fire Protection-service-\$1,875.30; Jerry's Hilltop-gas-\$52.57; Kimball Midwest-supplies-\$1,404.47; Lawson Products-supplies-\$292.04; Leiting Auto Supply-repair parts-\$100.14; Lorenz Automotive-repair parts-\$4,492.72; M&M Sanitation Service-service-\$90.00; Manzer Equipment-repair parts-\$516.36; Matheson Tri-Gas Inc-supplies-\$85.42; McLean-utilities-\$72.90; Meisinger Oil Co-oil-\$3,165.48; Midwest Bank-co share-\$2,459.97; NE Nebr News Co-ads-\$123.60; NE Machinery Co-repair parts-\$5,121.40; North Central PPD-service-\$190.89; Northeast Glass-repairs-\$1,340.00; Osmond Farm Supply-diesel-\$2,695.98; Paul's Welding-repairs-\$22.67; Pierce Co Leader-ads-\$96.00; Pierce Telephone Service-\$176.52; Plainview Telephone Co-service-\$96.12; Plainview City-utilities-\$84.80; Randolph Farm Supply-gas, supplies-\$436.72; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,108.24; Safety-Kleen-service-\$369.79; Steinkraus Service-gas-\$420.30; Tom's Service-gas & repairs-\$745.59; Wattier True Value-supplies-\$53.56; West-Hodson Lumber Co Inc-supplies-\$32.50; Western Oil-gas-\$278.86; Payroll-\$33,219.70.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: Midwest Bank, NA-co share-\$112.13; NE NE News-ads-\$7.00; Pierce County Leader-ads-\$8.16; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$109.07; Payroll-\$1,615.83.

911 FUND: Pierce Telephone Co Inc-service-\$139.29; Plainview Telephone Co-service-\$45.30.

E911 WIRELESS FUND: Pierce Co Treasurer-transfer to general fund-\$40,691.82; Pierce Telephone Co Inc-service-\$325.00; Plainview Telephone Co-service-\$45.30.

REGISTER OF DEEDS FUND: MIPS-software support-\$344.12.

There being no further business, Chairman Kuether adjourned the meeting at 11:38 A.M. and will meet at a regular meeting on Monday, June 26, 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
