

COMMISSIONERS PROCEEDINGS
December 11, 2023

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, December 11, 2023, at 9:10 A.M. with the following members present: Tom Kuether, Brad Albers and Carl Martinson. Co. Clerk Shannon Wragge, Zoning Adm. Heather McWhorter, Jim Maas, Gerard Polt, Stephanie Polt, Steve Rames, Anna Allen, Madison Co. Commissioner Eric Stinson, Madison Co. Hwy Supt. Richard Johnson 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 Albers, seconded by Martinson, to approve the agenda. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

The minutes of November 27, 2023 were approved as printed.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning the application of Stephanie & Nathan Polt to construct a hair salon on property described as the N ½ of the NE ¼ of the NW ¼ 8-27-3.

Chairman Kuether opened the 9:11 a.m. public hearing at 9:11 a.m. Zoning Adm. Heather McWhorter and Stephanie & Gerard Polt 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 9:13 a.m.

Motion by Albers, seconded by Martinson, to approve Resolution #2023-32 as follows:

RESOLUTION #2023 - 32

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, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the 2003 Pierce County Zoning and Subdivision Resolution and Legislative Bill 186 (1978).

Finding of Facts

1. The property is zoned A-1 Ag Intensive.
2. This application is consistent with the Pierce County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a Conditional Use Permit to Stephanie & Nathan Polt to construct a hair salon on the following described land:

N ½ of the NE ¼ of the NW ¼ of Section 8, Township 27 North, Range 3 West of the 6th P.M., Pierce County, Nebraska

NOW, THEREFORE, BE IT ALSO RESOLVED, the conditions below must be complied with by all current and future owners of the property described above and failure to comply with said conditions may result in the forfeiture of this Conditional Use Permit.

1. This is a Conditional Use Permit to operate a hair salon on the above-described property.
2. This Conditional Use Permit shall be for a period of twenty years and will become effective with the adoption of this resolution. The permit will be renewed automatically with no verifiable complaints received.
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. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.
5. Parking for three vehicles must be provided per Pierce County Zoning Regulations based on size of the structure.
6. A zoning permit must be approved for the new structure prior to beginning construction.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown of 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.

Dated this 11th day of December, 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 Heger Lot Split in pt of the SE ¼ SE ¼ of Section 25 and the NE ¼ NE ¼ of Section 36, both in Township 28 North, Range 1 West, Pierce County, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

City of Norfolk Engineers Anna Allen and Steve Rames gave a presentation of a Notice of Funding for the RAISE (Rebuilding American Infrastructure with Sustainability & Equity) Grant the City of Norfolk and Madison County will be pursuing and the two would like Pierce County Board to form a partnership with them to build up roads and infrastructure in Madison and Pierce County. Pierce County Board unanimously agreed to join in the partnership to pursue the grant and an agreement/interlocal will be brought before the Board in January for final approval.

Discussion was held on the NE Nebraska Solid Waste Coalition request to have Pierce County join. No money was needed to join but if there would need to be a cleanup then the county would be liable. If Pierce County does not join the haulers cannot come into Pierce County for pickup of waste.

Hwy Supt Brian McDonald was present and he updated the Board on the current road and bridge projects.

Pierce City Adm. Chad Anderson was present and discussion held on the joining of the waste coalition as Pierce City will be joining.

Motion by Albers, seconded by Kuether, to authorize Clerk to send a letter of application to the NE Nebraska Solid Waste Coalition to become a member. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Kuether, to approve the undercrossing application for Roger Eichberger for the under crossing of a county road, with an 8" tile line approximately 500 south of 861 Rd and undercrossing 538 Ave in pt of the N ½ NE ¼ Section 22 and pt N ½ NW of Section 23, Township 27 North, Range 4 West, Pierce County, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve and authorize Chairman to sign Pay Application #6 for \$171,957.88 for the Osmond South-JEO Project #211903 with Dixon Construction Co., Correctionville, IA. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve and authorize Chairman to sign Pay Application #1 for \$202,143.89 for the McLean South-JEO Project #211865 with Theisen Construction Inc., Norfolk, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Albers, to approve and authorize Chairman to sign Pay Application #6 (Final) for \$101,826.98 and the Certificate of Substantial Completion for the Pierce Southwest-JEO Project #211418 with Theisen Construction Inc., Norfolk, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Martinson, seconded by Albers, to approve and authorize Chairman to sign the Notice of Award, Notice to Proceed and Agreements for a total cost of \$467,581.53 with a start date of August 10, 2024 for the Breslau North-JEO Project #221895 and Pierce North-JEO Project #230074 with A & R Construction Co, Plainview, NE. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Discussion was held on the Hiring of a Weed Superintendent. Board approved Commissioner/Weed Supt. Brad Albers to interview the applicant and offer them the position at \$21.00/hour.

Discussion was held on the Road Worker Wage Scale and hours worked per week. At Wednesday, December 13th Road Worker Safety Meeting Commissioner Albers will discuss with the road workers.

Discussion was held on the Comprehensive Plan that the county has not yet received from Bobbi Pettit with Five Rule. Board asked Clerk Wragge to contact Pettit and ask for a completion date and if she could come to an upcoming board meeting with an update of the project.

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 November 2023; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for November 2023 and placed on file in the County Clerk's office, total \$229,378.50 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 D Albin-court appointed costs-\$900.38; Applied Connective Technologies-IT software & support-\$3,655.60; Black Hills Energy-utilities-\$45.14; Candlewood Suites-lodging-\$329.90; Classic Rentals-service-\$209.95; Egley Fullner Montag Morland & Easland PC-court appoint costs-\$557.71; Elite Office Products-supplies-\$20.80; Ann Fenton-reimb. mileage, registration & lodging-\$291.90; FP Finance Program-meter rent-\$154.09; LexisNexis-law library-\$177.00; Madison County Sheriff-prisoner meds-\$57.53; Magdanz-supplies-\$762.14; Microfilm Imaging Systems-scanner rent-\$92.00; MidAmerica Retirement Solutions-adm. costs-\$348.00; Midwest Bank-co share-\$4,750.16; MIPS-IT services, website, micro filming-\$2,762.44; NE NE News-ads-\$377.81; One Office Solution-supplies-\$15.90; Pierce Co Court- court costs-\$118.00; Pierce Telephone-service-\$2,501.22; Prime Stop-gas-\$189.94; Quill-supplies-\$9.79; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,130.05; Stratton Delay Dole Carlson Buettner & Stove PC-court appointed costs-\$9,146.20; Tiger Town-prisoner food-\$283.53; Tom's Service LLC-gas & repairs-\$2,038.90; Verizon-service-\$425.84; Payroll-\$64,067.36.

COUNTY HIGHWAY FUND: AKRS-supplies-\$409.74; Alpha Workforce Health-testing-\$13.00; Appeara-uniforms-\$122.65; B's Enterprises-blades-\$4,203.00; Backus Sand & Gravel-gravel-\$27,345.53; Chad's Tire Service-tires-\$90.00; Classic Rentals-service-\$183.91; Farmer's Pride-diesel-\$6,627.67; Fastenal-supplies-\$95.84; Inland Truck Parts & Service-repairs-\$1,034.44; JEO Consulting Group Inc-engineering-\$25,125.00; Leiting Auto Supply-repair parts-\$14.72; Lorenz Automotive-repair parts-\$249.73; M & M Sanitation Service-service-\$105.00; Matheson Tri-Gas-supplies-\$90.16; Meisinger Oil Co-diesel-\$1,011.85; Menards-supplies-\$34.82; McLean Village-utilities-\$73.80; Midwest Bank, NA-co share-\$3,092.22; NE NE News Co-ads-\$492.58; NMC Cat-repair parts-\$13,953.74; North Central Public Power-utilities-\$212.94; NE Power-utilities-\$234.00; Pierce Telephone-service-\$180.37; Plainview Telephone-service-\$96.64; Pierce Automotive Supply-repair parts-\$235.81; City of Plainview-utilities-\$85.90; Power Plan-repairs-\$1,036.52; Randolph Farm Supply-gas & diesel-\$686.77; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,648.46; Safety Kleen-repairs-\$297.06; Steinkraus Service-gas & tires-\$218.20; Theisen Construction Inc-Pay Application #1 for McLean South JEO Project 211865-\$202,143.89; Tom's Service LLC-gas & repairs-\$1,219.48; Wattier's True Value-supplies-\$80.71; Payroll-\$41,534.86.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: Midwest Bank, NA-co share-\$98.40; NE NE News Co-ads-\$7.00; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$96.95; Payroll-\$1,436.29.

E911 WIRELESS FUND: City of Norfolk-911 service-\$149.12; Pierce Telephone-service-\$341.15; Plainview Telephone-service-\$151.00.

REGISTER OF DEEDS FUND: MIPS-support-\$349.12.

BRIDGE BUYBACK FUND: Dixon Construction Co-Pay Application #6 for Osmond South JEO Project 211903-\$171,957.88.

BOND FUND: Theisen Construction Inc-Pay Application #6 (final) for Pierce Southwest JEO Project 211418-\$101,826.98.

There being no further business, Chairman Kuether adjourned the meeting at 10:40 A.M. and will meet at a regular meeting on Tuesday, December 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
