

COMMISSIONERS PROCEEDINGS

May 12, 2025

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, May 12, 2025, at 9:10 A.M. with the following members present: John Steinkraus, Brad Albers and Carl Martinson. Co. Clerk Shannon Wragge, Co. Assessor Jean Lubke, Co. Attorney Ted Lohrberg, Kim Rowley Lohrberg, Co. Treasurer Chris Bahr, Zoning Adm. Heather McWhorter, Hwy Supt. Brian McDonald, Clerk of District Court Vickie Prince, Bonita Lederer, Luke Bonkiewicz 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 Martinson called the meeting to order at 9:10 A.M. and presided. Chairman Martinson 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: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

The minutes of April 28, 2025, were approved as printed.

Luke Bonkiewicz with NACO was present to give the Board updates on NACO programs and answer questions the Board had.

The legal was read for the 9:15 a.m. public hearing to receive public comments concerning the application of Kimberly Rowley Lohrberg for occasional warehousing pop up events on property located in pt of the SW ¼ 10-25-1.

Chairman Martinson opened the 9:15 a.m. public hearing at 9:26 a.m. Zoning Adm. Heather McWhorter, Kimberly Rowley Lohrberg and Ted Lohrberg 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 Martinson closed the hearing at 9:31 a.m.

Motion by Steinkraus, seconded by Albers, to approve Resolution 2025-9 as follows:

RESOLUTION #2025 - 9

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:

1. The application is consistent with the Pierce County Comprehensive Plan and the Pierce County Zoning and Subdivision Regulations.
2. Located in the A-1 Ag Intensive district.
3. The property has a permanent conditional use permit for a residence.
4. Pop up events are held every 4-6 weeks for a two-hour period on a weekend.
5. A permit has been provided by the Fire Marshall that limits 160 customers inside the building at one time.
6. Parking is regulated during events to prevent parking along the road by the owner.

NOW, THEREFORE, BE RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Kimberly Rowley Lohrberg for occasional warehousing pop up events on property described as:

Part of the Southwest ¼ of the Southwest ¼ of Section 10 Township 25 North, Range 1 West of the 6th P.M., Pierce County, Nebraska (see below)

LEGAL DESCRIPTION:

A tract of land lying wholly in the Southwest 1/4 of the Southwest 1/4 of Section 10, Township 25 North, Range 1 West of the 6th P.M., Pierce County, Nebraska, more particularly described as follows:
Beginning at the South 1/16th corner of the Southwest 1/4 of said Section 10; thence West, on section line, on an assumed bearing of South 87 degrees 56 minutes 57 seconds West 466.70 feet; thence North 02 degrees 24 minutes 19 seconds West, parallel to the 1/16th line, 466.70 feet; thence North 87 degrees 56 minutes 57 seconds East, parallel to said section line, 466.70 feet to a point on the 1/16th line; thence South 02 degrees 24 minutes 19 seconds East, on said 1/16th line, 466.70 feet to the point of beginning.

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

1. This Conditional Use Permit shall be for a period of twenty (20) years from the date of this resolution and will be renewed automatically without verifiable complaints.
2. A zoning permit must be approved by the zoning administrator prior to the construction of any structures on the property.
3. This permit is subject to all the Pierce County Zoning and Subdivision Regulations and the governing powers of the State of Nebraska and should be constructed to meet both groups.
4. Must contact NDOT regarding signage that indicates Event Ahead in both directions on the day of a sale.

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.

Passed, Adopted and Approved this 12th day of May, 2025.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Carl Martinson, District #3 Commissioner and Chairman

/s/ John Steinkraus, District 1 Commissioner

/s/ Brad Albers, District #2 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: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Hwy Supt. Brian McDonald was present. Bids for the 2025 Pierce County Cracksealing of Concrete and Asphalt Pavement - JEO Project #251011.00 were opened and read aloud. The following bids were received: 0 Bids Received. Discussion was held on not receiving bids for said project.

Motion by Albers, seconded by Steinkraus, to authorize and approve Hwy Supt Brian McDonald to negotiate prices with contractors on behalf of Pierce County for the 2025 Pierce County Cracksealing of Concrete and Asphalt Pavement - JEO Project #251011.00. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Discussion was held on the Solar Farm west of Pierce and the appropriate roads to be used per road agreement with Nextera/Blattner Energy and Boulevard Associates LLC as the county board has received numerous complaints from area farmers on the haulers bringing supplies for the project, getting stuck, and on private property. Hwy Supt Brian McDonald will get a map made of the only roads haulers can use.

Numerous County employees were present for the discussion held on the 2025-2026 premium rates and plans for the NACO health and dental insurance.

Motion by Albers, seconded by Steinkraus, to approve and authorize the Clerk to sign the NACO Sub-Group Application for the 2025/2026 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 \$1,164.31, for the employee/spouse or children at \$2,137.18 and for family at \$2,373.91 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, 2025. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Steinkraus, to approve Resolution #2025-8 as follows:

RESOLUTION #2025-8

WHEREAS, the Commissioners of Pierce County, Nebraska consent and agree that the following resolution was made and approved on Monday, May 12, 2025, 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 Pierce County 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, 2025

Dated this 12th day of May, 2025

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Carl Martinson, Chairman

/s/ John Steinkraus, District #1 Commissioner

/s/ Brad Albers, District #2 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: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Steinkraus, to recommend approval to the NE Liquor Control Commission for the request of 2 special designated liquor license for the Pierce American Legion Post 72 for events on the Saturdays of May 24 and 31, 2025, from 3:00 p.m. to 1:00 a.m. at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Discussion was held on County Attorney Ted Lohrberg to get county credit for county attorney office.

Motion by Albers, seconded by Steinkraus, to approve and authorize Co. Attorney Ted Lohrberg to apply for a county credit card on behalf of him and his office. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Steinkraus, seconded by Albers, to approve the Underground Crossing/ROW of a county road for Viaero Fiber on the east side of 546 Ave and south to 865 Rd and then east 2 miles to 548 Ave in pt of Sections 30/29, Township 28 North, Range 2 West, Pierce County, NE. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Steinkraus, seconded by Albers, to approve the Underground Crossing of a county road for Zimmerman's Inc for 1 electrical and 1 water line undercrossing 544 Ave between Sections 22/23, Township 25 North, Range 4 West, Pierce County, NE. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Steinkraus, to approve the fee reports as submitted by Rick Eberhardt, County Sheriff, for March & April 2025; Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for April 2025; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for April 2025 and placed on file in the County Clerk's office, total \$4,268,678.63 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: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

GENERAL FUND: AC Land-May 2025 office rent for PCED-\$708.00; Mark Albin-court appointed attorney costs-\$1,927.75; Amazon Capital Services-supplies-\$12.99; Antelope County Sheriff Dept-prisoner boarding-\$400.00; Applied Connective Technologies-service & software-\$3,927.90; Bishop Business-maintenance agreement & supplies-\$256.85; Black Hills Energy-service-\$52.11; Ann Fenton-mileage-\$54.00; FP Finance Program-meter rent-\$179.17; Jack's Uniforms & Equipment-supplies-\$200.88; Jenkins Electric Inc-repairs-\$5,929.34; LexisNexis-law software-\$186.00; Madison County District Court-court costs-\$50.00; Madison County Sheriff-paper service-\$30.41; Magdanz Inc-supplies-\$337.31; Marshall & Swift/Boeckh-software-\$393.95; Heather McWhorter-mileage-\$47.60; Microfilm Imaging Systems-scanning services-\$46.00; Midwest Bank-co share-\$5,191.29; MIPS-IT services, website, microfilming-\$2,837.18; NE NE News-publishing-\$847.26; Pierce Co Court-court cost-\$392.00; Pierce Telephone-telephone-\$1,907.18; Pierce City-utilities-\$2,750.43; Primestop-gas-\$77.38; Quill-supplies-\$501.94; R & S Technologies-supplies-\$500.00; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,774.24; State of NE Central Financing-service-\$701.95; Terminex-service-\$938.39; Tiger Town-prisoner food-\$576.30; Tom's Service LLC-gas & repairs-\$1,485.33; TWD Lock, Safe & Key-repairs-\$203.00; Tyler Technologies-supplies-\$3.00; US Postal Service-CMRS-FP-postage-\$2,500.00; Payroll-\$69,684.91.

COUNTY HIGHWAY FUND: Allstar Parts LLC-repair parts-\$531.10; Altwine Hardware & Home LLC-supplies-\$27.64; Appeara-uniforms-\$125.50; B's Enterprises-culverts & blades-\$34,310.00; Backus Sand & Gravel-gravel-\$74,486.52; Bauer Built-repair parts-\$73.00; Bazile Aggregate-gravel-\$4,357.30; Carlson Home & Auto Inc-propane-\$727.81; Chad's Tire Service-repairs-\$1,273.78; Colonial Research Chem Corp-supplies-\$893.83; Dd Steel-repair parts-\$588.81; Dinkel's-repair parts-\$299.15; Farmers Pride-diesel-\$8,455.64; Fastwyre Broadband-service-\$117.18; Filtercare-repairs-\$257.25; GI Trailer Inc-repair parts-\$318.64; Lawson Products-supplies-\$355.56; Leiting Auto Supply-repair parts-\$98.82; Magdanz Inc-

supplies-\$180.65; Matheson Tri-Gas-supplies-\$106.45; Meisinger Oil Co-diesel-\$4,063.49; Midwest Bank, NA-co share-\$2,756.88; NMC Exchange LLC-repair parts-\$3,526.47; North Central Public Power-utilities-\$207.56; Northeast Public Power-utilities-\$238.00; Pierce Telephone-services-\$237.14; Pierce City-utilities-\$212.22; Plainview Telephone Co Inc-service-\$100.33; Plainview City-utilities-\$94.68; Power Plan-repair parts-\$6,443.99; Prince Auto Repair Inc-repairs-\$266.23; R & D Welding-repairs-\$129.99; Randolph Farm Supply Inc-gas & diesel-\$579.05; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,391.57; Safety Kleen Systems Inc-repairs-\$316.21; Tom's Service LLC-gas & repairs-\$527.91; True Ag & Turf-repair parts-\$514.03; Wattier's True Value-supplies-\$35.16; Payroll-\$37,315.59.

REGISTER OF DEEDS FUND: MIPS-online services-\$351.12.

E911 FUND: Jenkins Electric Inc-repairs-180.00; OPTK Networks-service-\$529.40.

E911 WIRELESS FUND: Pierce Telephone-services-\$341.15; Plainview Telephone-service-\$151.00.

BOND FUND: BOK Financial-principal & interest payment-\$262,735.00.

Tabled was the quarterly courthouse and jail inspection

Commissioner Brad Albers was the only board member planning to attend the Active Shooter Training in the Pierce County Courtroom from 10:30 a.m. to 1:30 p.m. put on by the Pierce County Courthouse Safety Committee and Bobbi Risor, Region 11 Emergency Manager.

There being no further business, Chairman Martinson adjourned the meeting at 9:48 A.M. and will meet again at a regular meeting on Tuesday, May 27, 2025, 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/ Carl Martinson
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
