

COMMISSIONERS PROCEEDINGS
November 27, 2023

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, November 27, 2023, at 9:10 A.M. with the following members present: Brad Albers and Carl Martinson; Tom Kuether was absent. Co. Clerk Shannon Wragge, Zoning Adm. Heather McWhorter, Co. Attorney Ted Lohrberg and News Reporter Randee Falter were present.

Motion by Albers, seconded by Martinson, to appoint Carl Martinson as Chairman Pro Tem due to the absence of Chairman Tom Kuether. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

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 Pro Tem Martinson called the meeting to order at 9:12 A.M. and presided. Chairman Pro Tem 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 Albers, seconded by Martinson, to approve the agenda. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

The minutes of November 13, 2023 were approved as printed.

Zoning Adm. Heather McWhorter was present and answered questions the Board had on the Conditional Use Permit that needed amended to add a legal description for the 443 MW Solar Farm west of Pierce.

Motion by Albers, seconded by Martinson, to approve Resolution 2023-31 and Amend Resolution 2023-27 as follows:

RESOLUTION #2023-31
AMENDMENT TO RESOLUTION #2023-27

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 application is consistent with the Madison County Comprehensive Plan and with the Pierce County Zoning and Subdivision Regulations
2. The solar array will be 443 MW and be located on approximately 2500 acres.
3. Is located in an Ag Intensive district that allows the use with a Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Boulevard Associates LLC to construct Goldenrod Solar Farm as per Section 6.04.01 Solar Farms of the Pierce County Zoning and Subdivision Resolution, on the following described land:

E ½ of Section 19, Township 25 North, Range 3 West

All of Section 21, Township 25 North, Range 3 West minus Charlies Lot Split, a 21.26-acre tract in the N ½;

N ½ of Section 28, Township 25 North, Range 3 West.

W ½ of Section 22, Township 25 Range 3 West;

All of Section 23, Township 25, Range 3 West minus 2 tracts in the NW ¼ of the NW ¼ totaling 17.25 acres; and minus E ½ of NE ¼.

All of Section 26, Township 25, North Range 3 West;

SW ¼ of Section 14, Township 25 North, Range 3 West.

All properties lying west of the 6th P.M., Pierce County, Nebraska

NOW, THEREFORE, BE IT ALSO RESOLVED, the below-listed conditions 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 forfeiture of this Conditional Use Permit.

Recommended Conditions:

1. This Conditional Use Permit allows applicant to build a 443 MW Solar Farm.
2. Applicant must obtain necessary permits from the State of Nebraska and follow all local permitting as well.
3. Applicant must abide by regulations with regard to signage, lighting and other applicable regulations as stated in the Pierce County Regulations.
4. An approved zoning permit must be obtained before construction of the solar array begins.

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.

ADOPTED at Pierce, Nebraska this 27th day of November 2023

PIERCE COUNTY BOARD OF COMMISSIONERS

/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: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to appoint Lon Knievel to the North Central Health District Board as a Spirited Citizen to represent Pierce County to replace and complete the term of Gary Hilkemann until December 31, 2023 and then appoint Lon Knievel to a 3-year term of January 1, 2024 to December 31, 2026. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Discussion was held on the 2025 Lower Elkhorn NRD Hazard Mitigation Plan and whom should be on the Board to represent Pierce County.

Motion by Albers, seconded by Martinson, to appoint Bonita Lederer to the 2025 Lower Elkhorn NRD Hazard Mitigation Plan Board to represent Pierce County. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

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

Discussion was held on the Road Worker Wage Scale. No decision was made.

The County Board did the courthouse and jail inspection and both returned.

Motion by Albers, seconded by Martinson 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: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

GENERAL FUND: Mark Albin-court appointed costs-\$672.05; BCBS-health premiums-\$44,050.47; Boone County Health Center-physical-\$75.00; Eakes-supplies-\$142.89; Egly, Fullner, Montag, Morland & Easland PC-court appointed costs-\$423.40; Hometown Auto Repair-repairs-\$342.33; Jack's Uniforms-supplies-\$229.78; Kate Jorgensen PC LLO-public defender-\$4,583.33; Microfilm Imaging-scanner rent-\$46.00; Midwest Bank-co share-\$4,676.52; NE Assn of Co. Assessors-dues-\$25.00; NE HHSS-Oct. 2023 boarding-\$93.00; NECC-registration-\$400.00; Osmond Mini Mart-gas-\$170.43; Physicians Laboratory-autopsy-\$2,734.00; Pierce County Leader-ads-\$260.13; Pierce City-utilities-\$2,116.21; Plainview News-ads-\$102.15; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,044.78; RRJ-supplies-\$55.24; Sirchie-supplies-\$50.71; State of NE-network charges-\$742.83; State of NE-network charges-\$213.75; Tiger Town-prisoner food-\$518.18; US Postal Services-meter postage-\$2,000.00; VISA-supplies-\$85.49; Payroll-\$62,833.75.

COUNTY HIGHWAY FUND: Bauer Built-repair parts-\$8,456.64; Bazile Aggregate-gravel-\$2,692.45; Black Hills Energy-propane-\$110.82; BCBS-health premiums-\$2,433.28; Bomgaars-supplies-\$54.35; Heartland Fire Protection Co-service extinguishers-\$96.00; Jerry's Hilltop-gas-\$57.03; Kimball Midwest-repair parts-\$588.92; Meisinger Oil Co-diesel-\$4,595.06; Midwest Bank, NA-co share-\$2,433.28; Osmond Mini Mart-gas-\$492.31; Pierce City-Utilities-\$166.83; Randolph Farm Supply-gas & diesel-\$3,189.71; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,104.21; Riverside Hydraulics Inc-repairs-\$799.00; Safety Kleen-repairs-\$385.13; Payroll-\$32,921.26.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: BCBS-health premiums-\$2,186.80; Midwest Bank, NA-co share-\$112.13; Pierce County Leader-ads-\$8.00; Plainview News-ads-\$9.27; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$109.07; Payroll-\$1,615.83.

E911 FUND: Page My Cell-yearly service-\$600.00; Racom-repairs-\$26.25.

There being no further business, Chairman Pro Tem Carl Martinson adjourned the meeting at 10:16 A.M. and will meet at a regular meeting on Monday, December 11, 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/ Chairman Pro Tem 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
