

Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

March 13, 2017

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, March 13, 2017, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Brad Albers and Terry J. Wragge. Co. Clerk Shannon Wragge, News Reporter Randee Falter, Hwy Supt. Brian McDonald and Ned Porter 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 Wragge called the meeting to order at 9:10 A.M. and presided. Chairman Wragge 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 Elwood, to approve the agenda. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

The minutes of February 27, 2017 were approved as printed.

Hwy Supt. Brian McDonald was present and discussion was held on the opening of sealed bids for the Plainview East Unbonded Concrete Overlay Project #160973/#160974. The following 2 bids were received for the project: A & R Construction Co, Plainview, NE, with a start date of April 1, 2017 and a total base bid of \$819,463.71 and Paulsen Inc, Cozad, NE, with a start date of June 30, 2017 and a total base bid of \$1,016,892.20.

Motion by Elwood, seconded by Wragge, to authorize Brian McDonald, Hwy Supt, to award the bid for the Plainview East Unbonded Concrete Overlay Project #160973/#160974 to A & R Construction Co, Plainview, NE, with a start date of April 1, 2017 and a total base bid of \$819,463.71 and to authorize and approve a change order to add 2' to overlay and extend ¼ mile south to the Pierce South part of the project with a new total cost of \$918,215.81. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Clerk of District Court Vickie Prince and Co. Court Clerk Deb Theisen were present to visit with the Board about updating the audio and video equipment in the courtroom at an approximate cost of \$4,448.00.

Motion by Elwood, seconded by Albers, to approve the courtroom updating of the audio and video equipment at an approximate cost of \$4,448.00. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

County Treasurer Chris Bahr was present to update and answer questions the Board had on the Public Tax Sale which is now closed, but private sales continues. The Pierce County Treasurer's Office sold a total of 43 tax sale certificates amounting to \$94,554.98 as of Friday, March 10, 2017.

Motion by Albers, seconded by Elwood, to approve the Public Tax Sale which is now closed, but private sales continues. The Pierce County Treasurer's Office sold a total of 43 tax sale certificates amounting to \$94,554.98 as of Friday, March 10, 2017. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Zoning Administrator Heather McWhorter and Darin Zuhlke were present.

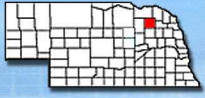
The legal was read for the 9:45 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Darin Zuhlke to amend a current Conditional Use Permit by adding a new finisher with 3,000 hogs for a total of 5,460 over 55 lbs and 2,000 nursery pigs on property located in Lot 1 of the Replat of the Zuhlke Lot Split in pt NE ¼ 4-26-3.

Chairman Wragge opened the hearing at 9:46 a.m. Darin Zuhlke answered questioned the Board had on the Conditional Use Permit. There were no written comments or objections and no one from the public was present. Chairman Wragge closed the hearing at 9:49 a.m.

Motion by Wragge, seconded by Elwood, to approve Resolution #2017-6 as follows:

RESOLUTION #2017-6

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



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SOLUTION AND LEGISLATIVE BILL 186 (1978)

WHEREAS, the Pierce County Planning Commission and the Pierce County Board of Commissioners, having given 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 Darin Zuhlke:

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 is already a hog barn on the parcel.
4. There have been no complaints received on the current permit.
5. The proposed hog barn would be outside of the ¼-mile setbacks to the nearest homes.
6. Mr. Zuhlke has begun the process of expanding the permit with NDEQ.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Darin Zuhlke to operate a Confined Animal Feeding Operation under Section 402, Subsection B, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision Resolution, on the following described land:

Lot 1 of the REPLAT OF ZUHLKE LOT SPLIT in the Northeast ¼ of Section 4, Township 26 North, Range 3 West 6th P.M. Pierce County, Nebraska

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 is a Medium Livestock Feeding Operation Conditional Use Permit for an operation of up to 5,460 head of swine over 55 lbs. and 2,000 nursery pigs.
2. All manure shall be applied on property as shown on the manure management plan developed by the applicant in accordance with Nebraska Title 130.
3. This conditional use permit shall be for a period of twenty-years and will become effective with the adoption of this resolution. This permit is subject to all of 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. This conditional use permit shall become null and void if the application with Nebraska Department of Environmental Quality is not approved within one year of adoption of this resolution.
5. The permit may be transferred to a new owner, provided the Zoning Administrator is notified at least 30 days prior to closing.
6. This facility must be secured by fencing and gates. Any other security devices are strongly encouraged.

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 the zoning map is hereby reincorporated as a part of the Pierce County, Nebraska Zoning and Subdivision Resolution as amended and REAPPROVED at Pierce, Nebraska this 13th day of March, 2017

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Marvin Elwood, Jr., District #1 Commissioner

/s/ Brad Albers, District #2 Commissioner

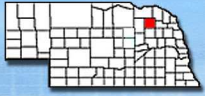
ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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: Elwood, Wragge and Albers. Nay: None. Motion carried.

Discussion was held on the upcoming public hearing pertaining to the issuance of a Class I liquor license for Shane & Jamie Taylor DBA The Whitehouse/Taylor's Bar & Grill at the hall at The Willow Unique Stay which Taylor's will be leasing.

Discussion was held on wind energy in Pierce County and the upcoming informational meeting hosted by UNL at the Pierce Public Library on Tuesday, March 14th from 6 p.m. to 9 p.m.

Motion by Albers, seconded by Elwood, to approve the fee reports as submitted by Rick Eberhardt, County Sheriff; Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for February 2017;



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approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for February 2017 and placed on file in the County Clerk's office, total \$654,021.52 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: Elwood and Wragge; Albers abstained. Nay: None. Motion carried.

GENERAL FUND: Antelope County Sheriff-prisoner boarding-\$40.00; Avera Medical Group-prisoner medical-\$75.00; Black Hills Energy-utilities-\$27.69; Classic Rentals-rug service-\$194.22; Elite Office Products-supplies-\$578.60; First Concord-deductibles-\$185.00; Ann Flood-mental health board-\$100.00; Floor Maintenance-supplies-\$293.09; Daniel Fullner-mental health board-\$171.40; Great American Financial Services-meter rent-\$119.00; Hometown Market-prisoner food-\$2,270.95; Jack's Uniforms & Equipment-supplies-\$8.95; Jenkins Electric-repairs-\$933.26; LexisNexis-law library-\$381.92; M & M Sanitation Service-service-\$201.00; Madison County District Court-court costs-\$100.00; Madison County Sheriff-prisoner boarding & paper service-\$95.62; Magdanz Inc-supplies-\$198.55; Microfilm Imaging Systems-scanner rent-\$92.00; Midwest Bank-co share-\$3,153.74; MIPS Inc-website, microfilming, support-\$573.79; NE NE News-ads-\$953.22; NE Child Support Payment Center-garnishment-\$217.38; Brian Oestreich-prisoner food-\$26.25; Val Olson-mental health board-\$100.00; One Source-supplies-\$23.23; Osmond Pharmacy-prisoner medical-\$65.86; Pierce Auto-repairs-\$68.06; Pierce County Court-court costs-\$259.50; Pierce Co Leader-ads-\$727.40; Pierce County Treasurer-garnishment fee -\$2.50; Pierce Lockers-prisoner food-\$778.50; Pierce Telephone-service-\$1,948.07; Plainview News-ads-\$572.11; Quill-supplies-\$109.97; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,931.04; State of NE Networking-service-\$448.00; State of NE/IMS-service-\$92.88; State of NE, Sec. of State-notary-\$30.00; Michael D. Sullivan-mental health board-\$100.00; Tom's Service LLC-gas & repairs-\$1,315.77; Town & Country Ins.-notary bond-\$40.00; US Postal Service(CMRS-FP)-meter postage-\$1,300.00; US Postal Service-postage envelopes-\$292.05; Payroll-\$42,995.06.

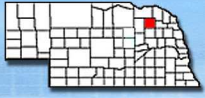
COUNTY HIGHWAY FUND: Appeara-uniform service-\$82.88; Backus Sand & Gravel-gravel-\$1,929.76; Bauer Built-repair parts-\$2,854.20; Chad's Tire Service-repairs-\$234.00; CHI Health-CDL drug testing-\$55.00; Classic Rentals-service-\$232.20; Eastern NE Telephone-service-\$103.02; Farmers Pride-diesel-\$5,829.69; Filter Care-repair parts-\$24.35; Green Line Equipment-repair parts-\$83.48; Jerry's Hilltop-gasoline-\$245.50; K. Porter Construction Inc-crushed concrete-\$1,123.88; Kayton Intl Inc-repair parts-\$21.53; Kimball Midwest-repair parts-\$560.25; Leiting Auto Supply-repair parts-\$91.88; Lorenz Automotive-repair parts & supplies-\$166.79; M & M Sanitation Service-service-\$54.00; Magdanz Inc-supplies-\$46.82; Manzer Equipment Inc-repair parts-\$125.41; Martin Marietta-crushed rock-\$1,721.55; Matheson Tri-Gas-supplies-\$42.84; Midwest Bank-co share-\$1,760.93; Midwest Service & Sales Co-signs-\$560.00; Mitch's Food Center-supplies-\$5.34; N & B Gas Company-gas-\$312.88; NE NE PPD-service-\$300.00; Overhead Door-repairs-\$54.00; Pierce Telephone-service-\$61.70; Plainview Auto Supply-supplies & repair parts-\$242.67; Plainview Telephone-service-\$47.24; Plainview City-utilities-\$341.56; Plainview True Value-supplies-\$64.37; Prime Stop North-gas-\$49.50; R & D Welding-repairs-\$10.00; Randolph Farm Supply-gas & diesel-\$1,990.33; RDO Truck Center-repair parts-\$1,201.92; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,594.40; Safety Kleen-repairs-\$222.48; Schaefer Grain & Feed-crushed concrete-\$30.00; Stanley Petroleum Maint.-repair parts-\$862.75; Steinkraus Service-diesel-\$2,616.40; Tom's Service LLC-gas & repairs-\$622.02; Wattier True Value-supplies-\$86.31; Weldon Parts-repair parts-\$18.37; West-Hodson-supplies-\$42.08; Western Oil LLC-gas-\$564.87; Payroll-\$23,620.80.

REGISTER OF DEEDS FUND: MIPS-computer service-\$298.10.

E911 FUND: AT & T-service-\$9.57; CenturyLink-service-\$72.76; Pierce Telephone-service-\$104.52; Plainview Telephone-service-\$34.73; Racom Corp.-maintenance-\$300.72.

E911 WIRELESS FUND: AT & T-service-\$32.02; CenturyLink-service-\$243.59; Midwest Bank, NA-co share-\$137.72; Pierce Telephone-service-\$316.44; Plainview Telephone-service-\$116.27; Racom Corp-maintenance-\$1,006.78; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$121.52; Payroll-\$1,800.00.

There being no further business, Chairman Wragge adjourned the meeting at 10:10 A.M. and will meet at a regular meeting on Monday, March 27, 2017 at 9:10 A.M. as County Board of Commissioners, said



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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/ Terry J. Wragge
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
