



Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

April 10, 2017

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, April 10, 2017, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Brad Albers and Terry J. Wragge. Co. Clerk Shannon Wragge, Tom Maas, Chad Anderson, Dan Sutherland, Marvin Stech, Zoning Adm. Heather McWhorter and News Reporters 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 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 March 27, 2017 were approved as printed.

The legal was read for the 9:10 a.m. public hearing to receive public comments concerning the application of Marvin Stech for a Conditional Use Permit for a Livestock Feeding Operation for 2,000 hogs over 55 pounds on property located pt of the NW ¼ NE ¼ 12-27-3.

Chairman Wragge opened the hearing at 9:11 a.m. Zoning Adm. Heather McWhorter and Marvin Stech were present to answer questions the Board had for a Livestock Feeding Operation for 2,000 hogs over 55 pounds on property located pt of the NW ¼ NE ¼ 12-27-3. There were no written comments or objections and no one from the public was present. Chairman Wragge closed the hearing at 9:15 a.m.

Motion by Wragge, seconded by Albers, to approve Resolution #2017-9 as follows:

RESOLUTION # 2017- 9

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 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 Marvin Stech:

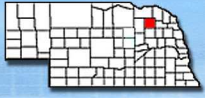
1. The application is consistent with the Pierce County Comprehensive Plan.
2. The application is consistent with the Pierce County Zoning and Subdivision Regulations.
3. There is already a hog barn on the parcel.
4. There have been no complaints received on the current permit.
5. The proposed hog barn would be outside of the ¼-mile setbacks to the nearest homes.
6. Mr. Stech 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 Marvin Stech 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:

Tract in the NW ¼ of the NE ¼ of Section 12, Township 27 North, Range 3 West of the 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 2,000 head of swine over 55 lbs.
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.



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3. This conditional use permit shall be for a period of twenty-years and will become effective with the adoption of 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 invalid 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 may be secured by fencing and gates. Any other security devices are strongly encouraged.
- 7.

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 Official Zoning Map is hereby reincorporated as a part of the Pierce County, Nebraska Zoning and Subdivision Resolution as amended and adopted at Pierce, Nebraska this 10th day of April, 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 Stern Oil being bought out by Nebraska Machinery/Cat and whether or not the County wants to take the equipment buyout or continue to lease oil tanks from NE Machinery. Item will be placed on next agenda.

Larry Krohn, Osmond, called in on speaker phone to discuss the roads in his area that are in dire need of gravel.

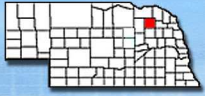
Pierce City Adm. Chad Anderson, Pierce City Council Tom Maas, NE Game & Parks Supt. Dan Sutherland and Sheriff Rick Eberhardt discussed the RV dump/parking lot north of courthouse. This parking lot is owned by Pierce City and Pierce County but the finance and construction was assisted by NRD and NE Game and Parks. This lot is becoming a popular area for large trucks/trailers to park and dolly down for extended periods of time. There is a concern that continued use of this parking area by these heavy trucks will drastically reduce the life span of the asphalt surface and affect access to this lot for intended RV use. It was unanimously decided to not allow trucks to park in this lot overnight and those that do will be asked to find other parking.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for the request for a special designated liquor license for Shane Taylor DBA The Whitehouse/Taylor's Bar & Grill for an event at the Pierce Pavilion on Saturday, April 29, 2017 from 5:00 p.m. to 12:00 a.m. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for the request for a special designated liquor license for Robert Stange/Tiger Tavern for an event at the Pierce Pavilion, on Saturday, May 27, 2017 from 3:00 p.m. to 1:00 a.m. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Discussion was held on 911 Funds being asked for by Plainview City Chief of Police Bruce Yosten, at the March 22, 2017, 9-1-1 Advisory Board Meeting. Yosten wants to install a 3rd backup generator at a cost of either \$47,000 or \$62,000 (2 bids received) and would like financial assistance so that the paging system will always be online. Approval for these funds will need to be approved by the 9-1-1 Advisory Board first and then come to the County Board for final approval.

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 March 2017; approve Treasurer's receipts for various funds for Christine Bahr, County Treasurer, for March 2017 and placed on file in the County Clerk's office, total \$797,029.40 and to audit and allow the following claims



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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: Avera Medical Group-prisoner medical-\$528.00; Black Hills Energy-utilities-\$26.86; Blaser Appraisal-commercial appraising-\$13,068.00; Bailey Carpenter-mileage-\$79.07; Dugan-office supplies-\$213.05; Elite Office Products-supplies-\$170.82; Ewalt Law Office PC-court appointed costs-\$188.00; First Concord-deductibles-\$195.00; Great American Financial Services-meter rent-\$119.00; Hometown Market-prisoner food-\$2,219.71; Jenkins Electric-repairs-\$407.40; Johnson's Inc-repairs-\$276.50; LexisNexis-law library-\$381.92; Magdanz Inc-supplies-\$441.63; Menards-supplies-\$45.82; Midwest Bank-co share-\$3,310.05; MIPS Inc-website, microfilming, support-\$573.79; Michael C Moyer-court appointed costs-\$2,053.50; Nemaha County Clerk-registration-\$100.00; NE NE News-ads-\$367.39; NE Child Support Payment Center-garnishment-\$217.38; Brian Oestreich-prisoner food-\$26.25; One Source-supplies-\$40.95; Pierce County Court-court costs-\$152.00; Pierce County Treasurer-garnishment fee-\$2.50; Pierce Telephone-service-\$1,946.25; Prince Auto Repair Inc-repairs-\$86.28; RS Technologies Inc-software-\$500.00; Region IV Behavioral Health System-4th quarter contribution-\$5,427.50; Region IV Inc-4th quarter contribution-\$2,340.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,052.24; State of NE Networking-service-\$448.00; Terminex-service-\$58.00; Tom's Service LLC-gas & repairs-\$1,371.62; Western Oil LLC-gas-\$48.00; Payroll-\$45,038.70.

COUNTY HIGHWAY FUND: Bauer Built-repair parts-\$2,336.00; Chad's Tire Service-repairs-\$77.00; Clean Sweep-repair parts-\$217.00; Colonial Research-supplies-\$506.05; Cornhusker Intl Trucks Inc-repairs-\$472.30; Dd Steel-supplies-\$56.80; Eastern NE Telephone-service-\$103.09; Farmers Pride-diesel-\$3,418.29; Filter Care-repair parts-\$104.60; Green Line Equipment-repair parts-\$15.43; JEO Consulting Group-engineering-\$16,271.75; K. Porter Construction Inc-crushed concrete-\$391.64; Kayton Intl Inc-repair parts-\$1,272.84; Kelly Supply Co-supplies-\$49.47; Lawson Products-supplies-\$410.86; Leiting Auto Supply-repair parts-\$193.20; Lorenz Automotive-repair parts & supplies-\$881.68; Magdanz Inc-supplies-\$19.32; Manzer Equipment Inc-repair parts-\$928.89; Martin Marietta-crushed rock-\$2,755.86; Matheson Tri-Gas-supplies-\$159.17; Matteo Sand & Gravel Inc-gravel-\$6,745.20; Midwest Bank-co share-\$1,817.27; Midwest Service & Sales Co-signs-\$599.20; Mitch's Food Center-supplies-\$56.40; NE NE PPD-service-\$73.00; NE Machinery Company-repairs-\$7,003.10; Pierce Telephone-service-\$67.21; Plainview Auto Supply-supplies & repair parts-\$5.94; Plainview Telephone-service-\$47.31; Plainview True Value-supplies-\$77.48; Plainview City-utilities-\$305.08; Pollard Pumping Inc-repairs-\$343.75; R & D Welding-repairs-\$352.40; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,644.13; Sapp Bros Petroleum Inc-oil-\$66.55; Steinkraus Service-diesel-\$2,589.69; Tom's Service LLC-gas & repairs-\$563.74; West-Hodson-supplies-\$35.98; Western Oil LLC-gas-\$833.97; Willow Creek Sand & Gravel-gravel-\$2,943.32; Payroll-\$24,356.96.

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

E911 FUND: AT & T-service-\$9.57; Pierce Telephone-service-\$104.52; Plainview Telephone-service-\$34.73.

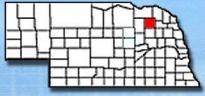
E911 WIRELESS FUND: AT & T-service-\$32.02; Midwest Bank, NA-co share-\$156.85; Pierce Telephone-service-\$316.44; Plainview Telephone-service-\$116.27; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$138.40; Payroll-\$2,050.00.

VISITOR PROMOTION FUND: NE NE News Company-ads-\$6.27.

There being no further business, Chairman Wragge adjourned the meeting at 10:55 A.M. and will meet at a regular meeting on Monday, April 24, 2017 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/ Terry J. Wragge
Chairman, Pierce County
Board of Commissioners

/s/ Shannon Wragge
Pierce County Clerk



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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
