



Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

August 28, 2017

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, August 28, 2017, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Brad Albers and Terry J. Wragge. Co. Clerk Shannon Wragge, Zoning Adm. Heather McWhorter 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 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 August 14, 2017 were approved as printed.

Zoning Administrator Heather McWhorter, Stephanie Suckstorf and Brinda Weinrich were present.

The legal was read for the 9:10 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Timothy & Brinda Weinrich to build a house on less than 40 acres on Tim Weinrich's Lot Split on property located in part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25-25-1.

Chairman Wragge opened the hearing at 9:11 a.m. McWhorter answered questions 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 9:12 a.m.

Motion by Wragge, seconded by Elwood, to approve Resolution #2017-26 as follows and approve the Tim Weinrich's Lot Split in pt of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25-25-1:

RESOLUTION 2017-26

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:

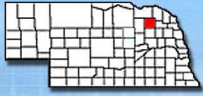
1. The property is zoned A-1 Primary Agricultural.
2. Density requirements for this zoning district allow for only two houses per quarter, this will be the only home on the quarter section.
3. There is access to an improved county road.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Timothy & Brinda Weinrich to build a house on less than 40 acres on TIM WEINRICH'S LOT SPLIT as per Section 402: A-1 Primary Agricultural District, of the Pierce County Zoning and Subdivision Resolution, on the following described land:

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 25 North, Range 1 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.

1. This Conditional Use Permit allows a Single Family Home on less than 40 acres.
2. This Conditional Use Permit is permanent and will be transferred between owners.



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3. With the passage of this permit, the applicant realizes that the new residence is going to be subject to livestock odors, dust and general nuisance. This does not mean that the applicant is giving up the right to protection by Pierce County and the State of Nebraska.
 4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners.
 5. The applicant must record a copy of the signed permit with the Pierce Register of Deeds office.
 6. Must apply for a zoning permit from Zoning Administrator before starting construction on the residence.
- 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 said zoning map is hereby reincorporated as a part of the Pierce County, Nebraska Zoning and Subdivision Resolution as amended.

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 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 28th day of August, 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.

Discussion was held on the last planning & zoning board meeting pertaining to wind energy in Pierce County.

Mike Pommer, County CPA, was present and discussion was held on the 17/18 FY budget and on the levy allocations for the subdivisions. The budget hearing for the 17/18 fiscal year will be on Monday, September 11, 2017 at 9:30 a.m.

Discussion was held on the public defender contracts which all parties have agreed upon and signed accepting the position, job description and salary amount.

Motion by Elwood, seconded by Albers, to accept and approve the public defender contracts with the current firms of Johnson, Morland, Easland & Lohrberg P.C., Norfolk, NE and Kate Jorgensen Law Office P.C., Wayne, NE, as Pierce County's Public Defender's at a salary of \$30,000.00 per year per firm for minimum of one year and possibly two years. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

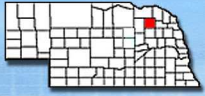
Discussion was held on a Keno Fund Application & Policy.

Motion by Albers, seconded by Wragge, to approve the Keno Fund Application and Policy was presented. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to recommend approval to the NE Liquor Control Commission for the request for a special designated liquor license for Tiger Tavern, Osmond, for events at the Pierce Pavilion on Saturdays, September 16 & 23, 2017 from 2:00 p.m. to 1:00 a.m. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Motion by Albers, seconded by Elwood, 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 Co Sheriff-inmate housing-\$1,520.00; BCBS-health premiums-\$24,620.32; Cable One-service-\$99.86; First Concord-fees & deductible paid-\$1,597.84; Gene French-reimburse registration-\$10.00; Graham Tire Norfolk-repairs-\$116.14; Jenkins Electric-repairs-\$1,459.32; Kate M. Jorgensen-public defender-\$2,083.33; Madison Co District Court-judge office expense-\$183.29; Madison



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Co Sheriff-inmate housing-\$50.00; Madison National Life Ins. Co.-premiums, life, long term disability-\$76.77; Midwest Bank-co share-\$3,354.49; Morland, Eastland, Lohrberg PC-public defender-\$2,083.33; NE Health & Human Services-Jul 2017 housing-\$372.00; Brian Oestreich-prisoner food-\$12.00; One Office Solution-supplies&equipment-\$118.62; Penny Pedersen-reimburse-supplies-\$89.45; Pierce Co Threshing Bee-fairground rent-\$1,100.00; Pierce City-utilities-\$3,316.08; Postmaster-Pierce-postage-\$225.00; Prime Stop-gas-\$6.61; Quill-office supplies-\$670.17; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,967.32; State of NE-computer service-\$139.74; State of Ne Dept of Corrections-inmate housing-\$1,538.28; Thomsen Reuters West-law library-\$316.53; Wanek Pharmacy-prisoner meds-\$154.49; Wayne Co District Court-juge office expense-\$5,397.66 Payroll-\$46,645.38.

COUNTY HIGHWAY FUND: B's Enterprises-supplies-\$764.00; Black Hills Energy-utilities-\$46.72; Bomgaars-supplies-\$190.97; CenturyLink-telephone service-\$58.91; JEO Consulting Group-professional fees-\$9,149.00; Lawson Products-supplies-\$172.93; Matteo Sand & Gravel-gravel-\$137.16; Midwest Bank, NA-co share-\$1,877.45; Northeast Power-utilities-\$205.00; Pierce Automotive-repair parts-\$381.57; Pierce City-utilities-\$111.64; RDO Truck Centers-repair parts-\$138.20; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,654.26; Safety-Kleen Systems-service-\$249.43; Steinkraus Service-diesel-\$2,452.84; Verizon-service-\$80.07; Willow Creek Sand&Gravel-gravel-\$2,279.36; Wilson Tool Service-equipment-\$49.45; Payroll-\$24,968.64.

E911 FUND: AT&T-telephone service-\$6.26; CenturyLink-telephone service-\$47.57.

E911 WIRELESS FUND: AT&T-telephone service-\$35.47; CenturyLink-telephone service-\$269.56; Midwest Bank, NA-co share-\$137.72; 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 10:06 A.M. and will meet again at a regular meeting on Monday, September 11, 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

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
