



# Pierce County Board Minutes



## COMMISSIONERS PROCEEDINGS

July 16, 2018

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, July 16, 2018, 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, Hwy Supt. Brian McDonald, Ross H. DeBower, Dennis Ditloff, Loren Brandstetter, Chris Niles, Connie Niles, Richard Koenig, Jim Schmit 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 and minutes. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

The minutes of July 2, 2018 were approved as printed.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for a request for 2 special designated liquor licenses for Tiger Tavern, Osmond, for events on Saturday, August 11, 2018 and Saturday, October 6, 2018, both at the Pierce Pavilion from 3:00 p.m. to 1:00 a.m. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

The approval of the County Treasurer's Semi-Annual Report was discussed.

Motion by Elwood, seconded by Albers, to approve the Pierce County Treasurer's Semi-Annual Statement as presented by the County Treasurer. Whereas the original is on file at the office of the Pierce County Clerk and available for inspection. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Hwy Supt. Brian McDonald was present and discussion was held on the road study report for the possible vacation or abandonment of the road, 545 Avenue, between Sections 35/36 less the north 1000' in Blaine Township in Township 25 North, Range 3 West of the 6th Principal Meridian, Pierce County Nebraska, the speed increase on state highways, micro surfacing, crack sealing and problem roads and bridges that need attention.

The legal was read for the 9:10 a.m. public hearing for the road vacation or abandonment of 545 Avenue, between Sections 35/36 less the north 1000' in Blaine Township in Township 25 North, Range 3 West of the 6th Principal Meridian, Pierce County Nebraska. Chairman Wragge opened the road hearing at 9:14 a.m. Loren Brandstetter, abutting landowner, was present and voiced his opinion that he would like to see the road closed because of trash and trespassers. Ross H. DeBower and Dennis Ditloff with Nebraska Public Power District (NPPD) was present and said they were not against closing the road but NPPD does need down that road from the north to get to their electrical line. It was agreed upon by all concerned to close the road and place a locked fence across the existing road for access by the land owners and NPPD. There were no other written comments or objections for or against. Chairman Wragge closed the hearing at 9:19 a.m.

No final decision was made on the vacation or abandonment of 545 Avenue, between Sections 35/36 less the north 1000' in Blaine Township in Township 25 North, Range 3 West of the 6th Principal Meridian, Pierce County Nebraska and approval of Resolution 2018-16 will be added to July 30, 2018 agenda.

The legal was read for the 9:15 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Chris & Connie Niles to build a house on less than 40 acres on Anderson Niles Lot Split on property located in pt of the NW ¼ SW ¼ 13-26-1.

Chairman Wragge opened the hearing at 9:34 a.m. Zoning Adm. Heather McWhorter, Chris & Connie Niles were present and answered questions the Board had on the Conditional Use Permit. There were no other written comments or objections for or against. Chairman Wragge closed the hearing at 9:36 a.m.

Motion by Wragge, seconded by Albers, to approve Resolution #2018-17 as follows and to approve the Anderson Niles Lot Split in pt of the NW ¼ SW ¼ in Section 32, T26N, R1W, Pierce County, NE:



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## RESOLUTION #2018 - 17

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. This application is consistent with the Comprehensive Plan.
2. This application is consistent with the Zoning and subdivision Regulations and the Zoning Map.
3. The property is zoned A-1 Agricultural Intensive.
4. Density requirements for this zoning district allow for only two houses per quarter, this will be the only home on the quarter section.
5. 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 Chris & Connie Niles to build a house on less than 40 acres on ANDERSON NILES LOT SPLIT as per Section 402: A-1 Primary Agricultural District, of the Pierce County Zoning and Subdivision Resolution, on the following described land:

NW¼ of the SW ¼ of Section 32, Township 26 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 of less than 40 acres.
2. This Conditional Use Permit is permanent and may be transferred between owners.
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, however, mean that the applicant is giving up the right to be protected 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. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.
6. A zoning permit must be approved before construction of the home 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 16<sup>th</sup> day of July, 2018

PIERCE COUNTY BOARD OF COMMISSIONERS

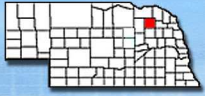
/s/ Terry J. Wragge, Chairman

/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.



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The legal was read for the 9:20 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Rob & Hillary Broekemeier to build a house on less than 40 acres on Broekemeier Lot Split on property located in pt of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  8-27-2.

Chairman Wragge opened the hearing at 9:39 a.m. Zoning Adm. Heather McWhorter and Hillary Broekemeier were present and answered questioned the Board had on the Conditional Use Permit. There were no other written comments or objections for or against. Chairman Wragge closed the hearing at 9:40 a.m.

Motion by Wragge, seconded by Albers, to approve Resolution #2018-18 as follows and to approve the Broekemeier Lot Split in pt of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  in Section 8, T27N, R2W, Pierce County, NE:

## RESOLUTION #2018 – 18

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

6. This application is consistent with the Comprehensive Plan.
7. This application is consistent with the Zoning and subdivision Regulations and the Zoning Map.
8. The property is zoned A-1 Agricultural Intensive.
9. Density requirements for this zoning district allow for only two houses per quarter, this will be the only home on the quarter section.
10. There is access to an improved county road.

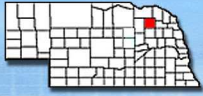
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Rob & Hillary Broekemeier to build a house on less than 40 acres on BROEKEMEIER LOT SPLIT as per Section 402: A-1 Primary Agricultural District, of the Pierce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

NW $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 8, Township 27 North, Range 2 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.

7. This Conditional Use Permit allows a Single Family Home of less than 40 acres.
8. This Conditional Use Permit is permanent and may be transferred between owners.
9. 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, however, mean that the applicant is giving up the right to be protected by Pierce County and the State of Nebraska.
10. 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.
11. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.
12. A zoning permit must be approved before construction of the home 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.



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ADOPTED at Pierce, Nebraska this 16<sup>th</sup> day of July, 2018

## 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.

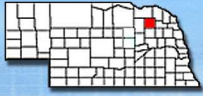
Willard Wesemann, Brett Rix, Veterans Service Officer Mark McCabe, Alton Fuelberth and Ray Stark were present.

Discussion was held on the appointment of Brett Rix as the new Veterans Service Officer, full or part-time position and hourly wage.

Motion by Albers, seconded by Elwood, to approve the appointment of Brett Rix, Plainview, NE, as the Pierce County Veterans Service Officer, at a starting wage of \$14.00 per hour for at least 30 hours per week, making this a full time position with benefits for such, effective immediately. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to approve the fee reports as submitted by Vickie Prince, Clerk of District Court, Rick Eberhardt, County Sheriff and Shannon Wragge, County Clerk for June 2018; approve Treasurer's receipts for various funds for Christine Bahr, County Treasurer, for June 2018 and placed on file in the County Clerk's office, total \$999,111.88 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:** Mark Albin-court appointed attorney costs-\$1,321.56; Avera Medical Group-employee vaccinations-\$183.00; BC/BS of NE-health insurance-\$27,211.40; Christine Bahr-mileage-\$189.66; Black Hills Energy-service-\$26.79; Bob Barker-supplies-\$133.71; Bailey Carpenter-reimb. supplies-\$33.88; Classic Rentals-maintenance service-\$150.82; Elite Office Products-maintenance, agreement & supplies-\$45.27;Ewalt Law Office PC LLO-court appointed attorney costs-\$52.50; First Concord-fees & deductible paid-\$192.00; Graham Tire-tires-\$117.14; Great America Financial Services-postage meter rent-\$119.00; Heartland Fire Protection-annual testing-\$349.75; Hometown Market-jail supplies-\$1,602.92; Jeffrey L. Hrouda-court appointed attorney costs-\$1,525.55; Jack's Uniforms & Equipment-supplies-\$214.23; Aaron Keck-mileage-\$31.80; Mark Kroupa-mileage-\$19.81; Gloria Kudera-mileage-\$13.27; LexisNexis-law library-\$397.00; Magdanz-supplies-\$318.17; Microfilm Imaging Systems-scanning-\$92.00; Midwest Bank-co share-\$3,755.30; MIPS-supplies&tech support-\$905.42; NE Nebr News Co-publishing-\$639.37; Norfolk City-blood test-\$35.00; Brian Oestreich-prisoner food-\$12.00; Osmond Mini Mart-gas-\$154.42.; Linda Peekenschneider-reimb. supplies & mileage-\$231.44; Pierce Co Court-reimburse expenses-\$352.00; Pierce Co Leader-publishing-\$410.48; Pierce County Register of Deeds-recording of road closing-\$10.00; Pierce County Sheriff-paper service-\$114.90; Pierce County Treasurer-interest-\$55.21; Pierce Dental Office-prisoner medical-\$125.00; Pierce County District Court-reimburse expenses-\$72.00; Pierce Telephone-service-\$2,096.31; Plainview News-publishing-\$324.76; Prime Stop-gas-\$92.30; Prince Auto Repair-repairs-\$43.96; Protex Central Inc-inspection-\$112.10; Quill-office supplies-\$384.66; Randolph Times-subscription-\$32.00; Region IV Inc-develop disabled services first qtr. payment-\$2,340.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,755.30; NE Sec. of State-supplies-\$10.00; Security Shredding Services-service-\$105.00; Simple Minds PC Solutions-service & support-\$2,820.00; State of NE-computer service-\$448.00; Wanek Pharmacy-prisoner medical-\$33.68; Payroll-\$51,617.79 - As per statute SS 23-122; 3 County Commissioners-\$2,665.00/Mo.; 4 County Officials-\$4,441.67/Mo.; 4 County Deputies-\$3,331.25/Mo.; 1 County Official-\$5,325.00/Mo.; 1 County Official-\$4,891.67/Mo.; 1 County Deputy-\$2,887.08/Mo.; 1 Sheriff's Deputy-\$4,021.33/Mo.; 1 Sheriff's Deputy-\$3,423.33/Mo.; 1 Sheriff's Deputy-\$3,091.67/Mo.; 4 PT Sheriff's Deputy-\$14.00/hr; 1 PT Sheriff's Deputy-\$18.17/hr; 1 Veteran's Service Officer-\$16.80/hr; 1 FT Custodian-\$12.50/hr; 1 PT Custodian-\$12.55/hr; 1 PT Custodian-\$15.05/hr; 1 PT Custodian-\$15.75/hr; 2 FT Clerical-\$15.00/hr; 1 FT



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Clerical-\$12.00/hr; 1 FT Clerical-\$13.30/hr; 2 PT Clerical-\$12.50/hr; 1 FT Clerical-\$13.25/hr; 1 FT Clerical-\$12.35/hr; 1 PT Clerical-\$9.75/hr; 1 PT Clerical-\$9.50/hr; 1 PT Clerical-\$9.25/hr; 1 FT Dispatcher-\$17.50/hr; 1 FT Dispatcher-\$14.50/hr; 2 FT Dispatcher-\$11.50/hr; 2 PT Dispatcher-\$16.00/hr; 1 FT Cook-\$13.50/hr; 2 PT Cook-\$11.50/hr; 1 PT Cook-\$10.50/hr; 1 Weed Supt.-\$18.55/hr; 1 PT Weed Sprayer-\$15.05/hr; 1 PT Weed Sprayer-\$12.55/hr; 5 Weed Board Members-\$40.00/diem.

**COUNTY HIGHWAY FUND:** Appera-supplies-\$84.40; B's Enterprises-signs-\$940.00; Backus Sand & Gravel-gravel-\$50,763.53; Bauer Built-repairs-\$738.20; Bazil Aggregate Co-gravel-\$23,492.00; Block Tree-tree removal-\$300.00; Chad's Tire Service-tires & repairs-\$210.64; Classic Rentals-maintenance-\$187.15; Colonial Research-supplies-\$771.71; Eastern NE Telephone-service-\$108.71; Farmer's Pride-diesel-\$6,263.10; Filter Care-service-\$84.80; Gerhold Concrete Co Inc-crushed concrete-\$419.66; JEO Consulting Group Inc-engineering services-\$12,481.25; Jerry's Hilltop Service-gasoline-\$128.00; Kayton Intl Inc-repair parts-\$448.00; Kimball Midwest-supplies-\$403.81; Lazy T Tire & Implement-repair parts-\$34.00; Leiting Auto Supply-repair parts-\$38.50; Lorenz Automotive-repair parts-\$86.99; Magdanz-supplies-\$170.07; Matheson-supplies-\$55.80; Matteo Sand & Gravel Co Inc-rock-\$645.04; Menards-supplies-\$9.98; Midwest Bank, NA-co share-\$1,982.38; Mitch's Food Center-supplies-\$45.14; Mitteis Gravel LLC-gravel-\$858.96; NE NE Tire & Trailer Sales-tire repair-\$102.48; NE Machinery-repair parts-\$10,774.83; NE Glass-repair parts-\$930.00; Osmond Farm Supply-diesel-\$2,332.50; Osmond Mini Mart-gas-\$346.91; Pierce Telephone-service-\$65.55; Plainview Automotive-repair parts-\$80.50; Plainview Telephone-service-\$47.93; Plainview City-utilities-\$302.03; R & D Welding-repairs-\$12.24; Randolph Farm Supply-gas&diesel-\$154.97; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,627.61; Steinkraus-diesel-\$3,950.40; Verizon-service-\$80.07; Wattier True Value Hardware-supplies-\$59.34; Western Oil-gasoline-\$737.35; Willow Creek Sand & Gravel-gravel-\$5,621.72; Payroll-\$26,123.39 - As per statute SS 23-122; 1 PT Co. Hwy. Supt.-\$100.00/Mo.; 1 FT Mechanic-\$19.65/hr; 8 FT Road Workers-\$15.25/hr; 3 FT Road Workers-\$14.75/hr; 1 FT Road Workers-\$14.50/hr; 1 FT Road Worker-\$15.00/hr; 1 FT Road Worker-\$14.25/hr; 1 PT Road Worker-\$13.50/hr; 3 PT Road Worker-\$13.00/hr; 2 PT Road Worker-\$12.00/hr; 1 Bridge Inspector-\$125.00/bridge.

**E911 FUND:** Pierce Telephone-service-\$96.30; Plainview Telephone-service-\$31.71.

**E911 WIRELESS FUND:** Midwest Bank, NA-co share-\$61.20; Pierce Telephone-service-\$324.66; Plainview Telephone-service-\$119.29; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$54.00; Payroll-\$800.00.

**REGISTER OF DEEDS FUND:** MIPS-computer service-\$310.96.

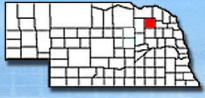
There being no further business, Chairman Wragge adjourned the meeting at 9:59 A.M. and will meet at a regular meeting on Monday, July 30, 2018 at 9:10 A.M. as County Board of Commissioners, said meeting is open to the public. An agenda for such meeting, kept continuously current, is available for public 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 Board Minutes



Pierce County Clerk

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