COMMISSIONERS PROCEEDINGS
July 30, 2018

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, July 30, 2018, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Brad Albers and Terry J. Wragge. Co. Clerk Shannon Wragge, Richard Koenig, Joshua Flesner, Tom Kuether 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 July 16, 2018 were approved as printed.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for a request for a special designated liquor license for Clanceyz, Pierce, for an event on Saturday, September 1, 2018 at the Pierce Pavilion 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 recommend approval to the NE Liquor Control Commission for a request for a special designated liquor license for The Greenhorn, Stanton, for an event on Saturday, August 25, 2018 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.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for a request for a special designated liquor license for American Legion, Pierce, for an event on Saturday, September 15, 2018 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.

Motion by Albers, seconded by Elwood, to recommend approval to the NE Liquor Control Commission for a request for two special designated liquor licenses for Taylor's Bar & Grill, Pierce, for an event on Saturday, September 8, 2018 and Saturday, October 20, 2018, both at the Pierce Pavilion from 4:00 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 a request for a special designated liquor license for Robert Stange dba Tiger Tavern, Osmond, for an event on Saturday, October 6, 2018 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.

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, micro surfacing, crack sealing and problem roads and bridges that need attention.

Motion by Albers, seconded by Elwood, to approve Resolution #2018-16 as follows:

RESOLUTION #2018-16
PIERCE COUNTY, NEBRASKA

WHEREAS, Pierce County considered 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.

WHEREAS, Pierce County directed the Highway Superintendent to make a study of the use of the road and hold a public hearing to discuss possible vacation or abandonment of the above described road.

WHEREAS, it was found to be in the public interest for the County to close the road to traffic but retain the right of way, 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.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Pierce County, Nebraska, that 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 be closed to traffic and the right of way retained by the county.

Adopted this 30th day of July, 2018, at Pierce, Nebraska

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

Motion by Elwood, seconded by Albers, to approve the removal of Mark McCabe and the addition of Brett Rix and Shannon Wragge to the Pierce County Veterans Aid Fund at Midwest Bank, Pierce. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Motion by Elwood, seconded by Albers, to approve the 2018 Inventories for all county offices and the road departments as submitted. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Co. Sheriff Rick Eberhardt was present to discuss the jail and sheriff budgets.

The legal was read for the 9:30 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Josh Flesner to build a house on less than 40 acres on the Flesner Lot Split on property located in pt of the SE ¼ SE ¼ 23-26-3.

Chairman Wragge opened the hearing at 9:30 a.m. Zoning Adm. Heather McWhorter and Josh Flesner 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 9:32 a.m.

Motion by Albers, seconded by Elwood, to approve Resolution #2018-19 as follows and to approve the Flesner Lot Split in pt of the SE ¼ SE ¼ in Section 23, T26N, R3W, Pierce County, NE:

RESOLUTION #2018 - 19

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 Josh Flesner to build a house on less than 40 acres on FLESNER LOT SPLIT as per Section 402: A-1 Primary Agricultural District, of the Pierce County

Zoning and Subdivision Resolution, on the following described land:

SE¼ of the SE ¼ of Section 23, Township 26 North, Range 3 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. The applicant must record a copy of the signed permit with the Pierce Register of Deeds office.
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 30th 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.

Christopher Rohde and Joe Aschoff were present to answer questions the Board had on the Rohde Lot Split.

Motion by Elwood, seconded by Albers, to approve the Rohde Lot Split in pt of the NE ¼ in Section 4, T26N, R3W, Pierce County, NE. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Deputy Susan Peters and Mike Pommer, County CPA, were present and discussion was held on the 18/19 FY budget and on levy allocation for the subdivisions. The levy allocation for the subdivisions will be approved at the August 13, 2018 recessed board meeting on Wednesday, August 22, 2018 at 9:00 a.m. meeting because no valuations from the Assessors will have been received by the regular scheduled board meeting. The budget hearing for the 18/19 fiscal year will be on Monday, September 10, 2018 at 9:30 a.m.

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

GENERAL FUND: Rita Bachman-prior service-$60.00; Donald Blecha-prior service-$45.00; Cable One-service-$113.46; Des Moines Stamp-supplies-$449.00; Elite Office Products-supplies-$114.99; First Concord Benefits-insurance deductible-$282.10; Heartland Fire Protection-service & testing-$923.25; Hometown Market-prisoner food-$862.87; Jenkins Electric-repairs-$2,544.56; Kate M. Jorgensen-public defender-$2,500.00; Genevieve Kumpost-prior service-$45.00; Beverly Luebe-refund of Section 125-$50.00; Madison County- 17/18 FY Planning & Zoning services-$25,498.16; Madison National Life-premiums-$55.69; Marshall & Swift-supplies-$644.20; Midwest Bank-co share-$3,901.99; Amy Miller-refund of Section 125-

$192.30; MIPS-support-$126.29; Morland, Easland, Lohrberg PC-public defender-$2,500.00; NE Health & Human Services-June 2018 housing-$279.00; Brian Oestreich-prisoner food-$8.00; One Stop Fuels-gas-$326.00; Osmond Pharmacy-prisoner meds-$82.82; Pierce County Petty Cash Fund-postage, fuel, supplies, etc-$217.70; Pierce County District Court-court costs-$105.00; Pierce City-utilities-$2,922.36; Prime Stop North-gas-$30.80; Prince Auto Repair Inc-repairs-$613.10; Quill-supplies-$531.70; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-$3,279.97; Schroeder Land Surveying-set corners-$730.00; Robert Seegebarth-prior service-$33.00; State of NE Central Finance-computer network fees-$92.88; Thomsen Reuters-law library-$338.69; Tom's Service-gasoline-$2,877.29; Walmart-supplies-$23.94; Zee Medical-supplies-$54.65; Payroll-$51,162.68.

COUNTY HIGHWAY FUND: Bauer Built Tire-tires-$2,675.60; Bazile Aggregate Co-gravel-$13,188.00; Black Hills Energy-utilities-$23.26; Bomgaars-supplies-$55.16; CenturyLink-service-$61.11; CHI Health-physicals-$544.10; Gerhold Concrete Co-crushed rock-$424.54; JEO Consulting-engineering-$8,358.75; Matteo Sand & Gravel Co Inc-rock-$741.21; NE Power-service-$262.00; Osmond Farm Supply-diesel-$2,217.25; Pierce Automotive Supply-repair parts-$155.71; Pierce County Petty Cash Fund-titles & tire tax-$35.00; Pierce City-utilities-$123.05; Randolph Farm Supply-diesel-$2,192.49; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-$1,663.99; Safety Kleen Services-service-$252.81; Steinkraus Service-diesel-$4,747.63; Tom's Service-gasoline-$1,159.78; Zee Medical-supplies-$440.40; Payroll-$28,775.48.

E911 FUND: AT & T-service-$8.90; CenturyLink-service-$69.41.

E911 WIRELESS FUND: AT & T-service-$33.49; CenturyLink-service-$261.12; Midwest Bank, NA-co share-$61.20; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-$54.00; Payroll-$800.00.

The Board did the quarterly jail and courthouse inspection and all three returned.

There being no further business, Chairman Wragge adjourned the meeting at 10:35 A.M. and will meet again at a regular meeting on Monday, August 13, 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 l0 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

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