



Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS

December 3, 2018

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, December 3, 2018, at 9:10 A.M. with the following members present: Marvin Elwood, Jr., Brad Albers and Terry J. Wragge. Co. Clerk Shannon Wragge, Ned Porter, Richard Koenig, Co. Commissioner Elect Jim Schmit, Co. Attorney Elect Ted Lohrberg 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 November 19, 2018 were approved as printed.

Motion by Albers, seconded by Elwood, to approve the application for Eastern NE Telephone, to occupy and under cross Pierce County road and right-of-way with a 1" fiber optic line beginning at a point 15' north of 865 Road and running 2,640' north along the east side 546 Avenue of Section 30, Township 28 North, Range 2 West, Pierce County, NE. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

Discussion was held on applying for the Scrap Tire Grant Project for 2019 with NE DEQ.

Motion by Albers, seconded by Elwood, to authorize the Clerk to apply for grant funds for the Scrap Tire Grant Project for 2019 with Nebraska Dept. of Environmental Quality Waste Management Division, with the project to be held at the Plainview Shop if granted. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

The legal was read for the 9:15 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Joseph Ottis to operate a salvage yard and motor vehicle dealership on property located in pt of the S ½ N ½ SW ¼ 22-25-1.

Chairman Wragge opened the hearing at 9:15 a.m. No one was present and there were no other written comments or objections for or against. Chairman Wragge closed the hearing at 9:18 a.m.

Motion by Albers, seconded by Elwood, to approve Resolution #2018-33 as follows:

RESOLUTION #2018 - 33

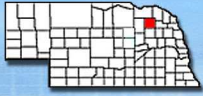
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF PIERCE, NEBRASKA UNDER AUTHORITY GRANTED BY THE PIERCE COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

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. Applicant currently has a Conditional Use Permit to operate a motor vehicle repair shop. He is expanding to include a salvage yard and auto sales.
2. This application is consistent with the Pierce County Comprehensive Plan and Zoning and Subdivision Regulations and the Zoning Map.
3. The property is zoned C-3, Highway Services District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grant a permanent Conditional Use Permit to Joseph Ottis to operate a Salvage Yard and Motor Vehicle Sales on property located on:



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The South 30 Rods, being approximately the South 30 acres of and from the North Half of the Southwest Quarter (N ½ SW ¼) of Section 22, Township 25 North, Range 1 West of the 6th P.M., Pierce County, NE, less that part taken by the State of Nebraska, Dept. of Roads, as evidenced in the Return of Appraisers filed Jan. 3, 1985 in Book 34 of Misc., Page 22, and less that part deeded to the State of Nebraska in Warranty Deed filed in Book 45 page 455,

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. The Salvage Yard shall be screened with an eight (8) foot high opaque, solid fence or earth berm so as to provide visual separation between such use and adjacent areas.
2. This Conditional Use Permit shall be for a period of ten 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.
3. This Conditional Use Permit, shall become null and void if the required screening is not built; and/or all necessary permits from the State of Nebraska are not secured within one year of the adoption of this resolution, and these permits shall be renewed and kept in good standing by the State of Nebraska for the entire length of this permit. These actions shall signify implementation of the Conditional Use Permit.
4. This Conditional use permit shall become null and void if the ownership of this property is transferred in any manner to another individual, or to a partnership or corporation not having Joseph Ottis as a partner of corporate officer, within the ten-year time limit of this permit.
5. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.

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 3rd day of December, 2018

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

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

/s/ Brad Albers, District #2 Commissioner

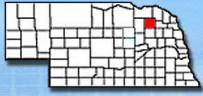
ATTEST: /s/ Shannon Wragge, Pierce County Clerk

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.

Discussion was held on a road maintenance agreement giving Nextera approval to use Pierce County roads as they construct and operate the Sholes Wind, LLC Farm in Wayne County. Approval of road agreement was tabled.

Sara Twibell and Diane Alden with North Central Health Dept. was present to ask the County Board for financial support (\$2/person with an average of 825 participating students in Pierce County) for a school based dental program “Miles for Smiles” that has been offered the last 6 years to children at all the schools in the North Central Health District.

Motion by Wragge, seconded by Albers, to give financial support of \$4/person, with an average of 825 participating students in Pierce County, for the school based dental program “Miles for Smiles” with the North Central Health District, O’Neill, NE. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.



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

GENERAL FUND: Antelope Co Sheriff-inmate housing-\$1,240.00; Avera Medical Group-prisoner medical-\$120.00; Black Hills Energy-utilities-\$25.27; Cabel One-service-\$113.44; Digital-Ally-law supplies-\$4,055.00; Dugan- office supplies-\$168.25; Elite Office Products-office supplies-\$109.99; Faith Regional Physicians Serv.-prisoner medical-\$1,336.00; Farmers Pride Coop-propane-\$70.20; First Concord-fees & deductible pd-\$713.16; Hadar Fire Hall-poll site rent-\$75.00; Hometown Market-prisoner food-\$1,648.61; Jacks Uniforms & Equipment-uniform-\$543.69; Madison National Life Ins Co Inc-premiums-\$73.15; Midwest Bank-co share-\$3,747.43; Brian Oestreich-prisoner food-\$52.00; Osmond Auditorium-poll site rent-\$75.00; Linda Peekenschneider-reimburse registration-\$125.00; Pierce District Court-court costs-\$33.00; Pierce Fire Hall-poll site rent-\$75.00; Pierce Public Library-poll site rent \$75.00; City of Pierce-utilities-\$2,550.12; Plainview Public Library-poll site rent-\$75.00; Prime Stop North-gas-\$28.26; Quill-supplies-\$499.56; Ramada-lodging-\$150.00; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,344.81; Stonacek Memorial Chapel-county burial-\$2,435.00; Terminix-services-\$62.00; Thomson Reuters West-law library-\$338.69; Walmart-supplies-\$251.31; Payroll-\$51,454.39.

COUNTY HIGHWAY FUND: Alpha Workforce Health-emp. Physical-\$85.00; Backus Sand & Gravel-gravel-\$2,589.19; Bazile Aggregate Co-gravel-\$1,260.00; Bomgaars-supplies-\$275.15; Green Line Equipment-repair parts-\$146.46; JEO Consulting Group-services-\$14,902.50; Lawson Products-supplies-\$280.02; Midwest Bank-co share-\$1,806.19; NE Power-service-\$251.00; Pierce Automotive Supply-repair parts-\$340.14; City of Pierce-utilities-\$117.53; R&D Welding-repairs-\$70.22; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$1,575.50; Steinkraus Service-diesel-\$2,212.68; Payroll-\$23,801.54.

E911 FUND: AT & T-service-\$43.90; CenturyLink-service-\$70.10; Racom Corp-repairs-\$237.50.

E911 WIRELESS FUND: CenturyLink-service-\$263.70.

Co. Attorney Elect Ted Lohrberg was present and asked the Board if he could use an office in the courthouse for his county attorney practice. The Board unanimously agreed that he could use the SE office and they would ask NE HHS to move to the office to the north.

Clerk of District Court Vickie Prince and Court Magistrate Deb Theisen were present and asked if they could go into executive session regarding personnel issues.

Motion by Wragge, seconded by Albers, to go into executive session at 10:01 a.m. regarding personnel issues. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

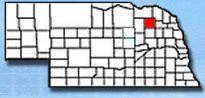
Motion by Wragge, seconded by Elwood, to come out of executive session at 10:22 a.m. regarding personnel issues. Roll call vote: Aye: Elwood, Albers and Wragge. Nay: None. Motion carried.

There being no further business, Chairman Wragge adjourned the meeting at 10:25 A.M. and will meet again at a regular meeting on Monday, December 17, 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.



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/s/ Shannon Wragge
Pierce County Clerk
