



Pierce County Board Minutes



COMMISSIONERS PROCEEDINGS June 14, 2021

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, June 14, 2021, at 9:10 A.M. with the following members present: Tom Kuether, Jim Schmit and Terry J. Wragge. Co. Clerk Shannon Wragge, Co. Attorney Ted Lohrberg, Zoning Adm. Heather McWhorter, PCED Susan Norris, Brianna Gable, Benjamin Niyodusenga, Lillian Uwanjye, EMS Bobbi Risor, Andy Scholting, James Aschoff, Jeremy Tarr, Chad Anderson and News Reporter Randee Falter.

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 Schmit, seconded by Kuether, to approve the agenda and minutes. Roll call vote: Aye: Kuether, Schmit and Wragge. Nay: None. Motion carried.

The minutes of June 1, 2021 were approved as printed.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow Levi Stepp/Stepp Welding to operate a welding & fabrication business on property located in pt of the NW ¼ NW ¼, Gerald A. Woslager's Lot Split 27-26-3.

Chairman Wragge opened the hearing at 9:11 a.m. Zoning Adm. Heather McWhorter and Levi Stepp were present and 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 for the hearing. Chairman Wragge closed the hearing at 9:13 a.m.

Motion by Wragge, seconded by Kuether, to approve Resolution #2021-18 as follows:

RESOLUTION 2021 - 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, 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 for the Conditional Use Permit application of Cody Mattson:

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. Located in the A-1 Ag Intensive district.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Levi Stepp/Stepp Welding to operate a Welding and Fabrication business under Section 402, Subsection B, Part 29, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision Resolution, on the following described land:

Part of the Northwest ¼ of the Northwest ¼ of Section 27, Township 26 North, Range 3 west of the 6th P.M., Pierce County, (see attached)

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 Conditional Use Permit to operate a Welding and Fabrication business as a Cottage Industry on the above-described property.



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2. The permit is for a period of ten (10) years and will become effective with the adoption of this resolution. The permit will be renewed automatically with no verifiable complaints received.
3. This permit is subject to all 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. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.

NOW, THEREFORE, BE IT FUTHER 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 14th day of June 2021.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Tom Kuether, District #1 Commissioner

/s/ Jim Schmit, 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: Kuether, Schmit and Wragge. Nay: None. Motion carried.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning a Conditional Use Permit to allow James Aschoff Livestock to operate a large cattle operation on property located in pt of the S ½ NE ¼ 16-27-4 and pt NW ¼ SW ¼ 15-27-4.

Chairman Wragge opened the hearing at 9:15 a.m. Zoning Adm. Heather McWhorter, James Aschoff and Andy Scholting were present and 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 for the hearing. Chairman Wragge closed the hearing at 9:19 a.m.

Motion by Schmit, seconded by Kuether, to approve Resolution #2021-19 as follows:

RESOLUTION 2021 - 19

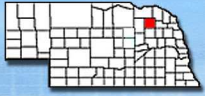
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF PIERCE, NEBRASKA UNDER AUTHORITY GRANTED BY THE PIERCE COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

WHEREAS, 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 finding of facts:

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. Jim Aschoff currently operates a Livestock Feeding Operation and would like to expand number of livestock.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to James Aschoff to operate a **Confined** Animal Feeding Operation **under** Section 4.03: A-1 Agricultural – Primary Agriculture District; Part B Permitted Conditional Uses; Section 26; "A-1" Intensive Agriculture District, Pierce County Zoning and Subdivision Resolution, on the following described land:



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The East ½ of the Northwest ¼ and a part of the Northeast ¼ of Section 16, Township 27 North, Range 4 west of the 6th P.M., Pierce County, Nebraska, and the Northwest corner of the Southwest ¼ of Section 15, Township 27 North, Range 4 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 Livestock Feeding Operation Conditional Use Permit for an operation of up to 3,625 head of feeder cattle.
2. This Conditional Use Permit shall be for a period of twenty (20) years from the date of this resolution and will renew automatically pending no verifiable complaints.
3. This permit is subject to all 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. DEQ permits shall be made part of the file.

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 14th day of June 2021.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Terry J. Wragge, Chairman

/s/ Tom Kuether, District #1 Commissioner

/s/ Jim Schmit, 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: Kuether, Schmit and Wragge. Nay: None. Motion carried.

EMS Bobbi Risor was present and present an annual report of Region 11.

PCED Director Susan Norris, UNL Interns Brianna Gable, Benjamin Niyodusenga, Lillian Uwanjye, and Board members Chad Anderson and Jeremy Tarr visited with the Board about the budget submitted and the large increase for Pierce County Economic Development whereas other offices were told to stay around a 3% increase.

Discussion was held on American Rescue Plan revenue fund and committee.

Discussion was held on an easement agreement between Pierce County and Christensen Farms for an off-load location on county property.

Motion by Schmit, seconded by Wragge, to approve the easement agreement between Pierce County and Christensen Farms for an off-load location on county property. Roll call vote: Aye: Kuether, Schmit and Wragge. Nay: None. Motion carried.

Discussion was held on road and bridge projects.

Motion by Kuether, seconded by Schmit, to approve Resolution #2021-20 as follows:

RESOLUTION #2021-20

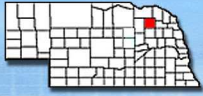
WHEREAS, due to Section 39-1904 of the Nebraska Revised Statutes, the 2020-2021 County Road Fund budget does not include a property tax dollar request, and

WHEREAS, the 2020-2021 county budget was balanced by a fund transfer of \$3,030,000.00 from the General Fund to the County Road Fund,

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Commissioners that the Pierce County Clerk is directed to transfer the following funds thru the claim process as follows:

Road/Bridge Fund	<u>\$530,000.00</u>
Total	\$530,000.00

of the Property Taxes collected by the General Fund to above list. Disregard any previous resolutions on transfers.



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Dated this 14th day of June, 2021

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, District #1 Commissioner

/s/ Jim Schmit, District #2 Commissioner

/s/ Terry J. Wragge, District #3 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: Kuether, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Kuether, to approve the application for Plainview Telephone Company for the under crossing and occupying county ROW of a county road, with fiber optic cable in Plum Grove/Thompson Townships. Roll call vote: Aye: Kuether, Schmit and Wragge. Nay: None. Motion carried.

Motion by Schmit, seconded by Kuether, to recommend approval to the NE Liquor Control Commission for the request of 2 special designated liquor licenses for Pierce Community Organization for the following events on Saturday, June 26, 2021, from 3:00 p.m. to 1:00 a.m. and on Saturday, July 3, 2021, from 8:00 a.m. to 10:00 p.m., both at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Kuether, Schmit and Wragge. Nay: None. Motion carried.

Motion by Kuether, seconded by Schmit, to recommend approval to the NE Liquor Control Commission for the request of 2 special designated liquor licenses for the Pierce 150 Celebration for the following events on Wednesday, June 30, 2021, from 3:00 p.m. to 1:00 a.m. and on Friday, July 2, 2021, from 12:00 p.m. to 1:00 a.m., both at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Kuether, Schmit and Wragge. Nay: None. Motion carried.

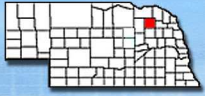
Discussion was held on the 21/22 FY budget preparation.

Zoning Administrator Heather McWhorter visited with the Board about upcoming zoning issues.

Motion by Wragge, seconded by Kuether, 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: Kuether, Schmit and Wragge. Nay: None. Motion carried.

GENERAL FUND: Avera Medical Group, Pierce-prisoner medical-\$412.00; BCBS of NE-premiums-\$29,955.42; Bob Barker Co Inc-supplies-\$728.60; Consolidated Management Co-meals-\$25.11; Elite Office Products-supplies & maint. Costs-\$43.05; Ann Fenton-mileage & reimb. supplies-\$68.90; First Concord Benefits Group LLC-deductibles-\$3,838.48; PF Finance Program-postage meter rent-\$154.09; Gworks-software support-\$11,203.96; Aaron Keck-mileage-\$10.57; Knutson Law-appointed counsel-\$14,466.98; Billy Joe Koepp-mileage-\$20.35; Mary Krueger-mileage-\$19.20; Gloria Kudera-mileage-\$13.45; LexisNexis-law library-\$140.00; Ted Lohrberg-reimb. supplies-\$368.49; Jean Lubke-reimb. supplies-\$417.35; Lutz Embroidery LLC-supplies-\$162.00; M & M Sanitation-service-\$255.00; Magdanz Inc-supplies-\$418.13; Microfilm Imaging Systems Inc-scanner rent-\$92.00; Midwest Bank-co share-\$3,883.37; Amy K Miller-appointed counsel-\$6,472.22; MIPS-hardware/software & website support-\$4,236.71; NE Assn of Co. Treasurers-dues-\$100.00; NE NE Juvenile Services Inc-boarding-\$4,096.25; NE NE News Company-ads-\$641.96; NIRMA-liability insurance premium-\$123,135.00; Norfolk Transmission-repairs-\$4,622.08; One Office Solution-office supplies-\$54.68; Osmond Mini Mart-gas-\$286.89; Pierce County Court-court costs-\$350.00; Pierce County Leader-ads-\$444.07; Pierce County Treasurer-transfer from General to Road Bridge Fund-\$530,000.00; Pierce Pharmacy-prisoner meds-\$43.66; Pierce Telephone Co Inc-services-\$2,527.52; Prime Stop-gas-\$381.16; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$3,489.16; Brett Rix-mileage-\$140.00; State of NE Networking-service-\$79.88; Terminex-service-\$83.00; Tiger Town Food Center-prisoner food-\$1,173.58; Tom's Service LLC-gas & repairs-\$1,860.14; VISA-jail supplies-\$392.07; Walmart-supplies-\$33.87; Western Oil-gas-\$310.86; Jacob Wostrel-mileage & meals-\$258.06; Lori Wragge-mileage-\$11.15; Zee Medical-supplies-\$54.30; Payroll-\$53,289.93.

COUNTY HIGHWAY FUND: AKRS Equipment-repairs-\$315.24; Appera-service-\$87.90; B's Enterprises Inc-signs & tubes-\$6,554.00; Dennis Backer-mower-\$400.00; Backus Sand & Gravel-gravel-\$100,680.82; Chad's Tire Service-repairs-\$796.30; Cornhusker Intl Trucks-repairs-\$113.65; Eastern NE



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Telephone-service-\$112.20; Farmers Pride-diesel-\$5,272.62; Filter Care-repairs-\$101.05; Inland Truck Parts-repair parts-\$729.67; ITC Supply-repairs-\$49.47; Kimball Midwest-repair parts-\$640.13; Leiting Auto Supply-repair parts-\$295.76; Lind-Gubbels Inc-repairs-\$160.69; Lorenz Automotive-repair parts-\$285.54; M & M Sanitation-service-\$75.00; Magdanz Inc-supplies-\$60.01; Manzer Equipment-repairs-\$619.24; Matheson Tri-Gas Inc-supplies-\$159.68; Matteo Sand & Gravel Co Inc-gravel-\$524.38; Meisinger Oil Co-oil-\$2,575.58; Midwest Bank-co share-\$2,600.35; Midwest Service & Sales Co-signs-\$194.25; Mitch's Food Center-supplies-\$22.39; NE NE Tire & Trailer Sales LLC-repairs-\$331.18; NE Machinery Co-repairs-\$10,216.75; North Central PPD-service-\$190.01; Osmond Farm Supply-diesel-\$4,354.40; Osmond Mini Mart-gas-\$361.84; Paul's Welding-repairs-\$72.19; Pfeiffer's Machinery Sales-tractor rent-\$4,500.00; Pierce Automotive Supply-repair parts-4582.17; Pierce Telephone Co Inc-service-\$179.99; Plainview Auto Supply Inc-repair parts-\$54.68; Plainview Auto Supply Inc-repair parts-\$54.68; Plainview Telephone Co-service-\$98.13; Plainview City-utilities-\$83.08; R & D Welding-repairs-\$45.20; RF Machine Works LLC-repairs-\$130.00; Randolph Farm Supply-gas-\$849.29; RDO Truck Center-repairs-\$945.68; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,285.36; Sapp Bros Norfolk-supplies-\$363.00; Steinkraus Service-gas-\$432.00; Theisen Construction Inc-road repairs-\$1,416.00; Tom's Service-gas & repairs-\$1,318.92; Wattier True Value-supplies-\$37.48; West-Hodson Lumber Co Inc-supplies-\$140.39; Western Oil Inc-gas-\$296.77; Zee Medical-supplies-\$18.90; Payroll-\$35,772.62.

PIERCE COUNTY ECONOMIC DEVELOPMENT FUND: Brianna Gable-contract labor-\$851.04; Hollman Media-service-\$84.95; Midwest Bank, NA-co share-\$147.11; News Channel NE-ads-\$2,625.00; Benjamin Niyodusenga-contract labor-\$851.04; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$114.23; UNL-assessment costs-\$520.00; Lillian Uwanjye-contract labor-\$851.04; Payroll-\$1,923.08.

E911 FUND: Pierce Telephone Co Inc-service-\$420.97; Plainview Telephone Co-service-\$151.00; Racom-repairs-\$191.75.

REGISTER OF DEEDS FUND: MIPS-tech support-\$328.45.

COURTHOUSE JAIL & SINKING FUND: Magnolia Home Décor & Design-office shades-\$795.43.

There being no further business, Chairman Wragge adjourned the meeting at 10:53 A.M. and will meet at a regular meeting on Monday, June 28, 2021 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
