

## COMMISSIONERS PROCEEDINGS

June 10, 2024

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, June 10, 2024, at 9:10 A.M. with the following members present: Tom Kuether, Brad Albers and Carl Martinson. Co. Assessor Jean Lubke, Co. Clerk Shannon Wragge, Co. Attorney Ted Lohrberg, Deputy Sheriff Jacob Wostrel, Sheriff Office Manager Alicia Stortz, Extension Agent Ann Fenton, Custodian Linda Mattson, Clerk of District Court Vickie Prince, Co. Treasurer Christine Bahr, Zoning Adm. Heather McWhorter, Veterans Service Officer Brett Rix, Jim Schmit, Bob Wehrer, Kathy Moore, Paige Kumm, Kyle Stuchlik, Bonita Lederer, Chad Anderson, Michelle Reikofski, Sarah Cederburg, Tom Meyer, Doug Johnson, Taylor Oltjenbruns, Krista Bailey, Blaine Bockelman, Clark Wilke, Dennis Kuhl, Kevin Lingenfelter, Zach Meier, Garret Meier, Jay Meier, Larissa Meier, Todd Wragge, Darin Zuhlke, Lowell Schroeder 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 Kuether called the meeting to order at 9:10 A.M. and presided. Chairman Kuether 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 Martinson, to approve the agenda and minutes. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

The minutes of May 28, 2024 were approved as printed.

Plainview, Pierce and Osmond Librarians were unable to be present, but submitted their requests via email. Discussion was held on the three local city library budget requests for 2024-2025 fiscal years. They had received \$30,900.00 or \$10,300 per library for the 23/24 fiscal year and they submitted a request for a \$3,000.00 increase for the 24/25 fiscal year or \$1,000 per library. The Board will take this into consideration when working on the county budget.

Discussion was held on political subdivisions subject to county, municipal, or municipal county levy authority and they shall submit a preliminary request for levy allocation to the County Board, whom is responsible for levying such taxes, on or before August 1<sup>st</sup> (SS 77-3443). The County Board will then determine final allocation of levy authority for its subdivision on or before September 1<sup>st</sup>. No political subdivisions were present.

Discussion was held on LB644, directing of the joint budget hearings for the counties, cities, villages, schools and colleges for the 24/25 fiscal year budgets.

Motion by Albers, seconded by Martinson, to designate MIPS as the county vendor for the printing of the LB644 postcards for the joint budget hearings. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Kuether, seconded by Martinson, to recommend approval to the NE Liquor Control Commission for the request of a designated liquor license for Jerry's Hilltop for an event on Saturday, July 13, 2024, from 3:00 p.m. to 1:00 a.m. at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Kuether and Martinson; Albers abstained. Nay: None. Motion carried.

The following County Officials and Dept. Heads were present to meet with the Board on budget expectations and allowed increases for the 2024/2025 Fiscal Year: Shannon Wragge, Jean Lubke, Christine Bahr, Brett Rix, Linda Mattson, Alicia Stortz, Jacob Wostrel, Ann Fenton, Vickie Prince, Heather McWhorter and Ted Lohrberg. The County Board would like everyone to keep their budget to no more than a 4% increase for the 24/25 fiscal year.

Numerous individuals from Pierce County were present to voice their opinion on the performance of Pierce County Economic Development within the county. Discussion was held on a revised Interlocal Agreement between Pierce County Economic Development and Pierce County. PCED has created a nonprofit 501C6 as a local development corporation due to the withdraw of Pierce County from the current interlocal agreement as of June 30, 2024 which at that time PCED will no longer be under the county budget authority as suggested by the state and county auditors.

The legal was read for the 9:45 a.m. public hearing to receive public comments concerning the application for Country View Farms to operate a livestock feeding operation with an expansion to a medium hog confinement facility on property located in pt of the SW ¼ SW ¼ 11-26-3.

Chairman Kuether opened the 9:45 a.m. public hearing at 9:55 a.m. Zoning Adm. Heather McWhorter and Jay, Zach, Garret & Larissa Meier were present and answered questions the Board had on the application. There were no written comments or objections and no one from the public was present for the hearing. Chairman Kuether closed the hearing at 10:00 a.m.

Motion by Albers, seconded by Martinson, to approve Resolution #2024-10 as follows:

RESOLUTION 2024-10

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 Country View Farms:

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.
4. Permit is for up to 1,400 swine (560 h.e.).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Country View Farms for a Livestock Feeding operation expansion to a medium hog confinement facility under Section 402, Subsection B, Part 29, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision, on the following described land:

SW ¼ SW ¼ Section 11, Township 26 North, Range 3 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 Medium Livestock Feeding Operation Conditional Use Permit for an operation of up to 1,400 swine. May be converted to 3,000 nursery pigs (under 55 pounds) in the future.
2. All manure shall be applied on property as shown on the manure management plan developed by the applicant in accordance with Nebraska Title 130.
3. This conditional use permit shall be for a period of twenty years and will become effective with the adoption of this resolution. 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. This conditional use permit shall become invalid if the application with Nebraska Department of Environment & Energy is not approved within one year of adoption of this resolution.
5. The permit may be transferred to a new owner, provided the Zoning Administrator is notified at least 30 days prior to closing.
6. A zoning permit must be obtained before beginning construction on any buildings.

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.

APPROVED and ADOPTED at Pierce County, Nebraska this 10<sup>th</sup> day of June 2024.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Tom Kuether, District #1 Commissioner

/s/ Brad Albers, District #2 Commissioner

/s/ Carl Martinson, 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, Albers and Martinson. Nay: None. Motion carried.

The legal was read for the 9:50 a.m. public hearing to receive public comments concerning the updating of the Pierce County Comprehensive Plan.

Chairman Kuether opened the 9:50 a.m. public hearing at 10:04 a.m. Zoning Adm. Heather McWhorter and Lowell Schroeder with Five Rule, whom has updated the Comprehensive Plan for the County, were present and answered questions the Board had on the plan. There were no written comments or objections and no one from the public was present for the hearing. Chairman Kuether closed the hearing at 10:08 a.m.

Motion by Albers, seconded by Martinson, to approve the Pierce County Comprehensive Plan whereas the original Comprehensive Plan is on file at the office of the Pierce County Clerk

and available for inspection. Roll call vote: Aye: Kuether, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the fee reports as submitted by Rick Eberhardt, Co Sheriff; Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for May 2024; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for May 2024 and placed on file in the County Clerk's office, total \$941,188.82 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: Kuether, Albers and Martinson. Nay: None. Motion carried.

**GENERAL FUND:** Applied Connective-IT services-\$3,733.20; Black Hills Energy-service-\$47.53; Dept. of Revenue-filing fee for PCORI-\$93.00; Elite Office Products-supplies-\$263.53; Gworks-24/25 FY software & support-\$21,113.00; Kim Huwaldt-mileage-\$28.76; Jack's Uniforms & Equipment-supplies-\$596.64; John Jenkins Electric-repairs-\$8,291.98; Jones Automotive-repairs-\$605.00; Justice Data Solutions Inc-software & support-\$3,000.00; BJ Koepp-mileage-\$22.06; Mary Beth Kruger-mileage-\$20.72; LexisNexis-software-\$177.00; Magdanz Inc-supplies-\$374.28; Maximus-cost allocation plan-\$239.43; Menards-supplies-\$353.51; Microfilm Imaging Systems Inc-scanner rent-\$92.00; MidAmerica-admin. Costs-\$372.00; Midwest Bank-co share-\$4,860.65; MIPS-hardware/software & website support-\$2,762.44; NE NE County Assessor Association-2024 dues-\$25.00; NE NE News Company-ads-\$2,847.50; Pierce County District Court-court costs-\$36.00; Pierce Telephone Co Inc-services-\$1,810.40; Platte Co Detention Facility-jail school-\$175.00; Primestop-gas-\$370.71; Quill-supplies-\$229.93; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,230.78; Rice's Body Shop-repairs-\$1,069.10; State of NE Central Finance-network services-\$701.95; Melinda Stelling-mileage-\$12.68; Terminex-service fee-\$877.00; Tiger Town Food Center-prisoner food-\$476.21; Tom's Service LLC-gas & repairs-\$725.18; TWD Lock, Safe & Key-repairs-\$75.00; US Postal Service CMRS-FP-metered postage-\$2,500.00; Payroll-\$65,531.52.

**COUNTY HIGHWAY FUND:** Altwine Hardware & Home LLC-repair parts-\$49.97; Appeara-service-\$122.65; B's Enterprises Inc-signs & posts-\$3,036.00; Backus Sand & Gravel-gravel-\$60,130.74; Bazile Aggregate Co LLC-gravel-\$13,564.88; Chad's Tire Service-repairs-\$420.20; Farmers Pride-diesel-\$5,914.89; Fastwyre-telephone-\$111.42; Filter Care-repairs-\$49.25; JEO Consulting-engineering-\$29,950.00; Kimball Midwest-supplies-\$1,548.61; Lorenz Automotive-repair parts-\$473.46; Magdanz Inc-supplies-\$122.38; Matheson Tri-Gas Inc-supplies-\$92.77; Matteo Sand & Gravel Co Inc-rock-\$510.00; Mattson Garage-repairs-\$354.00; Meisinger Oil Co-oil-\$2,823.05; Menards-supplies-\$498.64; Midwest Bank-co share-\$2,804.72; NE Machinery Co-repair parts-\$2,334.01; North Central PPD-service-\$214.32; Northeast Power-service-\$232.00; Paul's Welding-repairs-\$14.60; Pierce Telephone Co Inc-\$169.00; Plainview Telephone Co-service-\$96.49; Plainview City-utilities-\$86.16; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,400.89; Sapp Bros Inc-supplies-\$162.90; Tom's Service-gas & repairs-\$262.84; Wattier True Value-supplies-\$34.57; West-Hodson Lumber Co Inc-crushed concrete-\$3,888.98; Payroll-\$37,945.19.

**PIERCE COUNTY ECONOMIC DEVELOPMENT FUND:** Five Rule Rural Planning-2024 Housing Study update-\$12,488.00; Jarecki Sharp & Petersen PC LLO-revising interlocal agreement for PCED-\$1,610.50; Midwest Bank, NA-co share-\$137.34; National Rural Economic Developers Association-membership-\$395.00; Susan Norris-reimbursed for hotel and conference fee, NEDA membership fee, supplies-\$828.92; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$121.19; Payroll-\$1,795.37.

**911 FUND:** Optk Networks-support & service-\$529.40.

**E911 WIRELESS FUND:** Pierce Telephone Co Inc-service-\$341.15; Plainview Telephone Co-service-\$151.00.

**REGISTER OF DEEDS FUND:** MIPS-software support-\$349.12.

**INHERITANCE FUND:** Estate of Stanley R. Petersen-refund of inheritance tax-\$55.59.

Discussion was held on the closed 846 Road between 544 and 545 Avenue that was closed in December 2004 by Resolution 2004-83 approved at the time by both Pierce and Madison Counties.

There being no further business, Chairman Kuether adjourned the meeting at 10:26 A.M. and will meet at a regular meeting on Monday, June 24, 2024 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/ Tom Kuether  
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

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