

COMMISSIONERS PROCEEDINGS
August 5, 2024

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, August 5, 2024, at 9:00 A.M. with the following members present: Brad Albers and Carl Martinson; Tom Kuether was absent. Co. Clerk Shannon Wragge, Zoning Adm. Heather McWhorter, Co. Attorney Ted Lohrberg, Mike Pommer, Hwy Supt. Brian McDonald, John Steinkraus, Dewey Gubbels and News Reporter Randee Falter were present.

Motion by Albers, seconded by Martinson, to appoint Carl Martinson as Chairman Pro Tem due to the absence of Chairman Tom Kuether. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

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 Pro Tem Martinson called the meeting to order at 9:10 A.M. and presided. Chairman Pro Tem Martinson 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. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

The minutes of July 22, 2024 were approved as printed.

Hwy Supt. Brian McDonald was present and discussion was held on the 1 & 6 Year Road Plan for fiscal year 24/25.

Motion by Albers, seconded by Martinson, to approve the 1 & 6 Year Public Hearing to be Monday, October 14, 2024 at 9:11 a.m. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

The legal was read for the 9:20 a.m. public hearing to receive public comments concerning the application of Dewey Gubbels for semi-truck parking for employees on property located in pt of the NW ¼ of the SE ¼, Tax Lot 3, 28-26-1.

Chairman Pro Tem Martinson opened the hearing at 9:27 a.m. Zoning Adm. Heather McWhorter and Dewey Gubbels were present and answered questions the Board had on the application for the semi-truck parking lot application. There were no written comments or objections and no one from the public was present for the hearing. Chairman Pro Tem Martinson closed the hearing at 9:29 a.m.

Motion by Albers, seconded by Martinson, to approve Resolution #2024-15 as follows:

RESOLUTION # 2024 - 15

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:

1. The property is zoned A-1 Agricultural Intensive.
2. The building will be used as parking for applicant owned semis on as needed basis.
3. The application is consistent with the Pierce County Comprehensive Plan and with the Pierce County

Zoning and Subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Dewey Gubbels for semi-truck parking for employees under Section 402,"A-1" Primary Agricultural District, Pierce County Zoning and Subdivision Resolution, on the following described land:

Part of the NW ¼ of the SE ¼ T.L.3 Section 28, Township 26 North, Range 1 West of the 6th P.M, Pierce County, better described as:

LEGAL DESCRIPTION:
The Southeast Quarter of Section 28, Township 26 North, Range 1 West of the 6th P.M., Pierce County, Nebraska, less a tract more particularly described as follows: Commencing at the South Quarter Corner of said Section 28; thence N1°24'E, assuming the South section line to bear N90°00'W, 33.0 feet to the point of beginning; thence continuing N1°24'E 1315.9 feet; thence N90°00'E 684.4 feet; thence N0°00'E 41.0 feet; thence N89°05'E 312.8 feet; thence S0°00'E 46.0 feet; thence N90°00'E 318.7 feet; thence S1°24'W 1315.9 feet to a point 33.0 feet North of section line; thence N90°00'W 1315.9 feet to the point of beginning and containing 40.05 acres more or less, also described as Tax Lot 3 and Part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 1 West of the 6th P.M., Pierce County, Nebraska, consisting of 114.77 acres more or less.

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 allow employees to park semis in the applicant owned building.
2. This Conditional Use Permit shall be for a period of ten (10) years from the date of this resolution and will be renewed automatically pending no verifiable complaints.
3. If at a future time the owner wants to expand to repairs or offer truck parking to non-employees, the Conditional Use Permit must be amended to include additional use.
4. A zoning permit must be approved by the zoning administrator prior to the construction of the building on the property.
5. 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.

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 on this 5th day of August 2024.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Brad Albers, District #2 Commissioner

/s/ Carl Martinson, District #3 Commissioner & Chairman Pro Tem

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: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Deputy County Clerk Susan Peters and Accountant Mike Pommer were present and discussion was held on the 24/25 fiscal year budget and on the levy allocations for the subdivisions. The levy allocation for the subdivisions will be approved on Monday, August 19, 2024 at the 9:10 a.m. at commissioner meeting because no valuations from the Assessors have been received yet.

Discussion was held on the postcard budget hearing date and Clerk Wragge has tentatively set the public hearing for Tuesday, September 17, 2024 at 6:15 p.m. at the Plainview Public Library.

Discussion was held on the Dean Koehler well damage from vibration of pile driving by Dixon Construction Co on the Osmond South JEO Bridge Project 211903. He had submitted 5 bills for the damages for the Board to review and County Board approved to pay the damage only caused by the county.

Motion by Albers, seconded by Martinson, to recommend approval to the NE Liquor Control Commission for the request of 2 special designated liquor licenses for Pierce American Legion Tomek Post 72, for events on Saturday, Sept. 7, 2024, from 4:00 p.m. to 1:00 a.m. and on Saturday, Sept. 21, 2024 from 3:00 p.m. to 1:00 a.m., both at the Pierce County Fairgrounds Pavilion. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the 2024 Inventory for Pierce County Economic Development. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve the MG Waldbaum Lot Split in pt of NW ¼ NW ¼ Section 6, Township 27 North, Range 3 West, Pierce Co. NE. Roll call vote: Aye: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

Motion by Albers, seconded by Martinson, to approve 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: Albers and Martinson; Kuether absent. Nay: None. Motion carried.

GENERAL FUND: Bishop Business-supplies-\$734.32; Black Hills Energy-utilities-\$46.21; Cintas-supplies-\$63.66; Ann Fenton-reimburse travel, supplies-\$55.54; Jack's Uniforms-uniforms-\$107.94; Caitlin Macke-reimburse travel-\$166.16; Microfilm Imaging Systems-equipment rent-\$46.00; Midwest Bank-co share-\$4,918.91; Nebraska Law Enforcement-training-\$630.00; Osmond Republican-subscription-\$51.00; Pierce Chamber of Commerce-dues-\$75.00; Prime Stop-gas-\$226.98; Quill-supplies-\$56.85; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,301.56; State of NE Central Finance-computer network service-\$701.95; Tiger Town-prisoner food-\$388.15; Tom's Service-gas-\$541.68; Waldner Woods-service-\$1,950.00; Payroll-\$66,295.92.

COUNTY HIGHWAY FUND: B's Enterprises-blades, signs-\$4,054.00; Colonial Research-supplies-\$878.76; Cornhusker International Trucks-repairs-\$11,173.21; Farmers Pride-diesel-\$6,926.75; JEO Consulting-engineering-\$5,161.25; Lammers Trailer Repair-repairs-\$462.48; Lawson Products-supplies-\$285.96; Matteo Sand & Gravel-gravel-\$18,871.40; Meisinger Oil Co-diesel-\$3,931.04; Midwest Bank-co share-\$2,791.85; Northeast Glass-repairs-\$150.00; NE Power-service-\$254.00; Osmond Farm Service-diesel-\$2,430.65; Pierce Automotive Supply-repair parts-\$103.97; Prince Auto Repair-repairs-\$132.77; RDO Truck Centers-repair parts-\$272.03; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,397.60; Safety-Kleen-service-\$670.82; Tom's Service-gas-\$472.07; True AG & Turf-repairs-\$1,989.48; Wattier True Value-repair parts-\$41.08; West-Hodson Lumber & Concrete-crushed concrete-\$1,330.50; Payroll-\$37,777.37.

There being no further business, Chairman Pro Tem Martinson adjourned the meeting at 9:51 A.M. and will meet again at a regular meeting on Monday, August 19, 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/ Carl Martinson
Chairman Pro Tem, 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
