

COMMISSIONERS PROCEEDINGS

April 14, 2025

The Pierce County Board of Commissioners met pursuant to adjournment on Monday, April 14, 2025, at 9:10 A.M. with the following members present: John Steinkraus, Brad Albers and Carl Martinson. Co. Clerk Shannon Wragge, Zoning Adm. Heather McWhorter, Walter Aschoff, Paul Koehler, Justin Sindelar, Bonita Lederer 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 Martinson called the meeting to order at 9:10 A.M. and presided. Chairman 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 Steinkraus, seconded by Albers, to approve the agenda. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

The minutes of March 31, 2025 were approved as printed.

Motion by Martinson, seconded by Steinkraus, to authorize Clerk to advertise for cracksealing on hard surface roads in Pierce County. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

The legal was read for the 9:11 a.m. public hearing to receive public comments concerning the application of Koehler Land and Cattle, LLC for 5000 feeder cattle on property located in pt of the SW ¼ and the W ½ of the SE ¼ 28-28-1.

Chairman Martinson opened the 9:11 a.m. public hearing at 9:12 a.m. Zoning Adm. Heather McWhorter and Paul Koehler 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 Martinson closed the hearing at 9:14 a.m.

Motion by Albers, seconded by Steinkraus, to approve Resolution 2025-6 as follows:

RESOLUTION #2025 - 6

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 Aaron Stech:

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. The permit is for up to 5,000 feeder cattle.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Koehler Land and Cattle, LLC (Koehler Farms) for a Livestock Feeding operation expansion to a Large Livestock Feeding Operation of up to 5,000 feeder cattle under Section 402, Subsection B, Part 29, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision, on the following described land:

SW ¼ & the W ½ of the SE ¼ Section 28, Township 28 North, Range 1 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 Large Livestock Feeding Operation Conditional Use Permit for an operation of up to 5,000 feeder cattle.
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 and will be renewed automatically with no verifiable complaints pending.
4. 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.

5. 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.
6. The permit may be transferred to a new owner, provided the Zoning Administrator is notified at least 30 days prior to closing.
7. 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.

Passed, Adopted and Approved this 14th day of April, 2025.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Carl Martinson, District #3 Commissioner and Chairman

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

The legal was read for the 9:12 a.m. public hearing to receive public comments concerning the application of four Aces Dairy, LLC for a total of 1000 dairy cows on property located in pt of the SW ¼ of the SW ¼ (Walter Aschoff's Lot Split) 27-28-2.

Chairman Martinson opened the 9:12 a.m. public hearing at 9:15 a.m. Zoning Adm. Heather McWhorter and Walter Aschoff 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 Martinson closed the hearing at 9:17 a.m.

Motion by Steinkraus, seconded by Albers, to approve Resolution 2025-7 as follows:

RESOLUTION #2025 - 7

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 Aaron Stech:

5. The application is consistent with the Pierce County Comprehensive Plan.
6. The application is consistent with the Pierce County Zoning and Subdivision Regulations.
7. Located in the A-1 Ag Intensive district.
8. The permit is for up to 1,000 dairy cows.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Pierce County, Nebraska, hereby grants a Conditional Use Permit to Four Aces Dairy, LLC for a Livestock Feeding operation expansion to a Large Livestock Feeding Operation of up to 1,000 dairy cows under Section 402, Subsection B, Part 29, "A-1" Primary Agricultural District, Pierce County Zoning and Subdivision, on the following described land:

Part of the SW ¼ of the SW ¼ (WALTER ASCHOFF'S LOT SPLIT) of Section 27, Township 28 North, Range 2 West of the 6th P.M., Pierce County, Nebraska (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:

8. This is a Large Livestock Feeding Operation Conditional Use Permit for an operation of up to 1,000 dairy cows.
9. All manure shall be applied on property as shown on the manure management plan developed by the applicant in accordance with Nebraska Title 130.
10. This conditional use permit shall be for a period of twenty years and will become effective with the adoption of this resolution and will be renewed automatically with no verifiable complaints pending.
11. 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.
12. 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.

13. The permit may be transferred to a new owner, provided the Zoning Administrator is notified at least 30 days prior to closing.
14. 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.

Passed, Adopted and Approved this 14th day of April, 2025.

PIERCE COUNTY BOARD OF COMMISSIONERS

/s/ Carl Martinson, District #3 Commissioner and Chairman

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

Zoning Adm. Heather McWhorter was present and discussion was held on the Moes Lot Split, Brodersen Lot Split and the Schmit Lot Split.

Motion by Albers, seconded by Steinkraus, to approve the Moes Lot Split, 5.28 acres in pt of the SE ¼ of the NE ¼ Section 1, Township 28 North, Range 2 West, Pierce County, NE. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Steinkraus, to approve the Brodersen Lot Split, 13.67 acres in pt of the NE ¼ of the SE ¼ Section 17, Township 27 North, Range 1 West, Pierce County, NE. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Steinkraus, seconded by Albers, to approve the Schmit Lot Split, 7.13 acres in pt of the NE ¼ Section 22, Township 28 North, Range 2 West, Pierce County, NE. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Albers, seconded by Steinkraus, to Approve Underground Crossing Application for Greg Robinson for an electrical line in pt of SE ¼ 14-27-3. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Motion by Steinkraus, seconded by Albers, to recommend approval to the NE Liquor Control Commission for the request of a special designated liquor license for Plainview Chamber of Commerce Bull Riding event at the address of 86384 537 Ave, Plainview, on Friday, June 6, 2025 from 5:00 p.m. to 11:59 p.m. Roll call vote: Aye: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

Discussion was held on the hiring of a Hwy Supt and on the Bridge Inspector position for 2025 but because Randy Stromberg was unable to attend today's meeting, no decision was made.

Motion by Albers, seconded by Steinkraus, to approve the fee reports as submitted by Vickie Prince, Clerk of District Court and Shannon Wragge, County Clerk for March 2025; approve Treasurer's receipt's for various funds for Christine Bahr, County Treasurer, for March 2025 and placed on file in the County Clerk's office, total \$823,305.62 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: Steinkraus, Albers and Martinson. Nay: None. Motion carried.

GENERAL FUND: Amazon Capital Services-supplies-\$42.59; Antelope County Sheriff-inmate housing-\$2,250.00; Bishop Business-office supplies-\$263.22; Black Hills Energy-utilities-\$90.54; BCBS-health premiums-\$57,244.98; Bob Barker Co Inc-supplies-\$38.13; Classic Rentals-service-\$241.41; Des Moines Stamp Mfg Co-supplies-\$61.00; Ann Fenton-reimbursed registration-\$575.00; FP Finance Program-meter rent-\$154.09; Jack's Uniforms & Equipment-supplies-\$159.94; Jenkins Electric Inc-repairs-\$435.20; Johnson's Inc-repairs-\$243.20; Tom Kuether-reimb. premium-\$31.84; LexisNexis-law library software-\$186.00; Magdanz-supplies-\$478.52; Menards-supplies-\$319.92; Microfilm Imaging Systems-scanning services-\$92.00; Midwest Bank-co share-\$4,960.02; MIPS-IT services, website, microfilming-\$2,837.18; NE Assoc. of Co. Assessors-registration-\$125.00; NE NE News Co-ads-\$7.00; One Office Solutions-supplies-\$268.22; Osmond Mini Mart-gas-\$140.04; Pierce County Court-court cost-\$136.00; Pierce County Sheriff-paper service-\$174.00; Pierce County District Court-court costs-\$36.00; Pierce Telephone-services-\$1,781.63; Plainview News-ads-\$563.17; Prime Stop-gas-\$98.06; Quill-supplies-\$635.92; Region IV-quarterly support-\$2,340.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$4,551.00; Schroeder Land Surveying-surveying-\$600.00; Steinkraus Service-gas-\$85.50; Tiger Town Food Center-prisoner food-\$660.32; U Save

Pharmacy-prisoner meds-\$145.25; Verizon-service-\$426.72; VISA-supplies-\$58.85; Western Oil LLC-gas-\$473.30; Payroll-\$66,661.93.

COUNTY HIGHWAY FUND: Allstar Parts, LLC-repair parts-\$67.77; Appearance-uniforms-\$100.40; B's Enterprises-culverts & blades-\$14,688.00; Backus Sand & Gravel-gravel-\$7,848.66; Bazile Aggregate Co LLC-gravel-\$2,516.43; Car Shop-repairs-\$20.00; Classic Rentals-service-\$251.72; Farmer's Pride-diesel & propane-\$1,434.22; Fastwyre Broadband-service-\$118.90; Filtercare-repairs-\$67.35; GI Trailer Inc-repairs-\$318.64; Gary Hamilton-reimb. premium-\$19.24; Kayton Intl-repair parts-\$7.86; Kimball Midwest-supplies-\$927.37; Lawson Products-supplies-\$101.64; Leiting Auto Supply-repair parts-\$722.74; Magdanz-supplies-\$177.17; Matheson Tri-Gas-supplies-\$109.60; McLean Village-utilities-\$84.00; Meisinger Oil Co-oil-\$4,446.80; Midwest Bank, NA-co share-\$2,789.42; Mitch's Food Center-supplies-\$15.09; NMC-repair parts-\$205.43; North Central Public Power-utilities-\$234.15; Osmond Mini Mart-gas-\$413.84; Pierce Telephone-services-\$236.31; Plainview Telephone- services-\$100.33; City of Plainview-utilities-\$99.22; Randolph Farm Supply-gas & diesel-\$2,964.82; RDO Truck Centers Co-repair parts-\$1,004.25; Retirement Plans Division of Ameritas Life Ins. Corp-co. share-\$2,437.71; Safety Kleen Systems Inc-repairs-\$677.65; Steinkraus Service-gas-\$1,017.85; True Ag & Turf-supplies-\$12.09; Wattier's True Value-supplies-\$92.53; West Hodson Lumber & Concrete-crushed concrete-\$1,788.60; Western Oil-gas-\$330.69; Payroll-\$37,943.45.

VISITOR PROMO FUND: Brandon Gerdes Memorial Foundation-grant-\$300.00; Growing Small Town NE Podcast-grant-\$500.00; Village of Hadar-grant-\$350.00; Pierce Co Threshing Bee-grant-\$500.00; Pierce County Ag Society-grant-\$750.00; Pierce Wrestling Organizations-grant-\$500.00.

VISITOR IMPROVEMENT FUND: Osmond City-grant-\$500.00; Plainview Klown Doll Museum-grant-\$1,000.00.

E911 FUND: OPTK Networks-IT services-\$529.40.

E911 WIRELESS FUND: Norfolk City-services-\$130.48; Pierce Telephone-services-\$341.15; Plainview Telephone-services-\$151.00.

REGISTER OF DEEDS FUND: MIPS-online services-\$351.12.

There being no further business, Chairman Martinson adjourned the meeting at 9:35 A.M. and will meet at a regular meeting on Monday, April 28, 2025 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, 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
