

August 12, 2020

The Keith County Board of Commissioners met for their regular meeting at the Courthouse in Ogallala. Chairman Krajewski asked those attending to join in a moment of silence in support of our armed services and first responders serving our country, followed by the pledge of allegiance to the flag. Krajewski acknowledged the Open Meeting Act was posted. Roll call was answered by Chairman Toney Krajewski and Commissioners Joan Ervin, Corey Crandall, Lane Anderson and Kim Elder. Also attending the meeting were County Clerk Sandra Olson and the media. Anderson moved to approve the agenda, Crandall seconded the motion. Ervin, Elder, Crandall, Anderson, Elder and Krajewski voting aye; none voting nay; motion carried. Elder moved to approve the minutes of the previous meeting, Ervin seconded the motion. Anderson, Crandall, Ervin, Elder and Krajewski voting aye; none voting nay; motion carried. Ervin moved to approve the payment of claims, Anderson seconded the motion. Elder, Crandall, Anderson, Ervin and Krajewski voting aye; none voting nay; motion carried.

Salaries - \$166,751.47

General Fund

Albertson's/Safeway, Prisoner Board, provisions, \$209.99; Banner Health, Nurse services, \$1,200.00; Black Hills Energy, Service, \$365.17; Tracie Brueggeman, Cleaning, \$270.00; Cash-Wa, Prisoner Board, Commissary, \$846.48; CHS Grainland, Fuel, \$78.73; Consolidated Management, Meals, \$81.60; Culligan, Water, salt, \$144.30; Datashield, Routine cart service, \$48.55; Eakes Office, Agreement, checks, \$434.26; Encartele, Calling cards, \$300.00; Garden County Sheriff's Office, Inmate billing, \$1,550.00; Ideal Linen, Supplies, \$1,341.08; Johnson Publications, Publishing, \$91.00; Keith County District Court, Docket fees, \$72.00; Keith County News, Publishing, \$959.25; Lincoln County Detention Center, Inmate billing, \$3,050.00; Lincoln County Sheriff's Office, Service, \$21.03; Microfilm Imaging Systems, Lease, service agreement, \$306.00; Mid-American Research Chemical, Supplies, \$188.16; MIPS, Inc., ID cards, \$250.00; NACO, Registration, \$125.00; O'Keefe, Elevator maintenance, \$302.34; Office Service, Supplies, \$931.84; Pinnacle Bank, Charges, \$3,139.45; Total Media, CDR for courtroom, \$58.07; T&A Alignment, Repairs, oil change, \$334.02; Don Von Kaenel, Refund, \$150.00; Waste Connections, Service, \$277.50; WCNDD, Contract, postage, supplies, administration, \$8,641.97; Westfield Pharmacy, Prescriptions for inmates, \$42.89; WEX Bank, Fuel, \$3,005.72; Wholeness Healing EP, Services, \$3,500.00

Road & Bridge Fund

Black Hills Energy, Service, \$149.92; CHS Grainland, Fuel, \$421.30; Culligan, Supplies, \$6.50; Humphreys Auto Supply, Parts, supplies, \$130.41; John Deere Financial, Tools, supplies, \$178.13; Kelly's Trucking, Trucking, \$4,200.00; NMC Inc., Parts, \$1,934.80; Ogallala NAPA, Parts, \$355.81; O'Reilly Automotive, Parts, supplies, \$119.10; Pinnacle Bank, Charges, \$95.37; QFRC, Supplies, \$169.90; Sapp Brothers Inc., Fuel, oil, \$9,411.66; T&C Service, Tires, \$561.78; TO Haas Tire, Tires, repairs, \$1,643.12; T&A Alignment, Parts, labor, \$127.95; Village of Paxton, Service, \$128.76; Village of Paxton %Midwest Electric, Service, \$63.21; Waste Connections, Service, \$249.75; 21st Century, Parts, \$415.86

CBSA Health Insurance Fund

KC CBSA/Health Insurance Fund, Health claims, \$753.00; KC Clerk/Flex Claims Account, Flex claims, \$1,870.01

Keno Fund

Western Resources Group, Recyclables, \$480.00

The Board heard the report of Highway Superintendent Tim Ryan.

The Board gave reports and received correspondence. The Board received the July fee report from the Treasurer's Office.

Highway Superintendent Tim Ryan told the Board he had researched and looked at several semi-tractor truck. Krajewski gave Ryan the bid that was received for the semi-tractor truck for his review.

Human Resources Director Laurie Jones told the Board that a COVID task force had been made. Jones said members of the task force were Clerk of the District Court Tina DeVoe, Emergency Manager Dave Kling, Deputy County Clerk Lindsey Krab and herself. Jones said Commissioner Crandall would also be joining the group. Human Resources Director Laurie Jones, Emergency Manager Dave Kling and Deputy County Clerk spoke to the Board about their thoughts for a plan for the Courthouse with the increase of COVID numbers.

At 8:44 a.m. Crandall moved to go into executive session to discuss the County Road's building for purposes of negotiations and strategies with no decisions to be made, Elder seconded the motion. Ervin, Anderson, Elder, Crandall and Krajewski voting aye; none voting nay; motion carried. Krajewski stated the Board was going into executive session to discuss the County Road's building for purposes of negotiations and strategies with no decisions to be made. At 9:38 a.m. Ervin moved to return to open session with no decisions having been made, Elder seconded the motion. Crandall, Anderson, Elder, Ervin and Krajewski voting aye; none voting nay; motion carried.

The Board moved to the Courtroom to continue with the Planning and Zoning items on the agenda.

Zoning Administration for Keith County, Amber Kuskie, appeared before the Board with several zoning resolutions. The first resolution was a request by Lance Bohall for a Replat of Lot 2 of Eagle Canyon Park Addition, commonly known as 1069 West Lakeview Road, located in 21-15-40, Keith County, Nebraska. Anderson moved to adopt this resolution, Crandall seconded the motion. Ervin, Elder, Crandall, Anderson and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-89. The second resolution was a request by Mark Mason and Denise Salter for a Conditional Use Permit (#20-46) for a Dwelling Unit: Vacation Rental located in Lot 7 Replat of Eagle Bay Townhouses, commonly known as 7 Eagle Bay, located in 26-15-40, Keith County, Nebraska. Anderson moved to adopt this resolution with restrictions of no street parking, a two (2) onsite parking

limit, a maximum occupancy of eight (8) and if two or more written complaints are received within six (6) months the owner will receive notice in writing and the permit may be revoked, Elder seconded the motion. Ervin, Crandall, Elder, Anderson and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-90. The third resolution was a request by Liberty Rental Properties, LLC for a Conditional Use Permit (#20-47) for a Dwelling Unit: Vacation Rental located in TR in NW ¼ of 7-14-38, commonly known as 174 Ogallala Beach Lake, Keith County, Nebraska. Anderson moved to adopt this resolution with restrictions of no street parking, a two (2) onsite parking limit, a maximum occupancy of ten (10), quiet time after 11:00 p.m., trash to be disposed of properly, in the event a dwelling unit, vacation rental is operating without a Keith County Conditional Use Permit, there shall be a \$150.00 per day fine imposed, if two or more written complaints are received within six (6) months the owner will receive notice in writing and the permit may be revoked and Conditional Use Permit expires on the sale or transfer of the property, Ervin seconded the motion. Crandall, Elder, Ervin, Anderson and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-91. The fourth resolution was a request by Crystal Frank for a Conditional Use Permit (#20-48) for an accessory use on a lot without primary use located in Lot 1 Bay Meadows Subdivision, commonly known as 1 Bay Meadows, located in 23-15-39, Keith County, Nebraska. Elder moved to adopt the resolution with the restriction of the building is to be constructed in the northeast corner of the lot with open interior as proposed, Ervin seconded the motion. Anderson, Crandall, Ervin, Elder and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-92. The fifth resolution was a request by Robert Stalker for a Change of Zone from HD to TS for Lot 3 Kramer's 1st Subdivision, commonly known as 155 Highway 92, located in 20-15-38, Keith County, Nebraska. Ervin moved to adopt this resolution, Crandall seconded the motion. Elder, Anderson, Crandall, Ervin and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-93. The sixth resolution was a request by Robert Stalker for a Conditional Use Permit (#20-49) for an RV Campground located in Lot 3 Kramer's 1st Subdivision, commonly known as 155 Highway 92, located in 20-15-38, Keith County, Nebraska. Crandall moved to adopt this resolution, Anderson seconded the motion. Elder, Ervin, Anderson, Crandall and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-94. The seventh resolution was for a request by Mako-Ch-Mni Club for a Text Amendment of the Keith County Zoning Regulations for the relaxation of setbacks due to the development and topography of the Mako-Ch-Mni Subdivision, more specifically, "Exclusive to the Mako-Ch-Mni Subdivision, Front and Corner setbacks for all buildings shall be 25 feet from the center of the existing road." The Board heard from Keith County Surveyor Ryan Dickinson, Keith County Building Inspector Mike Svoboda and Keith County residents Richard Borman, Ken Reit and Brad Bearson. After much discussion Anderson moved to adopt this resolution. This motion died for a lack of a second. Anderson moved to adopt the resolution with this amendment "Exclusive to the Mako-Ch-Mni Subdivision, which shall not include County Road West B North, front yard and corner lot setbacks for all buildings shall be 25 feet from the property line, Elder seconded the motion. Crandall, Elder, Anderson and Krajewski voting aye; Ervin voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-95. The eighth resolution was

for a request by Ken and Tammy Reit for a Conditional Use Permit (#20-50) for an accessory use on a lot without primary use located in Lot 7-8 Blk 1 Mako-Ch-Mni Subdivision, located in 2-14-39, Keith County, Nebraska. Anderson moved to adopt this resolution, Crandall seconded the motion. Ervin, Elder, Crandall, Anderson and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-96. The ninth resolution was for a denial of the request by Brian Conley and Michele Green for a Conditional Use Permit (#20-51) for Caretaker Living Quarters in Highway District located in Lot 1 Dorris 2nd Subdivision, commonly known as 295 Highway 92 West, located in 19-15-38, Keith County, Nebraska. Ervin moved to adopt this resolution, Crandall seconded the motion. Elder, Anderson, Crandall, Ervin and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-97. The tenth resolution was for a request by the Planning Commission for a Text Amendment for inclusion in the Keith County Zoning Regulations to be imposed on Dwelling Unit Vacation Rentals. The Regulations to include, but are not limited to: * Quiet time after 11:00 p.m. * Trash to be disposed of properly. * No on street parking. * Occupancy Limit imposed. * Number of on-site parking spaces. * Two or more written complaints in a six-month time period shall initiate a written warning to the property owner. A response to the complaint is to be received from the property owner. The planning commission and the county board will review said complaints and at their discretion may terminate the Conditional Use Permit for Dwelling Unit: Vacation Rental. * Density may be a condition for non-approval of a Dwelling Unit: Vacation Rental Conditional Use Permit. * In the event a Dwelling Unit: Vacation Rental is operating without a Keith County Conditional Use Permit, there shall be a \$150.00 per day fine imposed. * When the property is sold or transferred, the Conditional Use Permit for Dwelling Unit: Vacation Rental will expire. Crandall moved to adopt this resolution, Elder seconded the motion. Anderson, Ervin, Elder, Crandall and Krajewski voting aye; none voting nay; motion carried. This Resolution will be filed in the Resolution Book as number 2020-98. The last item on the Planning/Zoning agenda items was a request by Scott Jensen to increase occupancy in his vacation rental from six to eight. Anderson moved to approve this request to increase the Jensen vacation rental from six to eight, Ervin seconded the motion. Crandall, Elder, Ervin, Anderson and Krajewski voting aye; none voting nay; motion carried.

Keith County resident Brad Bearson and Highway Superintendent Tim Ryan spoke to the Board about County Road West B North. Ryan told the Board that he had signed this road as he had been instructed to by NIRMA to protect the County from any liability. Bearson stated that the road had been this way for 50 years and had not been a problem but now he felt like it closes off public access to the beach. The Board told Bearson that the road to the signage was the County's but after that it was Central's road and he would need to contact Central with his issues.

Ervin moved to authorize Chairman Krajewski to sign the Management Representation letter from Auditor Don Wilson, Anderson seconded the motion. Elder, Crandall, Anderson, Ervin and Krajewski voting aye; none voting nay; motion carried.

Ervin and Crandall provided the Board with the budget information received during their meeting with Auditor Don Wilson.

Anderson moved to authorize Chairman Krajewski to sign the letter of appointment of David Kling, Keith County Emergency Manager, as the authorized representative for Keith County for the federally declared disaster DR 4521, Crandall seconded the motion. Ervin, Elder, Crandall, Anderson and Krajewski voting aye; none voting nay; motion carried.

At 11:08 a.m. Elder moved to go into executive to discuss a detention center/jail for the purposes of contract negotiations, Crandall seconded the motion. Ervin, Anderson, Crandall, Elder and Krajewski voting aye; none voting nay; motion carried. Krajewski stated the Board was going into executive session to discuss a detention center/jail for the purposes of contract negotiations. At 11:15 a.m. Ervin moved to return to open session, Crandall seconded the motion. Elder, Anderson, Crandall, Ervin and Krajewski voting aye; none voting nay; motion carried.

At 11:25 a.m. Crandall moved to go into executive session to discuss the County Roads property at 1501 West 5th Street and a County Roads building for the purposes of contract negotiations with no decisions to be made, Anderson seconded the motion. Ervin, Elder, Anderson, Crandall and Krajewski voting aye; none voting nay; motion carried. At 11:35 a.m. Ervin moved to return to open session, Crandall seconded the motion. Anderson, Elder, Crandall, Ervin and Krajewski voting aye; none voting nay; motion carried.

Anderson moved to accept the offer of Steve Kalkowski in the amount of \$125,000.00 for the County Roads property at 1501 West 5th Street contingent on the purchase of a county impound building, asphalt removal under the old salt shed and a survey being done, Elder seconded the motion. Crandall, Ervin, Elder, Anderson and Krajewski voting aye; none voting nay; motion carried.

Anderson moved to enter into an agreement with NPPD to purchase property with legal description Lot 2, Riverside Adm Replat, 6-13-38, for \$150,000.00, Crandall seconded the motion. Elder, Ervin, Crandall, Anderson and Krajewski voting aye; none voting nay; motion carried.

The Board held a Budget Workshop. At 11:45 a.m. the Board recessed for lunch. At 12:30 p.m. the Board reconvened and continued the Budget Workshop.

With no further business to come before the Board the meeting was adjourned. The Board will meet again Wednesday, August 19, 2020 at 8:00 a.m. at the Courthouse in Ogallala.

Toney Krajewski Chairman

Sandra K. Olson County Clerk

Agenda: Kept current in the office of the County Clerk. *Time of specific agenda items will run continuously thru the meeting and may occur earlier or later than estimated.

Unfinished Business

COVID-19 reopening strategy.

Budget questions.

New Business

CASA air conditioning.

8:30 a.m. – Sheriff Jeff Stevens and Deputy Shawn Hebbert – Vehicle bids (2).