

August 5, 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, County Attorney Randy Fair and the media. Crandall moved to approve the agenda, Elder seconded the motion. Ervin, Anderson, Elder, Crandall and Krajewski voting aye; none voting nay; motion carried. Ervin moved to approve the minutes of the previous meeting, Crandall seconded the motion. Anderson, Elder, Crandall, Ervin and Krajewski voting aye; none voting nay; motion carried. Elder moved to approve the payment of claims, Crandall seconded the motion. Anderson, Ervin, Crandall, Elder and Krajewski voting aye; none voting nay; motion carried.

General Fund

AT&T, Service, \$37.76; Pat Albro, Prior service, \$156.00; Allo, Service, \$3,463.39; ASAP, Snow removal, \$530.00; Gregory J. Beal, Services, \$2,760.00; Paul Cartwright, Prior service, \$36.00; Charter Communications, Charter fees, \$25.33; City of Ogallala, Service, \$636.76; Dorothy Cogburn, Prior service, \$108.00; Kathryn Coker, Prior service, \$192.00; Complete Cleaning Solutions, Carpet cleaning, \$200.00; Consolidated Management, Meals, \$85.54; Culligan, Water, \$6.50; Pat Darnell, Prior service, \$228.00; DAS State Acctg - Central Finance, Lease, \$704.00; Kathy Dealey, Prior service, \$96.00; Eakes Office Solutions, Stand, dispenser, supplies, \$260.47; Encartele, Calling cards, \$300.00; Five Nines Technology Group, Services, \$5,324.00; FR Customs, Upfitting, \$1,360.00; FP Mailing Solutions, Rateguard, \$45.00; Susan Gieschen, Prior service, \$60.00; Robert Hogg, Prior service, \$24.00; Joe Jara, Prior service, \$72.00; Keith County District Court, Docket fees, \$108.00; Keith County News, Publishing, \$1,038.44; Gary J. Krajewski, Public Defender, \$6,250.00; Betty Kupper, Prior service, \$264.00; Robbie Kupper, Prior service, \$84.00; Becky McCracken, Transcript, \$23.50; Donna Messersmith, Prior service, \$216.00; MIPS, Jury pool listing, supplies, shipping, \$385.22; Ralph Moul, Prior service, \$60.00; Carol Nerverve, Prior service, \$60.00; Notary Public Underwriters, Notary, \$101.00; NPPD, Service, \$4,580.33; O'Keefe Elevator, Test, \$506.00; Office Service, Supplies, \$153.62; Ogallala Watering Hole, Fuel, \$15.00; Quality Farm & Ranch, Fan, \$54.99; "R" Tire & Alignment, Oil change, \$61.07; Cassie Reitz, Prior service, \$228.00; Paul Schwasinger, Prior service, \$192.00; Virginia Teel, Prior service, \$60.00; The Hartford, Life insurance premiums, \$261.60; Sherri Tickle, Prior service, \$168.00; U-Save Pharmacy, Inmate prescriptions, \$116.90; Uniform & Accessories, Badge star, \$49.94; Union Supply Group, Inc., Jail Commissary, Prisoner Board, \$1,082.88; Millie Weavers, Prior service, \$24.00; Wolf Auto, Oil changes, \$198.49

Road & Bridge Fund

Ace Eaton, Culverts, bands, etc., \$4,772.25; Allo, Service, \$1,017.53; ATC Communications, Service, \$72.10; City of Ogallala, Service, \$175.25; Consolidated Telephone, Service, \$104.32; Cornhusker International, Parts, labor, \$18,710.43; Kelly's Trucking, Trucking, \$4,700.00; Medical Enterprises, DOT testing, supplies, \$76.25; NPPD, Service, \$977.64; R&D Welding, Supplies, \$113.56; Simon, Gravel, \$33,000.27; The Hartford, Life insurance premiums, \$62.40; Village of Brule, Service, \$78.00; Wiest Hardware, Supplies, \$132.63; 4N Construction, Lift rental, \$1,000.00

CBSA Health Insurance Claim Fund

KC CBSA/Health Insurance Fund, Health claims, \$5,022.62; KC Clerk/Flex Claims Account, Flex claims, \$897.39

Drug Fund

Lynn Peavey Company, Blood alcohol kits, \$71.00

Inheritance Tax Fund

Estate of Donald D Langmacher, Overpayment, \$11.71

Emergency Phone 911 Fund

Allo, Internet, \$533.38; ATC Communications, Service, data circuits, \$158.14; CenturyLink, Connection to Viper, \$86.49; Frontier, Connection to Viper, \$5.47; Glenwood, Tower rent, service, \$446.02

Wireless 911 Services Fund

CenturyLink, Connection to Viper, \$454.06; Frontier, Connection to Viper, \$28.72

The Board heard the report of Head Jailer Travis Poncik.

Anderson moved to approve the Board signing the Lancaster County Juvenile Contract, Ervin seconded the motion. Crandall, Elder, Ervin, Anderson and Krajewski voting aye; none voting nay; motion carried. This Contract will be filed in the Resolution Book as number 2020-86.

The Board gave reports and received correspondence. The Board received July fee reports from the Clerk's Office, the Clerk of the District Court's Office and the Sheriff's Office.

On the Building Inspector's contract County Attorney Randy Fair recommended the following amendments:

1. On the second page and the first paragraph after the bullet points the sentence should have added "and all amendments thereafter."
2. On the second page, the fifth paragraph after the bullet points should have one million dollars added as a minimum and clarify that the insurance is the Building Inspector's expense.
3. On the third page and the second paragraph after the bullet points the 10 day notice should be changed to a 30 day notice.
4. On the third page and the seventh paragraph after the bullet points the sentence of "The contractor shall hold the County harmless with respect to any damages arising from any tort done in performing any of the work embraced by this contract" should be added.

Elder moved to approve this contract as amended, Crandall seconded the motion. Anderson, Ervin, Crandall, Elder and Krajewski voting aye; none voting nay; motion carried. This Contract will be filed in the Resolution Book as number 2020-87.

Crandall moved to adopt the resolution to transfer funds from the Emergency Phone 911 Fund (2910) to the General Fund (100) in the amount of \$12,969.59, Anderson seconded the motion. Ervin, Elder, Anderson, Crandall and Krajewski voting aye; none voting nay; motion carried. This resolution will be filed in the Resolution Book as number 2020-88.

Krajewski noted that County Clerk Sandra Olson had approved a Special Designated License for the Keith County Ag Society for an event on August 8, 2020.

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.

Crandall moved that it was in the best interest of Keith County to sell the property located at 1501 West 5th Street, Ogallala, NE 69153 pursuant to statute 23-107.01 (1) (d), Anderson seconded the motion. Elder, Ervin, Anderson, Crandall and Krajewski voting aye; none voting nay; motion carried. County Attorney Randy Fair stated for the record that based upon that statute, since no bids were previously received the Board can negotiate a contract for the sale of real estate if it is in the best interest of the County.

Anderson moved to declare the Dell monitors listed on Keith County Deputy Assessor, Amanda Harger's, letter of July 29, 2020 surplus, Elder seconded the motion. Crandall, Ervin, Elder, Anderson and Krajewski voting aye; none voting nay; motion carried.

The Board discussed the air conditioner at CASA.

There was no discussion or action on the agenda items of COVID-19 reopening strategy and budget questions.

The Board held a Budget Workshop. At 12:00 p.m. the Board recessed for lunch. At 1:00 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 12, 2020 at 8:00 a.m. at the Courthouse in Ogallala.

Chairman
Toney Krajewski

County Clerk
Sandra K. Olson

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.

Executive session – County Road's building.

County Road's building.

New Business

Letter of appointment for Dave Kling as Emergency Manager.

8:10 a.m. – Tim Ryan – Semi tractor truck bids.

8:30 a.m. – Zoning Administration for Keith County – Zoning items. 1. 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. 2. 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. 3. 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. 4. 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. 5. 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. 6. 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. 7. Request by MAKO CHMNI 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." 8. 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. 9. 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. 10. 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 per day fine imposed. * When the property is sold or transferred, the Conditional Use Permit for Dwelling Unit: Vacation Rental will expire. 11. Scott Jensen request to increase occupancy in his vacation rental from six to eight.

9:45 a.m. – County Road West B North.