

RESOLUTION 2019-54

WHEREAS: Werner Construction, LLC has requested an amendment to Conditional Use Permits #15-5 & #13-1 to include an increase to the hours of operation (gravel pit & temporary asphalt plant) located in the NE ¼ of Section 8, Township 13 North, Range 37 West of the 6th P.M., Keith County, Nebraska; and

WHEREAS: The Keith County Board of Commissioners approved Conditional Use Permit #15-5 by Resolution 2015-64 on October 14, 2015 and Conditional Use Permit #13-1 by Resolution 2013-16 on March 20, 2013; and

WHEREAS: The Keith County Planning Commission, after due public notice in the official county newspaper, did hold a public hearing on July 11, 2019 at 7:30 p.m. in the Keith County Courthouse for the amendment to the Conditional Use Permits; and

WHEREAS: The Keith County Planning Commission found the request for an amendment to Conditional Use Permit #15-5 & #13-1 in conformance with the Keith County Comprehensive Plan and Zoning Ordinance, and has, therefore, recommended approval of the request with no stipulations; and

WHEREAS: The Keith County Board of Commissioners, after due notice in the official county newspaper, did hold a public hearing on July 31, 2019, in the Keith County Courthouse on said request and recommendation.

NOW THEREFORE BE IT RESOLVED, THAT

The Keith County Board of Commissioners hereby approves the request by Werner Construction, LLC for an amendment to Conditional Use Permits #15-5 & #13-1 to include an increase to the hours of operation located in the NE ¼ of Section 8, Township 13 North, Range 37 West of the 6th P.M., Keith County, Nebraska subject to the following conditions:

- a. The terms of this resolution shall be terminated on December 31, 2019 and shall revert back to the conditions set forth in Resolution 2015-64 and 2013-16:
- b. Approved routes and road conditions
 - i. Loaded Trucks Route: County Road East 130 between Keystone Roscoe Road and Highway 61
 - ii. Empty Trucks Route: County Road East 120 from Highway 61 to the Keystone Roscoe Road
 - iii. Werner Construction, LLC is responsible for videoing the route and returning it to that condition if damage is caused to the asphalt section
 - iv. Werner Construction, LLC has agreed to supply gravel as needed on County Road East 130 and County Road East 120 as directed by the Keith County Highway Superintendent
- c. Keith County Highway Superintendent, Tim Ryan, is the designated official authorized to receive 24 hour a day operations notifications from Werner Construction, LLC
 - i. 24 hour a day operations shall be limited to six (6) days a week
 - ii. Weekly updates shall be provided when operating hours are 24 hour a day
- d. Regulatorv-approved noise reduction back-up alarms or strobe lights to minimize nighttime noise shall