

August 1, 2023

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on August 1, 2023, to audit and sign regular claims and payroll claims and to take care of such other matters as are on the agenda for this meeting. Advance notice of this meeting was published in the Nebraska City News Press and posted in at least three public places, including the County's website. This meeting was open to the Public, and the agenda was kept current, and is on file for public inspection at the office of the Otoe County Clerk during regular business hours.

The meeting was called to order by Commissioner Rick Freshman. Answering present at roll call were Commissioner Freshman, Commissioner Parsons, Commissioner Crownover, and Commissioner Cole. Commissioner Sornson was absent.

Commissioner Freshman informed the public in attendance that a current copy of the Open Meetings Act was posted to the right of the door of the courtroom. Additional copies are available upon request.

Cole made a motion, seconded by Parsons, to accept the agenda as posted. Voting aye were Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Crownover made a motion, seconded by Cole, to accept the minutes from the previous meeting and not have them read as each member was furnished with a copy of same. Voting aye were Commissioners Parsons, Crownover, Cole and Freshman. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Cole made a motion, seconded by Parsons, to approve payment of the regular claims. Voting aye were Crownover, Cole, Freshman, and Parsons. Nay – none. Motion carried.

Parsons made a motion, seconded by Crownover, to audit and sign payroll claims. Voting aye were Cole, Freshman, Parsons, and Crownover. Nay – none. Motion carried.

Chad Miller, Otoe County Veteran Service Officer, presented the August Veteran of the Month honor to Justin Christiansen. Mr. Miller spoke of Mr. Christiansen's military service and honor.

The county leases office space for DHHS services at 917 Wildwood Lane, Neb. City. The lease period begins August 1st. The Nebraska City Center for Children and Families, Inc., NCCCF, proposed two options for renewal. One option was for a one-year renewal at \$11/sq. ft. and the other option was a three-year renewal beginning at \$9/sq. ft. and increasing \$1/sq. ft. annually for the renewal period with the last year being \$11 sq. ft. There was discussion of the space provided and if it was necessary. Commissioner Freshman stated that he and Commissioner Sornson would look into if the space is being used. Cole made a motion, seconded by Parsons, to approve the three-year renewal with NCCCF contingent on the review of space needed. Voting aye were Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Crownover made a motion, seconded by Cole, to approve an interlocal agreement between Otoe County and the Southeast Region Planning, Exercise, and Training Board (SE PET). Steve Cody, Deputy EMA Director, stated that the agreement would allow Otoe County EMA to coordinate the SE PET region workshop for the members of the SE PET. Voting aye were Crownover, Cole, Freshman, and Parsons. Nay – none. Motion carried.

Matt Kasik, Chief Executive Officer, Region V Services, presented an annual report to the board. Mr. Kasik spoke of services provided, update of the facility, and provided information on a new group home being built in Nebraska City for residents and staff members.

Freshman opened a public hearing to hear comments regarding a conditional use permit for a building facility to hold weddings, receptions, corporate events, birthdays, graduations, and charitable events to be in part of a 59.06+-acre tract in the South ½ of the SE ¼ of S 28, T 8N, R 9E of the 6th PM, Otoe County, Nebraska as proposed by Jonathan and Rhonda Brinkman, owners. Site is located at 6th and L Roads. Andrew Willis, Attorney, representing Josh Banderas, stated that the project would be built in the middle 30 acres of the tract. The event center would be approximately 13,000 square feet and would accommodate a maximum of 500 people. He addressed the concerns of neighbors that were presented at the Planning and Zoning meeting of: dust, traffic, water use, noise, light, drinking and driving. The operators have agreed to dust control for the road leading to the event center. Mr. Willis estimated the water use to be the same or less than that of a large family home. He stated that the land could be sold, and several homes built in the area with no permits needed that would use more water than the event center. The operators will be applying for a liquor license and will have requirements to follow to maintain the license. The operators have begun looking at a shuttle service as a possible availability. Traffic may increase at the start of an event, but most attendees leave at varying times. Josh Banderas, presented several photos of the proposed building. One photo was a depiction of the layout of the property, and he expressed how they intend to work with the natural layout of the property and intend to save as much of the landscaping and trees as possible. He stated that the road leading to the event center is 1.25 miles from the highway and they have researched dust control. There was discussion of a calcium chloride treatment, and Mr. Banderas presented the Board with information on a product called Resinator. He stated that it is environmentally friendly. The Board indicated that he would be able to work with the Highway Superintendent on the product used. Jon Brinkman stated that he and Rhonda placed the property for sale in September 2022 and are happy with the proposed project as they are intending to keep the integrity of the land. Dave Schmitz, Otoe County Surveyor/Planning Administrator, stated the Otoe County Planning Commission approved the permit with a 5-2 split vote with three conditions. Those being dust control, outdoor lighting being turned toward the facility, and outdoor music ending at 10:00 p.m. Ann Boellstorff questioned overnight lodging and future subdivision. Quinn Beecham had concerns of increased traffic, maintaining road conditions, water supply, dust control, and drinking and driving. The estimated construction start date is October 1, 2023. Vice-Chairman Freshman closed the public hearing. Freshman made a motion, seconded by Crownover, to approve the conditional use permit for an event center with four conditions: 1) dust control application will be required annually and will be required to apply semi-annually if it becomes necessary; this requirement is the responsibility and at the expense of the owner(s)/operator(s). The dust

control application will be for the 1.25 miles leading to the event center; 2) Lighting is to be directed to the facility and not to neighboring properties; 3) Outdoor music ends at 10:00 p.m.; 4) Two-year review with the Board of Commissioners. It was clarified that the two-year review was not for intentions of cancelling the permit, but to review the conditions and concerns and to ensure the concerns of the neighbors had been addressed. Voting aye were Crownover, Cole, Freshman, and Parsons. Nay – none. Motion carried.

Freshman opened a public hearing to hear comments regarding a conditional use permit for a controlled shooting area by shotgun only to be in Part of the SW ¼ of S 13, T 9N, R 10E and Part of the NW ¼ of S 24, T 9N, R 10E, Otoe County, Nebraska as proposed by lessee Matt Beede Outdoors and Keith Kimbell, owner. Site is located at approximately N 22nd & D Roads. Matt Beede was present and stated that he is leasing the property from Keith Kimbell. This area increases the current hunting space. He said there was a neighbor that had concerns with hunters being near his fence line and Mr. Beede stated that they have offered to place signage to keep hunters away from the area. There are regulations that require hunters to be a specified distance from residences and the neighboring residence is outside of that specified distance. Mr. Beede stated that the signage for the fence line seemed to make the neighbor more comfortable and he expressed that the hunters are instructed that trespassing is not allowed. Cole made a motion, seconded by Parsons, to approve the conditional use permit for a controlled shooting area by shotgun only to Beede Outdoors. Voting aye were Cole, Freshman, Parsons, and Crownover. Nay – none. Motion carried.

Crownover made a motion, seconded by Parsons, to appoint Douglas Delhay to the Otoe County Board of Adjustments. The appointment will be for a three-year term. Voting aye were Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Dan Mauk, Director, Nebraska City Area Economic Development Corporation, was present to discuss a proposed contract with Otoe County. At the April 25, 2023, Board of Commissioners' meeting, the Board approved obligating \$105,000 of ARPA funding to NCAEDC for the continuation of the Childhood Coordinator position, annual training and related services to providers for three years. An agreement was drafted to between Otoe County and NCAEDC for the annual funding of \$35,000 from 2024-2026 to be made in semi-annual installments. NCAEDC will provide semi-annual reports of expenses and a report on efforts conducted and results achieved. Crownover made a motion, seconded by Freshman, to approve the agreement between Otoe County and Nebraska City Economic Development Corporation. Voting aye were Parsons, Crownover, Cole, and Freshman. Nay – none. Motion carried.

There was discussion of the KENO application process. Ideas were discussed of what applicants should submit with proposal to document proposed expenses, required time to spend the funds or extension, and return of excess of funding.

Highway Superintendent Jon Brinkman presented the road report: clean out ditches and rebuilding road at G & 36 East (672); finish dirt work and rock at D & 14 South (609); install driveway culvert E & 14 South; clean out silt in front of driveway drop pipe at 335 C Rd. Both crews have been rocking and grading roads, and fixing storm damage. The closing of P & 28

East, Structure 23210 was reported at the last meeting; with the heavy rain on Saturday, there was a catastrophic failure and the structure collapsed.

There being no further business to come before the Board at this time, and since all items on the agenda have been disposed of, Vice-Chairman Freshman declared this meeting adjourned at 9:53 a.m. The next regular meeting will be held on August 15, 2023.

I, Jennifer Bassinger, County Clerk of Otoe County, do hereby certify that the above minutes were taken by me, and are true and correct to the best of my knowledge, and I therefore set my hand and affix the county seal this 1st day of August 2023.

Jennifer Bassinger
Otoe County Clerk