

JUNE 9, 2020

The Village of Board of Trustees of the Village of Callaway, Nebraska met in regular session in the Village Board Room on June 9, 2020. Chairman Mark Kimball opened meeting at 7:03 PM. Present at meeting: Mark Kimball, Dan Lewandowski, Abe Hinman, Lawrence Paulsen and Ken Pitkin. Open Meeting Act compliance was verified. Notice of this meeting was posted as required by law and the agenda was communicated in advance. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Minutes of the May 12 and May 28, 2020 meeting were read. Motion made by Paulsen, seconded by Lewandowski to approve minutes. Aye: All. Nay: None. Motion carried.

The Treasurer's financial reports were accepted on a motion by Paulsen, seconded by Hinman. Aye: All. Nay: None. Motion carried.

Pitkin motioned to accept the claims as presented, seconded by Lewandowski. Aye: All. Nay: None. Motion carried.

MAY 2020 CLAIMS	DESCRIPTION	AMOUNT
A to Z Lawn Care	Supplies	\$200.00
Border States	Supplies	\$173.09
Callaway Market	Supplies	\$19.00
Callaway Hospital	Supplies	\$25.38
Central NE Economic De	Dues	\$808.50
Corner Stop	Supplies	\$102.24
Country Partners	Fuel	\$860.33
Custer County Election Office	Primary-Keno	\$100.00
Dutton Lainson	Supplies	\$273.71
Franklin Templeton	Pension	\$563.01
Grones Outdoor Power	Supplies	\$82.58
Knapp Electric	Electric supplies	\$77.65
LARM	Work comp audit	\$1,256.15
LASWA	Dump fee	\$1,218.90
MEAN	Power	\$32,524.85
Municipal Supply	Supplies	\$83.76
Myers Iron Supply	Roll off dumpster	\$809.00
NE Municipal Power Pool	Service Plan	\$1,320.00
NE Public Health Env Lab	Water testing	\$68.00
Nigel Sprouse Library	Grant, Village Funds, ST of NE	\$9,700.00
One Call Concepts	Locating fee	\$8.45
Sennett, Duncan, Jenkins	Professional fees	\$100.00
Callaway Courier	Publishing	\$56.80
True Value	Supplies	\$3,696.55
WESCO	Safety equipment	\$600.55
Payroll	Payroll	\$11,798.92
Great Western Visa	Supplies	\$749.00
NE Dept of Revenue	Local Sales and Use tax	\$3,926.62
NE Dept of Revenue	Payroll WH	\$425.00
United States Treasury	Payroll WH	\$2,993.84
Barb Gunther Fireworks	Fireworks	\$500.00
Principal	Life/Dental Ins	\$363.92
WAPA	Energy	\$6,653.91
United Healthcare	Health Ins	\$3,445.37
	TOTAL	\$85,585.08

First on the agenda is a proposed resolution from Community Development Block Grant, presented by Shelly Griffith. Pitkin moved to approve Resolution 2020-6-9, seconded by Lewandowski. Aye: All. Nay, none. Motion carried.

RESOLUTION 2020-6-9
RESOLUTION AUTHORIZING THE SUPPORT OF REPURPOSING THE CUSTER ECONOMIC DEVELOPMENT
REVOLVING LOAN FUND(RLF) PROGRAM

WHEREAS, there is a desire of the Village of Callaway to promote rehabilitation of housing for income-eligible, owner-occupied homes in the communities of Custer County and,

WHEREAS, the Village of Callaway and Custer County alike would benefit from the rehabilitation of housing and,

WHEREAS, the County's Economic Development Revolving Loan Fund (FLF) Program will be repurposed to the CDBG Owner-Occupied Housing Rehabilitation Program; and

WHEREAS, the CDBG Owner-Occupied Housing Rehabilitation Program will be used for the rehabilitation of housing for income-eligible, owner-occupied homes in the municipal borders of the communities located in Custer County; and

NOW THEREFORE, the Village of Callaway, Nebraska does herewith pledge their support, endorsement, and cooperation for the repurposing of the Custer Economic Development Revolving Loan (RLF) Program, and the Village of Callaway will advertise the program to the citizens of Callaway.

PASSED AND APPROVED this 9th day of June, 2020.

Mark Kimball, Chairman

Lanett Conroy, Clerk

Sue Phelps was at the meeting to discuss with the Village Board her upcoming Fireworks Display at the Ball Field on July 4th. There will be fireworks and no concessions of any kind. People are asked to stay in their vehicles to enjoy the firework display this year.

Callaway Market and Shotgun Annie's are asking for SDL permits for June 26, 27 and 28th. Motion made by Hinman to approve SDL permits with current DHM guidelines being followed, seconded by Lewandowski. Aye: Hinman, Lewandowski, Pitkin, Kimball. Nay: None. Abstain: Paulsen. Motion carried.

Shotgun Annie's seeks permission to stay open late until 2 a.m. on June 26, 27 and 28th. Pitkin makes motion to give permission to Shotgun Annie's to be open until 2 a.m. on June 26, 27, 28, seconded by Paulsen. Aye: All. Nay: None. Motion carried.

The Village Street department and Rod Brestel will meet to discuss drainage near Morgan and Stebbins intersection on Wed. June 10.

Keno was put on the Primary ballot in May and was voted "for" by the people. That being said, the Village seeks an Operator for the lottery. Two were being considered. After discussion, motion was made by Paulsen, seconded by Lewandowski to sign a contract with Hastings Keno to be the Village of Callaway Keno Lottery Operator. Aye: All. Nay: None. Motion carried.

Paulsen also made a motion to approve Option A of "Lottery; Participation and Restrictions as Ordinance 2020-6-9A, this motion seconded by Lewandowski. Aye: All. Nay: None. Motion carried.

OPTION A

ORDINANCE NO. 2020-6-9A

BE IT ORDAINED BY THE CHAIRMAN AND COUNCIL OF THE VILLAGE OF CALLAWAY, NEBRASKA:

New 1997 Option A - No restrictions on municipal officials, their families, or owners or officers of the sales outlet locations

LOTTERY; PARTICIPATION; RESTRICTIONS.

- (A) No person under 19 years of age shall play or participate in any way in the lottery established and conducted by the municipality.
- (B) No owner or officer of a lottery operator with whom the municipality contracts to conduct its lottery shall play the lottery conducted by the municipality. No employee or agent of the municipality, lottery operator, or authorized sales outlet location shall play the lottery of the municipality for which he or she performs work during such time as he or she is actually working at such lottery while on duty.
- (C) Nothing shall prohibit the following persons from playing the lottery conducted by the municipality as long as such person is 19 years of age or older:
 - (1) Any member of the Governing Body, a municipal official, or the immediate family member or official; or
 - (2) An owner or officer of an authorized sales outlet location for the municipality.
- (D) No person, or employee or agent of any person or municipality, shall knowingly permit an individual under 19 years of age to play or participate in any way in the lottery conducted by the municipality.
- (E) For purposes of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

IMMEDIATE FAMILY OF A MEMBER OF THE GOVERNING BODY OR A MUNICIPAL OFFICIAL.

- (a) A person who is related to the member or official by blood, marriage, or adoption and resides in the same household; or
- (b) A person who is claimed by the member or official, or the spouse of the member or official, as a dependent for federal income tax purposes.

Statutory reference:

State provisions on participation restriction, Neb. Rev. Stat. 9-646

Passed and approved this 9th day of June, 2020.

Chairman

Clerk

Motion was made by Lewandowski, seconded by Paulsen to approve Ordinance 2020-6-9B which is Lottery; Sales Outlet Locations; Approval required; Qualifications standards. This was voted on Aye: All. Nay: None. Motion carried.

ORDINANCE NO. 2020-6-9B

LOTTERY; SALES OUTLET LOCATIONS; APPROVAL REQUIRED; QUALIFICATION STANDARDS.

- (A) The lottery operator with whom the Governing Body contracts to conduct its lottery shall not operate the lottery at a sales outlet location other than the location of the lottery operator without prior approval of the sales outlet location by the Governing Body. The Governing Body shall approve or disapprove each sales outlet location and individual, sole proprietorship, partnership, limited liability company, or corporation which desires to conduct the lottery at its sales outlet location solely on the basis of the

qualification standards prescribed in Division (B) of this section.

(B) Any individual, sole proprietorship, partnership, limited liability company, or corporation which seeks to have its location approved as an authorized sales outlet location shall:

(1) Obtain a retail liquor license for consumption on the premises pursuant to Neb. Rev. Stat. Chapter 53, Article 1;

(2) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any offense or crime, whether a felony or a misdemeanor, involving any gambling activity or fraud, theft, willful failure to make required payments or reports, or filing false reports with a governmental agency at any level;

(3) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any felony other than those described in Division (B)(2) within the 10 years preceding the filing of this application;

(4) Not have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, or the Nebraska Pickle Card Lottery Act;

(5) Be fit, willing, and able to properly provide the service proposed in conformance with all provisions and requirements of the Nebraska County and City Lottery Act and the rules and regulations adopted and promulgated pursuant to the Act.

(C) If the person seeking to have its location approved as an authorized sales outlet location is a partnership, limited liability company, or corporation, the qualification standards shall apply to every partner of such partnership, every member of such limited liability company, every officer of such corporation and every stockholder owning more than 10% of the stock of such corporation.

(D) The municipality shall notify the Department of Revenue of all approved lottery locations within 30 days of approval.

Statutory reference:

Requirements for sales outlet locations, Neb. Rev. Stat. 9-642.01

Passed and approved this 9th day of June, 2020.

Chairman

Clerk

Pitkin makes a motion for Chairman Kimball to sign Shotgun Annie’s Keno Sales Outlet agreement when presented later this week, seconded by Lewandowski. Aye: All. Nay: None. Motion carried.

Updates from Village Superintendent, Village Clerk and Economic Developer were heard.

Motion made by Pitkin to go into Executive Session at 8:25 p.m. to discuss Personnel, seconded by Kimball. Motion carried.

Motion made to come out of Executive Session by Pitkin at 8:57 p.m. seconded by Hinman. Motion carried.

With no further business, Lewandowski made motion to adjourn meeting, seconded by Pitkin. Meeting adjourned at 9:00 p.m.

Chairman

Clerk

