

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
SPECIAL MEETING MINUTES
SEPTEMBER 21, 2016, 12:00 P.M.**

A Regular Meeting of the Elm Creek Village Board of Trustees was convened in open and public session at the Elm Creek Village Center, 535 W. Boyd Avenue, Elm Creek, Nebraska at 12:00 p.m. on September 21, 2016. Advance Notice of this meeting was given in advance thereof by posting of Notice in three public places within the Village and publication in the Beacon Observer, as shown in the Certificate of Posting affixed to these minutes. Advance Notice was simultaneously given to the Chairman and all members of the Board of Trustees and their acknowledgment of receipt of Notice and the agenda are affixed to these minutes. Chairman Jim Gunderson called the meeting to order at 12:12 p.m. by calling for the roll with the following members responding: Davis Miner, Jim Gunderson, Cory Halliwell, and Gary Brouillette. Absent: Kathy Labs. Jim announced that the Open Meeting Laws were in the hallway leading to the meeting room for the public's inspection.

CONSENT AGENDA

It was moved by Jim and seconded by Davis to approve the Consent Agenda consisting of the minutes of the Regular Meeting on August 25, 2016 and the minutes of the Special Meeting and Budget Hearing on September 13, 2016 and approval of the Claims for the month of September 2016 in the amount of \$65,135.58. Ayes: Jim, Davis, Cory, and Gary. Nays: none. The motion carried.

DEPARTMENT REPORTS

EMPLOYEE REPORTS: Clint reported the park bathroom closures are installed; the guys will plant grass seed by the park restrooms today, Stadler's finally came and picked up the mower to work on it, mowing is starting to slow down. Clint has JC looking for medium rock salt. Jim would like Clint to look into pouring a concrete parking lot behind library that would have 4 parking stalls. He would also like to see a concrete sidewalk leading up to the library door. Clint will look into it and report back at the next meeting.

SHERIFF'S REPORT: Officer Gibbs reported to the board this month as Captain Bob Anderson was at a meeting in Ravenna. The department has amped up their patrol on Tyler and around the school. Jim mentioned the Homecoming dance and breakfast at the Methodist Church this Saturday. Officer Gibbs took notice of this and will let the department know. Davis also mentioned the chickens are still at the TenEyck residence.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Tyler Hillmer combining 2 residential lots into 1 lot

Jim introduced Ordinance by Title and designated it as Ordinance Number 2016-18:

ORDINANCE NO. 2016-18

AN ORDINANCE OF THE VILLAGE OF ELM CREEK, BUFFALO COUNTY, NEBRASKA RELATING TO THE VACATION OF REAL ESTATE WITHIN THE MEAD'S SUBDIVISION OF THE VILLAGE OF ELM CREEK, BUFFALO COUNTY, NEBRASKA.

BE IT ORDAINED BY THE CHAIRPERSON OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, BUFFALO COUNTY, NEBRASKA.

Section 1. THAT the Village of Elm, Creek, Nebraska hereby vacates the following real property (as defined in NEB.REV.STAT. §76-201):

Lot Five (5) and Lot Six (6), Block One (1), Meads Addition, an addition to the Village of Elm Creek, Buffalo County, Nebraska will be the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Twenty-Eight (28), Township Nine (9) North, Range Eighteen (18) West of the 6th Principal Meridian, Buffalo County, Nebraska.

Section 2. THAT the vacation of said property is expedient for the public good, and is in the best interests of the Village.

Section 3. THAT the Ordinance shall take effect and be in full force after its passage, approval and publication or posting as may be required by law.

PASSED AND APPROVED this 21th day of September, 2016.

VILLAGE OF ELM CREEK:

Jim Gunderson, Chairman

ATTEST:

Wendy Clabaugh, Village Clerk

It was moved by Jim and seconded by Cory to suspend the statutory rule requiring that Ordinances be read on three separate occasions, so that Ordinance No. 2016-18 might be introduced, read by title 3 times, and adopted at the same meeting. Ayes: Jim, Gary, Cory, and Davis. Nays: none. The motion carried.

It was called to question as to the adopting Ordinance No. 2016-18. It was moved by Jim and seconded by Davis to adopt Ordinance No. 2016-18 relating to the vacation of real estate within the Mead's Subdivision. Ayes: Jim, Gary, Cory, and Davis. Nays: none. The motion carried and Ordinance No. 2016-18 is duly adopted by the Village of Elm Creek, Nebraska.

Jim then introduced and read in full Resolution No. 2016-6:

RESOLUTION NO. 2016-6

BE IT RESOLVED BY THE CHAIRMAN OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, NEBRASKA:

That the plat of "HILLMER ADMINISTRATIVE SUBDIVISION" an administrative subdivision to the Village of Elm Creek, Buffalo County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered, filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said administrative subdivision is hereby included within the corporate limits of said Village and shall be and is a part of said Village for all purposes whatsoever, and the inhabitants of such administrative subdivision shall be

entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said Village.

PASSED AND APPROVED this 21th day of September, 2016.

VILLAGE OF ELM CREEK:

Jim Gunderson, Chairman

ATTEST:

Wendy Clabaugh, Village Clerk

It was moved by Jim and seconded by Davis to approve Resolution No. 2016-6. Ayes: Jim, Gary, Davis and Cory. Nays: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Church St Bridge Repair

Lance was at the board meeting to discuss the process with the board on the bridge repair and to answer any questions. The board requested to have Lance put together his proposal for the board at the next meeting and Clint will have Wilke Construction put together a proposal with the changes requested so we can keep moving forward.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Garbage Truck

It was moved by Jim and seconded by Davis to purchase the new garbage truck from Elliott Equipment in the amount of \$116,900.00 and to go with payment Option 2 with Baystone Government Finance. Ayes: Jim, Gary, Davis and Cory. Nays: none. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Executive Session

It was moved by Jim and seconded by Gary to go into executive session at 12:52pm to discuss water usage. Ayes: Jim, Gary, Davis and Cory. Nays: none. The motion carried. It was moved by Jim seconded by Davis to come out of executive session at 1:20pm. Ayes: Jim, Gary, Davis and Cory. Nays: none. The motion carried.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Adjournment

All agenda items having been considered, it was moved by Davis and seconded by Cory to adjourn this meeting. Ayes: Jim, Gary, Davis and Cory. Nays: none. The motion carried and the meeting was adjourned at 1:22 p.m.

Chairman-Elm Creek Village Board

(SEAL)

ATTEST:

Village Clerk