

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
MAY 23, 2019, 7:30 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 7:30 p.m. on May 23, 2019. 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. Tanner Tool called the meeting to order at 7:37 p.m. by calling for the roll with the following members responding: Kyle Lawrence, Davis Miner, Cory Halliwell, Tanner Tool and Mike Brown. Absent: none. Tanner 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 Tanner and seconded by Mike to approve the Consent Agenda consisting of the minutes of the Regular Meeting on April 24, 2019 and the Special Meeting on May 15, 2019, and approval of the Claims for the month of May 2019 in the amount of \$102,951.62. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. The motion carried.

DEPARTMENT REPORTS

EMPLOYEE REPORTS: Tim reported the new workers are doing well so far. It has been rainy and wet this week which has limited them from doing too much. Pool is up and going, mowing when they can, filling potholes, getting the flags out for Memorial Weekend and after the weekend they will start taking all the brackets and hardware off the utility poles as Kucera painting will be in town the week of June 3rd to start painting the power poles.

SHERIFF'S REPORT: Officer Ristine was at the meeting and he informed the board that there is nothing significant to report this month other than the break in at the school. The individual has been arrested.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Darren Robinson with Buffalo County Economic Development Council

Tabled

AGENDA ITEM #2: DISCUSSION/ACTION RE: Insurance Proposals

Jan Hinrichsen with Elm Creek Insurance Agency along with Rod and Jeff with EMC Insurance were at the meeting to discuss their insurance proposal and also discussed with the board the Statement of Values and the increases from last year's policy to this year's policy. There were some increases in the property coverage due to what the replacement costs would be, not all values increased this year. In the past 12 years EMC has paid Dividend's back to the village totaling \$27,742. Our experience mod went up to 1.49 where last year was 1.42. Not much of a change. Our annual premium will be \$43,760.00. It was then moved by Tanner and seconded by Cory to approve the proposal from Elm Creek Insurance Agency to renew our insurance with EMC Insurance for \$43,760.00. Ayes: Cory, Davis, Kyle, Tanner and Mike Nays: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Circle T Bar & Grill Show and Shine Truck Show & Street Dance

Agenda items 3 & 4 were combined and discussed regarding the request by Circle T Bar & Grill to have a truck show and street dance the weekend of Buffalo Stampede and requesting to have the streets blocked off on Potter Avenue from Tyler Street to Hwy 30. Eric will bring his own fence panels to block off an area on the street in front of his bar for the street dance. It was then moved by Tanner and seconded by Davis to allow Circle T Bar & Grill to have their truck show and street dance the Saturday, August 17th of Buffalo Stampede weekend. Ayes: Cory, Davis, Kyle, Tanner and Mike Nays: none. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Circle T Bar & Grill Street Dance

Discussed and approved under Agenda #3

AGENDA ITEM #5: DISCUSSION/ACTION RE: Chad Dixon with the Wright Acres Administrative Subdivision

Chad Dixon with Miller & Associates was at the meeting to discuss with the board the Wright Acres Administrative Subdivision. The owners/family are selling the house along with the 5 acres in the corner of the property they own but intend to retain the land surrounding. Chad Dixon drafted an administrative plat for the land separation. It just needs to be approved by the Board. The Board reviewed the plat and it was moved by Tanner and seconded by Mike to approve the Wright Acres Administrative plat/subdivision. Resolution 2019-11 was read by Tanner.

RESOLUTION 2019-11

RESOLUTION TO APPROVE ADMINISTRATIVE SUBDIVISION.

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

That the plat of "WRIGHT ACRES", an administrative subdivision being part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), Section 21, Township 9 North, Range 18 West, of the Sixth Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows: BEGINNING at a 1" Iron pipe at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 21, and assuming the South line of said Southeast Quarter of the Northeast Quarter as bearing N 89°51'08" W and all bearings contained herein are relative thereto; thence N 89°51'08" W on said South line a distance of 547.79 feet to a 5/8" rebar w/cap; thence N 01°58'44" W a distance of 347.78 feet to a 5/8" rebar w/cap; thence N 66°00'47" E a distance of 107.56 feet to a 5/8" rebar w/cap; thence N 62°56'14" E a distance of 234.34 feet to a 5/8" rebar w/cap; thence S 89°013'28" E a distance of 251.70 feet to the East line of said Northeast Quarter; thence S 00°08'07" E on said East line a distance of 495.92 feet to the Point of Beginning. Containing 5.80 acres more or less, duly made out, acknowledged and certified is hereby approved, accepted and ordered, filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

PASSED AND APPROVED this 23rd day of May, 2019.

(SEAL)

Tanner Tool, Chairman
Village of Elm Creek, Board of Trustees

ATTEST: _____
Wendy Clabaugh, Village Clerk

It was then moved by Tanner and seconded by Kyle to approve Resolution 2019-11. Ayes: Cory, Davis, Kyle, Tanner and Mike Nays: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Building Permits

It was moved by Tanner and seconded by Davis to approve the building permit from Richard Sullwold. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. The motion carried.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Picnic tables at pool

It was moved by Tanner and seconded by Davis to approve the purchase of six 8ft picnic tables (4 regular and 2 ADA) from Barco Products along with the cost of freight not to exceed \$6,000.00 from the KENO fund. Ayes: Kyle, Cory, Davis, Tanner and Mike. Nays: none. The motion carried.

AGENDA ITEM #8: DISCUSSION/ACTION RE: Purchase of Real Property

Tabled

AGENDA ITEM #9: DISCUSSION/ACTION RE: Large Pot hole patching

Tabled

AGENDA ITEM #10: DISCUSSION/ACTION RE: Easements

Upon the completion of the survey for the easement it was discovered that the village would need to talk to Leland Stone, owner of the property, about getting an easement on the south side of his property. The village would need a 20 foot easement. Tanner is going to call Leland Stone. The easement just south of Calkins Avenue between Easy St and Bond St will need to be discussed with CHS. Tanner will be contacting CHS regarding this easement.

AGENDA ITEM #11: DISCUSSION/ACTION RE: USA Communications Lease Agreement

Tabled

AGENDA ITEM #12: DISCUSSION/ACTION RE: Park restrooms repairs/maintenance

Tim had some quotes from Holmes for replacement/repairs for the restrooms at the concessions stands for toilets, sinks, water fountain and other necessary fixtures. The board requested he contact Winnelson to get quotes from them too. He is to also check on the water fountain/bottle filler to get more specifications on it or other options. This agenda item is tabled to the next meeting.

AGENDA ITEM #13: DISCUSSION/ACTION RE: Legal matters – Wendy Stephens

It was moved by Tanner and seconded by Davis to go into Executive Session at 8:54pm to discuss legal matters and purchase of real property. Ayes: Kyle, Cory, Davis, Tanner and Mike. Nays: none. The motion carried. It was moved by Tanner and seconded by Cory to come out of Executive Session at 9:39pm. Ayes: Kyle, Cory, Davis, Tanner and Mike. Nays: none. The motion carried. Agenda item #13 has been tabled to the next meeting.

AGENDA ITEM #14: Adjournment

All agenda items having been considered, it was moved by Kyle and seconded by Mike to adjourn this Regular Meeting. Ayes: Davis, Kyle, Cory, Tanner and Mike. Nays: none. The motion carried and the meeting was adjourned at 9:40p.m.

ATTEST:

Village Clerk

Chairman-Elm Creek Village Board

(SEAL)