

**VILLAGE OF ELM CREEK  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
AUGUST 22, 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 August 22, 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 7:31 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 Cory to approve the Consent Agenda consisting of the Claims for the month of August 2019 in the amount of \$84,751.12 and to approve the minutes to the meetings on July 25, 2019, August 12, 2019 and August 15, 2019. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. The motion carried.

**SHERIFF'S REPORT:** Captain Bob reported for the Sheriff's Department. They will be working with the school staff on safety training. They have seen an increase in calls for mental health across the county more than in the past. He reported the speed trailers that they have available if needed to place them more on the city streets around the school on Mill St or along Church St if there is a need. Otherwise it has been quiet here in Elm Creek.

**REGULAR AGENDA**

1. **AGENDA ITEM #1: DISCUSSION/ACTION RE: Approval of an ordinance amending ordinance 2019-16 providing for the issuance of Highway Allocation Fund Pledge Bonds, Series 2019 in an amount not to exceed Five Hundred Thousand Dollars (\$500,000)**

Board Member Tanner Tool introduced Amending Ordinance 2019-16A.

ORDINANCE 2019-16A

AN ORDINANCE AMENDING ORDINANCE NO 2019-16 PROVIDING FOR THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2019, IN THE AMOUNT OF NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR THE PURPOSE OF PAYING THE COSTS INCURRED IN CONNECTION WITH THE CONSTRUCTION OF STREET IMPROVEMENTS IN THE VILLAGE OF ELM CREEK, NEBRASKA; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE VILLAGE FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND; AGREEING TO LEVY TAXES; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

A motion to suspend the statutory rule requiring that Ordinances be read on three separate occasions, so that Amending Ordinance No. 2019-16A might be introduced, read by

title 3 times, and adopted at the same meeting was made by Tanner and seconded by Cory. Ayes: Cory, Davis, Kyle, Tanner and Mike Nays: none. The motion carried. The motion to suspend the rule was adopted by more than three-fourths of the Board and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Board Member Tanner Tool moved for final passage of the ordinance, which motion was seconded by Board Member Kyle Lawrence. The Chairperson then stated the question was "Shall Amending Ordinance No. 2019-16A passed and adopted?" Upon roll call vote, the following Board Members voted YEA Kyle, Mike, Cory, Tanner, and Davis. The following voted NAY: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted and the Chairperson in the presence of the Board signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed the Clerk's signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein.

**AGENDA ITEM #2: DISCUSSION/ACTION RE: Additional 1% Allowable Increase in the Restricted Fund Authority**

In preparation for the annual budget, Dana Cole requested that the board vote on the allowed additional 1% Restricted Fund Authority. As part of the annual budget, the Village is automatically granted a 2.5% increase in the restricted funds authority but are allowed to vote on an additional 1% increase. It was moved by Tanner and seconded by Davis to approve the additional 1% increase in the total 2019-2020 Restricted Funds Authority subject to limitation. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

**AGENDA ITEM #3: DISCUSSION/ACTION RE: Set date for Budget Hearing**

Budget Hearing set as Wednesday, September 11<sup>th</sup> at 7:00pm

**AGENDA ITEM #4: DISCUSSION/ACTION RE: Veteran's Memorial Flag Poles**

Tabled to the September Regular Meeting

**AGENDA ITEM #5: DISCUSSION/ACTION RE: USA Communications Lease Agreement**

No action.

**AGENDA ITEM #6: DISCUSSION/ACTION RE: Parking Restrictions Downtown**

No action

**AGENDA ITEM #7: DISCUSSION/ACTION RE: Discussion on Water Meters**

No action

**AGENDA ITEM #8: DISCUSSION/ACTION RE: Homecoming Bonfire**

It was moved by Tanner and seconded by Kyle to allow the Homecoming Bonfire in town on Monday, September 2<sup>nd</sup>, with an exception to our Village Ordinance with open fires in town. Ayes: Cory, Davis, Kyle, Tanner and Mike. Nays: none. The motion carried.

**DEPARTMENT REPORTS**

**BUILDING PERMITS:** Dollar General's permit has been approved. Still waiting on Jeb Boston's revised building permit.

**EMPLOYEE REPORTS:** Leak Detection Services inspected the pool and determined the leak was due to caulk sealant around pool is leaking significantly in several areas. They also discovered a leak in the zero depth area around the geiser/bubbler feature. There recommendation was to cut the off, fill with grout and then paint or epoxy over it. Also to reseal/recaulk and paint. Johnson Services cleaned out the south lift station (pressure washed and vacuumed entire lift area) and they also camera the sewer line along Easy St from Calkins Ave heading north.

**AGENDA ITEM #18: Adjournment**

All agenda items having been considered, it was moved by Mike and seconded by Kyle to adjourn this Regular Meeting. Ayes: Davis, Kyle, Cory, Tanner and Mike. Nays: none. The motion carried and the meeting was adjourned at 8:25p.m.

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Chairman-Elm Creek Village Board

ATTEST:

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Village Clerk

(SEAL)