

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
SPECIAL MEETING
SEPTEMBER 9, 2021
WILL COMMENCE IMMEDIATELY UPON ADJOURNMENT OF THE PRECEDING BUDGET HEARING**

A Special 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 commencing immediately upon adjournment of the preceding Budget Hearing on September 9, 2021. Advance Notice of this hearing 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 Affidavit of Publication 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 Tanner Tool opened the Special Meeting at 5:49 pm with a second by Davis Miner. Tanner called for the roll with the following members responding: Tanner Tool, Mike Brown, Davis Miner and Michael Strong. Absent: Kyle Lawrence. Tanner announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the east wall of the meeting room.

SPECIAL AGENDA

AGENDA ITEM #1: Passage of Resolution to Set Final Property Tax Request at an Amount that Differs from the Prior Year Request

Tanner introduced and read in full Resolution No. 2021-8:

RESOLUTION SETTING THE PROPERTY TAX REQUEST

RESOLUTION NO. 2021-8

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Village of Elm Creek passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the Village of Elm Creek, Nebraska, resolves that:

1. The 2021-2022 property tax request be set at:

General Fund:	\$232,805.00
Bond Fund:	\$ -
2. The total assessed value of property differs from last year's total assessed value by 1.55 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be 0.369048 per \$100 of assessed value.
4. The Village of Elm Creek proposes to adopt a property tax request that will cause its tax rate to be 0.378203 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Elm Creek will increase from last year's budget by 12.43 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2021.

Motion by Tanner Tool, seconded by Davis Miner to adopt Resolution #2021-8. Voting Yes were: Davis Miner, Mike Brown, Michael Strong, and Tanner Tool. Voting No were: None.

Dated this 9th day of September, 2021.

Board Chairperson

ATTEST:

Clerk/Treasurer

A motion by Tanner and seconded by Davis to pass Resolution No. 2021-8 to set the final property tax request at an amount that differs from the prior year request. Ayes: Davis, Tanner, Michael, and Mike. Nays: none. Absent: Kyle. The motion carried.

AGENDA ITEM #2: Passage of Ordinance to Adopt the Budget Statement for 2021-2022 Fiscal Year

Tanner then introduced an Ordinance by Title and designated it as Ordinance No. 2021-24. A motion by Tanner and seconded by Mike Brown to suspend the statutory rule requiring that ordinances be read on 3 separate occasions, so that Ordinance 2021-24 might be introduced, read by title 3 times and adopted at the same meeting. Ayes: Davis, Tanner, Michael, and Mike. Nays: none. Absent: Kyle. The motion carried.

VILLAGE OF ELM CREEK

ELM CREEK, NEBRASKA

ORDINANCE NO. 2021-24

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE VILLAGE OF ELM CREEK, NEBRASKA:

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2021, through September 30, 2022. As sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the Village of Elm Creek, Nebraska. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Buffalo County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and adopted this _____ 9th day of September, 2021.

Board Chairperson

ATTEST:

Board Secretary

Tanner then read Ordinance 2021-24 by title. It was called to question as to the adopting Ordinance No. 2021-24 adopting the 2021-2022 Budget. It was moved by Tanner and seconded by Davis to adopt Ordinance No. 2021-24 adopting the budget for the fiscal year 2021-2022. Ayes: Tanner, Michael, Davis and Mike. Nays: none. Absent: Kyle. The motion carried and Ordinance No. 2021-24 is duly adopted by the Village of Elm Creek, Nebraska.

AGENDA ITEM #3: Resolution to recommend approval of the corporate manager liquor license application of Kinsey A. Bosselman for Bosselman Pump & Pantry, Inc. D/B/A Pump & Pantry 30

Tanner introduced and read in full Resolution No. 2021-9:

RESOLUTION 2021-9

**RESOLUTION TO RECOMMEND APPROVAL OF THE CORPORATE
MANAGER LIQUOR LICENSE APPLICATION OF KINSEY A. BOSSELMAN
FOR BOSSELMAN PUMP & PANTRY, INC. D/B/A PUMP & PANTRY 30.**

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

WHEREAS, on or about August 24, 2021, the Village of Elm Creek Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Manager Application of Kinsey A. Bosselman for Bosselman Pump & Pantry, Inc. D/B/A Pump & Pantry 30, 214 W. Front Street, Elm Creek, Nebraska 68836;

WHEREAS, pursuant to the requirements of Neb. Rev. Stat. § 53-134, the Board of Trustees of the Village of Elm Creek set a time and place for a public hearing on said application, and published notice of said public hearing as required by law on September 2, 2021 in the Kearney Hub, at a cost of \$12.88;

WHEREAS, within forty-five days of receipt of said application from the Nebraska Liquor Control Commission, a public hearing was held on September 9, 2021; and

WHEREAS on September 9, 2021, the Village of Elm Creek Board of Trustees voted to recommend approval of said Manager Application;

NOW, THEREFORE, BE IT RESOLVED, by the Village of Elm Creek Board of Trustees, that it should and hereby does recommend to the Nebraska Liquor Control Commission that said application for a Manager liquor license be approved for the above stated location;

AND, BE IT FURTHER RESOLVED, that the Village of Elm Creek Clerk is hereby directed to mail a copy of this Resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, this 9th day of September, 2021.

PASSED AND APPROVED this 9th day of September, 2021.

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

ATTEST: _____
Wendy Clabaugh, Village Clerk

It was moved by Tanner and seconded by Michael Strong to approve Resolution 2021-9. Ayes: Davis, Tanner, Michael, and Mike. Nays: none. Absent: Kyle. The motion carried.

AGENDA ITEM #4: Transfer \$225,000 from the FirstTier Bank money market account general fund to the FirstTier Bank checking account general fund

It was moved by Tanner and seconded by Davis to direct staff to transfer \$225,000 from the FirstTier Bank money market account general fund to the FirstTier Bank checking account general fund. Ayes: Tanner, Davis, Michael and Mike. Nays: none. Absent: Kyle. The motion carried.

AGENDA ITEM #5: Homecoming Bonfire

It was moved by Tanner and seconded by Davis to allow the Homecoming Bonfire in town on Sunday, September 19th, with an exception to our village ordinance with open fires in town. Ayes: Davis, Tanner, Michael, and Mike. Nays: none. Absent: Kyle. The motion carried.

AGENDA ITEM #6: Adjournment

All agenda items having been considered, it was moved by Michael Strong and seconded by Mike Brown to adjourn this Special Meeting. Ayes: Tanner, Michael, Mike, and Davis. Nays: none. Absent: Kyle. The motion carried and the meeting was adjourned at 6:03 p.m.

Chairman-Elm Creek Village Board

(SEAL)

ATTEST: _____
Village Clerk