

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
PUBLIC HEARING MINUTES
JANUARY 27, 2022, 7:15 P.M.**

A Public Hearing 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 7:15 p.m. on January 27, 2022 to hear public comment regarding the application for preliminary plat for Simmerman Acres. 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 Kearney Hub, 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 public hearing to order at 7:15 p.m. by calling for the roll with the following members responding: Tanner Tool, Davis Miner, Mike Brown, Kyle Lawrence and Michael Strong. Absent: none. 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. Trenton Snow, Land Surveyor, was at the public hearing representing Bill Simmerman. The Buffalo County Zoning Department and the Planning Commission approved their recommendation to the village board to approve the application and the Preliminary Plat for Simmerman Acres at their Public Hearing. A motion by Tanner and second by Davis to close the public hearing and adjourn the meeting at 7:20 P.M. Ayes: Michael, Davis, Mike, Kyle and Tanner. Nays: none. Absent: none. The motion carried.

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
JANUARY 27, 2022, 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 January 27, 2022. 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 7:30 p.m. by calling for the roll with the following members responding: Tanner Tool, Davis Miner, Mike Brown, Kyle Lawrence and Michael Strong. Absent: none. 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.

CONSENT AGENDA

It was moved by Tanner and seconded by Kyle to approve the Consent Agenda consisting of the Claims for the month of January 2022 in the amount of \$96,763.83 and to approve the minutes to the Regular Meeting on December 21, 2021 and the Special Meeting on January 14, 2022. Ayes: Michael, Davis, Mike, Kyle and Tanner. Nays: none. Absent: none. The motion carried.

SHERIFF'S REPORT:

Captain Bob was in attendance to brief the board with the Sheriff's report. Nothing significant to report. There was not much activity to report for the month of December.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Consider and Approve the Application for Preliminary Plat for Simmerman Acres

It was moved by Tanner and seconded by Mike to approve the Application for Preliminary Plat for Simmerman Acres. Ayes: Michael, Kyle, Davis, Mike and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Review Plans/Specifications and Consider Bidding Water and Sanitary Sewer Infrastructure for Northwest Industrial Development Site Project

It was moved by Tanner and seconded by Mike to approve plans for bidding water and sanitary sewer infrastructure for Northwest Industrial Development Site Project and to direct staff to put it out for bid. Ayes: Michael, Tanner, Davis, Kyle, and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Hearing on notice to abate and remove nuisance requested by Trisiti Kepler

The Village Board had requested to have the Village Attorney personally serve Trisiti Kepler with a nuisance letter back on January 3, 2022 regarding the property at 331 W Arendt Avenue. The property had been declared a public nuisance and the letter requested that the property owner needed to clean up the property by February 1, 2022, or to contact the Municipal Administrator and request a hearing. Trisiti contacted Dusty and requested a hearing at the January 27th meeting. Trisiti Kepler and Brandi Hasbrouck were at the meeting to address the village board regarding the nuisance property at 331 W Arendt Avenue. Trisiti Kepler is the property owner of 331 W Arendt Avenue. Trisiti's mom, Brandi Hasbrouck, spoke on her behalf. The Village Board heard the concerns from Brandi regarding the property. They have rented the large construction dumpsters and started to clean up the property the week of January 23rd. Tanner reminded them that the grass/weeds/vegetation needs to be mowed and kept below 12 inches or it would be considered a nuisance. They are aware of that now. Brandi informed the board that it is mostly cleared and just waiting for the sanitation department to come empty the dumpsters and it would be cleaned up by this weekend. Brandi said they are planning on keeping the property and will someday like to put a house on the property.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Approval of Resolution to declare nuisance and order to remedy re: 331 W Arendt Avenue, Elm Creek, Nebraska

No action taken.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Consider and approve an amendment request of the Performance Goal for the Village's Owner Occupied Rehabilitation Project

It was moved by Tanner and seconded by Michael to approve an amendment request of the Performance Goal for the Village's Owner Occupied Rehabilitation Project. Ayes: Michael, Davis, Kyle, Mike and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Consider and approve Wastewater Land Application Agreement with Ourada Family Limited Partnership

It was moved by Tanner and seconded by Davis to approve the Wastewater Land Application Agreement with Ourada Family Limited Partnership and to pay the consideration fee of \$5,000.00 upon the signing of this agreement. Ayes: Michael, Davis, Kyle, Mike and Tanner. Nays: none. Absent: none. The motion carried.

DEPARTMENT REPORTS

BUILDING PERMITS – Joey Dallman is looking to add on to his garage.

EMPLOYEE REPORTS – The board requested to have Taylor L'Heureux, village attorney, draft a Cost Sharing Agreement with the school for the shared cost of the Beecroft Sewer Relocation Project.

AGENDA ITEM #7: Adjournment

All agenda items having been considered, it was moved by Michael Strong and seconded by Mike Brown to adjourn this Regular Meeting. Ayes: Michael, Davis, Mike, Kyle and Tanner. Nays: none. Absent: none. The motion carried and the meeting was adjourned at 8:05p.m.

Chairman-Elm Creek Village Board

ATTEST:

Village Clerk

(SEAL)