

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
AUGUST 26, 2015, 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 26, 2015. 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 7:30 p.m. by calling for the roll with the following members responding: Davis Miner, Gary Brouillette, Jim Gunderson, Kathy Labs, and Cory Halliwell. Absent: none. 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 Cory to approve the Consent Agenda consisting of the minutes of the Regular Meeting on July 23, 2015 and approval of the Claims for the month of August 2015. Ayes: Jim, Davis, Gary, Kathy, and Cory. Nays: none. The motion carried.

DEPARTMENT REPORTS

EMPLOYEE REPORTS: Clint reported that Figgins Construction will be here next week to start on the Armor Coating. T&F Gravel will be hauling in gravel in preparation for the Armor coating. The manhole at Elm Ave and Bond Street is complete.

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 Jim and seconded by Gary to approve the additional 1% increase in the total 2015-2016 Restricted Funds Authority subject to limitation. Ayes: Jim, Davis, Gary, Kathy, and Cory. Nays: none. The motion carried.

SHERIFF'S REPORT: Captain Bob reported for the Sheriff's Department. There wasn't much to report this month. The deputies will be showing up at more of the sporting events for public relations, keep traffic issues down before and after events. They will be using the speed trailer more throughout the county and in town.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Bosselman Pump & Pantry Class D Liquor License Application.

Denise Schwartz was in attendance to represent Bosselman Pump & Pantry. They currently hold a Class B liquor license and have applied for a Class D liquor license. The board requested to have the current Village Ordinance mailed to Denise Schwartz. It was moved by Jim and seconded by Davis to allow the application for the Class D liquor license with restrictions on our village ordinances. Ayes: Jim, Cory, Davis, Kathy and Gary. Nays: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: New Library Board Appointments

It was moved by Jim and seconded by Davis to appoint Leslie Carr and Sandy Kenning to the Library Board. Ayes: Jim, Cory, Davis, Kathy and Gary. Nays: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: GD Concrete to fill saw seams at ball field

Discussion regarding the cracks in the concrete poured at the ballfields under the bleachers. It would cost \$1,400 to have GD Concrete fill in all the saw seams. Jim is going to call Kelcee and have him fill the natural cracks for free as previously discussed and the board will decide at a later date to address the saw seams. No action.

AGENDA ITEM #4: DISCUSSION/ACTION: Discuss Assessments for Sidewalks and Easy Street

The board discussed with Luke the process on how the assessments typically are handled. It was decided to contact JEO and have Dave Henke with JEO attend the next board meeting to discuss the assessment process and the proper protocol to follow when doing the assessments.

AGENDA ITEM #5: DISCUSSION/ACTION RE: 215 South Tyler Street Property Nuisance

Jim briefed those present the issues regarding the property at 215 South Tyler Street. The tenants who lived in the house did not take care of it nor has the landlord taken care of the property. The weeds have grown up as high as your waist, the backyard weeds are even taller, there is animal waste on and inside of the property and neighbors have complained regarding the smell, the garbage and furniture that are littering the property. It is unsanitary, an eye-sore and the premise is a nuisance and is violating city codes. The village attorney sent by certified mail to the property owner a code violation to have the property cleaned up. Mike Brown, Gina Schnacker and Alex McDaniel were present to voice their concerns regarding this property nuisance which is in their neighborhood and they would like to see it cleaned up and action taken by the board and the Sheriff's department to resolve this ongoing problem. Captain Bob Anderson is going to address this issue with Gary Davenport to serve the property owner with a citation. It is in Jim's opinion to also have Luke mail out an Unsafe Letter to the property owner. The Village will move forward in the process with the assistance of the sheriff's department and the village attorney.

AGENDA ITEM #6: DISCUSSION/ACTION RE: ATV's

The Buffalo County deputies had been inquiring if the Village of Elm Creek had an Ordinance permitting the use of ATV's within the corporate limits. Captain Bob and Luke Deaver explained that the Village follows Nebraska State Statutes regarding ATV's. ATV's **shall NOT** be operated on any street, road, or highway within the corporate limits. Per state statutes, an ATV may be operated with restrictions and such operation is incidental to the vehicle's use for agricultural purposes.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Executive Session

It was moved by Jim and seconded by Kathy at 9:00pm to go into Executive Session. Ayes: Jim, Davis, Gary, Cory and Kathy. Nays: none. The motion carried. A motion was made by Jim and seconded by Gary at 9:59pm to come out of Executive session. Ayes: Jim, Davis, Gary, Cory and Kathy. Nays: none. The motion carried.

AGENDA ITEM #8: Adjournment.

All agenda items having been considered, it was moved by Davis and seconded by Cory to adjourn this Regular Meeting. Ayes: Jim, Davis, Cory, Kathy, and Gary. Nays: none. The motion carried and the meeting was adjourned at 10:00 p.m.

(SEAL)



ATTEST:

Wendy Clabaugh
Village Clerk

Joni Gunderson

Chairman-Elm Creek Village Board

VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING AGENDA
AUGUST 26, 2015, 7:30 P.M.

ROLL CALL

CONSENT AGENDA

Approval of the minutes of the Regular Meeting on July 23, 2015
Approval of the Claims for the month of August 2015

DEPARTMENT REPORTS

EMPLOYEE REPORTS

SHERIFF'S REPORT

REGULAR AGENDA

1. DISCUSSION/ACTION RE: Bosselman Pump & Pantry Class D Liquor License Application
2. DISCUSSION/ACTION RE: New Library Board Appointments
3. DISCUSSION/ACTIONRE: GD Concrete to fill saw seams at ball field
4. DISCUSSION/ACTION RE: Discuss Assessments for Sidewalks and Easy Street
5. DISCUSSION/ACTION RE: 215 South Tyler Street Property Nuisance
6. DISCUSSION/ACTION RE: ATV's
7. DISCUSSION/ACTION RE: Executive Session
8. DISCUSSION/ACTION RE: Adjournment

NOTE: The Chairman and Board of Trustees reserve the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes.