

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
OCTOBER 20, 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 October 20, 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, Cory Halliwell and Kathy Labs. 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 Davis to approve the Consent Agenda consisting of the minutes of the Regular Meeting on September 24, 2015 and approval of the Claims for the month of October 2015. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried.

DEPARTMENT REPORTS

EMPLOYEE REPORTS: Clint was not present at the meeting but had informed Jim that there is a company out of Holdrege that has been cleaning out the sewer lines and storm sewers every year and that he had contacted Johnson Services to finish cleaning out the sewer lines past the railroad tracks, he couldn't remember exactly how much it would cost but thought it to be around \$7,400.00.

SHERIFF'S REPORT: Captain Bob reported for the Sheriff's Department. There wasn't much to report this month. It was then moved by Jim and seconded by Kathy to go into Executive Session at 7:35pm. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. It was then moved by Jim and seconded by Gary come out of Executive Session at 7:51pm. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Leah Sutherland Hearing

Amy Bowman, Attorney with Parker, Grosart, Bahensky, Beucke & Bowman, LLP was present with Leah Sutherland to appeal the Unsafe Letter from the Governing Body of Elm Creek that was served to Leah on September 29, 2015. Leah is willing to work with the Village to make reasonable repairs to the property and to take steps to ensure that the property is better maintained and free of animal feces. Leah strongly feels that the property is habitable and not in need of demolition. There had been work done to the electrical and plumbing back in 2009. Leah will find better tenants that will maintain the property better and she will no longer allow pets on/in the property. Jim expressed the concerns that the Board has in regards to the property and its safety. Jim voiced the concerns in regards to the sway of the porch and that the flooring of the porch doesn't seem stable. The Village Board would like to hire a 3rd party to come in and do an inspection inside the property with Leah's permission just for peace of mind that the building is Safe and Habitable. Leah and Amy are extending the 5 day appeal to let Luke know if Leah is willing to have a 3rd party come in and have an inspection done.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Special Assessments/Sidewalks & Easy Street

This item was tabled until next month's meeting.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Deed Transfer for Clark Street Vacated Alley Project

No Action.

AGENDA ITEM #4: DISCUSSION/ACTION: Trading Kubota Mower

It was moved by Jim and seconded by Davis to trade the old Kubota Mower for a new Kubota Mower from Stadler Implement, Inc for the trade in price of \$9,000.00. Ayes: Jim, Davis, Kathy, Cory and Gary. Nays: none. The motion carried.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Domestic Violence Awareness Proclamation

The Village of Elm Creek was approached by the S.A.F.E. Center out of Kearney. They are trying to get the word out to all the communities in the area about Domestic Violence Awareness Month for the month of October. It was moved by Jim and seconded by Gary to acknowledge Domestic Violence Awareness Month. Ayes: Jim, Davis, Kathy, Cory and Gary. Nays: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Park Features

A motion by Davis and seconded by Jim to purchase the Whale Spring Rider for \$978.00 and the Whirl for \$4,190.00 barring any discounts from Crouch Recreation with Keno funds to replace the broken features currently at the park. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried.

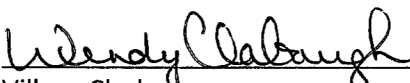
AGENDA ITEM #7: DISCUSSION/ACTION RE: Executive Session

It was moved by Jim and seconded by Gary at 8:30pm to go into Executive Session. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. A motion was made by Kathy and seconded by Cory at 9:15pm to come out of Executive session. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. It was then moved by Jim and seconded by Davis to accept a proposal from Ashley Cameron Design for website services cost estimated at \$2,830.00 with the Plus Hosting package for 1 year at \$9.99/month. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. It was moved by Jim and seconded by Davis to accept the proposal for 1 dozen new code books at an estimated cost of \$5,800.00 from American Legal Publishing Corporation. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. It was moved by Jim and seconded by Cory at 9:18pm to go back into Executive Session. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none. The motion carried. A motion was made by Davis and seconded by Gary at 9:39pm to come out of Executive session. Ayes: Jim, Davis, Gary, Cory, and Kathy. Nays: none.

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, Kathy, Cory, and Gary. Nays: none. The motion carried and the meeting was adjourned at 9:40 p.m.

ATTEST:


Wendy Clabaugh
Village Clerk


Chairman, Elm Creek Village Board



VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING AGENDA
OCTOBER 20, 2015, 7:30 P.M.

ROLL CALL

CONSENT AGENDA

Approval of the minutes of the Regular Meeting on September 24, 2015
Approval of the Claims for the month of October 2015

DEPARTMENT REPORTS

EMPLOYEE REPORTS

SHERIFF'S REPORT

REGULAR AGENDA

1. DISCUSSION/ACTION RE: Leah Sutherland Hearing
2. DISCUSSION/ACTION RE: Special Assessments/Sidewalks & Easy Street
3. DISCUSSION/ACTION RE: Deed Transfer for Clark Street Vacated Alley Project
4. DISCUSSION/ACTION RE: Trading Kubota mower
5. DISCUSSION/ACTION RE: Domestic Violence Awareness Proclamation
6. DISCUSSION/ACTION RE: Park Features
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.