

**VILLAGE OF ELM CREEK  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
SEPTEMBER 24, 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 September 24, 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, and Kathy Labs. Absent: Cory Halliwell. 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 Gary to approve the Consent Agenda consisting of the minutes of the Regular Meeting on August 26, 2015, Special Meeting on August 31, 2015, Budget Hearing and Special Hearing on September 10, 2015 and approval of the Claims for the month of September 2015. Ayes: Jim, Davis, Gary, and Kathy. Nays: none. The motion carried.

**DEPARTMENT REPORTS**

**EMPLOYEE REPORTS:** Clint reported he had contacted Blessing Construction to come crush the concrete out at the lagoons as it is too big to use. Clint was told it would take 2-3 days to crush the concrete and the cost would be \$200/hour for the small crusher and \$275/hour for the large crusher and \$500 for mobilization. After some discussion, the board asked Clint to do some more checking around. Clint is also looking into pricing on adding another street light on the south side of Elm Creek. Clint is also checking on pricing with Johnson Services on having our storm drains cleaned out.

**SHERIFF'S REPORT:** Captain Bob reported for the Sheriff's Department. There wasn't much to report this month.

**REGULAR AGENDA**

**AGENDA ITEM #1: DISCUSSION/ACTION RE: Ethan TenEyck/Chickens**

Ethan TenEyck was present at the meeting requesting to keep his chickens even though Fowls are banned from the Municipality. After hearing his plea, it was decided that he would need to find a new home for his chickens outside of the municipality. It was moved by Jim and seconded by Gary to decline Ethan TenEyck's request to keep the chickens on his property but will allow him until November 1, 2015 to find a new home for them outside of the municipality. Ayes: Jim, Davis, Kathy and Gary. Nays: none. The motion carried.

**AGENDA ITEM #2: DISCUSSION/ACTION RE: Trees in Front of Village Office Entrance**

The Village Center Agency is looking into having pavers put in place and having a couple of pots planted with flowers instead of the trees.

**AGENDA ITEM #3: DISCUSSION/ACTION RE: Doug Warner Building Codes/Scott's Addition Covenants**

Doug Warner was not present. No action.

**AGENDA ITEM #4: DISCUSSION/ACTION: Pilot/Lagoons**

Jim briefly updated the board as to Pilot wanting to dump their lagoon waste into our Village lagoons. Jim explained that this would not be allowed as the Village does not know what is in their lagoons. It was moved by Jim and seconded by Kathy to deny Pilot's request. Ayes: Jim, Davis, Kathy and Gary. Nays: none. The motion carried.

**AGENDA ITEM #5: DISCUSSION/ACTION RE: Lions Club/Picnic Tables**

Myron Zechmann and Steve Martin with the Lions Club want to purchase 6 new picnic tables for the shelter at the park. They will purchase the tables with the Lions funds and just need the board's approval. They also would like to put money towards a new restroom in the park. They have \$10,000 to spend and put back into the community. The cost of the tables would be approximately \$5,100 which would leave \$4,900 to go towards new restrooms if the Village is willing to spend the difference for the cost of new restrooms. Dave Henke with JEO Consulting will put together a sketch on the restrooms and email Wendy in the morning. Wendy will order the 6 picnic tables for the Lions Club. The board also discussed purchasing 4 picnic tables for the baseball concessions with Keno funds. A motion was made by Gary and seconded by Davis to purchase 4 blue picnic tables, not to exceed \$4,000.00, out of the Keno Funds. Ayes: Jim, Davis, Kathy and Gary. Nays: none. The motion carried.

**AGENDA ITEM #6: DISCUSSION/ACTION RE: Play Features at Park**

The spring broke on the spring horse and wanted to know the board's thoughts about adding an additional spring rider. Also, the bearing keeps going out on the merry-go-round and it is starting to cost more to repair it than if we replaced it altogether. Wendy is going to call the school to find what company they purchased their new equipment from. Dave Henke has a flyer he is going to email to Wendy regarding a cooperative buying organization. It was decided to hold off making any purchases until it is looked into further and explore our options.

**AGENDA ITEM #7: DISCUSSION/ACTION RE: Special Assessments/Sidewalks & Easy Street**

Dave Henke with JEO Consulting put together some Options for assessing the Sidewalks and Easy Street. We are still waiting for the title company to provide us with the information needed on the property owners and the front footage of their properties. The board will discuss the options in executive session and let JEO know what they decided.

**AGENDA ITEM #8: Clark Street Alley Vacation**

The ordinance was passed last month but there was an issue at the Register of Deeds that would require the ordinance to be resigned. Once resigned, Luke will file with the Register of Deeds.

**AGENDA ITEM #9: Leah Sutherland Property/Unsafe Letter/Condemnation**

Luke Deaver updated the board in regards to a nuisance violation and the process that will need to be followed to clean up the property.

**AGENDA ITEM #10: Update Code Book**

Wendy is going to look into updating our current code book and find out the cost to purchase a dozen new updated code books and the cost to annually update an ordinances adopted that current year.

**AGENDA ITEM #11: Executive Session**

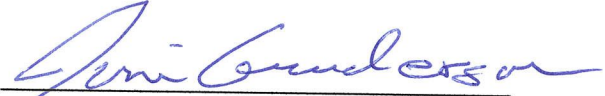
It was moved by Jim and seconded by Davis at 8:58pm to go into Executive Session. Ayes: Jim, Davis, Gary, and Kathy. Nays: none. The motion carried. A motion was made by Jim and seconded by Gary at

9:38pm to come out of Executive session. Ayes: Jim, Davis, Gary, and Kathy. Nays: none. The motion carried.

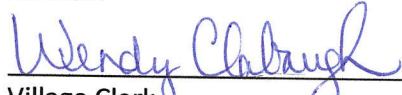
**AGENDA ITEM #12: Adjournment**

All agenda items having been considered, it was moved by Davis and seconded by Kathy to adjourn this Regular Meeting. Ayes: Jim, Davis, Kathy, and Gary. Nays: none. The motion carried and the meeting was adjourned at 9:40 p.m.



  
Chairman-Elm Creek Village Board

ATTEST:

  
Village Clerk

VILLAGE OF ELM CREEK  
BOARD OF TRUSTEES  
REGULAR MEETING AGENDA  
SEPTEMBER 24, 2015, 7:30 P.M.

ROLL CALL

CONSENT AGENDA

Approval of the minutes of the Regular Meeting on August 26, 2015  
Approval of the minutes of the Special Meeting on August 31, 2015  
Approval of the minutes of the Special Meeting on September 10, 2015  
Approval of the Claims for the month of September 2015

DEPARTMENT REPORTS

EMPLOYEE REPORTS – Blessing Construction, Adding of Street Light  
SHERIFF'S REPORT

REGULAR AGENDA

1. DISCUSSION/ACTION RE: Ethan TenEyck/Chickens
2. DISCUSSION/ACTION RE: Trees in Front of Village Office Entrance
3. DISCUSSION/ACTION RE: Doug Warner Building Codes/Scott's Addition Covenants
4. DISCUSSION/ACTION RE: Pilot/Lagoons
5. DISCUSSION/ACTION RE: Lions Club/Picnic Tables/Restrooms
6. DISCUSSION/ACTION RE: Play Features at Park
7. DISCUSSION/ACTION RE: Special Assessments/Sidewalks & Easy Street
8. DISCUSSION/ACTION RE: Clark Street Alley Vacation
9. DISCUSSION/ACTION RE: Leah Sutherland Property/Unsafe Letter/Condemnation
10. DISCUSSION/ACTION RE: Update Code Book
11. DISCUSSION/ACTION RE: Executive Session
12. 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.*