

**VILLAGE OF ELM CREEK  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
June 22, 2017, 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 June 22, 2017. 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, Jim Gunderson, Cory Halliwell, Mike Brown, and Gary Brouillette. 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 Gary to approve the Consent Agenda consisting of the minutes of the Regular Meeting on May 25, 2017 and approval of the Claims for the month of June 2017 in the amount of \$191,745.97. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**DEPARTMENT REPORTS**

**EMPLOYEE REPORTS:** Clint was not present at the meeting but had spoke with Jim beforehand about wanting to complete the cemetery fencing and he had received a quote for \$2,374.00. This will be discussed at a later meeting for approval. Clint had also talked to Jim about the grass piles at the lagoon too big to burn but Kearney had provided us use of a machine at no charge to help get rid of the grass piles that will cut it down to be used as mulch.

**SHERIFF'S REPORT:** Captain Bob was back and reported that the May activity was similar to the rest of the county. He also had a couple of Elm Creek residents calling in to report that there have been some vehicles that are failing to stop at the stop signs on Mill St so they will be watching that area closer. They have also shuffled around some schedules and will have the Sheriff's patrol on Tuesday and Thursday evenings as well as throughout the daytime hours.

**REGULAR AGENDA**

**AGENDA ITEM #1: DISCUSSION/ACTION RE: EMC Insurance Policy Renewal**

Jan provided the board with the EMC Policy renewal and explained the increase from last year to the board. The board then decided to move onto the second agenda item and listen to what Mid-States was able to provide.

**AGENDA ITEM #2: DISCUSSION/ACTION RE: Mid-States Insurance Request to provide insurance policy quote for Village**

Becca Putnam was in attendance to speak on behalf of Mid-States Insurance. She was currently working on getting quotes to compare our current policy with what they could offer the village. After listening to what Jan and Becca could offer it was moved by Jim and seconded by Davis to go into executive session at 7:51pm to discuss insurance. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried. It was moved by Jim and seconded by Cory to come out of executive session at 8:32pm. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried. The board requested from Jan to check with EMC Insurance to find out if the village had a 30 day or 60 day grace period and Becca informed the board that she had just received an email from Ball Insurance and could have the quote and policy information to the board members first thing on Friday the 23<sup>rd</sup>. It was decided by the board to add the insurance policy proposals from Jan and Becca to the agenda to be discussed at the Special Meeting on Tuesday, June 27<sup>th</sup> at 7pm.

**AGENDA ITEM #3: DISCUSSION/ACTION RE: Replace water heater at pool**

It was moved by Jim and seconded by Cory to approve the purchase of the water heater to replace the old one for approximately \$1,500.00 from Mark Canning with Comfort Tech. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**AGENDA ITEM #4: DISCUSSION/ACTION RE: Maguire Iron Pay Application #1 – Water Tower Recoating for \$83,700.70**

It was moved by Jim and seconded by Davis to approve Maguire Iron Pay Application #1 for \$83,700.70 for the water tower recoating project. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**AGENDA ITEM #5: DISCUSSION/ACTION RE: Maguire Iron Pay Application #2 – Water Tower Recoating for \$30,179.30**

It was moved by Jim and seconded by Cory to approve Maguire Iron Pay Application #2 for \$30,179.30 for the water tower recoating project. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**AGENDA ITEM #6: DISCUSSION/ACTION RE: Maguire Iron Certificate of Substantial Completion Dated 5/25/2017**

With the completion of the water tower recoating project and water testing it was moved by Jim and seconded by Cory to approve Maguire Iron's Certificate of Substantial Completion dated 5/25/2017. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**AGENDA ITEM #7: DISCUSSION/ACTION RE: Utility Rates**

It has been 12 years since the garbage rates were last increased and 8 years since the water rates were last increased. After careful review of the village audit and the Utility Rate Study done by Nebraska Rural Water Association, the village board has increased the rates as proposed by the completed NERWA Rate Study. Rates were set by the following ordinances below.

**AGENDA ITEM #8: DISCUSSION/ACTION RE: Ordinance to amend Utility Rates for Garbage Collection**

Jim introduced the Ordinance by title:

ORDINANCE 2017-1 AN ORDINANCE OF THE VILLAGE OF ELM CREEK, NEBRASKA, TO PROVIDE FOR CLASSIFICATIONS OF USERS OF GARBAGE COLLECTION; TO PROVIDE FOR MONTHLY GARBAGE COLLECTION FEES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR PUBLICATION OR POSTING AND THE EFFECTIVE DATE OF THIS ORDINANCE.

It was moved by Jim and seconded by Cory to suspend the statutory rule requiring that an Ordinance be read at three separate meetings, so that Ordinance No. 2017-1 might be introduced, read by title, and moved for passage at the same meeting. Ayes: Gary, Cory, Davis, Mike, and Jim. Nays: none. The motion carried. It was then called as to the question of passage of Ordinance No. 2017-1. It was moved by Jim and seconded by Davis to adopt Ordinance No.2017-1 as ordinance of the Village of Elm Creek, Nebraska. Ayes: Cory, Davis, Gary, Jim and Mike. Nays: None.

Whereupon, the motion carried and Ordinances 2017-1 is duly passed as Ordinance of the Village of Elm Creek, Nebraska. Copies of this ordinance, as published in pamphlet form, are available to the public at the Office of the Village Clerk at 535 W Boyd Ave, Elm Creek, Nebraska.

**AGENDA ITEM #9: DISCUSSION/ACTION RE: Ordinance to amend Utility Rates for Water Usage**

Jim introduced the Ordinance by title:

ORDINANCE 2017-2 AN ORDINANCE OF THE VILLAGE OF ELM CREEK, NEBRASKA, TO PROVIDE FOR CLASSIFICATIONS OF MUNICIPAL WATER USERS; TO PROVIDE FOR MONTHLY WATER RATE CHARGES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR PUBLICATION OR POSTING AND THE EFFECTIVE DATE OF THIS ORDINANCE.

It was moved by Jim and seconded by Davis to suspend the statutory rule requiring that an Ordinance be read at three separate meetings, so that Ordinance No. 2017-2 might be introduced, read by title, and moved for passage at the same meeting. Ayes: Gary, Cory, Davis, Mike, and Jim. Nays: none. The motion carried. It was then called as to the question of passage of Ordinance No. 2017-2. It was moved by Jim and seconded by Mike to adopt Ordinance No. 2017-2 as ordinance of the Village of Elm Creek, Nebraska. Ayes: Cory, Davis, Gary, Jim and Mike. Nays: None.

Whereupon, the motion carried and Ordinances 2017-2 is duly passed as Ordinance of the Village of Elm Creek, Nebraska. Copies of this ordinance, as published in pamphlet form, are available to the public at the Office of the Village Clerk at 535 W Boyd Ave, Elm Creek, Nebraska.

**AGENDA ITEM #10: DISCUSSION/ACTION RE: Executive Session**

It was moved by Jim and seconded by Cory to go into executive session at 9:24pm to discuss employees. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried. It was moved by Jim and seconded by Mike to come out of executive session at 10:10pm. Ayes: Jim, Davis, Cory, Mike and Gary. Nays: none. The motion carried.

**AGENDA ITEM #11: 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, Mike and Gary. Nays: none. The motion carried and the meeting was adjourned at 10:15p.m.

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Chairman-Elm Creek Village Board

ATTEST:

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Village Clerk

(SEAL)