

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
OCTOBER 23, 2019, 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 23, 2019. 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 7:31 p.m. by calling for the roll with the following members responding: Kyle Lawrence, Davis Miner, Cory Halliwell, Tanner Tool and Mike Brown. Absent: none. Tanner 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 Tanner and seconded by Davis to approve the Consent Agenda consisting of the Claims for the month of October 2019 in the amount of \$48,585.98 and to approve the minutes to the meeting on September 26, 2019. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. The motion carried.

SHERIFF'S REPORT:

Sergeant Ristine was at the meeting to report for the Sheriff's Department. He reported there will be a new CSO, John Bockman, that will be replacing the previous CSO. He also reported it was a busy month of calls in September.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Preliminary estimates for paving Meads Subdivision

Lance Harter with Oak Creek Engineering put together some preliminary estimates for concrete and asphalt paving for Meads Subdivision on West Elm Avenue and both cul-de-sacs of Lone Street and Veneta Street at the request of the Chairman. The property owners were present at the meeting and expressed opposition to any paving, citing cost and concerns of increased traffic and traffic speeds. Chairman Tool asked if a cost share of 50% with the village would make the project palatable. The consensus of the owners was that it would not. Tool stated the village would continue exploring options for the street condition. No action taken.

AGENDA ITEM #2: DISCUSSION/ACTION RE: 3% Rate Increase Request by Buffalo County Sheriff's Office

It was moved by Tanner and seconded by Davis to approve the 3% Rate Increase request by the Buffalo County Sheriff's Office in the amount of \$2,593.90 to be effective November 1, 2019. Ayes: Kyle, Davis, Tanner and Cory. Nays: Mike. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Pool repair bids

It was moved by Tanner and seconded by Mike to approve the proposal from Leak Investigators for pool repairs not to exceed \$13,000.00. Ayes: Kyle, Mike, Davis, Tanner and Cory. Nays: None. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Pool painting bids

Tabled

AGENDA ITEM #5: DISCUSSION/ACTION RE: Interlocal Agreement for the Village and Elm Creek Public Schools for the long-term maintenance of the FFA garden space at the Library

It was moved by Tanner and seconded by Davis to approve the Interlocal Agreement for the Village and Elm Creek Public Schools for the long-term maintenance of the FFA garden space at the Library. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Interlocal Agreement for the Village and Elm Creek Public Schools for the Library Services and sharing of the Catalog Software

It was moved by Tanner and seconded by Cory to approve the Interlocal Agreement for the Village and Elm Creek Public Schools for the Library Services and sharing of the Catalog Software. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Library Lights Bids

It was moved by Tanner and seconded by Kyle to approve the bid from Electrical Services in the amount of \$2,313.00 for new lights at the Library. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #8: DISCUSSION/ACTION RE: TV Outlets Bids for Village Hall

It was moved by Tanner and seconded by Mike to approve the TV Outlets bid from Purdy Enterprises Inc Walters Electric in the amount of \$800.00. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #9: DISCUSSION/ACTION RE: Appoint James Poulson to serve on the Library Board

It was moved by Tanner and seconded by Davis to approve the appointments/re-appointments and term expirations made to the following Library Board: Leslie Carr-October 2021, Sandra Kenning-October 2022, Barb Keep-October 2020, Heidi Knake-October 2021, James Poulson-October 2022. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #10: DISCUSSION/ACTION RE: Hiring new Village Administrator

It was moved by Tanner and seconded by Davis to go into executive session at 9:09pm to discuss personnel matters. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried. It was moved by Tanner and seconded by Mike to come out of executive session at 9:47pm. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried. It was moved by Tanner and seconded by Mike to approve the hiring of Suzanne Brodine as the Village Administrator effective October 7th, 2019 as per the terms of the offer letter with the exception that the PTO starting immediately at 21 days upfront with no accrual until her October 7, 2020 anniversary date. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #11: DISCUSSION/ACTION RE: Hiring new Utility Supervisor

It was moved by Tanner and seconded by Cory to approve the hiring of Tim Bell as the Utility Supervisor at Grade 17, Step 7, \$24.12/hour, effective October 7, 2019. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #12: DISCUSSION/ACTION RE: Truck Traffic Ordinance/Resolution

Tabled

AGENDA ITEM #13: DISCUSSION/ACTION RE: Amended Easement

It was moved by Tanner and seconded by Cory to approve the Amended Easement between Village of Elm Creek and Jeb D Boston, William G Keep, and Barbara Keep. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #14: DISCUSSION/ACTION RE: Add Suzanne Brodine as additional authorized signer to Village Accounts

It was moved by Tanner and seconded by Mike to approve adding Suzanne Brodine as additional authorized signer to all Village Accounts. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #15: DISCUSSION/ACTION RE: Open new account for the Highway Allocation Fund Pledge Bonds

It was moved by Tanner and seconded by Kyle to approve opening a new account for the Highway Allocation Fund Pledge Bonds. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #16: DISCUSSION/ACTION RE: Sidewalk Replacement Program

It was moved by Tanner and seconded by Cory to approve the Sidewalk Replacement Program, as presented, and to implement the program with designated funds of \$25,000 for fiscal year 2019-2020. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

AGENDA ITEM #17: DISCUSSION/ACTION RE: Mark Canning Variance Request for 322 W Arendt

It was moved by Tanner and seconded by Davis to approve variance and allow relief on fencing requirements with the condition that should the existing fences on adjacent Residential properties ever be removed or damaged, or be replaced with fences which are less than 6'4" in height and/or do not provide visual screening, the owner of 322 W Arendt will be required to install fencing at that time which complies with current zoning regulations; and, to allow a reduction in maintained landscape, specifically grass or other vegetation, in the front yard to no less than 25%, as shown on the site plan, provided the property owner establishes and maintains swales or some other mechanism for storm water detention and direction to the existing ditch and 12" culvert to be installed under future drive; and, to allow for outdoor storage, as shown on site plan, a 100% privacy enclosed space of 15' x 15' area, 6'4" in height, opaque fence excluding hurricane fence. Ayes: Kyle, Davis, Mike, and Cory. Nays: Tanner. The motion carried.

AGENDA ITEM #18: DISCUSSION/ACTION RE: Midlands Contracting Request for Payment - Change Orders #1 & #2 and Pay Application #1 (Final) for 2019 Infrastructure Improvements for Sunrise Street Place for \$85,012.60

It was moved by Tanner and seconded by Cory to approve Midlands Contracting Request for Payment - Change Orders #1 & #2 and Pay Application #1 (Final) for 2019 Infrastructure Improvements for Sunrise Street Place for \$85,012.60. Ayes: Kyle, Davis, Mike, Tanner and Cory. Nays: none. The motion carried.

DEPARTMENT REPORTS

BUILDING PERMITS: No new building permits, Jeb Boston is continuing to work on his current garage structure.

EMPLOYEE REPORTS: The new Library sign will be installed soon. Tim is getting quotes for crushed concrete at the Lagoons so that they can continue to work on rebuilding the road and rip rap around the lagoons. November and December meetings dates were set to November 20th and December 18th. Wendy will provide the Romar and PepCo quotes to the Village Agency board for their approval to get on their maintenance program. Suzanne presented to the board doing 0% interest loans to businesses for needed improvements to local businesses. Discussed the possibility of having a workshop and inviting business owners to come and hear about the program.

LIBRARY REPORTS: Barb Keep and Sandra Kenning were at the meeting to let the board know some of the events they have planned for the Library. They will be hosting a 'trunk' at the Trunk or Treat here in Elm Creek, they are going to do a Book Club, setting up some youth activities, purchasing some games and legos and crafts to utilize what was once the storage room at the library which they plan to use for activities and meetings. With the stepping down of Marylene Bivens from the Library Board they will need to appoint a new chairperson. Suzanne is hoping to have a new Library Clerk hired by next week. The library board would like to have better communication with the village board and be 'in the know' of any changes taking place at the Library before they take place.

AGENDA ITEM #19: Adjournment

All agenda items having been considered, it was moved by Kyle and seconded by Mike to adjourn this Regular Meeting. Ayes: Davis, Kyle, Cory, Tanner and Mike. Nays: none. The motion carried and the meeting was adjourned at 10:15p.m.

ATTEST:

Chairman-Elm Creek Village Board

Village Clerk

(SEAL)