

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
DECEMBER 18, 2019, 7:30 P.M.**

A Regular Meeting of the Elm Creek Village Board of Trustees convened in open and public session at the Village Center, 535 W. Boyd Avenue, Elm Creek, Nebraska at 7:30 p.m. on December 18, 2019. Advance Notice of this meeting was given in advance thereof by publication in the Beacon Observer and posting of same in three public places within the Village, 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 Tanner Tool called the meeting to order at 7:32pm by calling for the roll, with the following members responding: Mike Brown, Kyle Lawrence, Tanner Tool, Davis Miner and Cory Halliwell. Tanner then stated that the Open Meeting Laws were posted on the east wall of 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 minutes of the Regular Meeting on November 20, 2019 and the approval of the Claims for the month of December 2019 totaling \$103,972.97. Ayes: Mike, Kyle, Tanner, Cory and Davis. Absent: none. Nays: none. The motion carried.

It was moved by Tanner and seconded by Kyle to adjourn the meeting Sine Die at 7:33pm. Ayes: Kyle, Mike, Tanner, Cory and Davis. Nays: none. Absent: none. The motion carried.

REORGANIZATION

The Clerk asked for nominations for Chairperson of the Board. Kyle Lawrence nominated Tanner Tool. It was then moved by Mike and seconded by Davis to cease nominations. Ayes: Mike, Kyle, Cory and Davis. Abstain: Tanner. Nays: none. Absent: none. The motion carried and the nominations ceased. There was no need to carry out a secret ballot vote. Tanner Tool was appointed as Chairman. Tanner then appointed Davis Miner as Vice-Chairman. It was moved by Tanner and seconded by Mike to ratify the appointment of Davis Miner as Vice Chairman. Ayes: Mike, Kyle, Cory and Tanner. Abstain: Davis. Absent: none. Nays: none. The motion carried.

SHERIFF'S REPORT: Sergeant Ristine was at the meeting to report for the Sheriff's Department. A new deputy had been hired on December 6th, Badge #930. Sergeant Ristine also mentioned how community members could sign up for the Buffalo Watch.net through the Buffalo County website. Once you have signed up for this feature you can start receiving alerts to your cell phone or to your emails. There are multiple alerts you can sign up for, anywhere from various weather alerts to missing juvenile alerts, escapees from YRTC, etc... This is a great alert system that is free to individuals. Otherwise, there was not much to report for the month of November.

REGULAR AGENDA

AGENDA ITEM #1: Designate depositories for Village funds; designate legal publication.

It was moved by Tanner and seconded by Davis to approve Firstier Bank and Farmer's Merchants Bank as the designated depositories for the Village funds. Ayes: Tanner, Mike, Davis, Cory and Kyle. Nays: none. Absent: none. The motion carried. And it was moved by Tanner and seconded by Kyle to approve the Beacon Observer as the legal publication. Ayes: Tanner, Mike, Davis, Cory and Kyle. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #2: Appointment of Village officials and Boards

It was moved by Tanner and seconded by Kyle to appoint the following officials and boards:

- A. Village Attorney- Dewald Deaver L'Heureux Law Firm
- B. Village Engineer-Lance Harter with Oak Creek Engineering
- C. Street Superintendent- Lance Harter with Oak Creek Engineering
- D. Municipal Administrator – Suzanne Brodine
- E. Municipal Clerk/Treasurer-Wendy Clabaugh
- F. Utilities Supervisor – Timothy Bell
- G. Emergency Management Director-Timothy Bell
- H. Librarian-Jane Walker
- I. Zoning Administrator-Suzanne Brodine
- J. Board of Health-Captain Bob Anderson, Carol Jorgensen, and Tanner Tool

- K. Board of Adjustment – to remain the current Village Board members
L. Committees: to Park/Cemetery: Cory, Mike and Tanner; Sewer/Water: Tanner and Kyle; Streets/Garbage: Davis and Tanner.
Ayes: Davis, Tanner, Mike, Cory and Kyle. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #3: Approval to continue with monthly employee benefits for fulltime employees in 2020.

It was moved by Tanner and seconded by Mike to continue with the monthly employee benefits for the full time employees in 2020.
Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #4: Pool Painting Bids

Tabled

AGENDA ITEM #5: SSAR Reporting of Street Expenses

Lance Harter with Oak Creek Engineering reporting on the SSAR or Standardized System of Annual Reporting to the Board. He discussed with the Board the changes to the reporting with LB82 which became law in March 2019. Although the filing of the One and Six Year Plan with NBCS is no longer required, counties and municipalities must still develop, adopt, hold public hearing and be approved by the Village Board is still required annually for the One and Six Plans. Lance handed the board spreadsheets with the last Fiscal year's income and expenses for the boards review as we look into the next Fiscal Year's expenses and planning for the next Fiscal Year projects. No action.

AGENDA ITEM #6: Approve and authorize the signing of the City Street Superintendent Form by Resolution

An annual incentive payment is made to each municipality having an appointed licensed superintendent for the prior calendar year. The municipal incentive payment is based on level of license (A or B) and the municipal population as determined by the most recent federal census (annual, December) figures certified by the Tax Commissioner. Approval of this Resolution 2019-27 will certify that Lance Harter (License Number S-1597) has been the Class A Licensed City Street Superintendent for the 2019 calendar year and will authorize the Chairperson to sign the required certification form.)

RESOLUTION 2019-27

**SIGNING OF THE
YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM 2019**

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Village Board Chairperson of the Village of Elm Creek is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 18th day of December, 2019 at Elm Creek, Nebraska.

Village Board Members:

Cory Halliwell, Davis Miner, Tanner Tool, Mike Brown, Kyle Lawrence

Chairperson

(S E A L)

Clerk

Village Board Member Tanner Tool Moved adoption of said resolution. Member Cory Halliwell seconded the motion.
Roll call: 5-Yes, 0-No, 0-Abstained, 0-Absent
Resolution adopted, signed and billed as adopted

It was moved by Tanner and seconded by Cory to approve Resolution 2019-27 Signing of the Year-End Certification of City Street Superintendent Form. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #7: Accept resignation of Jan Hinrichsen from the Elm Creek Planning Commission

Jan was not present at the meeting but Tanner and the rest of the board wanted to formally Thank Jan for her years of service on the Planning Commission. It was then moved by Tanner and seconded by Kyle to accept the resignation of Jan Hinrichsen from the Elm Creek Planning Commission. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #8: Appoint Ryan Harbur to serve on the Planning Commission Board

It was then moved by Tanner and seconded by Davis to appoint Ryan Harbur to serve on the Planning Commission Board. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #9: Inclement Weather Closures Policy 004

It was moved by Tanner and seconded by Mike to approve the Inclement Weather Closures Policy 004 paragraph 1, paragraph 6 excluding the last sentence and paragraph 7, not approving paragraphs 2, 3, 4, 5. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #10: Continuing Education, Certifications, and Training Expenses Policy 005

Tabled

AGENDA ITEM #11: Capitalization and Depreciation Policy 006

It was moved by Tanner and seconded by Cory to approve the Capitalization and Depreciation Policy 006. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

DEPARTMENT REPORTS

BUILDING PERMITS: Currently we have 2 building permits.

EMPLOYEE REPORTS: Cole Brodine is working on a solution to the internet issues in the Village Hall. Currently everyone is connected wirelessly which at times doesn't always work in some areas of the building. The Fire Department would like to have a dedicated internet line on their side of the building as they would like to add a TV on the far east side of their shop that will show a map of the emergency call location and also the names of the fire/rescue squad members that are responding to the call. Currently they have to rely on their phones and sometimes can't get connected. What Cole would like to do, with the Boards approval is to rewire with Cat5 cable and set up a mini server so that we can have it hardwired so that Tim in the shop and the Fire department as well as the Municipal Administrator's office and the Village well alarm system are all connected directly to the modem as opposed to connecting wirelessly. The board is in agreement that this needs to be done and would like Cole to move forward and submit his invoice to the Village for supplies and work completed. Also in employee reports Suzanne reported the Flood wall barrier was in and encouraged the board to take a look at it when they have time. Tanner had also requested to see a Sales Tax report for Elm Creek in which Suzanne had put together and displayed on the TV monitors in the Village Hall for the board and publics viewing. Also mentioned in the employee reports was a request to have a streetlight installed near Dan Wick's driveway and Dollar General, a blade for the village pickup for snow removal, and Janet Reichert wanted to know if the board would be okay with the Seniors utilizing the village hall on a Sunday evening or week night for playing cards.

AGENDA ITEM #12: Executive Session.

It was moved by Tanner and seconded by Davis to go into Executive Session at 8:49pm to discuss personnel, nuisances and properties. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried. It was moved by Tanner and seconded by Davis to come out of Executive Session at 9:28pm. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #13: Approve compensation for the position of Municipal Clerk

It was moved by Tanner and seconded by Davis to approve the compensation for the position of Municipal Clerk to Pay grade 21 Step 4 for compensation. Ayes: Tanner, Mike, Davis, Cory and Kyle. Absent: none. Nays: none. The motion carried.

AGENDA ITEM #14: Adjournment.

All agenda items having been considered, it was moved by Kyle and seconded by Mike to adjourn this Regular Meeting. Ayes: Tanner, Cory, Davis, Mike, and Kyle. Nays: none. The motion carried and the meeting was adjourned at 9:29p.m.



Chairman-Elm Creek Village Board

(SEAL)

ATTEST: 
Village Clerk

