

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
FEBRUARY 24, 2022, 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 February 24, 2022. 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. Davis Miner called the meeting to order at 7:32 p.m. by calling for the roll with the following members responding: Davis Miner, Mike Brown, Kyle Lawrence and Michael Strong. Absent: Tanner Tool. Davis announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the east wall of the meeting room.

CONSENT AGENDA

It was moved by Davis and seconded by Mike to approve the Consent Agenda consisting of the Claims for the month of February 2022 in the amount of \$85,977.21 and to approve the minutes to the Regular Meeting on January 27, 2022 and the Public Hearing and Special Meeting on February 9, 2022. Ayes: Michael, Davis, Mike, and Kyle. Nays: none. Absent: Tanner. The motion carried.

SHERIFF'S REPORT:

No report.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Consider and Approve the Oak Creek Engineering Invoice 22-023 for \$39,550.00 for the Elm Avenue Paving Improvements, Easy Street to Beecroft Street for Final Design

It was moved by Davis and seconded by Michael to approve the Oak Creek Engineering Invoice 22-023 for \$39,550.00 for the Elm Avenue Paving Improvements, Easy Street to Beecroft Street for Final Design. Ayes: Michael, Kyle, Davis, and Mike. Nays: none. Absent: Tanner. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Consider approval of a 1 year lease on a skid steer

It was moved by Davis and seconded by Mike to approve the 1 year lease on a skid steer from Bobcat in the amount of \$5,000/year with 200 hr limit, over usage of \$10/hour, as per quote out of the Street Fund. Ayes: Michael, Davis, Kyle, and Mike. Nays: none. Absent: Tanner. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Resolution of Approval; Consider and approve Cost Sharing Agreement with Elm Creek Public Schools Related to the Beecroft Street Sewer Relocation Project (2022)

Davis read in full Resolution 2022-5:

RESOLUTION 2022-5

A RESOLUTION APPROVING A COST SHARING AGREEMENT WITH ELM CREEK PUBLIC SCHOOLS RELATED TO THE BEECROFT STREET SEWER RELOCATION PROJECT (2022).

WHEREAS, Elm Creek Public Schools is desirous to enter into a Cost Sharing Agreement with the Village of Elm Creek, Nebraska providing for the sharing of engineering and construction costs related to the Beecroft Street Sewer Relocation Project (the "Project") as described therein; and

WHEREAS, the Village of Elm Creek, Nebraska, is agreeable to entering into said Cost Sharing Agreement with Elm Creek Public Schools.

NOW, THEREFORE BE IT RESOLVED, by the Village of Elm Creek Board of Trustees, that the Cost Sharing Agreement with Elm Creek Public Schools, a copy of which is attached hereto, be approved as written, and the Chairman of the Village Board of Trustees is authorized and directed to execute said Cost Sharing Agreement on behalf of the Village.

PASSED AND APPROVED this ____ day of _____, 2022.

VILLAGE OF ELM CREEK, NEBRASKA,

Tanner Tool, Chairman

ATTEST:

Wendy, Clabaugh, Village Clerk

It was moved by Davis and seconded by Kyle to approve Resolution 2022-5, a resolution approving a cost sharing agreement with Elm Creek Public Schools related to the Beecroft Street Sewer Relocation Project (2022). Ayes: Michael, Kyle, Davis, and Mike. Nays: none. Absent: Tanner. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Resolution to approve sale of old equipment and place on auction

Davis read in full Resolution 2022-6:

RESOLUTION 2022-6

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, NEBRASKA, that:

SECTION 1. The Village of Elm Creek shall sell the following described personal property to-wit:

- 1) 1989 International Dump Truck with Snow Plow and Salt Spreader
- 2) Used John Deere Cutter
- 3) Old antique plow
- 4) Used PTO driven post hole digger

SECTION 2. The Village of Elm Creek will have the above items listed with Adam Marshall Land & Auction On-line Equipment Auction scheduled for Tuesday, March 29, 2022. Individual Equipment will be sold to highest bidders. In-person inspections may be scheduled with Adam Marshall Land & Auction Company at (308) 455-4410. On-line bids will be held online at MarshallBid.com on Tuesday, March 29, 2022, on the website of Adam Marshall Land & Auction. Terms of the sale are cash.

SECTION 3. Notice of the sale will be given by publication once in legal newspaper and by posting a notice thereof in three (3) public places in the Village to-wit: the Village Clerk's Office, Elm Creek Post Office and the Bank, at least seven (7) days prior to March 29, 2022.

Passed and approved this _____ day of February, 2022.

ATTEST:

Village Clerk

It was moved by Davis and seconded by Michael to approve Resolution 2022-6, a resolution authorizing the sale of personal property. Ayes: Michael, Davis, Kyle, and Mike. Nays: none. Absent: Tanner. The motion carried.

DEPARTMENT REPORTS

BUILDING PERMITS – Dusty reported one building permit received from Bill Simmerman for a Morton Building on his property at his residence.

EMPLOYEE REPORTS – Dusty discussed the Elm Avenue Street Project Preconstruction meeting with the board and provided handouts from Oak Creek Engineering detailing estimated project start dates, weather pending. Nielsen Contracting anticipates starting phases 1 & 3 on May 1st with completion of project September 30th. Tree removal to begin 2nd week of March. NPPD will begin relocating their power poles with completion in April. NPPD will notify any residents that may temporarily be without power during this process. Black Hills Energy will come in and are planning to replace gas lines during the construction removal to update current service line. CenturyLink has a few pedestals that will need to be moved as well. The contractors, along with Oak Creek Engineering will be notifying any residents prior to construction dates, once determined, regarding any utility service disruptions and when the street will be under construction and project start dates. Dusty also discussed with the board the cost estimate we received from Lance regarding having the Elm Avenue Sewer Camera done by Johnson Service Company prior to the project to see if any of the lines need to be replaced during construction. This will be an agenda item at the March meeting for the board to discuss and vote on.

AGENDA ITEM #5: Adjournment

All agenda items having been considered, it was moved by Mike Brown and seconded by Michael Strong to adjourn this Regular Meeting. Ayes: Michael, Davis, Mike, and Kyle. Nays: none. Absent: Tanner. The motion carried and the meeting was adjourned at 8:00p.m.

Chairman-Elm Creek Village Board

ATTEST:

Village Clerk

(SEAL)