

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
JUNE 23, 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 June 23, 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. Tanner Tool called the meeting to order at 7:31 p.m. by calling for the roll with the following members responding: Tanner Tool, Mike Brown, Kyle Lawrence and Michael Strong. Absent: Davis Miner. Tanner Tool 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 Tanner and seconded by Mike Brown to approve the Consent Agenda consisting of the Claims for the month of June 2022 in the amount of \$100,359.04 and to approve the minutes to the Regular Meeting on May 26, 2022. Ayes: Michael, Tanner, Mike, and Kyle. Nays: none. Absent: Davis. The motion carried.

SHERIFF'S REPORT:

Officer Brad Hall with the Sheriff's Department was in attendance to give the sheriff's report. Nothing significant to report for the month of May.

Following the Sheriff's Report there were some citizens in attendance to request that the board consider allowing chickens in town. Denise Ourada addressed the board and strongly encouraged that the board allow chickens, ducks and other fowl in town. Her daughters that live in Omaha and Lincoln both have chickens. She asks that the rules be fairly lenient but the fowl should be contained and not allowed to roam freely. Katie Holland also addressed the board and let them know she feels it is important to the families to help provide and put food on the table. She had addressed the board last year and just feels the board needs to consider allowing chickens in town. Tanner said the board would take it into consideration and research other communities' ordinances regarding fowl in town.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Insurance Proposals and consider adoption of Resolution and Interlocal Agreement, if necessary

Jan Hinrichsen with Elm Creek Insurance Agency, Tim Hughbanks with Barney Insurance and Nate Fox with L.A.R.M. presented their insurance proposals to the Village Board. During the presentations, Tanner Tool announced the arrival of board member, Davis Miner, at 7:52pm. Jan had a quote from Continental Western Insurance Company with an annual premium of \$35,079.00. Tim's quote with EMC Insurance Agency had an annual premium of \$38,791.00. Nate Fox with L.A.R.M. came in with a quote for \$30,422.00.

It was moved by Tanner and seconded by Davis Miner to go into Executive Session at 8:26pm to discuss the insurance policies. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried. It was moved by Tanner and seconded by Mike Brown to come out of Executive Session at 8:38pm. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried. If the board decides to go with the Insurance Plan with LARM, the board will need to approve the Resolution and Interlocal Agreement with the League. Tanner Tool read in full Resolution 2022-14.

RESOLUTION 2022-14

LEAGUE ASSOCIATION OF RISK MANAGEMENT 2022-23 RESOLUTION

WHEREAS, The Village of Elm Creek is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED, that the governing body of The Village of Elm Creek, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. (90 day Notice only)

Adopted this 23rd day of June , 2022.

It was moved by Tanner and seconded by Michael Strong to approve Resolution 2022-14 and the interlocal agreement with LARM. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Resolution to approve sale of old scoreboard

Tanner Tool read in full Resolution 2022-13:

R E S O L U T I O N 2022-13

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. Used Ball Field Scoreboard (not in working condition)**

SECTION 2. The Village of Elm Creek will accept written bids until 12:00pm on Thursday, July 28, 2022. Minimum bid of \$20.00. Scoreboard will be sold to the highest bidder. In-person inspections may be scheduled for Thursday, July 21, 2022 by appointment between 8:00 a.m. and 11:00 a.m. Public bid opening will be held at 12:00pm on July 28, 2022, on the grounds of the Elm Creek Village Center at 535 W Boyd Avenue. Terms of the sale are cash. The Village reserves the right to reject any and all bids.

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 Public Library, at least seven (7) days prior to July 21, 2022.

Passed and approved this 23rd day of June, 2022.

ATTEST:

Tanner Tool, Chairperson

Village Clerk

(Seal)

It was moved by Tanner and seconded by Mike Brown to approve Resolution 2022-13. Ayes: Michael, Kyle, Tanner, Davis and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Consider and approve Employee Insurance Plan

The League of Nebraska Municipalities has been working on putting together a group health insurance plan for the Nebraska Municipalities. Tim Hughbanks was at the board meeting to discuss with the board the League Insurance Government Health Team (LIGHT) and the costs and benefits to our employees. If the board decides to go with the Employee Health Insurance Plan with LIGHT the board will need to approve the Resolution and Interlocal Agreement with the League. Tanner Tool read in full Resolution 2022-15:

RESOLUTION 2022-15

To Authorize Membership in the League Insurance Government Health Team (LIGHT)

WHEREAS, the Municipality desires to enter into the League Insurance Government Health Team Interlocal Agreement (the "Interlocal Agreement") attached hereto.

RESOLVED, that the Municipality approves and enters into the Interlocal Agreement and authorizes the Clerk of the Municipality to execute the Interlocal Agreement.

RESOLVED FURTHER, that the Municipality approves the attached League Insurance Government Health Team Membership Agreement (the "Membership Agreement") and authorizes the Clerk of the Municipality to execute the Membership Agreement.

RESOLVED FURTHER, that the Municipality authorizes and directs the Clerk of the Municipality to execute such documents and take such action as may be necessary and appropriate to effectuate the Municipality's membership in LIGHT and to obtain coverage for Municipal employees through the LIGHT Member Health Plan.

Passed and approved this 23rd day of June, 2022.

It was moved by Tanner and seconded by Kyle to approve Resolution 2022-15 and the interlocal agreement with the League Insurance Government Health Team (LIGHT) and authorizing the chairman to sign the agreement. Ayes: Michael, Davis, Tanner, Mike, and Kyle. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Coons Saloon to request approval of SDL for Buffalo Stampede Street Dance on Saturday, August 20, 2022

Coons Saloon will be applying for a Special Designated License with the Nebraska Liquor Commission to serve alcohol for their annual street dance during Buffalo Stampede. They will set up around 10am and the event will be over by 2:00am.

It was moved by Tanner and seconded by Mike to approve the issuance of a Special Designated License as requested by Coons Saloon for Buffalo Stampede Street Dance on Saturday, August 20, 2022 from 10:00 AM to 2:00 AM, Sunday, August 21, 2022. Ayes: Michael, Kyle, Tanner, Davis and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Consider and approve Buffalo Stampede Fireworks and Special Event Insurance

Tabled

AGENDA ITEM #6: DISCUSSION/ACTION RE: Buffalo Stampede Discussions

Tanner Tool with the Buffalo Stampede Committee noted that Buffalo Stampede is scheduled for the weekend of August 19th, 20th, and 21st. They are planning to have a parade, the fire department is possibly planning to have the BBQ, no carnival. They are still working on the planning and hoping to have a meeting soon.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Approve SCEDD Invoice #1421 for general administrative services as part of the Owner Occupied Rehab project

It was moved by Tanner and seconded by Kyle to approve SCEDD Invoice #1421 for general administrative services as part of the Owner Occupied Rehab project in the amount of \$1,925.00. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #8: DISCUSSION/ACTION RE: Approval of Request for CDBG Funds Drawdown #18

It was moved by Tanner and seconded by Kyle to approve the request for CDBG Funds Drawdown #18 in the amount of \$1,925.00. Ayes: Michael, Kyle, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #9: DISCUSSION/ACTION RE: Consider and approve Pay Application #1 to Nielsen Contracting for the Elm Avenue Paving Improvements, CDBG 20-PW-002

It was moved by Tanner and seconded by Kyle to approve Pay Application #1 to Nielsen Contracting for the Elm Avenue Paving Improvements, CDBG 20-PW-002 in the amount of \$307,298.70. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #10: DISCUSSION/ACTION RE: Approval of Request for CDBG Funds Drawdown #3 for the Elm Avenue Paving Improvements, CDBG 20-PW-002

It was moved by Tanner and seconded by Davis to approve the request for CDBG Funds Drawdown #3 for the Elm Avenue Paving Improvements, CDBG 20-PW-002 in the amount of \$94,199.69. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #11: DISCUSSION/ACTION RE: Transfer \$250,000 from the FirstTier Bank money market account general fund to the FirstTier Bank checking account general fund

It was moved by Tanner and seconded by Michael to approve transfer of \$250,000 from the FirstTier Bank money market account general fund to the FirstTier Bank checking account general fund. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

DEPARTMENT REPORTS

EMPLOYEE REPORTS – Dusty reported to the board that Darin Myers had approached our contractors and engineers on the Elm Avenue project and he was requesting to have a sixty (60) foot curb cut at his house. After some discussion, the board said the only maximum allowed curb cut would be thirty-six (36) feet. The board discussed the citizens request for chickens. Kyle would like to put chickens on the agenda. After some discussion, it was decided to have a Public Hearing regarding chickens on July 21st at 7pm with the regular monthly board meeting to follow at 7:30pm.

AGENDA ITEM #12: Adjournment

All agenda items having been considered, it was moved by Michael Strong and seconded by Mike Brown to adjourn this Regular Meeting. Ayes: Michael, Davis, Mike, Tanner and Kyle. Nays: none. The motion carried and the meeting was adjourned at 9:38p.m.

Chairman-Elm Creek Village Board

ATTEST:

Village Clerk

(SEAL)