

**VILLAGE OF CLEARWATER, NEBRASKA  
MINUTES OF THE REGULAR MEETING  
DECEMBER 12, 2022**

The Board of Trustees of the Village of Clearwater met in regular session Monday, December 12, 2022, at 8 p.m., in the fire hall meeting room. Meeting was opened at 7:56 p.m. Notice of meeting was given in advance by publication in *Summerland Advocate-Messenger* and notice was given to board members before meeting. Public was informed of location of Open Meeting Act poster. Present: Kevin Filsinger, Steve Hankla, Kelly Kerkman, Jeff Schlecht, Cody Kester. Others present: Maintenance Troy Behnke, Economic Development Director Lauren Sheridan-Simonsen, Reporter LuAnn Schindler, Attorney Kyle Petersen, Brian King, Marsha Hart, Curt Thiele, Steve Stearns, Michelle Stearns, Linda Hankla.

Motion by Filsinger, seconded by Kester, to approve November 14, 2022 regular meeting minutes as presented. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Motion by Kester, seconded by Schlecht, to place treasurer's report on file as presented. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Late water bills were presented. One customer received disconnect notice this month.

Miller & Associates report presented. No information has been received to finalize wastewater project. USDA requires a full audit of finances for fiscal year 2021-2022.

Motion by Kerkman, seconded by Schlecht, to approve letter of engagement for 2021-2022 audit by HBE as required by USDA. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Motion by Filsinger, seconded by Kerkman, to approve Stearns Construction claim of \$39,206.41 for reimbursement of duplex grant project. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Steve Stearns asked about what culvert he was using. Troy Behnke stated where it was located and said he'll deliver it when needed.

Discussion held regarding letter Dwaine Trease sent about fine assessed for beginning building before permit was approved. Motion by Kester, seconded by Kerkman, to approve standing behind fine and depositing check into account. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Discussion held regarding Clearwater Chamber rodeo grounds. Building that is being approved will be partially in Village limits, partially in extra-territorial jurisdiction. Chamber interested in having Village annex the remaining property into the limits to make utilities easier. Discussion held regarding well and/or septic option possibilities.

Motion by Filsinger, seconded by Kester, to approve 40x50 building permit to Chamber at 200 Iowa St. rodeo grounds. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Motion by Kerkman, seconded by Kester, to approve moving forward with discussion of annexation once Chamber presents survey plat and request letter to the board and requirements are met. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Motion by Schlecht, seconded by Filsinger, to approve 14x16x10 deck cover on Craig and Marsha Hart property at 302 Montana St. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Motion by Kerkman, seconded by Schlecht, to approve Resolution 2022-6 certifying Reed Miller of Miller & Associates as street superintendent, license #S-514, engineer license #E-4486, for 2022 year. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

Unfinished business: Insurance company won't insure historical building at 402 Nebraska St. for less than \$110,000 Hankla thought, so he signed paperwork to that effect.

Motion by Kerkman, seconded by Kester, to approve claim of \$500 for KF Repair. Voting aye: Kerkman, Hankla, Schlecht, Kester. Voting nay: none. Abstain: Filsinger.

Motion by Filsinger, seconded by Kester, to approve remaining claims and payroll. Claims: \$75,809.00; Wages: \$6,556.09. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none.

**General Checking**

CNA Surety, srv, 200.00; Thriftway Market, sup, 251.92; Bomgaars, sup, 21.97; WEX Bank, fuel, 474.58; American Legion Emblem Sales, sup, 199.45; Neligh Auto & Machine, sup, 198.86; Uline Shipping Supplies, sup, 117.29; Lichtenberg Tire Pros, srv, 22.00; Kayton International, sup, 169.50; Cornerstone Bank, srv, 25.00; Amazon, sup, 364.25; ERPPD, util, 1,191.16; Clearwater Market, sup, 89.31; NNTC, util, 162.99; ColdType Publishing, adv, 282.90; Black Hills Energy, util, 443.96; Jarecki, Sharp & Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,202.25; Economic Savings, tnfr, 1,810.50; General Savings, tnfr, 1,810.50; Angie Hupp, reimb, 51.00; Capital One Spark, sup, 1,416.49; Neb. Dept. of Revenue, tx, 1,261.02; EMC Insurance, ins, 3,531.08; USA Blue Book, sup, 120.46; Payroll, pay, 5,539.37.

**Water/Sewer Checking**

US Post Office, srv/sup, 204.20; Municipal Supply Inc., sup, 591.96; Miller & Associates, reimb, 179.34; Neb. Public Health Enviro Lab, srv, 117.00; Neb. Dept. of Environment and Energy, loan, 11,823.06; City of Neligh, srv, 225.00; One Call Concepts, srv, 2.78; Neb. Dept. of Revenue, tx, 511.55; ERPPD, util, 668.57; Automated Dairy Specialists, sup, 85.12; Bud's Sanitary Service, srv, 2,714.00; Water Savings, tnfr, 685.00; Sewer Savings, tnfr, 865.00; Lagoon Savings, tnfr, 1,450.00; KF Repair, srv, 500.00.

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**Fire Checking**

Quick Med Claims, srv, 230.85.

**Library Checking**

Clearwater Market, sup, 30.72; Payroll, pay, 1,016.72.

**Grant Checking**

Stearns Construction, reimb, 39,206.41.

**Credit Card Receipts**

W. Cote & Fils LTEE, sup, 1,317.22; Target, sup, 29.38; Menards, sup, 29.98; Hobby Lobby, sup, 22.63; Rackspace Email, srv, 17.28.

Motion by Filsinger, seconded by Kerkman to adjourn old board. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none. Meeting adjourned sine die at 8:17 p.m.

Motion by Filsinger, seconded by Kerkman, to open organizational meeting. Voting aye: Filsinger, Kerkman, Hankla, Schlecht, Kester. Voting nay: none. Meeting opened at 8:17 p.m.

Oath of office read by incoming board members Jeff Schlecht, Marsha Hart, and Brian King.

Hankla mentioned that he spoke with Kent Fry and he will help his employees who live at 207 Colorado St. to clean the junk and unlicensed vehicles from the property.

Awards were presented to outgoing board members Steve Hankla and Kevin Filsinger, and board member Steve Stearns who resigned in June, in recognition of their years of dedicated service to the community.

Motion by Kester, seconded by Schlecht, to nominate Kelly Kerkman as board chairperson. Motion by Kester, seconded by Schlecht, to cease nominations and approve Kelly Kerkman as board chairperson. Voting aye: Hart, Schlecht, Kester, King. Voting nay: none. Abstain: Kerkman.

Motion by Kerkman, seconded by Schlecht, to nominate Cody Kester as vice-chairperson. Motion by Kerkman, seconded by Hart, to cease nominations and approve Cody Kester as vice-chairperson. Voting aye: Hart, Schlecht, King, Kerkman. Voting nay: none. Abstain: Kester.

Motion by Hart, seconded by Kester, to nominate Brian King as sewer/water commissioner. Motion by Schlecht, seconded by Kester, to cease nominations and approve Brian King as sewer/water commissioner. Voting aye: Hart, Schlecht, Kester, Kerkman. Voting nay: none. Abstain: King.

Motion by Hart, seconded by Kester, to nominate Jeff Schlecht as street commissioner. Motion by Kester, seconded by Hart, to cease nominations and approve Jeff Schlecht as street commissioner. Voting aye: Hart, Kester, King, Kerkman. Voting nay: none. Abstain: Schlecht.

Motion by Kester, seconded by Schlecht, to nominate Marsha Hart as landfill/recycle commissioner. Motion by Schlecht, seconded by King, to cease nominations and approve Marsha Hart as landfill/recycle commissioner. Voting aye: Schlecht, Kester, King, Kerkman. Voting nay: none. Abstain: Hart.

Motion by Schlecht, seconded by King, to nominate Cody Kester as park and recreation commissioner. Motion by Schlecht, seconded by Hart, to cease nominations and approve Cody Kester as park and recreation commissioner. Voting aye: Hart, Schlecht, King, Kerkman. Voting nay: none. Abstain: Kester.

Motion by Hart, seconded by Kester, to approve chairperson Kelly Kerkman as authorized signer for all active grants: wastewater grant project, NAHTF duplex grant project, and CDBG downtown revitalization planning grant. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Kester, seconded by Schlecht, to approve removing Steve Hankla and Cody Kester and including Angie Hupp, Kelly Kerkman, and Marsha Hart as authorized signers on all Village bank accounts. Voting aye: Schlecht, Kester, King. Voting nay: none. Abstain: Hart, Kerkman.

Motion by Schlecht, seconded by Kester, to approve Cornerstone Bank as official bank for 2023. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Kester, seconded by Schlecht, to waive three readings of Ordinance 2022-18 setting wages and salaries for 2023. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve Ordinance 2022-18 setting wages and salaries for 2023. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Kester, seconded by Schlecht, to approve Reed Miller of Miller & Associates as street superintendent, Class A street license #S-514, engineer license #E-4486, for the Jan. 1, 2023 to Dec. 31, 2023 year for NDOT highway incentive payments. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve Miller & Associates as Village engineers for 2023. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by King, to approve fire hall as meeting room on second Monday of each month at 8 p.m. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Motion by Kester, seconded by Schlecht, to approve Kyle Petersen of Jarecki, Sharp & Petersen as Village's civil attorney. If a criminal attorney is required, Petersen will assist with finding a replacement attorney. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Discussion regarding chamber property annexation tabled until more information is presented.

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No sheriff's report presented.

Economic development report presented. Community guide draft presented that is being put together with collaboration from NPPD. Rural Services Community grant for library telehealth room will be presented at wing night Wednesday, Jan. 11, at 5:45 p.m. Building for duplex has begun. Other towns are taking notice of the support Clearwater gives towards economic development and are asking how to do the same. Lauren Sheridan-Simonsen thanked the board and citizens of Clearwater for their support in improving our community.

Motion by Kester, seconded by Schlecht, to approve Turee Benson as economic development board member Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Maintenance report presented. New payloader and blade have been delivered. Water leak in main on Second St. repaired by Hurtig Service. The boil water notice was instigated by contamination in school well. The well was turned off and will remain so until tests come back clear. High levels of chlorine were pushed through the well multiple times and tests taken. Scott Kester of Neligh takes the samples until Troy Behnke can pass the certification. Behnke explained the water sample system for the new board members.

Resolution 2022-4 approving list of obsolete equipment to be sold tabled until closer to spring.

Motion by Kester, seconded by Schlecht, to approve Resolution 2022-5 approving comp time regulations for full-time employees. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

No park report presented.

Library report presented. Annual budget was presented by LuAnn Schindler. Library is silver-accredited, out of the gold, silver, and bronze accreditation levels. ARPA funds used to host four big programs for summer reading. OverDrive system used for e-books and costs \$500 per year but counts towards patron usage. Waiting to hear back from ESU 8 regarding possibility of moving public library to Learning Center building. Discussion will be held in January when more information is available. Shopping center at Old-Fashioned Christmas went very well, and public is still able to shop at The Office building.

Clerk's report presented by Kerkman. Board training available free to the town if board is interested. Discussion held regarding a resident's dog who has nipped/bitten at several people and what needs to be done. A letter will be sent to the owner regarding ordinances on dangerous dogs. Impoundment fees and the possibility of a resolution to set fees was discussed as well as enforcing dog tags to make it easier to return loose dogs to rightful owners. Internet is \$27.50/month plus usage from NNTC if wanted at maintenance shop.

Attorney's report presented. A county court default judgment was filed in a nuisance case on Nov. 30. The property owner was given 31 days to clean up the property or be listed as in contempt of court.

Motion by Kester, seconded by King, to approve Marsha Hart to sign off on monthly claims as requested by auditors. Voting aye: Schlecht, Kester, King, Kerkman. Voting nay: none. Abstain: Hart.

Motion by Schlecht, seconded by Kester, to adjourn. Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none. Meeting adjourned at 9:23 p.m.

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Chairperson

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Clerk