

VILLAGE OF CLEARWATER, NEBRASKA
MINUTES OF THE REGULAR MEETING
MARCH 8, 2023

The Board of Trustees of the Village of Clearwater met in regular session Wednesday, March 8, 2023, at 8 p.m., in the fire hall meeting room. Meeting was opened at 8 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: Kelly Kerkman, Cody Kester, Marsha Hart, Jeff Schlecht, Brian King. Others present: Attorney Kyle Petersen, Reporter LuAnn Schindler, Tony Blecher, Andrew Blecher, Curt Thiele, Clerk Angie Hupp.

Motion by Kester, seconded by King, to approve minutes of the regular meeting on Jan. 13, 2023, with two amendments showing who made the motion to adjourn and who was absent. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve the treasurer's report as presented. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Late utility bills presented. Four customers received disconnect notices this month.

Kerkman spoke about a conversation he had with a previous board member regarding the lagoon project. According to them, Miller & Associates told the board when the lagoon project began that it wouldn't cost the Village more than 1.2 million dollars, and if it went over budget, the State would be responsible for the remaining cost. The sewer rates charged to Village residents were not supposed to go above the current rate of \$38.50. Due to the bond ordinance passed last month for payment to the USDA of \$2,109,000 and USDA requiring sewer rates to be raised, Kerkman asked Hupp to look back in old minutes to find where this information was documented and bring it to the April meeting. Hupp will also call Miller & Associates to find out when finalization of the lagoon can be expected.

Motion by Schlecht, seconded by Kester, to approve interest payment of \$31, 810.74 to Cornerstone Bank, pending USDA approval, and interest payment of \$5,671.82 to Cornerstone Bank for grant operating note, for a total of \$37,482.56. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Discussion held regarding an area between the lagoon and Clearwater Creek where sand has blown away. As discussed at a meeting last year, the board will wait until the project is complete before repairing fence line.

Discussion held with Tony and Andrew Blecher regarding their interest in purchasing the village-owned lot at 507 First St., just west of their new shop. After board members walked the property, it was discovered there is a culvert running under the ground, but it doesn't go all the way from the street to the Cowboy Trail. Kester asked about possibility of a long-term lease. Tony Blecher stated he was not interested in a lease. He either wants to buy it or he'll park vehicles on the street and the lot can be maintained by the Village. The board decided on a price of \$2,000 with an easement so the Village can maintain drainage.

Motion by Schlecht, seconded by Kester, to sell the lot to Blechers with an easement. Attorney Kyle Petersen stated paperwork and a resolution needed to be completed before anything could be voted on. Schlecht formally withdrew his motion. Petersen will bring resolution to the April meeting.

Motion by Kester, seconded by King, to approve special designated liquor license for The Waterhole on June 23-24, 2023 during street dance and concert for rodeo weekend. Application includes an enclosed area out the back door of the bar. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Kester, seconded by Schlecht, to approve special designated liquor license for The American Legion Post 267 on June 23-24, 2023 during street dance and concert for rodeo weekend. Voting aye: Hart, Kester, King, Schlecht. Voting nay: none. Abstain: Kerkman.

Motion by Kester, seconded by King, to purchase ambulance cot for \$61,916.32 with fire department and Antelope Co. Mutual Finance Organization funds. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Kester, seconded by Schlecht, to transfer \$7,500 from fire savings to fire checking, and withdraw fire CD #14422 for \$22,145.75 and deposit in fire checking to pay for ambulance cot. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Discussion held regarding what projects board would like to see completed around town this summer. All board members to bring a list of projects to April meeting. Discussion held regarding summer help wages but tabled until April meeting.

No sheriff's report presented.

Economic report presented by Hupp due to Lauren Sheridan-Simonsen's absence. The official community guide will be presented by ERPPD representatives at the April 10 board meeting. Kerkman, Sheridan-Simonsen, LuAnn Schindler, and Bobbi Pettit with Five Rule Planning had a preliminary walk-through of business areas to discuss downtown revitalization potential. Pettit will attend the May 8 meeting to speak with the board.

No maintenance report was presented. Curt Thiele spoke regarding the incident in January that caused discussion of non-employees moving clearing snow on Village streets to be on the agenda. He stated he was clearing driveways and put his blade down to make more room on a corner of the street when Behnke stopped and told him not to. Board consensus was that streets are the responsibility of the Village and they will contact someone if they need assistance but they are not going to require liability waivers or take any other actions.

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Discussion held regarding snow removal policy. No official policy will be created asking people to remove vehicles from streets so snow can be cleared, but a Facebook post can be created before a snowfall. Board agreed that at approximately two inches of accumulation, Behnke should begin clearing the firehouse driveway and Main, Nebraska, Iowa, First and Second streets from one end of town to the other. Then proceed to clear remaining streets with alleys being cleared last. If the State and County have suspended road clearing due to conditions including continued accumulation and/or blowing or blizzard conditions, Clearwater won't be clearing streets either. If Behnke is able, he can clear the main streets during that time.

Discussion held regarding possibility of purchasing a trench box for use when plumbing or other digging work is being done. Behnke will research pricing and present at the April meeting. Discussion held regarding need for plumber able and willing to do work for the Village, including tapping into the water and sewer mains. Hupp will contact a couple of plumbers who were suggested.

Park report presented. There are park checking and park savings accounts that are not used anymore. Hupp suggested closing them and folding the money into the general accounts. The funds will still be available for use on park maintenance but will be taken out of the general account.

Motion by Kester, seconded by Hart, to close park checking and park savings and deposit into general checking and general savings. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Hart, seconded by Schlecht, to demolish little building in northwest corner of playground. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Library report presented. LuAnn Schindler stated the library is still working on logistics for expansion and telehealth room. Any discussion was tabled. One hundred books were donated to the library through a nationwide program. Librarian is working on books and activities for summer reading.

Clerk report presented. Bud's Sanitary contacted Hupp regarding trash being behind snow piles and Black Hills Energy regarding issues with snow removal being pushed across to other properties, breaking gas meters. A letter was sent with the February utility bills. Conversations were held with all four vehicle repair shops regarding unlicensed/inoperable vehicles remaining for long periods of time. All the businesses were willing to work with the Village as best they are able. Hupp spoke to an owner of a vacant property. They have stated the house is for sale but refuse to put a sign out front, saying their attorney told them they don't have to, even though public notice is required for vacant property exemption. Hupp is to see if she can get the price of the property. The office will be closed the week of March 13-17 so Hupp can attend the annual Nebraska Clerks' Institute and Academy.

Unfinished business: Discussion held regarding adding lagoon field to haying bid notice. It ran one week in the newspaper without the lagoon field but will run the other two weeks with it.

New business: Monday, April 10 was confirmed as the next meeting date.

Motion by Hart, seconded by Kester, to approve all claims and payroll. Claims: \$68,416.82; Wages: \$5,789.64. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

General Checking

CTR Truck & Trailer, sup, 6,495.00; Farmers Pride, fuel, 299.98; Bomgaars, sup, 51.96; Heartland Fire Protection, srv, 173.75; WEX Bank, fuel, 337.48; Neligh Auto & Machine, sup, 31.44; ERPPD, util, 1,189.68; Clearwater Market, sup, 46.00; NNTC, util, 162.44; ColdType Publishing, adv, 138.37; Black Hills Energy, util, 553.59; Antelope Co. Treasurer, reg, 14.00; Jarecki Sharp & Petersen, lgl, 396.37; Antelope Co. Sheriff, srv, 1,202.25; Economic Savings, tnfr, 2,855.00; General Savings, tnfr, 2,855.00; Neb. Dept. of Revenue, tx, 1,397.70; EMC Insurance, ins, 3,693.52; Payroll, pay, 4,941.60.

Water/Sewer Checking

NDEE Drinking Water Division, lic, 115.00; Neb. Public Health Enviro Lab, srv, 718.00; City of Neligh, srv, 275.00; Municipal Supply Inc., sup, 325.27; One Call Concepts, Inc., srv, 0.80; ERPPD, util, 740.47; US Post Office, sup/srv, 136.40; Bud's Sanitary Service, srv, 2,714.00; Neb. Dept. of Revenue, tx, 507.42; Water Savings, tnfr, 685.00; Sewer Savings, tnfr, 865.00; Lagoon Savings, tnfr, 1,450.00.

Fire Checking

Quick Med Claims, srv, 109.35.

Library Checking

Amazon, sup, 150.07; Clearwater Market, sup, 6.60; Capital One Spark, sup, 243.35; Payroll, pay, 848.04.

Grant Checking

Cornerstone Bank, int, 37,482.56.

Credit Card

Amazon, lib. sup, 165.84; Lakeshore Learning, lib. sup., 77.01; payment adjustment, lib., 0.50.

Motion by Schlecht, seconded by Kester, to enter executive session for the purpose of discussing possible litigation and an employee evaluation at 9:19 p.m. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Kester, seconded by Hart, to exit executive session at 9:40 p.m. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

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Motion by Kester, seconded by Schlecht, to approve filing contempt charges against the owners of 307 Montana St., Voting aye: Kerkman, Hart, Kester, Schlecht. Voting nay: King.

Motion by Schlecht, seconded by King, to approve a one-dollar-an-hour raise for Troy Behnke, going from \$23/hr. to \$24/hr. after receiving his water operator license. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none. Behnke's six-month evaluation will be completed at the April meeting.

Motion by Hart, seconded by Schlecht, to adjourn the meeting. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none. Meeting adjourned at 9:43 p.m.

Chairperson

Clerk