

VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING APRIL 10, 2023

The Board of Trustees of the Village of Clearwater met in regular session Monday, April 10, 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*, posted at US Post Office in Clearwater, Clearwater Market, Cornerstone Bank-Clearwater, and was given to board members before meeting. Public was informed of location of Open Meeting Act poster. Present: Kelly Kerkman, Marsha Hart, Cody Kester, Brian King, Jeff Schlecht. Others present: Clerk Angie Hupp, Maintenance Operator Troy Behnke, Economic Development Director Lauren Sheridan-Simonsen, Attorney Kyle Petersen, Reporter LuAnn Schindler, ERPPD rep Tom Rudloff, ERPPD rep Carmen Christiansen, NPPD rep Nicole Seglacek, Tony Blecher, Andrew Blecher, Curt Thiele, Linda Hankla, Carla Jacob, Bridget Scott, Miaha Scott, Jay Snider.

Motion by Kester, seconded by Schlecht, to approve minutes from the regular meeting on March 8, 2023 as presented. Voting aye: Kester, Schlecht, King, Hart, Kerkman. Voting nay: none.

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

Late utility bills were presented. One resident's water was shut off on March 21 and remained off until the account was paid on April 4. No disconnect letters were sent this month.

ERPPD representatives Tom Rudloff and Carmen Christiansen and NPPD representative Nicole Seglacek presented a completed community guide to the board. The guide is free to the village as part of NPPD's services to their area to assist with economic development. Limited copies are available at the village office.

Miller & Associates/grants reports presented. Motion by Hart, seconded by Schlecht, to approve Miller & Associates claim of \$1,500 for administration services of NAHTF duplex grant, pending DED approval. Voting aye: Hart, Schlecht, Kerkman, King, Kester. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve Stearns Construction claim of \$72,000 for labor on NAHTF duplex grant, pending DED approval. Voting aye: Schlecht, Kester, Kerkman, Hart, King. Voting nay: none.

Motion by Kester, seconded by Hart, to approve NAHTF grant drawdown #4 for \$73,500. Voting aye: Kester, Hart, King, Schlecht, Kerkman. Voting nay: none.

Motion by Hart, seconded by Schlecht, to approve contract from Five Rule Rural Planning for downtown revitalization planning, pending release of funds from DED. Voting aye: Hart, Schlecht, Kerkman, King, Kester. Voting nay: none.

Discussion held regarding purchase of GIS equipment for locating water and sewer lines. Jay Snider mentioned he thought the equipment was supposed to be part of the water and wastewater grants. Decision was tabled until clerk could talk to Miller & Associates.

Discussion held regarding USDA's request for higher sewer rates than the original board was told they would be. King wants to know how the cost of the lagoon could get so high if there was a signed contract. He asked to see an itemized list of where the money has gone. Board asked for board members who were on at the time the project was started, as well as previous clerk Tina Snider and representatives from Miller & Associates to be invited to attend the May meeting so these issues can be discussed. According to M&A, the village has about \$100,000-180,000 still available in USDA grant funds. The funds cannot be used to lower the loan, but there are items that can still be purchased including a sewer jetty. Since a trench box is being considered, the board asked the clerk to find out if that would be a qualified purchase.

Five building permits were approved. Motion by Schlecht, seconded by Kester, to approve a 14'x14' addition to Aaron Parks' residence at 506 Nebraska St. Voting aye: Schlecht, Kester, Hart, King, Kerkman. Voting nay: none.

Motion by Hart, seconded by King, to approve a cement pad and fence on Riley Snider's property at 601 Montana St. Voting aye: Hart, King, Schlecht, Kester, Kerkman. Voting nay: none.

Motion by Hart, seconded by Schlecht, to approve a 20'x24.10'x14' shop on Cole Scott's property at 209 River Rd. Voting aye: Hart, Schlecht, Kerkman, King, Kester. Voting nay: none.

Motion by Kester, seconded by Hart, to approve a fence on Miaha Scott's property at 106 Main St. Voting aye: Kester, Hart, Kerkman, Schlecht, King. Voting nay: none.

Motion by King, seconded by Kester, to approve an 8'x20' skybox on Clearwater Chamber's rodeo grounds at 200 Iowa St. Voting aye: King, Kester, Schlecht, Hart, Kerkman. Voting nay: none.

Discussion held regarding annexation of rodeo grounds. Curt Thiele presented the survey plat and stated that they are concerned that there will be issues with sewer or water pressure so they don't want the entirety of the rodeo grounds annexed so they will still have the ability to put in a septic tank or well if needed, but they will annex more of the grounds than are currently in village limits. Motion by King, seconded by Schlecht, to approve annexation of the middle section of the rodeo grounds at 200 Iowa St. Voting aye: King, Schlecht, Kerkman, Hart, Kester. Voting nay: none.

Bridget Scott presented a letter to the board volunteering to be caretaker of the north side of town to prevent spraying chemicals for weeds and mosquitoes. Scott uses a large portion of her properties for an organic garden and does not want any chemicals to blow onto it. Kerkman stated the board would be happy to have her assistance, and they don't have to spray for weeds if the ditches are kept mowed, but mosquito spraying is a necessity. The board will make sure Behnke does not spray near Scott properties and will try to prevent drifting, but they must spray for mosquitoes in other areas on the north side of town.

Motion by Schlecht, seconded by Kester, to approve Resolution 2023-9 selling 507 First St. to Tony Blecher for \$2,000 with a drainage easement throughout the property. The resolution states the Village

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reserves a permanent easement for drainage that encompasses the entire property without restriction; Blecher is not to make any changes to the lot that conflict with the easement; and the Village is not liable for any damages to the property or improvements resulting from drainage maintenance. Voting aye: Kester, Schlecht, Kerkman, King, Hart. Voting nay: none.

Opened two bids for haying three village-owned properties including lagoon, old lagoon, and field by tree dump, during the 2023 haying season. First bid was from Jay Snider in the amount of \$4,000. Second bid was from Eli Jacob in the amount of \$1,500. Motion by Kester, seconded by King, to approve bid from Jay Snider for \$4,000. Voting aye: Kester, King, Schlecht, Hart, Kerkman. Voting nay: none.

Discussion held with Linda Hankla regarding wanting to paint pickleball lines on the basketball court at the park. Hankla volunteered to paint the lines, if the Village was willing to install fence to prevent balls from rolling away. Discussion was also held about the possibility of the Village purchasing a commercial net on wheels. The Village has privacy and chain link fences stored away. Kerkman stated chain link would be better so the fence didn't obstruct the security cameras. Motion by Kester, seconded by Hart, to allow residents to paint pickleball lines on the basketball court, have Behnke install chain link fence, and to purchase a pickleball net. Voting aye: Hart, Kester, Kerkman, King, Schlecht. Voting nay: none.

Discussion held regarding current insurance values and adding extension endorsement and cyber liability. Clerk will present updated values and quotes at May meeting.

Motion by Kester, seconded by Schlecht, to approve special designated liquor license for Clearwater Chamber at 200 Iowa St. for rodeo June 23-25. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Motion by Kester, seconded by King, to approve special designated liquor license for Clearwater Chamber at 200 Iowa St. for rough stock competition July 22. Voting aye: Kester, King, Schlecht, Hart, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by Kester, to waive three readings of Ordinance 2023-1 setting Troy Behnke's wage at \$24/hr. Voting aye: Schlecht, Kester, Kerkman, King, Hart. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve Ordinance 2023-1 "an ordinance of the Village of Clearwater, Antelope County, Nebraska, setting a wage for Troy Behnke, maintenance operator for the Village, beginning March 1, 2023; repealing all ordinances in conflict; and providing an effective date." Voting aye: Schlecht, Kester, King, Hart, Kerkman. Voting nay: none.

Motion by Hart, seconded by King, to waive three readings of Ordinance 2023-2 setting wages for librarian Kathryn Feusse at \$12.50/hr. and all library helpers at \$10.50/hr. Voting aye: Hart, King, Kerkman, Kester, Schlecht. Voting nay: none.

Motion by Hart, seconded by Schlecht, to approve Ordinance 2023-2 "an ordinance of the Village of Clearwater, Antelope County, Nebraska, setting wages for librarian Kathryn Feusse, beginning March 1, 2023, and library helpers, beginning January 1, 2023, as approved by the library board; repealing all ordinances in conflict; and providing an effective date." Voting aye: Hart, Schlecht, Kester, King, Kerkman. Voting nay: none.

Board set Sunday, April 16, at 5 p.m. to conduct interviews for summer help. Help wanted ad to be removed from paper and online immediately.

Discussion held regarding paying Tina Snider for time spent looking through lagoon paperwork to help settle the sewer rate issues previously discussed. Decision tabled until issue is settled. Angie Hupp to tell Snider to keep track of hours until then.

Motion by Hart, seconded by Schlecht, to approve transferring \$37 from water/sewer checking to general checking to adjust for payments made with utility payments. USPS owed \$25 for snow removal, and \$12 in dog tag fees needed to be transferred. Voting aye: Hart, Schlecht, Kerkman, Kester, King. Voting nay: none.

Library report presented. LuAnn Schindler reported that she and Lauren Sheridan-Simonsen have been applying for grants to help fund the library expansion into the old ambulance bay. The library is also planning fundraisers and asking for donations. Sheridan-Simonsen will mail out notice of bids to local contractors. Schindler hopes to begin construction around Dec. 1, 2023.

No sheriff's report was presented.

Economic development report was presented.

Motion by Hart, seconded by Kester, to approve Resolution 2023-8 declaring items obsolete and setting clerk and maintenance operator as selling agents. One item was added to the list, a new lift station pump. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Schlecht, seconded by Hart, to approve sending Troy Behnke to wastewater classes in Norfolk May 24-25, and include associated costs of class, test and license in the April claims, providing it is the correct class. Voting aye: Schlecht, King, Kester, Hart, Kerkman. Voting nay: none.

Two quotes were provided for a trench box. King presented information from a company he works with and suggested Behnke talk to them too. The board also questioned whether the trench box could be paid for with wastewater grant funds. Decision tabled until more quotes and information could be gathered.

Discussion held regarding the possibility of painting parking lines along the edges of Main St. as well as down the middle. Clerk to contact Miller & Associates to see if that is included as part of the street superintendent duties and talk to Neligh to see if they are willing to lend Clearwater their line painting machine.

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Maintenance report presented. Seventeen blocks have been marked for armor coating. Per an agreement with Don Zegers, the apartment parking lot will need to be included as well since the Village uses part of it to store items and park during games. Dumpster has been set back up in park parking lot and there has already been trouble with illegal items being dumped there and at tree dump. Behnke will look into posting signs in English and Spanish to try to curb the dumping. Might also have to look into setting up more cameras.

Park report presented. Motion by Kester, seconded by Hart, to approve four applications of weed spray and fertilizer at the park by Tip Top Lawn Care for a cost of \$2,250. Voting aye: Kester, Hart, Kerkman, King, Schlecht. Voting nay: none.

Behnke will assess the playground equipment to see if anything needs to be replaced.

Motion by Kester, seconded by Schlecht, to approve purchase of baseball bases for approximately \$300 as requested by Summerland Ball Association. Voting aye: Kester, Schlecht, King, Hart, Kerkman. Voting nay: none.

Clerk report presented. Motion by Schlecht, seconded by Kester, to approve adding archiving for \$3/month from Rackspace to clerk email account. Voting aye: Schlecht, Kester, Kerkman, Hart, King. Voting nay: none.

Unfinished business discussed. Spring clean-up will be held the entire month of May. Clerk will set up roll-off dumpsters from J&J Sanitation.

Sidewalks that were poured in front of the library and office last fall are already flaking and chipping. Hupp and Kerkman spoke with contractor and concrete company. Concrete was poured too wet and there's nothing that can be done about it.

Kerkman has been trying to find plumbers who will tap mains and work on bigger projects in town and hasn't had much luck. A few more names were suggested. Clerk and board will keep trying.

Fire department will have to wait until wet and wind calm day before burning three vacant houses in town. Hopefully progress will be made within the next month.

New business discussed. Motion by Kester, seconded by Schlecht, to hire Paul Horman to mow east side of cemetery for returning summer help hourly wage and fuel for mower. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Jay Snider presented a check to the board for \$5,000. Check was to assist with hauling trailer village purchased to take mowers to cemetery.

As all prices are rising and there is a chance utility bills will also go up, the board is concerned about the possibility of having to raise trash rates due to contractual obligations. Discussion was held about looking into other companies or purchasing a truck for the village.

May 8 at 8 p.m. was confirmed as the next meeting date.

Motion by Kester, seconded by Schlecht, to approve all claims and payroll. Claims: \$98,306.45; wages: \$7,687.93. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

General Checking

Tip Top Lawn Care, srv, 2,250.00; Bomgaars, sup, 14.81; Holiday Inn Kearney, srv, 574.75; CORE Development, dues, 320.00; CNA Surety, bond, 180.00; WEX Bank, fuel, 275.87; Farmers Pride, fuel, 481.47; ERPPD, util, 1,198.70; NNTC, util, 158.87; ColdType Publishing, adv/rent, 839.69; Black Hills Energy, util, 515.92; Summerland Public School, fees, 400.00; Clearwater Public Library, tnfr, 2,250.00; Jarecki Sharp & Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,202.25; Economic Savings, tnfr, 1,588.32; General Savings, tnfr, 1,588.32; Neb. Dept. of Revenue, tx, 1,173.26; Capital One Spark, sup, 60.68; EMC Insurance, ins, 30.00; Payroll, pay, 6,451.93.

Water/Sewer Checking

Neb. Public Health Enviro Lab, srv, 132.00; City of Neligh, srv, 350.00; One Call Concepts, Inc., srv, 6.40; Clearwater Market, sup, 34.17; ERPPD, util, 778.85; US Post Office, sup, 252.00; Bud's Sanitary Service, srv, 2,714.00; General Checking, tnfr, 37.00; Neb. Dept. of Revenue, tx, 506.74; Water Savings, tnfr, 685.00; Sewer Savings, tnfr, 865.00; Lagoon Savings, tnfr, 1,450.00.

Economic Checking

Holt Co. Economic Development, sup, 180.00; ColdType Publishing, rent, 60.00.

Fire Checking

CLIA Laboratory Program, dues, 180.00; Quick Med Claims, srv, 109.35.

Library Checking

Clearwater Market, sup, 9.09; Capital One Spark, sub, 59.99; Payroll, pay, 1,236.00.

Park Checking

General Checking, tnfr, 993.95.

Grant Checking

Miller & Associates, srv, \$1,500.00; Stearns Construction, srv, \$72,000.00.

Credit Card

Cleanbrowsing, lib sub, 59.99; Rackspace Email, gen srv, 14.95; Wendy's, gen meal, 11.22; McDonald's, gen meal, 11.21; Perkins Restaurant, gen meal, 23.30.

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Motion by Schlecht, seconded by King, to enter executive session at 10:11 p.m. to conduct an employee evaluation and discuss possible litigation with the attorney. Voting aye: Schlecht, King, Kester, Hart, Kerkman. Voting nay: none.

Motion by Hart, seconded by Kester, to exit executive session at 10:26 p.m. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by King, to adjourn. Voting aye: Schlecht, King, Kester, Hart, Kerkman. Voting nay: none. Meeting adjourned at 10:26 p.m.

Chairperson

Clerk