

VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING OCTOBER 9, 2023

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, October 9, 2023 at 8 p.m., in the fire hall meeting room. Meeting opened at 8 p.m. Notice of meeting was given in advance by publication in *Summerland Advocate-Messenger*, was posted at US Post Office in Clearwater, Clearwater Market, and Cornerstone Bank-Clearwater and was given to board members prior to 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, Economic Development Director Lauren Sheridan-Simonsen, Reporter LuAnn Schindler, Maintenance Operator Troy Behnke, Attorney Kyle Petersen and Don Zegers.

Motion by King, seconded by Kerkman, to approve minutes from the September 11, 2023 budget hearing, tax request hearing and regular meeting as presented. Voting aye: King, Kerkman, Kester, Schlecht. Voting nay: none. Abstain: Hart.

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

Late utility bills presented. Angie Hupp told the board that it invades residents' privacy to present their names on the late list and it is not required to be presented. If the board wishes to continue to view the late utility bills, they will be presented with account numbers instead of names and shown during the clerk's or treasurer's report since a separate agenda item is unnecessary. The board stated they don't need to see the list and moving forward, it will be removed from the agenda, with a note in the clerk's report of any disconnect notices or disconnects due to nonpayment, with account numbers instead of names.

Kerkman and Kester attended the Oct. 3, 2023 county commissioners' meeting to discuss the status of Nebraska St. east of River Rd. and River Rd. from the highway north to the bridge. Both roads were ripped up by the county several years ago. They stated they had permission from the village board for River Rd. but there is no documentation of approval. The section of Nebraska St. was supposed to be annexed into the village in 2015 but the paperwork wasn't completed until October 2020 so when the county tore Nebraska St. up, it was legally under their control so they are under no obligation to repair it. Road Boss Boggs gave a rough estimate of about \$200,000 to pave the section of River Rd. and Nebraska St. from River Rd. to Rochelle Dixon's driveway. Kerkman suggested figuring out how much of the street budget for this fiscal year could be used and approach the commissioners at their Nov. 7, 2023 meeting to ask if the county would cover the remaining cost if the village can come up with most of it. The village's budget shows \$305,900 budgeted in the street fund, with \$55,900 set aside for operating costs. With \$250,000 available for capital improvements, the board decided they could spare \$125,000 for the paving of the aforementioned roads, leaving \$125,000 for armor coating, cold mix and other repairs and told Hupp to put them on the county's agenda for the first November meeting.

Discussion held with Don Zegers again regarding the board's decision to change his sewer rate from the single flat rate for the whole building to eight rates, one for each unit. The board and Zegers were given charts listing water usage for the apartments, two businesses and two residences for the past year for comparison. Zegers insisted the board wasn't making the change based on water usage, just doing what they wanted to do and they chose to pick on him because he didn't live in town. After some heated discussion, the board stood by their ordinance to charge the apartment complex for eight sewer rates.

Maintenance report presented. Discussion held with Troy Behnke regarding purchasing a new mower. Three bids were discussed: a Grasshopper 725DT6 mower from Kayton International for \$20,400 less \$9,400 for trade-in of a Massey Ferguson GC1723E mower; a John Deere 1550 commercial mower from AKRS Equipment in Neligh for \$26,115 with no trade-in; and a Kubota F2690E mower from Dinkel Implement for \$22,750 less \$11,000 trade-in on the Massey Ferguson. Behnke explained that the village swaps mowers every couple of years but because of a loader purchase last year, a new mower was put on hold.

Motion by Hart, seconded by Kerkman, to approve purchase of the Kubota mower from Dinkel Implement with Massey Ferguson trade-in per proposal. Voting aye: Hart, Kerkman, Kester, Schlecht. Voting nay: King.

Behnke explained he has been informed he will need access to a computer to complete GIS programming. The board didn't think he would need it often enough to approve the cost of a new computer and internet at the shop. The board asked if he could use the library or clerk's computers or ask Fire Chief Hankla if he would be allowed to use the fire department's. Instead of getting a cell plan for the GIS iPad, Behnke will use hotspot from his phone. Behnke will order sand to put in playground. There are quite a few old barrel trash cans sitting by the shop that are rusting out the bottom and are not needed. He will repaint a couple of the better ones for the concession stand area and get rid of the rest. He let the board know he passed his lagoon test and is officially a wastewater operator.

Kerkman told him he has been approached by residents asking why some maintenance items are being left half-finished. He asked Behnke to finish several projects that were begun earlier this year, especially culverts. Kerkman also mentioned considering a grinder attachment to be put in the budget in the future for cleaning potholes so they are smoother when filled.

Economic development report presented. Lauren Sheridan-Simonsen said the village is less than two years away from hitting the one-million-dollar mark for LB840 sales tax funds received and thinks the village should hold a celebration when it happens. The downtown revitalization planning crew will attend the Nov. 8 wing night at the Legion to speak with community members about their ideas to improve the business district. Sheridan-Simonsen is working on getting a study completed to possibly get a Verizon tower installed in town to improve cell service in the community. NNTC will host an open house at the Legion on Oct. 25

VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING OCTOBER 9, 2023

to visit with community members. Sheridan-Simonsen is also speaking with ERPPD and other groups to get an electric vehicle charging station installed in town. The likeliest place would be the space between The Office and Flenniken Electric on Main St. Approximately 90 percent of the cost could be covered by grants. The village would charge for use and could be the first town between Norfolk and Valentine to have one. LB840 application fees are currently set at \$35 but with the cost of background checks increasing and the cost to do the checks on multiple people, Sheridan-Simonsen suggested looking into increasing the fees. Neligh raised theirs to \$100 plus \$25 per person after two, if a group or board is on the application.

Motion by Kester, seconded by Schlecht, to approve transferring \$22,000 from economic savings to economic checking for payment of LB840 grant to Kidz Corner Clubhouse. Voting aye: Kester, Schlecht, King, Hart, Kerkman. Voting nay: none. Sheridan-Simonsen asked Kyle Petersen about the necessity of having transfers on the agenda as Neligh does not do it that way. Petersen stated it's a good practice to keep in place for transparency purposes.

Library report presented. LuAnn Schindler presented a bid from Travis Shaffer for replacement of the front wall of the library, stating that he was able to start the next day if approved. Kerkman expressed concern with Shaffer being available when every other contractor is swamped. He wasn't insinuating that Shaffer isn't good at his job but was curious why he was so available. He also asked about the materials being used, especially the door. Schindler stated they planned on using a residential exterior door. Kerkman informed her that the high volume of use the door would see would mean replacing it every year or two and that they would be better off getting a tempered glass door or fire door. Commercial doors would also have a push-bar opening which is likely required for fire safety. Hupp stated Paul Ruterbories likely included the front wall in his bid for the library remodel as well that should be considered. The board postponed a decision until the November meeting and asked that Shaffer present an updated bid with materials listed out. The board was also presented a year-in-review letter from the librarian.

No park report presented.

Clerk report presented. Hupp and Sheridan-Simonsen attended a land use and zoning class in Norfolk on Sept. 21, presented by Five Rule Rural Planning. A letter was mailed to the Norfolk district Neb. Dept. of Transportation rep in hopes of getting the State to extend the culvert at Main and Hwy. 275 to clean up the walkway. Letters were sent to 13 residents asking for approximately 20 unlicensed vehicles to be licensed or removed. Hupp is getting information from area engineers to present to the board in November in case they want to change companies for village engineer/street superintendent. The library furnace didn't work when it was turned on Oct. 5 so Hupp called Dustin Wright to come look at it. He cleaned a sensor but it appeared to be working otherwise and told Hupp to call if there were more issues. Kerkman said he was told that a lift station needed to be added to a building being constructed at 105 Nevada St. and asked if the village needed to do anything for it. A lift station on private property is the responsibility of the landowner. Kerkman also mentioned that a shredding truck is being hosted at The Office on Oct. 19 from 3-5 p.m. in the back parking lot and the public is invited to bring papers to be shredded.

Hupp updated the board on the status of selling the duplexes. There is one person currently working to complete the application but no applications have been received by CDS Inspections.

Motion by Hart, seconded by King, to approve Drawdown #3 payment of \$1,118.75 to NENEDD for administrative services and \$3,450 to Five Rule Rural Planning for planning services to be paid by DTR grant funds with \$345 coming from local match. Voting aye: Hart, King, Kerkman, Kester, Schlecht. Voting nay: none.

Motion by Kerkman, seconded by Hart, to approve Sept. 1, 2023 to Aug. 31, 2024 interlocal agreement between Antelope County and Antelope County Library Association, including Clearwater Public Library. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Sheriff's hours reported. September hours were 56.47 with one 911 call.

Unfinished business presented. Due to delays by the contractor, demolition of 301 Second St. was not completed by the Oct. 1, 2023 deadline. Since circumstances are beyond the owner's control, the board asked that they be kept up to date on the progress and the owner continue to pursue demolition as soon as possible.

Kerkman presented the article/ad Summerland Advocate-Messenger placed in the paper free of charge, letting Clearwater residents know about nuisance violations they should be aware of needing to fix. The board was appreciative, especially when Schindler stated she will print one every quarter, with information acquired from Hupp.

Confirmed next meeting on Monday, Nov. 13, 2023 with a time change to 7 p.m.

Motion by Hart, seconded by Schlecht, to approve claims and payroll. Claims: \$110,598.22; wages: \$7,235.85. Voting aye: Hart, Schlecht, Kerkman, King, Kester. Voting nay: none.

General Checking

Topkote Inc., srv, 46,068.99; Five Rule Rural Planning, sch, 100.00; Nebraska Mediation Center, srv, 200.00; Kayton International, sup, 2,500.00; Bomgaars, sup, 102.98; Carhart Lumber, sup, 586.11; WEX Bank, fuel, 543.11; Precision IT, srv, 36.00; NNTC, util, 149.05; ERPPD, util, 1,272.65; Black Hills Energy, util, 106.15; ColdType Publishing, adv/rent, 1,040.52; Clearwater Public Library, tnfr, 2,250.00; Jarecki Sharp Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,302.25; Economic Savings, tnfr, 2,655.42; General Savings, tnfr, 2,655.42; Neb. Dept. of Revenue, tx, 1,482.86; EMC Insurance, ins, 4,106.70; Payroll, pay, 6,114.79.

**VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING
OCTOBER 9, 2023**

Water/Sewer Checking

City of Neligh, sup, 4.66; Flenniken Electric, srv, 3,093.98; Neb. Public Health Enviro Lab, srv, 15.00; Municipal Supply Inc., sup, 156.61; USA Blue Book, sup, 106.63; ERPPD, util, 709.84; KF Repair, srv, 200.00; Clearwater Market, sup, 22.78; US Post Office, srv/sup, 191.80; Bud's Sanitary Service, srv, 2,640.25; Neb. Dept. of Revenue, tx, 564.05; Water/Sewer Savings, tnfr, 6,000.00.

Economic Checking

Lauren Sheridan-Simonsen, reimb, 31.50; Kidz Corner Clubhouse, LB840, 22,000.00; ColdType Publishing, rent, 60.00.

Fire Checking

Quick Med Claims, srv, 67.61; Northeast Community College, sch, 736.50; Lazy T Tire & Implement, rpr, 1,194.88.

Grant Checking

NENEDD, srv, 1,118.75; Five Rule Rural Planning, srv, 3,450.00.

Library Checking

Precision IT, rpr, 269.87; Clearwater Market, sup, 5.30; Nebraska Library Commission, dues, 500.00; Payroll, pay, 1,121.06.

Motion by Schlecht, seconded by Kester, to enter executive session to discuss ongoing litigation and prevent needless injury to an individual at 9:34 p.m. Voting aye: Schlecht, Kester, King, Hart, Kerkman. Voting nay: none.

Motion by Kester, seconded by King, to exit executive session at 9:45 p.m. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Motion by Kerkman, seconded by Schlecht, to adjourn the meeting. Voting aye: Kerkman, Schlecht, King, Kester, Hart. Voting nay: none. Meeting adjourned at 9:45 p.m.

Chairperson Kelly Kerkman

Clerk Angie Hupp