

# VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF SPECIAL MEETING JANUARY 15, 2024

The Board of Trustees of the Village of Clearwater met for a special meeting Monday, January 15, 2024 at 7 p.m., in the fire hall meeting room. Purpose of the meeting was to consider all agenda items that were outlined in the agenda for the January 8, 2024 regular meeting as well as emergency matters and those requiring resolution prior to the regular February board meeting. Meeting opened at 7 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, Jeff Schlecht. Others present: Clerk Angie Hupp and Maintenance Operator Troy Behnke. Brian King arrived at 7:05 p.m.

Motion by Hart, seconded by Kester, to approve the December 13, 2023 regular and reorganizational meeting minutes as presented. Voting aye: Hart, Kester, Schlecht, Kerkman. Voting nay: none. Absent: King.

Motion by Hart, seconded by Schlecht, to approve monthly treasurer's report as presented and place on file. Voting aye: Hart, Schlecht, Kester, Kerkman. Voting nay: none. Absent: King. Clerk Angie Hupp presented a quarterly treasurer's report as requested by the board at the budget hearing. Hupp explained it was a rough draft and asked if there was anything else the board would like to see. Hart asked for the budget numbers from each expense category to be included so they knew where they were in each.

Motion by Kester, seconded by Schlecht, to approve NAHTF Drawdown #8 for \$2,000.00 for grant administration to Miller & Associates. This will be the final payment for the NAHTF grant. Closing papers will be completed soon. Voting aye: Kester, Schlecht, Kerkman, Hart. Voting nay: none. Absent: King.

Discussion held regarding letter from Miller & Associates replying to the Village letter releasing them as street superintendent and village engineer. The Village's letter stated they would continue with M&A on contracts for the lagoon and NAHTF grants, ARPA funds reporting and GIS programming. The M&A response letter stated they will finish up the grant projects, report on ARPA funds through April 2024 and provide the Village with the paperwork to continue on their own, and provide one day of training for GIS equipment before having the Village find someone else to continue the project and data hosting. Kerkman asked if the Village had separate contracts signed for the ARPA and GIS items, and Hupp stated they did. Kerkman told Hupp to call M&A and remind them of the contracts and ask if they're sure they want to terminate everything as that was not the Village's intention.

Motion by Kerkman, seconded by Hart, to approve the building permit application of Two Bills Steakhouse to replace the L Bar B sign with a new one for Two Bills. Kerkman stated he wasn't sure a building permit was required but appreciated that they submitted one. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Economic development report presented by Hupp. Hupp and Lauren Sheridan-Simonsen painted the telehealth room and were waiting for the final touches before placing the desk and equipment. A ribbon cutting with the Chamber of Commerce will be held soon and a postcard will be mailed to all residents in the 68726 zip code.

Maintenance report presented. Troy Behnke stated he has begun inventory and a daily log. He plans to present a month at a time from the daily log at the board meetings. Behnke discovered the sand spreader motor had rusted through and needed to be replaced. It was a special kind so it had to be ordered. He could order one from Reinke's Farm & City Service, but it would be a pull start. For another \$100 he could order the correct one from the manufacturer.

Motion by Kester, seconded by King, to approve purchasing the motor from the manufacturer. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Library report presented by Hupp. The library was closed during the Christmas holiday and again during the snowstorm and frigid temperatures. The library's policy states they will be closed when the schools close for weather-related reasons. The library is looking into a \$10,000 grant from Ak-Sar-Ben to be used toward the remodeling project. They are also planning a Music Bingo fundraiser in February. Kerkman told Hupp to let them know the Legion would probably be unavailable due to their remodel beginning. Hupp let the board know she is working with the village engineer as well as the architect from the DTR project to get a more complete Request for Proposals put together to send to contractors. Hupp hopes the board will be able to open bids at the April meeting, giving them time to figure out if they have ARPA funds left to use for something else so they have that information in time for the April 30 ARPA reporting deadline.

Park report presented. Now that the ground is more frozen, Behnke will remove the little building in the northwest corner of the playground.

No sheriff report presented. Discussion was held regarding whether the weather would cooperate for the sheriff to clean 307 Montana St. before the next court date at the end of January. Kerkman stated he would call Sheriff Moore and talk to him about it.

No clerk report presented.

Motion by Schlecht, seconded by Kester, to approve a contract with Bud's Sanitary Service at \$18 per active water meter, effective Feb. 1, 2024 through Jan. 31, 2026. Voting aye: Schlecht, Kester, King, Hart, Kerkman. Voting nay: none.

Motion by Hart, seconded by Kerkman, to approve Resolution 2024-1 to adopt the 2024 local legislation supplement adding the late fees to dog tags and amending the monthly meeting time and date. King asked for clarification on the vacant property registration that was adopted last year. He asked about the fees that are listed and if that meant he had to pay \$1,000 every six months. Hupp explained that he is in the process

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of removing his vacant house so he doesn't have to pay the fees. Kerkman said no residents are paying the fees at the moment. Voting aye: Hart, Kerkman, Schlecht, Kester, King. Voting nay: none.

Kerkman opened the only bid for armor coating 18 blocks in 2024. Topkote bid \$3.22 per square yard of armor coat oil and rock. Hart asked about the rock the Village furnished last year for armor coating and Behnke stated he still had some. The board wanted a second quote from Topkote for just the oil to see if it was cheaper to furnish the rock separately through Spencer Quarries in Spencer, SD, with Schlecht Trucking delivering as was done last year. Schlecht stated they could get the rock even cheaper if the Village set up an account directly with Spencer Quarries so he was going to give their contact information to Hupp.

Motion by Hart, seconded by Kester, to approve hiring Topkote to armor coat 18 blocks of Village streets in 2024, once more information was provided. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Unfinished business presented. The board has not found anyone to be on the CORE board so it will be postponed until next month.

New business presented. Monday, Feb. 12 at 7 p.m. confirmed for next meeting. Kerkman will be out of town so Kester will run the meeting.

Before leaving, Behnke mentioned he is on a different power grid at his house so if the power goes out in town, someone needs to call him and let him know so he can check the wells.

Motion by Kester, seconded by Schlecht, to enter executive session at 7:31 p.m. to discuss legal litigation. Voting aye: Kester, Schlecht, King, Kerkman, Hart. Voting nay: none.

Motion by Kester, seconded by Hart, to exit executive session at 7:41 p.m. Voting aye: Kester, Hart, Kerkman, Schlecht, King. Voting nay: none.

Motion by Kester, seconded by Hart, to approve the Memorandum of Understanding with the Antonia Martinez family, as presented by mediation through the Nebraska Mediation Center. Voting aye: Kester, Hart, King, Schlecht, Kerkman. Voting nay: none.

Since attorney Kyle Petersen did not attend the meeting, there was no new information regarding hiring an accountant to audit the lagoon project. Discussion was postponed until the next meeting.

Motion by Hart, seconded by King, to approve claims and payroll. Claims: \$31,497.11; wages: \$7,257.99. Voting aye: Hart, King, Schlecht, Kerkman, Kester. Voting nay: none.

**General Checking**

Farmers Pride, fuel, 281.31; Bomgaars, sup, 469.03; Quill, sup, 106.56; NNTC, util, 157.87; Precision IT, srv, 36.00; Neligh Auto & Machine, sup, 181.12; ERPPD, util, 1,249.94; Clearwater Public Library, tnfr, 2,250.00; Jarecki Sharp Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,302.25; Economic Savings, tnfr, 2,010.45; General Savings, tnfr, 2,010.45; Petty cash, cash, 73.22; Neb. Dept. of Revenue, tx, 1,538.12; Western Oil II, LLC, fuel, 282.06; ColdType Publishing, adv, 870.08; Black Hills Energy, util, 598.70;. Capital One Spark Card, sup, 171.84; EMC Insurance, ins, 4,106.67; Payroll, pay, 6,152.29.

**Water/Sewer Checking**

Neb. Public Health Enviro Lab, srv, 462.00; One Call Concepts, srv, 2.78; ERPPD, util, 802.99; NeRWA, sch/dues, 695.00; US Post Office, sup, 136.80; Bud's Sanitary Service, srv, 3,437.00; Neb. Dept. of Revenue, tx, 572.33; Water/Sewer Savings, tnfr, 3,000.00.

**Economic Checking**

Eakes Office Solutions, sup, 59.32; ColdType Publishing, rent, 60.00; Carhart Lumber Co., sup, 92.97; Capital One Spark, sup, 755.43.

**Fire Checking**

Joe Thiele Electric, rpr, 114.32; Antelope Memorial Hospital, sup, 810.50; Heartland Fire Protection, rpr, 135.00.

**Grant Checking**

Miller & Associates, srv, 2,000.00.

**Library Checking**

Library Savings, tnfr, 365.00; Payroll, pay, 1,105.70.

**Credit Card**

US Post Office, srv, 29.90; Best Buy, sup, 579.99; Menards, sup, 122.34; Ardisam, sup, 49.50; Amazon, sup, 175.44.

Motion by King, seconded by Schlecht, to approve adjourning meeting. Voting aye: King, Schlecht, Kerkman, Hart, Kester. Voting nay: none. Meeting adjourned at 7:43 p.m.

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Chairperson Kelly Kerkman

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Clerk Angie Hupp