

# VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING APRIL 8, 2024

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, April 8, 2024 at 7 p.m., in the fire hall meeting room. 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, Brian King, Jeff Schlecht. Others present: clerk Angie Hupp, maintenance operator Troy Behnke, economic development director Lauren Sheridan-Simonsen, attorney Kyle Petersen and reporter LuAnn Schindler.

Motion by Hart, seconded by Kester, to approve the regular meeting minutes from March 11, 2024 as presented. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

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

Three haying bids were opened and considered. Bid one was \$1,500 from Eli Jacob. Bid two was \$1,500 from Jeremy Sanne. Bid three was \$1,800 from Jay Snider.

Motion by Kester, seconded by Schlecht, to award Jay Snider the hay bid for 2024. Voting aye: Kester, Schlecht, King, Kerkman, Hart. Voting nay: none.

Motion by Kerkman, seconded by Hart, to approve haying contract draft and sign beginning with 2024 haying season. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Discussion held regarding insurance valuations. Motion by Schlecht, seconded by Kerkman, to leave valuations as is and to not add the car wash building or second storage shed at water tower. Voting aye: Schlecht, Kerkman, Hart, Kester, King. Voting nay: none.

Discussion held regarding two quotes for weed spraying and fertilizing park. Y&Y Lawn Care out of Laurel quoted \$2,850. Tip Top Lawn Care out of Orchard quoted \$2,368.

Motion by Hart, seconded by Kester, to approve quote from Tip Top Lawn Care for \$2,368 for 2024 spraying season. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Motion by Kester, seconded by King, to approve paying Municipal Supply Inc. of Omaha claim of \$4,170 with USDA lagoon grant funds. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Economic development report presented. Lauren Sheridan-Simonsen announced that Clearwater did not get the Showcase Community award this year, but she intends to apply again next year. She is developing a plan to present Workforce Housing TIF to the board to help develop Clearwater housing. A new housing study will be required to comply with state statutes. There are grants available to assist. Two Bills Steakhouse is hoping to have a grand opening on April 15. Bobbi Pettit has developed a community survey for the DTR project. Once the board approves, it will be available online and be mailed out with utility bills.

Maintenance report presented. Troy Behnke stated that community help will be required to comply with new federal regulations finding lead water lines by October 2024. Hart suggested sending something out with utility bills for that too as well as having info available at wing nights at the Legion. Behnke and clerk Angie Hupp explained that they are working to find a solution to GIS website hosting so the programming and training can move forward. Since Miller & Associates is no longer going to host the Village, they are uncomfortable allowing the Village to use their site for training so the Village either needs to develop their own host page or find someone else. Hupp has a meeting with one company on Thursday and will be scheduling one with another company soon. Kerkman asked Behnke about things on the whiteboard in the Village office that need to be completed. There is a list of meters that aren't working correctly. Behnke said he will have that done by the next meeting. The board also pointed out that it's pothole repair season and ditches will need to be cleaned out before the rains come. Behnke asked if he should spray mosquitoes from May 1 through September like in the past and the board agreed. Kerkman also asked Behnke to put the fence up around the trailer by the park and call Spud Trucking or James Bolling to get the rest of the concrete moved to the creek bed at the lagoon.

Motion by Kester, seconded by Schlecht, to approve purchase of bristle broom for mower to replace the worn one. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Library report presented. LuAnn Schindler told the board that she, Kathy Feusse, Hart and Hupp met with architect Patrick Moore on Mar. 29 to discuss the library remodel, what was needed, wanted and feasible. Now we wait for his plans. Schindler also stated they are going to apply for a History Nebraska grant that would help pay for the project.

Park report presented. Behnke said doors for the bathrooms have been ordered and he will soon begin preparing the baseball field.

Clerk report presented. Hupp said Kate Ahlers asked if she could purchase some gravel from the Village for her driveway. Hupp or Behnke are supposed to clarify if she means the red rock that was used on the streets last year. That is the only rock the Village currently has. Behnke will figure out if there is enough before she is allowed to buy any. Hupp attended a floodplain ordinance webinar and will be working with the Nebraska Dept. of Natural Resources to create an updated one to present for approval at the May meeting. The most recent one DNR has is from 1978 and the Village is required to keep them up to date. Hupp requested quotes from McNally Law Office and American Legal Publishing to update the code book. These quotes will be reviewed at the May meeting. Discussion was held regarding the fact that a resident who only pays for trash service is three months behind on payments. Trash has not been stopped in the past when someone's water is turned off for nonpayment so Hupp wasn't sure how to handle it. The board suggested sending a certified letter asking them to make their account current.

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No sheriff's report presented.

Unfinished business presented. Sheridan-Simonsen asked Elizabeth Odell last month if she was interested in being on the CORE board. She considered it, but ultimately decided now was not a good time so the Village board still needs to find another CORE member.

Brief discussion held on creating a subdivision where the little baseball field is. Will need to wait and see what the engineer comes up with. Hart is concerned about getting rid of Village-owned land in case it is needed for something down the road.

Discussion held regarding creating an insufficient funds policy. Kerkman asked Hupp what the bank charges the Village and if there are a lot of people who consistently have returned checks. Hupp said the bank hasn't charged the Village anything and there are only one or two people who have the problem on a regular basis. The board decided not to implement a policy until the bank started charging or there was more of a problem.

Discussion held regarding creating an expenditure policy. Behnke stated he would like one for clarity on when he needs to ask the board to buy something. Hupp provided two samples from other towns. Motion by Kerkman, seconded by Kester, to approve setting up a policy based on example 15d-1 of the packet. Voting aye: Kerkman, Kester, King, Schlecht, Hart. Voting nay: none.

New business presented. Spring clean-up time is coming. Kerkman told the board he felt that paying for a month's worth of dumpsters was too much. That people didn't use them as intended and it allowed too much time for people outside of Village limits to dump their trash. The board agreed to back it down to the last two weeks of May this year and see how it goes.

Board confirmed next regular meeting date of May 13. Hart will be out of town.

Attorney report presented. Kyle Petersen stated that he attended court on March 27 regarding the 207 Montana St. property. Sheriff Moore had attended the March board meeting and stated he would have the property cleaned up the following week, however, he became ill and wasn't able to complete the task. The court told Petersen he would be allowed to postpone the cleaning date if it wasn't completed by May 29 without returning to court.

Motion by Kester, seconded by King, to enter executive session at 7:51 p.m. to receive legal advice. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Motion by Kester, seconded by Schlecht, to exit executive session at 7:58 p.m. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Motion by Hart, seconded by King, to approve claims and payroll. Claims: \$36,497.21; wages: \$7,416.51. Hupp pointed out that the amount for lawn care wasn't on the list because it was unclear which company would be hired but would be part of the bills, as well as Black Hills Energy because their bill wouldn't be available until later in the week. Voting aye: Hart, King, Schlecht, Kerkman, Kester. Voting nay: none.

**General Checking**

Bomgaars, sup, 113.78; Carhart Lumber Co., sup, 20.50; ERPPD, util, 1,218.57; Precision IT, srv, 36.00; Farmers Pride, fuel, 262.72; Neligh Auto & Machine, sup, 66.18; NNTC, util, 156.40; Western Oil II, LLC, fuel, 515.20; ColdType Publishing, adv/rent, 882.40; Lichtenberg Tire Pros, srv, 595.99; Tip Top Lawn Care, 2,368.00; Black Hills Energy, util, 405.38; Clearwater Public Library, 2,250.00; Jarecki Sharp Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,302.25; General Savings, tnfr, 1,939.12; Economic Savings, tnfr, 1,939.12; Neb. Dept. of Revenue, tx, 1,643.38; Payroll, pay, 6,180.63.

**Water/Sewer Checking**

Municipal Supply Inc., sup, 305.26; Neb. Public Health Enviro Lab, srv, 259.00; Flenniken Electric, rpr, 6,675.00; Comfort Inn, srv, 229.90; One Call Concepts, srv, 9.56; ERPPD, util, 759.99; Jose & Sara Contreras, reimb, 3.80; US Post Office, sup, 136.00; Bud's Sanitary Service, srv, 3,442.00; Neb. Dept. of Revenue, tx, 573.69; Capital One Spark Card, srv, 152.40; Water/Sewer Savings, tnfr, 3,000.00.

**Economic Checking**

ColdType Publishing, rent, 60.00.

**Fire Checking**

Quick Med Claims, srv, 73.22; Antelope Memorial Hospital, sup, 437.63.

**Library Checking**

Tammy Marshall, sup, 60.00; Clearwater Market, sup, 8.34; Capital One, sup, 126.43; Payroll, pay, 1,235.88.

**Grant Checking**

Municipal Supply Inc., srv, 4,170.00.

**Credit Card**

US Post Office, srv, 152.40; Amazon, sup, 51.43; Cleanbrowsing, sub, 75.00.

Motion by Hart, seconded by Schlecht, to approve adjourning meeting. Voting aye: Hart, Schlecht, King, Kester, Kerkman. Voting nay: none. Meeting adjourned at 7:59 p.m.

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Chairperson Kelly Kerkman

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Clerk Angie Hupp