

# VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING OCTOBER 14, 2024

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, October 14, 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. Others present: clerk Angie Hupp, attorney Kyle Petersen, Jay Snider. Jeff Schlecht arrived at 7 p.m. after roll call was taken.

Motion by Hart, seconded by Kester, to approve minutes of Sept. 9, 2024 budget and tax request hearing as presented. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Motion by Kester, seconded by King, to approve minutes of Sept. 9, 2024 regular meeting as presented. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Motion by Hart, seconded by King, to approve treasurer's report as presented and place on file. Voting aye: Hart, King, Schlecht, Kerkman, Kester. Voting nay: none. Quarterly treasurer's report for 2023-2024 fiscal year was presented. Hart pointed out several categories that were not budgeted correctly and even though it's too late to adjust the 2024-2025 budget, it's something they'll need to keep in mind for the future.

Hearing and ordinance regarding annexation were postponed until next month. Clerk didn't notify all affected property owners so planning commission will need to hold another hearing.

Motion by Hart, seconded by Kester, to approve manager amendment from Kathy Ahlers to Jamie Hart for Clearwater Market Class D liquor license. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Motion by Hart, seconded by Schlecht, to approve designating \$50,000 in general fund to street department. Clerk Angie Hupp noted it should have been done at the Sept. meeting to end the fiscal year. Voting aye: Hart, Schlecht, Kerkman, Kester, King. Voting nay: none.

Economic development report presented by Hupp. Economic Development Director Lauren Sheridan-Simonsen still working on electric vehicle charging station idea. Original plan was to place next to newspaper office but Two Bills has suggested it be placed on their property. Grant funds of 90 percent of cost are available to Village. Attorney Kyle Petersen stated that if Village places a station on property not owned by Village, a long-term lease should be signed to protect availability. Several economic divisions will visit Clearwater on Oct. 23 as part of a business retention and expansion visit as required for Leadership Certified Community application. Discussion on grants and workforce housing TIF will be held at Nov. meeting with Sheridan-Simonsen.

No maintenance report presented.

Library report presented. Librarian requires new laptop. Board stated as long as it's in the library budget, they are fine with the purchase. Per procedure, library will need to present quotes for approval.

Motion by Kester, seconded by Kerkman, to approve resignation of Jolene Timm from library board. Voting aye: Kester, Kerkman, Schlecht, King, Hart. Voting nay: none.

Park report presented. Veterans' park board would like underground sprinklers installed in small grassy section. Kerkman stated it shouldn't cost more than \$500, especially if Bob Kester volunteers labor, which they've been told is a possibility. Motion by Kerkman, seconded by Schlecht, to approve cost of installation of underground sprinklers on grassy section of veterans' park. Voting aye: Kerkman, Schlecht, King, Kester, Hart. Voting nay: none.

Grant report presented. Concrete poured for lagoon shed and building supplies have been delivered to school.

Motion by Schlecht, seconded by Hart, to approve Parra Boyz Construction claim of \$2,070 for lagoon shed concrete to be paid with USDA grant funds. Voting aye: Schlecht, Hart, Kerkman, King, Kester. Voting nay: none.

Clerk report presented. Utility billing program switched to new system on Sept. 25 and it was not a smooth transition. Hupp gained permission from Kerkman earlier in month to waive late fees for that billing cycle because issues were still being dealt with. Hupp questioned status of water at 609 First St. shop since it has always appeared to be off but had been used this summer. Discussion held that if there is a sink, not just a hydrant, in the shop, they should be charged sewer too and if water is active, trash needs to be charged as well. Hupp will contact owner for more information. Hupp spoke with an area clerk who suggested having sheriff's department deliver code enforcement letters instead of spending \$5+ per letter for mail certification. Hupp spent two weeks and several phone calls to the sheriff's office to get some letters delivered. Board hopes delivery will go more smoothly in future. Sargent Drilling annual well test report was presented with no issues. Engineer John Zwingman hopes to have more information on proposed subdivision and River Rd. paving at Nov. meeting. Owners of 205 Montana St. have grandson living in a camper. Property had previously been vacant, so only water is being paid for. Sewer and trash will need to be added. Discussion held regarding zoning regulations that don't allow campers to be used as permanent residences. Petersen stated owners will need to file an application and get board approval. Hupp reminded board that contracts to use ARPA funds need to be completed before end of the year. Hupp asked if board remembered building permit for 303 Nevada St. garage add-on. Kester stated he thought there'd been one a few months ago. Hupp told board several dates in next couple of weeks where she will be out of the office.

Discussion held regarding new utility program from gWorks. Hupp discovered after the system was in place that automatic payments, or ACH, are not included and that a separate part of the program called FrontDesk has to be purchased. If FrontDesk is purchased, the Village will be contracted for the entire system

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once the finance and payroll programs are installed. With the full program, Village is required to use gWorks' credit card system that charges higher fees than current Nebraska PayPort program. Village would also be charged an additional \$5 per month on top of annual subscription of \$5,400 and would have to charge residents who utilize ACH \$1.35-1.95 per month per transaction. Board didn't feel comfortable charging residents for paying their bill on time, so decided not to add FrontDesk at this time.

No sheriff's report or unfinished business presented.

Motion by King, seconded by Kerkman, to approve wage of \$20 per hour for Steve Hankla and Paul Horman mowing help. Voting aye: King, Kerkman, Hart, Kester, Schlecht. Voting nay: none.

Confirmed next regular meeting date of Nov. 11, 2024 at 7 p.m.

Public comment period. Jay Snider, of 608 Colorado St., spoke to board regarding Village property he's still interested in purchasing along Montana St. Snider suggested contract of \$500 for entire section of 1.377 acres with an addendum that Village can purchase portion of it back if proposed subdivision is built. Schlecht asked if Snider would be allowed to back out of selling land back and Petersen stated not without risking a lawsuit. Kerkman asked Snider if there was a reason not to wait a few months until decisions regarding subdivision were made. Kester said could square lot like Village's original intention then see what happens with development. Petersen pointed out a resolution for sale would take several months anyway. Snider also asked about using shipping containers. Board told him it's against ordinance regulations to build with in residential areas.

Motion by Kester, seconded by Hart, to enter executive session for legal advice and potential litigation at 7:39 p.m. Voting aye: Kester, Hart, Kerkman, Schlecht, King. Voting nay: none.

Motion by Kester, seconded by Schlecht, to exit executive session at 8:03 p.m. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Motion by Schlecht, seconded by Hart, to approve amended claims. gWorks check #18868 for \$5,400 will be replaced with gWorks check #18844 for \$2,893. Claims: \$43,462.35; payroll: \$7,651.64. Voting aye: Schlecht, Hart, Kerkman, Kester, King. Voting nay: none.

**General Checking**

Clearwater Market, sup, 34.17; Spencer Quarries, Inc., sup, 2,932.73; gWorks, sub, 2,893.00; ERPPD, util, 2,759.98; NNTC, util, 168.79; ColdType Publishing, adv/rent, 1,103.13; Orval's Auto Service, sup, 224.95; Western Oil II, LLC, fuel, 272.68; Precision IT, srv, 36.00; Black Hills Energy, util, 89.12; Farmers Pride, fuel, 271.73; Applied Connective Tech, sup, 3,703.44; Clearwater Public Library, tnfr, 2,250.00; Jarecki Sharp Petersen, lgl, 412.50; Antelope Co. Sheriff, srv, 1,302.25; General Savings, tnfr, 2,852.80; Economic Savings, tnfr, 2,852.80; Neb. Dept. of Revenue, tx, 1,533.94; Capital One, sup, 404.94; EMC Insurance, ins, 4,646.50; Payroll, pay, 6,749.34.

**Water/Sewer Checking**

Neb. Public Health Enviro Lab, srv, 457.00; One Call Concepts, srv, 7.12; Sargent Drilling, 1,400.00; ERPPD, util, 807.46; Bud's Sanitary Service, srv, 3,424.00; US Post Office, sup, 219.00; Neb. Dept. of Revenue, tx, 591.35; Capital One, srv, 46.25; Water/Sewer Savings, tnfr, 3,000.00.

**Economic Checking**

ColdType Publishing, rent, 60.00; Shamrock Nursery, sup, 36.21.

**Fire Checking**

Heartland Fire Protection, srv, 348.55; Quick Med Claims, srv, 146.82.

**Library Checking**

Clearwater Market, sup, 20.15; Capital One, sup, 82.99; Payroll, pay, 902.30.

**Grant Checking**

Parra Boyz Construction, srv, 2,070.00.

**Credit Card**

US Post Office, srv, 46.25; Amazon, sup, 487.93.

Motion by Hart, seconded by Kerkman, to close meeting and adjourn at 8:04 p.m. Voting aye: Hart, Kerkman, Schlecht, King, Kester. Voting nay: none.

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Chairperson Kelly Kerkman

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Clerk Angie Hupp