

# VILLAGE OF CLEARWATER, NEBRASKA REGULAR MEETING MINUTES FEBRUARY 9, 2026

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, February 9, 2026, 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: Marsha Hart, Cody Kester, Brian King, Jeff Schlecht. Others present: Clerk Angie Hupp, Maintenance Operator Troy Behnke, Attorney Kyle Petersen, LuAnn Schindler. Absent: Kelly Kerkman.

Motion by Kester, seconded by Schlecht, to approve absence of Kelly Kerkman. Voting aye: Kester, Schlecht, Hart, King. Voting nay: none. Absent: Kerkman.

Motion by King, seconded by Hart, to approve minutes of January 12, 2026 regular meeting as presented. Voting aye: King, Hart, Kester, Schlecht. Voting nay: none. Absent: Kerkman.

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

Public comment heard. LuAnn Schindler spoke on behalf of Chamber, 200 Iowa St., asking Village not to create its own social media posts for advertising rodeo and concert, as there were some incorrect statements last year. Village will only share Chamber posts from now on.

John Shaver was scheduled to attend meeting to discuss possible police service consolidation with Ewing and Orchard. Since Shaver was unable to attend, discussion was moved to March. King not sure paying more than already paid to county worth it. Kester worried about one person successfully serving three communities. More discussion to be held next month.

Discussion regarding water and sewer rates. Rates need to be increased based on study performed for Village by Nebraska Rural Water Association. Accounts operating at loss with no ability to save for emergencies or large projects. *Summerland Advocate-Messenger* ran article in paper last week. Hart asked LuAnn Schindler, 522 Main St., if she'd heard any comments after publishing article. Schindler heard two: one person stated that can't keep it at \$5 forever and another wondered how low accounts could be if transferring funds from one water/sewer account to another. Schindler stated that people should expect to pay enough for water and sewer to cover system costs and no one can complain if they don't attend meetings where it's discussed. Board reviewed rates from Ewing, Orchard and Elgin as well as comparisons provided by NeRWA. Troy Behnke mentioned cost of water sample testing that's required by State. Costs to test samples vary from \$900 to over \$3,000 per year, not including Behnke's time and shipping. Angie Hupp said State may be increasing pricing next year for first time in 10 years. Board discussed increase of water from \$5 to \$12 flat rate, from \$2 to \$2.75 per 1,000 gallons up to 5,000 and from \$1 to \$1.75 per 1,000 gallons over 5,000, as suggested in study, plus modeling Elgin and adding \$1 monthly surcharge to help cover costs of water sample testing. Schlecht stated still cheaper than anyone else at those prices. Discussed sewer increase from \$43.50 to \$51.50 flat rate, splitting difference between current and suggested rates. Ordinance will be discussed and possibly approved at March meeting and board will review rates again next year.

Discussion with attorney regarding amending veterans' park maintenance agreement. Kyle Petersen explained wording in section 3.4 of agreement that concerned committee at January meeting. Mention of insurance isn't mandatory for committee to cover; it means if committee wants insurance beyond what Village provides, or liability insurance for committee members, committee is responsible, not asking Village to fund it. Board suggested several amendments including section 4.1 for capital improvements and approval of new alterations/memorials in Exhibit B, belonging to committee not village. Board also stated desire for committee to review agreement again before approval by Board to make sure everything is clear on both sides.

Motion by Kester, seconded by Schlecht, to waive three readings of Ordinance 2026-1 granting Elkhorn Rural Public Power District non-exclusive rights to operate and provide electricity and necessary equipment to Village. Voting aye: Kester, Schlecht, Hart, King. Voting nay: none. Absent: Kerkman.

Motion by Kester, seconded by King, to approve Ordinance 2026-1 granting to the Elkhorn Public Power District, a public corporation and political subdivision of the State of Nebraska, its successors and assigns, the non-exclusive right and franchise to erect, operate, maintain, repair, replace and remove an electric light and power distribution system in the Village of Clearwater, Nebraska; prescribing the terms and conditions thereof; providing for an expiration date coterminous with the professional retail operations agreement; limiting rates; and providing for publication and effective date. Voting aye: Kester, King, Schlecht, Hart. Voting nay: none. Absent: Kerkman.

Maintenance report presented by Behnke. Only pushed snow once so far this winter. Has spent time cleaning and organizing shop.

Discussion held regarding recycling trailer opportunities. Behnke spoke to Neligh compactor employee who told him they have forklift to unload trailer if needed. Based on residents who already take items to Neligh, they expect to see Behnke unloading trailer, or portions of it, at least twice a week. Neligh has Pro-tainer trailer for residential pick-ups and is easier to unload than looks in photo. They accept glass, newspaper, magazines, cardboard, aluminum cans, tin cans and three kinds of plastic. Kester asked if all tape and labels had to be removed from cardboard. Hupp explained it was required temporarily because of company they worked with, but not anymore. Board worried about time Behnke will spend monitoring, removing unacceptable contents, and taking to Neligh. Schindler asked if there's specific timeframe for use of trailer since utilizing grant funds and if items accepted could be changed. Hart told Hupp to ask grant funding company before next meeting.

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Motion by Schlecht, seconded by King, to approve getting street millings from State. Behnke understanding that millings are free, but Village needs equipment to load and semi-truck to deliver. Voting aye: Schlecht, King, Kester, Hart. Voting nay: none. Absent: Kerkman.

Motion by Kester, seconded by Hart, to approve advertising for summer help. Depending on response, will address possible advertising for contract mowing for at least cemetery at March meeting. Voting aye: Kester, Hart, Schlecht, King. Voting nay: none. Absent: Kerkman.

Motion by King, seconded by Kester, to approve fertilizing and weed spraying quote of \$2,242 from Y&Y Lawn Service for park and veterans' park for 2026 season. Voting aye: King, Kester, Hart, Schlecht. Voting nay: none. Absent: Kerkman.

Economic report presented. Planning grant local match was reduced by \$1,000 per Dept. of Economic Development suggestion. Economic Director Lauren Sheridan working on Showcase Community nomination and feels Clearwater has excellent chance of winning.

Library report presented by LuAnn Schindler.

Clerk report presented by Hupp. Deadline for incumbents to sign up for 2026 Village Board election ballot is July 15, non-incumbents is Aug. 1. Received \$525.13 for fourth quarter 2025 keno proceeds, down from previous quarter. First mailing of backflow cross connection surveys sent as required by State every five years. Second survey will be sent in May or June to any who haven't responded and Behnke will go door-to-door for remaining respondents around October as Village required to have 90-100 percent of surveys returned. Company taking soil samples of cell tower construction site should be in town later this week. Hupp spoke with resident who admitted to hitting highway sign in July 2025. Resident stated they spoke with NDOT employee in Neligh immediately and were told they wouldn't have to pay for sign since they reported it. Behnke spoke to same representative and was told Village would have to pay for electrical to repair/replace flashing light. Resident upset by length of time it took to be approached by Village and to receive bill. Also disappointed that Village would ask reimbursement for an accident since not done intentionally or maliciously.

Sheriff report presented by Hupp. October 2025 hours of 80 hours and 59 minutes with two 911 calls; November 2025 hours of 62 hours 10 minutes with seven 911 calls; and December 2025 hours of 64 hours and seven minutes with 12 911 calls.

Motion by Kester, seconded by Schlecht, to approve transferring \$60,000 from water/sewer savings to water/sewer checking to cover Rutjens Construction January invoice for sewer extension project. Voting aye: Kester, Schlecht, Hart, King. Voting nay: none. Absent: Kerkman.

Confirmed Monday, Mar. 9 at 7 p.m. for next regular meeting.

Motion by Hart, seconded by King, to approve claims of \$33,330.42 and payroll of \$7,596.77. Voting aye: Hart, King, Schlecht, Kester. Voting nay: none. Absent: Kerkman.

**General Checking:** Antelope Co. Sheriff, srv, 1,352.25; Bomgaars, sup, 52.98; City of Neligh, srv, 4,846.20; Clearwater Market, sup, 23.27; ERPPD, util, 1,190.86; Economic Savings, tnfr, 2,387.43; Farmers Pride, util, 295.95; Heartland Fire Protection, srv, 220.75; Jarecki Sharp & Petersen, lgl, 300.00; Kayton International-Neligh, sup, 94.57; NNTC, util, 193.94; Neligh Auto & Machine, sup, 34.08; Western Oil, fuel, 243.23; Black Hills Energy, util, 915.06; Orval's Auto Service, sup, 229.95; ALLO Business, srv, 48.00; Y&Y Lawn Service, srv, 2,242.00; Capital One, sup, 647.53; Neb. Dept. of Revenue, tx, 3,447.35; EMC Insurance, ins, 4,768.63; Payroll, pay, 6,730.33.

**Water/Sewer Checking:** ASAP Express, srv, 40.00; Bud's Sanitary Service, util, 3,401.00; ERPPD, util, 749.08; Municipal Supply Inc., of Omaha, sup, 67.78; Neb. Rural Water Association, dues, 250.00; Neb. Public Health Enviro Lab, srv, 15.00; Nichole Sanne, reimb, 33.77; One Call Concepts, Inc., srv, 0.82; US Post Office, sup, 156.00; RVW, Inc., sub, 800.00; Advanced Consulting Engineering Services, srv, 3,689.16; Neb. Dept. of Revenue, tx, 580.85; Water/Sewer Savings, tnfr, 3,000.00.

**Economic Checking:** 319 Graphics & Ts, sup, 36.75.

**Fire Checking:** Heartland Fire Protection, srv, 275.00.

**Library Checking:** Clearwater Market, sup, 22.76; Credit Management Services, pay, 5.00; Payroll, pay, 866.44.

**Credit Card:** Royelle Truck Outfitters, sup, 647.53.

No attorney report presented.

Motion by Schlecht, seconded by King, to approve adjourning and closing meeting. Voting aye: Schlecht, King, Kester, Hart. Voting nay: none. Absent: Kerkman. Meeting closed at 8 p.m.

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Chairperson Pro Tempore Marsha Hart

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Clerk Angie Hupp