The Village of Sutherland Board of Trustees held a Regular Meeting on August 24, 2022, at 6:00 p.m. in the Village of Sutherland Meeting Room, located: 1200 First Street, Sutherland, Nebraska. Notice of this meeting was given by posting notice in four public places, the designated method by the Village Board of Trustees. An agenda for this meeting was kept continuously current and available for inspection at the Office of the Village Clerk. Trustee Members present upon roll call were Scott Meyer, Sam Haworth, Kimberly Backer, and Frank Fleecs and Derek Dempcy. Also, present were Village Clerk/Treasurer Danette Jorgensen, Village Superintendent Casey Kendall, and Village Attorney Rory Roundtree. Guests present were Gene Tacey, Linda Tacey, WCNDD Cody Fenwick, Susan Martinez, Will Martinez, Sue & Bill Forbes, Muriel Clark, Steve Seifer, Mark Dickson, Kelsley Wilkinson. If all the names are not included, it is only by error, absence of signature or undecipherable signature in the guest book.

Chairperson Backer called for a roll call, recognized a quorum was present, and called the Regular Meeting to order at 6:00 p.m.

Board of Trustees and guests rose and recited the Pledge of Allegiance.

Backer gave notice of the open meeting law poster and its location and proper procedure for guests.

Reading and approval for the minutes of the August 10, 2022, Regular Meeting were motioned and approved as corrected by Meyer second Fleecs. Voting yes: Dempcy, Fleecs, Meyer, Haworth, Backer. Motion carried.

Reading and approval for August 3, 2022, Budget work session minutes were motioned to be approved as presented by Fleecs. Second Meyer. Voting yes; Dempcy, Fleecs, Meyer, Haworth and Backer. Motion Carried.

Reading and approval for August 19,2022, Budget work session were motioned and approved as corrected by Haworth. Second Fleecs. Voting yes: Haworth, Fleecs, Meyer, Backer and Dempcy. Motion carried.

Chief’s report was given by the Assistant Chief, Tyrell Wilson. This month they have had 9 fire calls, 26 Unit calls, 4 motor vehicle accidents, 2 codes and 1 stand by. The Department has voted in a new member that is unable to attend this meeting because of his work schedule. They do have another in process and are trying to get another to join. They will try to have the new members come to a meeting later.

**UNFINISHED BUSINESS:** Kendall reported that there is nothing new at this time regarding the fence on North Walnut.

Fire Hall/Department/Merger has nothing new at this time.

There are no updates on ARPA Funding.

Spring Primary Election/Sales Tax is updated through a letter from the Department of Revenue.

Storm/Sewer Drainage was discussed. Village Engineer Werblow suggested having Attorney Roundtree write a letter to both property owners as to what the intentions of the Village are along with a timeline.

Kendall reported that the survey of Village property by Bonnie Edwards has been done but we have nothing back at this time. This will just go with merger. We need to have Bonnie draw up the replat and then send it to the Planning commission.

Water Tank Bids Kendall reports that this can come off he will just add it to the meeting as needed once work begins.

Equipment Fund is on hold until the board finishes the budget.

Budget Workshops were discussed. There was some discussion about having more workshops after getting more details from Bob.

Pumper Truck will be left on future agendas in order to be able to make payment.

Fence Permits issues were discussed at the Planning Commission. Roundtree has helped the commission put it in proper form and outline the steps needed to change the ordinance.

Cody Fenwick with WCNDD said she would wait until later in the meeting to do her presentation.

Off Duty calls & texts compensation was discussed. Employees would have the option to request the compensation or not. Resolution 2022-08-05 was presented. Fleecs stated that the resolution was not listed on the agenda and needed to be placed on the next meeting agenda.

Job Descriptions and training were addressed and discussed, Kendall and Jorgensen are working on the descriptions.

**NEW BUSINESS:**

Fleecs motioned to approve Resolution 2022-08-01 Annual Certification of Program Compliance. Second by Haworth. Voting yes Dempcy, Meyer, Backer, Haworth and Fleecs. Voting no: none. Motion carried.

Maker’s Market was discussed by Muriel Clark. 78 Booths with 51 vendors are signed up at this time for the event.

The Interlocal Library Agreement with County was worked on by Rountree and the County Attorney to get it to the Commissioners meeting. Motioned by Dempcy second by Meyer for the Village of Sutherland approve the Interlocal Library Agreement with Lincoln County. Voting yes Fleecs, Haworth, Backer, Meyer and Dempcy. Voting no: none. Motion carried.

Kendall is willing to help get another smart phone from our government plan to be kept here in the office and used for business of the office. Motioned by Haworth and seconded by Dempcy for the Village to purchase and add an additional smart phone to be kept and used in the Village Clerks office for Village business. Voting yes Dempcy, Haworth, Meyer, Backer, Fleecs. Voting no: none. Motion Carried.

Fleecs informed the board that there were 2 years that the Board did not request the interest for the pool bond. The board will need to request an additional $23,624.44 to cover the interest for 2020 and 2021 in addition of $108,750. Fleecs moved that during the budget request for fiscal year 2022-2023 we request $132,374.44 under the bond request. Second Haworth. Voting yes Backer, Haworth, Fleecs, Dempcy, and Meyer.

Bob recommends that a transfer be made from Electric to General funds of $1,000,000.00 to make the audit and budget balance out. Motioned by Haworth second Meyer. Voting yes Fleecs, Dempcy, Meyer, Haworth, Backer. Motion carried.

In the minutes from July 8, 2020, there was a reference to a transfer that was never made to help build the fire hall. Haworth motioned to make the transfer of $200,000.00 from Ambulance fund to the General fund. Second by Fleecs. Voting yes Backer, Haworth, Fleecs, Dempcy, Meyer. Motion carried.

Hershey State Bank CD $66,130.44 Haworth would like to know where this CD originated from and if it is to be used for something specific.

Two accounts will be needed for the sales tax collection. One that is titled Economic Development and one for infrastructure. Fleecs suggested that the general fund loan $100.00 to each account for set up. The question came up as to where to have these accounts and the Board was wanting Tiffany’s input as to what would be the most convenient.

The Board asked Roundtree to write the letter of understanding for the Growth committee. The Growth Committee is in the process of getting a Grant from the Visitor’s Bureau and they need a letter of understanding from the Village.

Hope Baptist 2nd Replat was presented with a favorable recommendation from the Sutherland Planning Commission. Haworth motioned to approve the Hope Baptist 2nd Replat. Second Dempcy. Voting yes: Dempcy, Meyer, Backer, Haworth, and Fleecs. Voting no: none. Motion carried.

A new Well Permit for Dale Tederman was presented. Discussion was held. Haworth motioned to approve the New Well was motion to approve by Haworth, second Meyer. Voting yes: Backer, Haworth, Fleecs, Dempcy and Meyer. Voting no: none. Motion carried.

Emergency Management that the Village needs to update the list of workers.

It was suggested to have Zoom tied to Kendall’s credit card until a new one arrives for Jorgensen.

Cody Fenwick from WCNDD has sent out some “last chance” letters. They will have remaining properties taken care of by the 31st hopefully. There were 3 properties that have cleaned up so they will need resolutions to rescind. Motioned by Haworth Second by Fleecs to rescind resolution 2022-08-02 2022 SUT 004 701 Union Street. Voting yes: Fleecs, Haworth, Backer, Meyer and Dempcy. Motion carried. Motioned by Haworth second by Meyer to rescind Resolution 2022-08-03 2022 SUT023 1220 South Street. Voting yes: Haworth, Meyer, Dempcy, Fleecs and Backer. Motion carried. Motioned by Haworth second by Fleecs to rescind

Resolution 2022-08-04 2022 SUT 035 120 S Oak Street #4. Voting yes: Haworth, Fleecs, Backer, Meyer and Dempcy. Motion carried. 3 properties that need to be abated. Discussion was held. Backer motioned to abate 2022 SUT 024 1210 South Street. Second by Fleecs. Voting yes Backer, Fleecs, Haworth, Meyer and Dempcy. A Oliveres was present for discussion on his properties that were to be abated. 2022 SUT 025 110S Vine. Cody will drive by to see if the items are taken care of as the owner says. And then the board will sign off if all items are taken care of. Discussion was held and pictures were shown of 2022 SUT 026 PID 0091755.00. The home owner was present and the Board granted the owner an extension of 8 months. Was recommended that he get his building permit started. The property owned by Steve Seifer was requested to be a discussion property. Cody had this property listed as 2022 SUT 021 1520 South Street. After discussion with the home owner and Cody they came up with compromise of what to get cleaned up. The board gave an extension of 8 months on this property also. Here is the summary of the properties that have been worked on: 39 properties have received courtesy letters. 27 properties have cleared. 3 properties have been recommended a Resolution to Rescind. 3 properties were recommended a motion to abate. 1 property has reached motion to abate status.1 property was a discussion item. 2 properties were given an extension. 2 properties are being monitored each month.

Backer motioned to go into executive session at 7:03 P.M. for the purpose of potential litigation. Second by Fleecs. The attorney, clerk and superintendent were asked to stay for the executive session. Voting yes to go into executive session for the purpose of possible litigation Backer, Fleecs, Haworth, Meyer and Dempcy. Voting no: None. Motion carried.

The Village Board came out of executive session at 7:18 P.M. No action was taken.

Resolution 2022-08-06 Regarding Sanctuary City Verification was discussed. Rountree discussed the resolution for the Board and the audience. Motioned by Haworth to have signatures verified through the county clerk that they are Sutherland residents and registered voters. Second by Meyer. Voting yes Fleecs, Haworth, Backer, Meyer, and Dempcy. Voting no: None. Chairperson Backer directed the signatures to be taken to the county clerk first thing in the morning.

**OTHER:**

Claims were presented for a total $344,171.36 for August 24, 2022. Motioned by Meyer to accept as presented. Second Haworth. Voting yes Meyer, Haworth, Backer, Dempcy, and Fleecs.

**Reports:** Superintendent Kendall reported that the pool was in the last weekend of being open if they have enough guards. Hershey has not contacted for mosquito spraying.

Clerk Jorgensen reported trying to get programs switched over. Put Casey and one board member on accounts.

**Trustees Reports:**

S. Haworth-Nothing. S. Meyer-Nothing. F. Fleecs-nothing. K. Backer- Planning commission will be working on updating the fence permits. D. Dempcy-nothing.

Meeting was adjourned at 7:26 P.M.

These minutes are set to be approved at the next regular meeting on September 14, 2022.

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Kimberly Backer, Chairperson

Board of Trustees, Village of Sutherland

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Danette Jorgensen, Village Clerk

Village of Sutherland