The Village of Sutherland Board of Trustees held a Regular Meeting on May 25, 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: Dani Jorgensen, Frank Fleecs, Kimberly Backer, Sam Haworth, and Scott Meyer. Also, present were: Village Clerk/Treasurer Melissa Wilson, Village Superintendent Casey Kendall, and Village Attorney Rory Roundtree. Guest’s present were: Ken & Jackie Main, Gene & Linda Tacey, Jason & Shawna Cooper, Kaye Monie, Steve Seifer, Gale Hopping, Tiffany Banks, Roger Lathrop, Ed & Kensie Walters, Matt McConnell, and David Morgan. 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 of minutes for the May 11, 2022 Board of Trustees Regular Meeting. Discussion was held. Motion Meyer, second Haworth to approve the minutes as presented. Voting: Yes: Fleecs, Haworth, Backer, Meyer, and Jorgensen. Motion carried.

Chief’s Report was discussed by Backer. Lathrop apologized for not having anything prepared. He said it’s been reasonably quiet.

**UNFINISHED BUSINESS:**

Pool Update/Resurface was discussed by Kendall. He stated that the renovation at the pool has started and is going well.

Fence on North Walnut was discussed by Kendall. There’s been no progress on this as the gas company is up there doing a bunch of work.

Fire Hall/Fire Department/Merger was discussed by Meyer. He stated this will be moved down the agenda.

ARPA Funding was discussed by Backer. Fleecs stated that T. Banks suggested we put this money in a separate fund. This will be discussed further down the agenda.

Spring Primary Election/Sales Tax was discussed by Backer. This will be moved down the agenda to go along with the ordinance.

Storm/Sewer Drainage was discussed by Kendall. He’s been talking with the state again. No matter how we move this water, it’s going across someone’s property. Backer has spoke to White’s and discussion has started.

Fee Schedule was discussed by Backer. This will be moved down the agenda.

Lifeguard Certifications was discussed by Backer. All the classes are done, as well as the CPR class. J. Mraz is waiting on the pool to get finished to be able to finish some of the testing.

Dogs/Dog Ordinances were discussed by Backer. This will get moved down the agenda.

Bonnie Edwards – Survey of Village Property was discussed by Backer. This will stay on the agenda until the merger is finished.

Gale Hopping SDL – Fire Department Fundraiser was discussed by Hopping. He’s applying for the SDL for the concert July 16, 2022. There won’t be a water fight this year. Motion Meyer, second Haworth to approve the SDL for the Fire Department Fundraiser on July 16, 2022. Voting: Yes: Backer, Meyer, Jorgensen, Fleecs, and Haworth. Motion carried.

Hay Ground Lease was discussed by Backer. This will get moved down the agenda.

**NEW BUSINESS:**

Sanitation was discussed by Haworth. He would like to have some research done on having our own sanitation. It could be done down the road, but he doesn’t find a reason to not look into this. Discussion was held. Kendall discussed looking into trucks like what Schaben’s has so we only have one employee on the route. Meyer was in agreeance with Haworth about just looking into this as it wouldn’t hurt anything to do so. Haworth designated Kendall and Wilson to do some leg work on this. This can come off the agenda until a later date.

Fire and Rescue Resolution 2022-05-02 was discussed by Roundtree. This is the first step. This is a joint resolution signed by the village and rural that will be sent to the county. The county will have to sign off on everything. Motion Haworth, second Fleecs to pass Resolution 2022-05-02. Discussion was held. Lathrop stated, “So this is the first step to moving forward with merger?” and Backer answered, “Yes!” Voting: Yes: Meyer, Jorgensen, Fleecs, Haworth, and Backer. Motion carried.

Dog Ordinance 657 was discussed by Backer. She asked Wilson to do the first reading of Ordinance 657: AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA, AMENDING THE SUTHERLAND VILLAGE CODE (ORDINANCE NO. 570) BY REVOKING AND REPLACING CHAPTER 6, ARTICLE 1 “ANIMALS”; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE SHALL TAKE EFFECT.

Mosquito Chemicals was discussed by Kendall. He said it’s getting that time of year, so we need to get going on ordering the chemicals. This should get us through two years. The machine is also getting calibrated in June. Haworth said the history with this company has been outstanding so there’s no reason to not get our chemicals from them. Motion Haworth, second Meyer for Kendall to receive mosquito spray from Van Diest Supply Company in the amount of $4,334.00. Voting: Yes: Jorgensen, Fleecs, Haworth, Backer, and Meyer. Motion carried.

Shawna Cooper Liquor Ordinance was discussed by S. Cooper. She wants to revisit the Liquor Ordinance. She feels its something that would help bring revenue into the village. She feels we’re losing revenue from this, and Big Eye is on the Nebraska Passport this year. Backer thanked her for putting it back on the agenda and stated we’d have to rewrite it and place it back on the agenda. K. Monie spoke on how Sutherland is picking up on events and the reservoir is just south of town. Backer advised Roundtree to revise this ordinance. People can write letters in support of this and drop them off at the village or bring them to the next meetings. Backer stated a written form holds more backing than a phone call.

Sales Tax Ordinance was discussed by Roundtree. When he received confirmation that the Sales Tax had passed, he put together the ordinance. First reading was done by Wilson: AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA, TO ADOPT AND IMPOSE A SALES AND USE TAX OF ONE AND ONE-HALF PERCENT (1.5%) UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF SUTHERLAND, LINCOLN COUNTY, NEBRASKA, ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE SHALL TAKE EFFECT. Motion Meyer, second Fleecs to waive the three readings. Discussion was held. Voting: Yes: Fleecs, Haworth, Backer, Meyer, and Jorgensen. Motion carried. Motion Fleecs, second Haworth to adopt Ordinance 658. Voting: Yes: Jorgensen, Fleecs, Haworth, Backer, and Meyer. Motion carried.

Budget/Workshops was discussed by Haworth. We need to get times discussed to start moving forward with working on the budget, so we’re not so rushed. G. Tacey would like a report with the amount budgeted last year and amount spent year-to-date.

Sewer Fund Money Market Account was discussed by Haworth. T. Banks spoke on how much is in the account and the bond payment that is coming due in June 2022. She said she’s just been following what has been done in the past and the account is down to the bottom. Fleecs spoke on zeroing out the account and renaming it for the ARPA money. T. Banks said it would be easier for reporting wise and looks cleaner if the ARPA money comes from its own account. Motion Fleecs, second Haworth to reclassify the Sewer Fund Money Market Account as our ARPA account and deposit our last payment of $116,000.00 into that account from the General Account and transfer out the previous balance back into the General Account so we can pay the full Sewer Bond Payment out of the General Account. Voting: Yes: Fleecs, Haworth, Backer, Meyer, and Jorgensen. Motion carried.

Bond Payments was discussed by Haworth. The way the bond payments are made, they appear kind of messy. We need to clean that up or define where they come from. Backer stated we need to separate the sewer and water, that way when payments are made, they come from those accounts. Fleecs stated if you look at the profit and loss, both departments are making money. We don’t need to be pulling the bond payments out of the Utility Rate Increase, we should be using the money that’s coming into the General Account, so long as we have money coming in and keep the Utility Rate Increase for emergencies or pay off our bonds early. T. Banks will look into seeing how much money is in each account, so everything is accurate. K. Main spoke about the money we’re carrying in the account, and we have an emergency fund. Motion Fleecs, second Haworth to reconsider to void previous motion. Voting: Yes: Haworth, Backer, Meyer, Jorgensen, and Fleecs. Motion carried. Motion Fleecs, second Jorgensen once we figure out the difference between water, sewer, and the utility rate increase money market account, we move the sewer balance into the existing sewer account and rename the existing Utility Rate Money Market Account as the Water Money Market Account and establish a new account to take care of our ARPA Funds. T. Banks will try and have this taken care of by the next meeting. Voting: Yes: Backer, Meyer, Jorgensen, Fleecs, and Haworth. Motion carried. Motion Fleecs, second Jorgensen during the interim of everything that we make all bond payments out of the General Account. Voting: Yes: Meyer, Jorgensen, Fleecs, Haworth, and Backer. Motion carried. Motion Meyer, second Haworth to setup a new account at Hershey State Bank as a Money Market Account and will be named the ARPA Account with Kimberly Backer, Samuel Haworth, Scott Meyer, Danette Jorgensen, and Frank Fleecs as signatures on the account. Voting: Yes: Jorgensen, Fleecs, Haworth, Backer, and Meyer. Motion carried.

Agenda was adjusted to Pool Update/Resurface.

Pool Update/Resurface was discussed by Fleecs. He spoke on the pool being a capital improvement. He’d like to take a loan out for the cost of the capital improvement (pool) and spread it out between 5 to 10 years and we can pay the loan off with some of the proceeds from the Sales Tax as it’s part of the infrastructure. Jorgensen stated the Keno Funds can be used for this project. He’d like to have the clerk call some banks and see what interest rates are available. Kendall stated something needs to get figured out, as according to the contract we owe the pool company half of the payment when they’re half done, and he stated they are. Meyer stated he completely understands where Fleecs is coming from, the only issue he sees we haven’t started collecting our Sales Tax. He doesn’t want to take a loan out when there’s uncertainty on nothing in the account and having no funds to pay the loan back. If we take a loan out now, we’re not recouping any Sales Tax until the first of next year. Fleecs stated the payment won’t be due until the next fiscal year and by then we’ll have Sales Tax revenues. K. Main spoke on being against financing anything and take the money out of Keno Funds. Don’t keep going in debt. This was tabled until the Hay Ground Lease Auction is concluded.

Hay Ground Lease Auction was held at 7:00 p.m. Roundtree opened the auction at 7:00 p.m. at $50.00. Matt McConnell and David Morgan were present in person, and Tad Mathers was present via phone. T. Mathers agreed to $50.00 and was no longer interested at $55.00. M. McConnell and D. Morgan went back and forth for a while. Roundtree gave going once at $95.00, going twice at $95.00, lease is granted at $95.00 per acre to Matt McConnell for this season. M. McConnell asked who could notarize his paperwork and K. Monie stated she would.

The agenda was adjusted to Pool Update/Resurface.

Pool Update/Resurface was discussed by Fleecs. Meyer reminded the board we have a pumper truck we must pay for as well. Haworth discussed the money we budgeted for and are not using, so we have money. L. Tacey asked Haworth if he stated there was $300,000.00 in Keno Funds right now? He replied, “Roughly.” She can’t see us getting a loan when you have that money and can pay cash. Fleecs stated again that if we can utilize Sales Tax money to pay that capital improvement, we’re not interfering with our regular tax request from Property Taxes. L. Tacey asked how much do you expect to be accumulated in one years’ time. Roundtree stated as a rough estimate, at 1% roughly $100,000.00. L. Tacey stated if that’s true then, you would be able to pay off that loan in a year and a half. Fleecs said we could pay it off early yes. Jorgensen stated that there have been loans in the past that you get penalized for paying them off early, so you have to make sure that isn’t apart of the loan agreement. She feels the money is in an account and we should spend the money we have, so we’re not counting our chickens before they hatch. Ed Walters stated that roughly 12 weeks ago that the board decided we were going to do the pool project. At that time how did you decide to pay for it? Haworth stated his motion was to use Keno and General. E. Walters wanted to know why we’re waiting until a week before payment is due to change this. It’s irresponsible and if we have the money, we should pay for it. Fleecs said he’s just trying to utilize the Sales Tax. Wilson asked the board how this will need to be taken care of as half of the pool resurfacing has been completed and they’re to get half payment when half done. She was advised to have half come out of the Keno Funds and half out of the General Funds.

The agenda was adjusted to Fire Hall/Department/Merger

Fire Hall/Department/Merger was discussed by Meyer. As far as he knows the pumper is the debt that hangs over us right now with the Fire Department. That will have to be paid off for the merger to go through. Backer stated the other debt is what we have received from insurance funding on the ambulance calls that need to be out to the City of North Platte. The money in the Ambulance Fund will have to go into that also, whether it all goes or not. K. Main spoke on the accounts that are available to use that money to pay for expenditures.

**OTHER:**

Claims for May 25, 2022 were presented in the amount of $ 39,666.77. Discussion was held. Motion Jorgensen, second Meyer to approve the claims as presented. Voting: Yes: Fleecs, Haworth, Backer, Meyer, and Jorgensen. Motion carried.

**Reports:**

Superintendent Kendall: The efficiency tests were done on the wells this week and it sounds like everything is good, and weed letters are out.

Clerk/Treasurer Wilson: She advised the board she was putting in her resignation and it would be on the next meeting agenda.

Gene Tacey: Just wanted to let everyone know we’ve reached $58,000.00 for the Memorial. They would like to thank everyone for their donations, and some exceeded what we were asking. A huge shout out to Tory Copeland for his help as well!

**Trustees Reports:**

Haworth: The house on Locust that burnt down. What can we do to move forward with this or how do we handle this?

Meyer: The pool and parks are looking good.

Jorgensen: She would like to go into executive session.

Fleecs: Chatted with Roundtree about the codification with the Code Book research that needs to get going on updating it.

Backer: We had a Planning Commission Meeting Monday and there was discussion on a customer that wants to put in a fence along the alley so it will match their neighbors, but the ordinance states otherwise.

**Executive Session:**

Motion Jorgensen, second Meyer to enter into Executive Session for reason of discussion of personnel at 7:56 p.m. Voting: Yes: Meyer, Jorgensen, Fleecs, Backer, and Haworth. Motion carried. Executive Session was entered into for the reason of discussion of personnel at 7:56 p.m. No action will be taken.

The Board of Trustees came out of Executive Session at 8:27 p.m. No action was taken.

Meeting was adjourned at 8:27 p.m.

These minutes are set to be approved at the next regular meeting on June 8, 2022.

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Kimberly Backer, Chairperson

Board of Trustees, Village of Sutherland

[Seal] Melissa Wilson, Village Clerk/Treasurer

Village of Sutherland

