

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

1 The Village of Sutherland Board of Trustees held a Regular Meeting on June 12, 2024,
2 at 6:00 P.M. in the Village of Sutherland Meeting Room, located at 1200 First Street, Sutherland,
3 Nebraska. Notice of this meeting was given by posting notice in four public places, the
4 designated method by the Village Board of Trustees. The agenda for this meeting was kept
5 continuously current and available for inspection at the Office of the Village Clerk.

6 Chairman Meyer called the Regular Meeting of the Board of Trustees to order at 6:00
7 p.m. Members present upon roll call were **Scott Meyer, Kimberly Backer, Felicia Patrick, and**
8 **Derek Dempsy. Frank Fleecs was absent and attending via Zoom.** Quorum was established. Also
9 present were Village Clerk Bonnie Ralston, Village Superintendent Casey Kendall, and Village
10 Attorney Rory Roundtree. The guests present were Muriel Clark, Nita Van De Water, Lori
11 Broge, Gene Tacey, Jim Dickerson, Milan Moore, Rascal Martinez, Bob Maline, Tom Werblow,
12 Steve Seifer, Gale Hopping, and Mike Streeter. If all the names are not included, it is only by
13 error, absence of signature or undecipherable signature in the guest book.

14 The Board of Trustees and all present rose and recited the Pledge of Allegiance.

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

17 The Board read the minutes for the regular meeting of the Board of Trustees May 22, 2024,
18 Regular Meeting. Motion Patrick to approve the minutes as presented. Second by Backer. Voting
19 yes: Dempsy, Patrick, Meyer, and Backer. Absent: Fleecs. Voting no: none. Motion carries.
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22 **UNFINISHED BUSINESS:**

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24 Ambulance Billing was discussed. The office is still waiting to receive the list of unpaid
25 accounts. This will stay on the agenda.

26 ARPA funding was discussed. There was nothing new on this item. It was decided to leave
27 this on the agenda until the remainder of the money was spent.

28 The topic of storm/sewer drainage was addressed, as was the sewer lagoon drainage.
29 Village Engineer Werblow was present and addressed the Board concerning this. Werblow
30 reported that Sutherland is not considered an emergency right now, and is, in fact, rather low on
31 the list. Werblow suggested the Village continue to research possible funding for this project.

32 The budget agenda item was discussed. The office has asked all departments to submit
33 their budget requests by June 28, 2024. RJ Meyer is working on correcting payments that had been
34 issued from the wrong account. This item will stay on the agenda.

35 There was nothing new to report on the Walnut Street property. The office and Attorney
36 Roundtree have requested a title search be done. This will stay on the agenda.

37 There has been no update on the audit. This will remain on the agenda until clarified by
38 Bob Meyer.

39 Village owned properties were addressed. The intent to sell notice has been published and
40 must run for three consecutive weeks.

41 The agenda item of unpaid invoices and bad debt was addressed. Trustee Backer and the
42 office have contacted some of the businesses to attempt to get payment. Backer then questioned

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

43 if any unpaid invoices attached to 910 1st Street from before it was deeded to the Village should
44 be rescinded. Attorney Roundtree stated that would be the cleanest way to write them off.
45 Motion Backer to rescind two invoices in the amount of \$400.00 total. Second Patrick. Voting
46 yes: Backer, Dempcy, Patrick, Meyer. Absent and not voting: Fleecs. Motion carries. An unpaid
47 invoice for 401 ½ Maple Street was not assessed to the property before its sale. Motion Backer to
48 rescind the invoice in the amount of \$550.00. Second Patrick. Voting yes: Dempcy, Meyer,
49 Patrick, Backer. Absent and not voting: Fleecs. Motion carries. Backer questioned how to
50 attempt collection on older invoices. Attorney Roundtree stated he would need the invoices and
51 would need to ensure proper notification was given. The office will work with Roundtree on this.
52 A large refund accidentally given on someone’s bank card was the next item addressed. A refund
53 of nearly \$1,000.00 was given, an invoice was issued for the mistaken amount. Attempts to reach
54 out to the individual have not been successful. Backer will work with the office on getting this
55 sent to collections. Finally, Backer addressed the unpaid utility bills on the books. Backer
56 suggested that any past due utility accounts that sit unpaid for more than 120 days be sent to
57 collections. Discussion was held on the late account not being assigned to the property and lack
58 of deposit remaining due to consistent late or past due bills. Motion Backer to send unpaid utility
59 bills to collections after 120 days. Second Dempcy. Voting yes: Backer, Dempcy, Patrick,
60 Meyer. Absent and not voting: Fleecs. Motion carries

61 The purchase of a new truck was addressed. This has been put out for bid. Kendall stated
62 that he had heard from several dealerships. Most dealers won’t want to hold used pickups until
63 after bids are opened, he believes the village will end up seeking bids for new pickups. It was
64 decided to wait to see if any bids for used trucks come in and move forward from there.

65 There has been nothing new on the Tree Board grant, this will remain on the agenda.

66 The agenda item of revising nuisance ordinances was discussed. Roundtree is unsure on
67 the issue of hay bales and questioned the size of the grass piles in question. The office has been
68 instructed to reach out to surrounding communities to see if they have guidelines in place.
69 Roundtree stated grass piles could be considered a nuisance if they were overly large, had an
70 odor, or offended the senses.

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72 **NEW BUSINESS:**

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74 Ordinances for tickets was the first new business item discussed. The office, at the direction
75 of Attorney Roundtree, has reached out to the Magistrate of the Lincoln County Courts. A list of
76 the most frequently needed ordinances will be compiled and sent to be entered immediately into
77 the Justice system. The link to the online codification will be sent also so that all Village
78 Ordinances can be entered.

79 The animal ordinance was discussed. There have been numerous complaints recently about
80 dogs running at large, not being leashed, and owners not cleaning up after their dogs defecate. Per
81 ordinance all dogs are required to be leashed when not on the owners property, and it is the

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

82 responsibility of the owner to clean up after their dog when off the property. As this is an
83 enforceable ordinance, residents can call the Sheriff concerning this matter.

84 Engineer Werblow tabulated the bids received for the South Street project and presented
85 them to the Board. Two bids were received. BSB Construction, Inc. submitted a bid in the amount
86 of \$372,429.00. The second bid was from Myers Construction, Inc. at \$509,110.50. Werblow
87 recommended to the Board that they accept the bid from BSB Construction. Meyer asked if it
88 seemed like the timeline would be a problem. Werblow stated he did not feel like it would be. He
89 has worked with them before and feels they will have no issues with the timeline set by the Board.
90 Kendall then addressed acquiring the easements from property owners. Werblow will assist with
91 this. Kendall and Werblow do not feel this will be a problem. Motion Backer to accept the bid
92 from BSB Construction and instruct the chair to sign. Second Patrick. Voting yes: Patrick, Backer,
93 Meyer, Dempcy. Absent and not voting: Fleecs. Motion carries.

94 Muriel Clark was present to forward recommendations from the Citizen's Advisory
95 Review Committee to the Board of Trustees. The Committee had received seven applications for
96 grants and chose to forward favorable recommendations on all of them to the Board. The first
97 recommendation was a street sidewalk grant for 1022 2nd Street in the amount of \$2,835.00. Motion
98 Backer to move forward with the recommendation for the street sidewalk grant. Second Patrick.
99 Voting yes: Backer, Meyer, Dempcy, Patrick. Absent and not voting: Fleecs. Motion carries. Next
100 on the agenda was a property improvement grant for 130 Walnut Street in the amount of
101 \$10,000.00. Motion Patrick to approve the recommendation. Second Dempcy. Voting yes:
102 Dempcy, Patrick, Meyer, Backer. Absent and not voting: Fleecs. Motion carries. 820 1st Street
103 property improvement grant for \$10,000.00 was addressed next. Motion Backer to award the grant
104 for window and door replacement. Second Patrick. Voting yes: Backer, Meyer, Dempcy, Patrick.
105 Absent and not voting: Fleecs. Motion carries. An application for 910 1st Street was also forwarded
106 to the Board. This request was a property improvement grant for \$10,000.00. Backer asked Gale
107 Hopping what the \$10,000.00 was going to be used for. Hopping stated the money would be used
108 to repair or replace rafters, soffit, fascia, and steel roofing. Motion Backer to award the grant.
109 Second Dempcy. Voting yes: Meyer, Dempcy, Backer, Patrick. Absent and not voting: Fleecs.
110 Motion carries. A property improvement grant in the amount of \$6,250.00 was submitted for 130
111 Park Street. This will be used to pave a driveway for the business. Backer questioned the size and
112 placement of the driveway. Mike Streeter was present and stated it would be a 40x24 pad off the
113 back door and garage area. Motion Backer to approve the recommendation. Second Patrick. Voting
114 yes: Patrick, Backer, Meyer, Dempcy. Absent and not voting: Fleecs. Motion carries. Clark then
115 presented the property improvement grant for 822 1st Street. In the amount of \$6,000.00. This was
116 incorrectly identified on the agenda, having been listed as a grant request for \$10,000.00. Attorney
117 Roundtree stated this could be adjusted via motion for the correct amount. Backer questioned if
118 there would be no windows on that portion of the building. Steve Seifer was in attendance and
119 addressed this with the Board. Seifer stated the plan is to install transom windows in the future
120 which would take the building back to the way it originally was. Motion Backer to approve the
121 grant in the amount of \$6,000.00. Second Patrick. Voting yes: Dempcy, Patrick, Meyer, Backer.
122 Absent and not voting: Fleecs. Motion carries. The final grant forwarded for approval was a
123 \$1,000.00 digital marketing grant for Stolen Vault Records. Motion Patrick to accept the

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

124 recommendation. Second Dempcy. Voting yes: Backer, Dempcy, Patrick, Meyer. Absent and not
125 voting: Fleecs. Motion carries.

126 The Lexington Area Solid Waste agency had requested the Board sign a letter of support.
127 Backer stated this had been done by the Village for many years. This letter addresses the disposal
128 of hazardous waste or materials that the Village may need to dispose of that Ogallala either cannot
129 take or that takes longer to process. Motion Backer to authorize the chair to sign the letter of
130 support. Gene Tacey was in attendance and commented that LASWA was here several years ago
131 holding a hazardous waste disposal day, he felt they did a good job. Patrick seconded Backer's
132 motion. Voting yes: Meyer, Dempcy, Backer, Patrick. Absent and not voting: Fleecs. Motion
133 carries.

134 Clerk Ralston addressed the agenda item of LARM employee health insurance renewal. A
135 side-by-side comparison of the quotes from LARM were presented to the Board. After working
136 with Steve Albin from United Benefit Services, Ralston stated his recommendation was to renew
137 the Blue Cross Blue Shield of Nebraska policy the village currently has. Ralston stated she had
138 addressed this with both Kendall and Trusty-Solko, and they were both happy with the current
139 plan. Motion Backer to renew the BCBS employee health insurance plan. Second Dempcy. Voting
140 yes: Patrick, Backer, Meyer, Dempcy. Absent and not voting: Fleecs. Motion carries.

141 The rodeo grounds request for fence panels was next on the agenda. They had submitted
142 an invoice for 15 four bar fence panels, at the cost of \$1620.00. Backer addressed this item,
143 questioning the request. The Board had previously approved the purchase of a container to be used
144 as a crow's nest. Backer questioned whether the container purchase was in lieu of the fencing.
145 After some discussion, it was decided to have this item tabled until the next meeting when a
146 member of the Rodeo Committee could be asked to attend.

147 The Sutherland Chamber of Commerce had requested donations for their 4th of July
148 activities. Specifically, sponsorship for the golf tournament and sponsorship for the barbeque.
149 Discussion was held on whether these would qualify for Keno fund usage. Milan Moore addressed
150 the Board and pointed out that the funds from the golf tournament are used by the Chamber of
151 Commerce to benefit the entire community. After further discussion it was determined that the
152 Board could use keno funds for these sponsorships. Motion Patrick to approve the sponsorships
153 with the funds to be taken from the keno account. Second Backer. Voting yes: Dempcy, Patrick,
154 Meyer, Backer. Absent and not voting: Fleecs. Motion carries.

155 A chicken permit for 1040 Locust Street had been submitted. Kendall stated he had looked
156 at the chicken coop and determined that it met all requirements of the permit. After some
157 discussion on this and Attorney Roundtree reminding the Board that the permit could be rescinded
158 if it were to become a nuisance or an issue, Backer motioned to approve the permit. Second
159 Dempcy. Voting yes: Backer Dempcy, Meyer. Voting no: Patrick. Absent and not voting: Fleecs.
160 Motion carries.

161 The procedure for sending out nuisance letters was next on the agenda. The question raised
162 by the office was whether the letters were required to be sent certified or if there was another
163 option. The main issue with this is the amount of time it takes to complete the process. Several
164 residents had asked why the process takes so long. It was determined that the process the office is
165 currently using is spelled out in the nuisance ordinances and must be followed to ensure that proper

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

166 notification is given to the owner of the property. The option of having the notice served by a
167 Sheriff was discussed. It was pointed out that this also presents an issue because the Sheriff must
168 be able to get ahold of the person to serve them, this can often take nearly as long as the certified
169 letter.

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OTHER:

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- Claims were presented to the Board. Motion Dempcy to accept all claims reports equaling the amount of \$249,971.29. Second Patrick. Voting yes: Patrick, Backer, Meyer, Dempcy. Absent and not voting: Fleecs. Motion carries,
- Payroll Report was presented to the Board.
- Comp Time Report was also included in the packet.
- Utility Rate Increase Report was presented to the Board.

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FYI INFORMATION:

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REPORTS:

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- Superintendent Kendall reported that he had terminated two employees. He stated they were working short-handed but were getting by. Richard and Mary Gibbons have agreed to staff the compost site for the remainder of the summer.
- Clerk Ralston reported that she and Tiffany Banks are continuing to work on getting budget sheets ready for the departments. Bank reconciliations are completed through April, the May statements had just arrived in the mail. Tiffany's scheduled time in the office was discussed. Backer stated that if the office felt it would be beneficial to adjust days or times it would be at the discretion of the office and Tiffany.

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Trustees Reports:

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- K. Backer attended the Growth Committee meeting where they worked on their budget request. Veterans Memorial concrete needs to cure and then stones can be set.
- D. Dempcy had nothing to report.
- F. Fleecs is troubled by the lack of response from Bob Meyer.
- F. Patrick has a Chamber meeting next week but nothing further to report.
- S. Meyer had nothing to report.

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Backer then requested the Board enter into executive session for the purpose of personnel discussions. Second Dempcy. Voting yes: Meyer, Dempcy, Patrick, Backer. Absent and not voting: Fleecs. Motion carries.

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 12, 2024
At 6:00 P.M.

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At 7:03 PM the Board entered executive session. No action will be taken.
The Board came out of executive session at 7:06 PM. No action was taken.

With nothing further on the agenda, the meeting was adjourned at 7:07 PM.

These minutes are set to be approved at the June 26, 2024, regular meeting.

Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

[Seal]

Bonnie Ralston, Clerk
Village of Sutherland