

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
June 26, 2024
At 6:00 P.M.

1 The Village of Sutherland Board of Trustees held a Regular Meeting on June 26, 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, Frank Fleecs, Felicia**
8 **Patrick, and Derek Dempcy**. Quorum was established. Also present were Village Clerk Bonnie
9 Ralston, Village Superintendent Casey Kendall, and Village Attorney Rory Roundtree. The
10 guests present were Lincoln County Commissioner Chris Bruns, Jim Dickerson, Dustin Amack
11 and family, Trena Seifer, Janet Mueller, Milan Moore, and Sam Haworth. If all the names are
12 not included, it is only by error, absence of signature or undecipherable signature in the guest
13 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 June 12, 2024,
18 Regular Meeting. Motion Patrick to approve the minutes as presented. Second by Dempcy. Voting
19 yes: Patrick, Meyer, Backer, Dempcy. Fleecs abstained from voting. Voting no: none. Motion
20 carries.

21 Meyer adjusted the agenda to accommodate Commissioner Bruns. Bruns was in attendance
22 to update the Village Board and community on Lincoln County news. Bruns stated that the work
23 on the North River Bridge was moving along very fast paced. The work is superb. However, he
24 wanted to remind people that it is still unfinished and a construction site. He stated there has been
25 local traffic using the bridge and skirting around barricades. The bridge still needs to be sealed,
26 and striped, the approaches need completed, and some remaining work to be done along the river's
27 edge. He is anticipating a much earlier opening than originally projected and asks the local traffic
28 to continue using the detour and not trespassing on the construction site as it is not safe.

29 The second update Bruns gave was concerning the RAISE planning grant that was awarded
30 to Lincoln County. This grant will help fund some major infrastructure planning. Bruns stated this
31 would help tie the Inland Port to the existing infrastructure. This could significantly impact
32 Sutherland with an increase in truck traffic. This will be discussed further at the Lincoln County
33 Commissioners meeting on Monday, July 1, 2024.

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36 **UNFINISHED BUSINESS:**

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38 Ambulance Billing was discussed. The office had spoken to Roric Paulman concerning
39 this. He will work on getting a list of the number of unpaid claims and amounts of said claims to
40 the office. Roric had also shared with the office that the Rural Fire Board may be considering
41 writing some of the older claims off.

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

44 The topic of storm/sewer drainage was addressed, as was the sewer lagoon drainage.
45 Kendall stated there was nothing new to report on this item.

46 The budget agenda item was discussed. Fleecs expressed his concerns with incorrect
47 departmental budgets. He would like cash flow to be added to the next budget. He also expressed
48 concern with the combined accounts and determining where funding is coming from.

49 There was nothing new to report on the Walnut Street property. The office is waiting for
50 the results of the title search. This will stay on the agenda.

51 There has been no update on the audit. The office received the breakdown of the LARM
52 insurance premiums and has passed it along to RJ Meyer and Associates.

53 Village owned properties were addressed. The 31-day remonstrance period is half over,
54 per the notice of intent to sell, sealed bids will be opened at the regular meeting on July 10, 2024.

55 There has been no decision made on the Tree Board grant. G. Tacey let the office know
56 that there were more applications than anticipated so the process is taking longer. He will update
57 the office when the Tree Board hears if they were awarded the grant or not. This item will
58 remain on the agenda.

59 The agenda item of revising nuisance ordinances was discussed. The office had been
60 asked to reach out to surrounding communities to determine if they have ordinances in place
61 concerning hay bales and grass piles. Ralston reported that she had not received any responses
62 from communities that had one in place, other than where packing hay, or hay wrapped in
63 plastic, was concerned. Patrick then addressed the Board, referencing the nuisance violation that
64 defines a violation as grass, leaves, and worthless vegetation. She stated that when wet, hay will
65 rot underneath. Patrick also quoted the portion of the nuisance ordinance that references creating
66 conditions in which flies, rats, or other insects and rodents may breed or multiply, or which may
67 be a fire danger, or so unsightly as to depreciate the value of the property around it. Patrick went
68 on to state that hay bales have been known to combust by themselves and require being
69 physically moved and rolled to be put out, not simply sprayed by the fire department. One
70 concern is the upcoming fourth of July, Patrick stated with the dry conditions there is a higher
71 risk of combustion. Patrick discussed the abatement of other nuisances in town and questioned
72 why this one has not been addressed. Some discussion was held on some of the ambiguous
73 language and interpretation of some of the definitions. Patrick stated she has filed written
74 complaints with the office. Kendall stated he had addressed them and was told it would need to
75 be a civil matter. Patrick suggested a grace period be instituted giving landowners a specific
76 amount of time to remove the bales from property once it has been baled. Meyer asked Patrick if
77 she was addressing this as a citizen or as a Board member. Patrick stated that from the first
78 meeting that this matter had been on the agenda, she has been addressing it as a private citizen.
79 A request for fence panels from the Rodeo Committee was next on the agenda. This had been
80 carried over from the June 12, 2024 meeting. Janet Mueller was in attendance to address this
81 with the Board of Trustees. Mueller stated that the requested panels are not for where the

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82 bucking chutes are being replaced. These will be used to replace the fence running up to where
83 the beer garden is located. The rodeo committee has been replacing sections of the fence each
84 year, working on getting all the fencing updated. There are also some gates that will be installed.
85 Backer stated that citizens had questioned if the spectator money and beer money could be used
86 for this request. Mueller explained that the operating account is funded by rodeo admittance and
87 food sales. She also informed the Board that she also receives sponsorships, although some of
88 those are from local businesses that will donate labor, time, or materials. Mueller also stated that
89 the rodeo committee does do some fundraising for the larger projects like the chutes. Meyer
90 expressed that he appreciates them keeping the rodeo committee keeping the grounds looking
91 nice since they are Village property. Mueller then discussed donations that are given, stating that
92 those are used for some of the projects, but that some are memorials that are specifically
93 designated to be awarded as scholarships. Meyer then asked for a motion to either approve or
94 deny the request for \$1,620.00 for the purchase of 15 four-bar fence panels. Motion Patrick to
95 approve the request from the rodeo committee for \$1,620.00. Second by Dempcy. Fleecs
96 questioned where the money would come from. He suggested using Keno monies for this.
97 Roundtree did not feel this would meet the qualifications to use Keno funds. Nor would it meet
98 the requirements to be paid for out of the equipment fund since it is not movable. Fleecs stated
99 that until bank accounts and budgets are straightened out, he is not sure where cuts would be
100 made if requests are continuously approved. Meyer stated we had a fair and open discussion on
101 the matter and, with a motion and a second, called for a vote. Voting yes: Meyer, Dempcy,
102 Patrick. Voting no: Fleecs, Backer. Motion carries.

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104 **NEW BUSINESS:**

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106 At this point Meyer adjusted the agenda to accommodate members of the audience who
107 wanted to address the aggressive dog complaint. Kendall informed the Board that a Sheriff had
108 been called regarding a dog being aggressive towards people in the neighborhood including
109 children. The Sheriff was finally able to get in touch with the dog's owner. Although multiple
110 calls regarding this animal had been made, no one had told the Sheriff who the dog belonged to.
111 Ralston reported that the Deputy had informed the office that no citation was given since it was
112 the first contact with the owner. A timeline of one week was given to the owner to get the dog
113 registered, the office had been contacted about this and were waiting on the owner to get the
114 dog's shots as they had been told they were not up to date. Backer stated she had spoken with
115 Sheriff Kramer concerning this matter. Backer stated Kramer would like to have photo or video
116 evidence if possible. Roundtree addressed the process of declaring an animal "potentially
117 dangerous" which carries specific requirements. Megan Renner was here to address this matter
118 and was the one who wrote the complaint. She stated she had called the sheriff's office. Meyer
119 stated that the Village will reach out to the Sheriff and get them any videos or photos. Renner
120 stated she had also shown the video to the responding deputy. She will send the video and photos

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121 to the office so they can be forwarded to the Sheriff's office and so a file can be built in the
122 village office in case of any further issues.

123 Meyer then adjusted the agenda back to unfinished business.

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125 **UNFINISHED BUSINESS:**

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127 Ordinances for tickets were next on the agenda. The office has sent the link to the new
128 codification and a list of the most frequently used ordinances to the magistrate of Lincoln County
129 Courts. Attorney Roundtree briefly discussed the process involved in updating ordinances in the
130 Justice system. Copies of the codification books will be made to be taken to the Lincoln County
131 courts.

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133 **NEW BUSINESS:**

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135 The opening of truck bids was next on the agenda. Attorney Roundtree and Chairman
136 Meyer opened and reviewed the bids. There were two bids received by the office, both from Bill
137 Summers Ford. Discussion was held on price, milage, and desired options of each vehicle. Backer
138 questioned the amount in the equipment fund. Patrick asked if there was any sort of warranty
139 remaining on either vehicle. It was not specified in the bids. Meyer asked Kendall to look over the
140 bid sheets.

141 Meyer then moved on to the appointment of Jessica Krajewski to the Library Board.
142 Motion Backer. Second Patrick. Voting yes: Fleecs, Patrick, Meyer, Backer, Dempcy. Voting no:
143 none. Motion carries.

144 Appointing Kelli Harper as a fill in Librarian was on the agenda. This would be on an as
145 needed basis. Motion Patrick. Second Dempcy. Voting yes: Patrick, Meyer, Fleecs, Backer,
146 Dempcy. Voting no: none. Motion carries.

147 Hours for the Office Secretary were discussed. Ralston expressed her opinion that Hayley
148 Fear should be given full-time status based on job performance and what she feels the needs of the
149 office are. To reclassify the secretary position as full-time it needs to be an actionable item on the
150 agenda. Some discussion was held on the office talking on more of the accounting duties and
151 responsibilities. This will be placed on the July 10, 2024 agenda for Board consideration.

152 Attorney Roundtree addressed the special assessment items on the agenda. The first was
153 for 430 Locust Street. Backer pointed out a typo in the address that needs corrected. Motion Backer
154 to adopt Resolution #2024-06-01 and authorize the Chair to sign with the correction. Second
155 Dempcy. Voting yes: Dempcy, Meyer, Patrick, Fleecs, Backer. Voting no: none. Motion carries.
156 Resolution #2024-06-02 for 630 Liberty Street was discussed next. Motion Backer to adopt the
157 resolution and authorize the Chair to sign. Second Patrick. Voting yes: Fleecs, Patrick, Meyer,
158 Backer, Dempcy. Voting no: none. Motion carries. Resolution #2024-06-03 for 233 Spruce Street
159 was the final special assessment discussed. Motion Backer to adopt the resolution and authorize
160 the Chair to sign. Secon Patrick. Voting yes: Backer, Fleecs, Dempcy, Patrick, Meyer. Voting no:
161 none. Motion carries. Backer asked Roundtree what the process is for a property that may be

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162 entering foreclosure and has a large unpaid invoice. Roundtree stated notice and invoice must be
163 given to all involved parties and the process takes approximately 60 days. After this the Board can
164 then adopt a resolution of special assessment just as they have done at this meeting.

165 Ballfield concession stand windows were on the agenda. Patrick had spoken with Kyle
166 Stevenson about this issue. The purchase and installation had been approved at a prior meeting.
167 These had not been installed yet. A date had not been included in the bid. Kendall will reach out
168 to the contractor and inquire when this could be done. Roundtree stated that the option was there
169 for the Board to provide notice that if the job was not completed within a specified amount of time
170 the contract would be terminated. It was decided to reach out first and see if a resolution could be
171 reached. This will stay on the agenda pending a report from Kendall.

172 Meyer then returned to the truck bid agenda item. Ralston located the vehicles in question
173 on the Bill Summers website for the Board and Kendall to view. Vehicle specifications were
174 discussed. The Board also discussed the advantages of purchasing a truck with lower miles. Fleecs
175 asked how many miles were put on maintenance vehicles yearly. Kendall stated between 8,000
176 and 10,000. Discussion was held concerning the lifespan of the vehicles based on mileage and
177 anticipated miles put on them. Fleecs asked for Kendall's recommendation and then moved to
178 approve the purchase of the 2023 Ford F350SD XLT from Bill Summer's Ford for the purchase
179 price of \$54,995.00 to come out of the Equipment Fund. Second Backer. Dempcy questioned if
180 the Board had to accept a bid at the meeting. He felt it would be beneficial to have Kendall inspect
181 and test drive the vehicle. Fleecs amended the motion to state that the bid was accepted contingent
182 on the Village Superintendent's inspection and approval. Voting yes: Dempcy, Meyer, Patrick,
183 Fleecs, Backer. Voting no: none. Motion carries. Backer confirmed the price, Kendall had given
184 the asking price to Fleecs when asked and not the price from the bid, which was \$52,500. Backer
185 asked if the bid price needed to be added to the claims for this meeting. Roundtree clarified that
186 the purchase had been approved at this meeting but would not need to be added to claims until the
187 July 10, 2024 meeting.

188 Personnel was the final item under new business. Patrick stated she simply wanted to say
189 thank you to Ralston. Patrick had brought in some paperwork that the office had requested.

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193 **OTHER:**

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195 • Claims were presented to the Board. Motion Patrick to accept all claims reports equaling
196 the amount of \$27,472.31. Second Backer. Voting yes: Meyer, Dempcy, Fleecs, Backer,
197 Patrick. Motion carries.

198 • Payroll Report was presented to the Board.

199 • Comp Time Report was also included in the packet.

200 • Profit and Loss Statement was included. Fleecs expressed his appreciation for the
201 inclusion of the profit and loss statement, noting how simple it is to get the information
202 needed from this report. Fleecs then stated that once the accounts that needed to be split

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203 out were done, the numbers would be more reflective of the actual balances of those
204 accounts.

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206 **FYI INFORMATION:**

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209 **REPORTS:**

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- Superintendent Kendall reported that the last couple of weeks had been rather busy. He and his department had dealt with sewer issues, including a private well that appears to be very close to the sewer line. They had also dealt with a water main leak. Kendall reported that he anticipated Friday the 28th for mosquito fogging. Kendall and the Board discussed things being flushed that should not be. Milan Moore was in attendance and questioned if the lines that run by the school are connected to this other line. He wondered about the flooding by the school when it rained. Kendall informed Moore that those two lines are not connected.
- Clerk Ralston had covered all her reports during other agenda items.

220 **Trustees Reports:**

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- K. Backer had nothing to report.
- D. Dempcy had nothing to report.
- F. Fleecs would just like to remind the Board to watch spending
- F. Patrick reported that the Chamber of Commerce is still selling raffle tickets and is in need of volunteers for the 4th of July celebrations.
- S. Meyer had nothing to report.

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Trenda Seifer was in attendance and asked the Board how the sales tax revenue was figured into the profit and loss. These funds are in their own accounts and are not figured into the general village accounts. Sales Tax revenue has specific designations and cannot be used for operating expenses.

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With nothing further on the agenda, the meeting was adjourned at 7:23 PM.

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243 These minutes are set to be approved at the July 10, 2024, regular meeting.

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Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

[Seal]

Bonnie Ralston, Clerk
Village of Sutherland