

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
July 10, 2024
At 6:00 P.M.

1 The Village of Sutherland Board of Trustees held a Regular Meeting on July 10, 2024, at
2 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 Dempsy**. 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 Sheriff Jerome Kramer, Sam Haworth, Jim Dickerson,
11 Chance Nutter, and Milan Moore. Trena Seifer was viewing the meeting via Zoom. If all the
12 names are not included, it is only by error, absence of signature or undecipherable signature in
13 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 June 26, 2024,
18 Regular Meeting. Two corrections were noted. On line 177 the spelling of Fleecs needs corrected,
19 and line 79 should be indented as it is a new topic. Motion Backer to approve the minutes with the
20 noted corrections. Second by Patrick. Voting yes: Backer, Dempsy, Fleecs, Patrick, Meyer. Voting
21 no: none. Motion carries.

22 Sheriff Kramer was in attendance to give an update on a dog concern. There had been an
23 incident involving a child being bitten by a dog. Sheriff Kramer stated deputies had responded and
24 been in contact with the owner. The dog was vaccinated and registered with the village. Kramer
25 stated the owner would be following all protocols and the Sheriff's office had it handled. Sheriff
26 Kramer also revisited the aggressive dog complaint for the month prior. He was doing some further
27 follow-up on that incident and would keep the village apprised of the results. A second instance of
28 that dog being loose was reported and Sheriff Kramer will also follow up on that.

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30 **UNFINISHED BUSINESS:**

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32 Ambulance Billing was discussed. The office had spoken to Roric Paulman concerning
33 this. Waiting on an update from the Rural Fire Board. This will remain on the agenda.

34 ARPA funding was discussed. This will remain on the agenda until the monies have been
35 spent.

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

38 The budget agenda item was discussed. The office has been working on gathering the
39 budget requests and preparing for the first budget work session which will be held Friday July, 12,
40 2024 at 9:00 A.M.

41 There was nothing new to report on the Walnut Street property. The office is waiting for
42 the results of the title search. Backer offered to follow up on the item with Western Title. This will
43 stay on the agenda.

44 There has been no update on the audit. This will remain on the agenda.

45 There has been no decision made on the Tree Board grant. The understanding of the
46 office is that the decision day had been pushed to the end of July due to the number of
47 applications received. This item will remain on the agenda.

48 The agenda item of revising nuisance ordinances was discussed. Attorney Roundtree
49 addressed the hay bale issue. He stated he would need to do some additional research, but it may
50 be possible to regulate placement, which would alleviate the fire hazard concern by ensuring
51 they are not placed near occupied structures. A time limit was also proposed at a previous
52 meeting. Fleecs questioned if Roundtree had been able to find any other community that imposed
53 one. At this point Felicia Patrick addressed the issue as a private citizen. Felicia expressed the
54 opinion that if hay bales are being used as a commodity they would not remain for long periods
55 of time, citing the church as an example of bales that are sold quickly. Fleecs stated that
56 individuals have a right to determine when to sell their personal property. Felicia reiterated the
57 stipulations in the ordinance, citing rot, snakes, rodents, fire hazard as conditions to determining

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58 nuisances. She then questioned how long this would be dragged out and what purpose there was
59 in looking at other communities when Sutherland had nuisance ordinances already in place.
60 Discussion was held on how to determine if vegetation is rotting and its inclusion in the nuisance
61 ordinance. Meyer then asked Roundtree for clarification on if the current nuisance ordinance
62 contained anything specific to hay bales. Roundtree stated he did not think there was anything
63 specific to that and that Felicia was referencing general nuisance definitions. Roundtree advised
64 that the Board could make the determination on whether they constitute a nuisance and begin an
65 abatement process through WCNDD or through the Village nuisance officer. Roundtree
66 expressed his opinion that the issue be looked at broader terms of how to deal with hay bales
67 going forward to mitigate any issues such as fire hazards. Discussion was held on fire hazards
68 and placement to minimize possible damage to adjoining properties. Roundtree stated there are
69 different laws for agricultural zoned land, the zoning of this property needs to be determined.
70 Roundtree will continue researching this. Samuel Hayworth was in attendance and questioned if
71 common practice had been researched to determine the typical length of time between mowing,
72 baling, and selling. Fleecs stated that because they have monetary value they must be dealt with
73 as a commodity. This will remain on the agenda.
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77 **NEW BUSINESS:**

78 Reclassifying Hayley Fear from part time to full time was addressed next. Clerk Ralston
79 stated that Fear is fully capable of running the office and is quickly picking up all the
80 requirements and procedures in the office. This will also cut back on the hours that Tiffany
81 Banks is in the office since Fear is taking over entering claims and assisting with all other
82 reports. Motion Backer to reclassify Hayley Fear from part-time to full-time secretary effective
83 July 10, 2024. Second Patrick. Voting yes: Meyer, Patrick, Backer, Fleecs, Dempcy. Voting no:
84 none. Motion carries.

85 The purchase of an extended warranty on the new maintenance pickup was tabled to give
86 the office time to get the quote from the dealership.

87 Kendall addressed the agenda item of purchasing a snowplow mount for the new
88 maintenance pickup. The Village already has the plow to mount and would just need to purchase
89 the wiring harness and modify the bumper. Kendall had a quote of \$2,000.00 for this. Motion
90 Fleecs to purchase the snowplow mount out of the equipment fund and charge it off to streets.
91 Second Dempcy. Voting yes: Dempcy, Meyer, Patrick, Backer Fleecs. Voting no: none. Motion
92 carries.

93 LARM renewal was next on the agenda. To receive a 5% discount the Village would
94 need to sign a 3-year contract. There was an increase in cost from the previous year. There was
95 an increase of 8.9% for property, 10% for liability, and 5% for workers' compensation. Milan
96 Moore questioned the percentages. Meyer read off the percentage amounts and Backer explained
97 that some equipment had been added since last year, which also accounted for the increased cost.
98 Motion Backer to accept the renewal at the 180-day 3 year commitment with the 5% discount
99 and authorize the chair to sign Resolution 2024-07-01. Second Fleecs. Voting yes: Fleecs,
100 Backer, Dempcy, Meyer, Patrick. Voting no: none. Motion carries. Fleecs then asked about the
101 safety grants. Ralston stated the office will apply for it as soon as it is opened.

102 At 6:30 PM the sealed bids for the Village owned Highway 30 properties were opened.
103 One bid was received from Chance Nutter as A Nutter Load LLC. The bid was in the amount of
104 \$6,001.00 per parcel. Motion Backer to accept the bid from A Nutter Load LLC for a total
105 amount of \$12,002.00 for both village owned properties. Second Dempcy. Voting yes: Fleecs,
106 Backer, Dempcy, Meyer, Patrick. Voting no: none. Motion carries. Attorney Roundtree stated he
107 will get paperwork drawn up and sent to the office.
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113 **OTHER:**

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- Claims were presented to the Board in the amount of \$115,858.88. The monies used for the purchase of the pickup will be moved back into the equipment fund from the designated accounts of water, sewer, sanitation, streets, recycling/compost, pool, parks, and rodeo grounds. Motion Backer to accept claims as presented. Second Patrick. Voting yes: Meyer, Patrick, Backer, Fleecs, Dempcy. Voting no: none. Motion carries.
 - Payroll Report was presented to the Board.
 - Comp Time Report was also included in the packet.
 - Utility Rate Increase report was included.

124 **FYI INFORMATION:**

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127 **REPORTS:**

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- Superintendent Kendall reported that he and Cody will be gone for a training class the following day. He has been working on the easement contracts for the South Street water project, one has been signed and given to the office already. Concrete at the new picnic shelter in Anchor Park is completed, Kendall stated it looks very nice. McConnell construction has told Kendall the new windows at the ballfield concession stands will be done in September. Had a water main in Victory Street break, it has been repaired already, and work on Spruce Street will begin the following week. Mosquito spraying will be done again over the weekend.
 - Clerk Ralston reported that she has been in contact with the Lincoln County Sheriff's Office to get the new interlocal agreement. She and Tiffany have been working on getting payroll and claims ready to be entered in quickbooks.

140 **Trustees Reports:**

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- K. Backer had nothing to report.
 - D. Dempcy had nothing to report.
 - F. Fleecs had nothing to report.
 - F. Patrick had nothing to report.
 - S. Meyer wanted to thank the maintenance staff for all their hard work over the 4th of July and all they do to keep the village looking good.

150 With nothing further on the agenda, the meeting was adjourned at 6:40 PM.

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

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160 Scott Meyer, Chairman
161 Board of Trustees, Village of Sutherland

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168 [Seal]

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168 Bonnie Ralston, Clerk
169 Village of Sutherland