

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
August 28, 2024
At 6:00 P.M.

1 The Village of Sutherland Board of Trustees held a Regular Meeting on August 28,
2 2024, at 6:00 P.M. in the Village of Sutherland Meeting Room, located at 1200 First Street,
3 Sutherland, Nebraska. Notice of this meeting was given by posting notice in four public places,
4 the 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 Dempcy, and Frank Fleecs**. Quorum was established. Also present were Village Clerk
9 Bonnie Ralston, Village Superintendent Casey Kendall, and Village Attorney Rory Roundtree.
10 The guests present were Lincoln County Commissioner Chris Bruns, Trena Seifer, and Jim
11 Dickerson. If all the names are not included, it is only by error, absence of signature or
12 undecipherable signature in the guest book.

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

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

16 The Board read the minutes for the regular meeting of the Board of Trustees August 14,
17 2024 regular meeting. Motion Backer to approve the minutes as presented. Second Patrick. Voting
18 yes: Meyer, Dempcy, Backer, Patrick. Abstaining: Fleecs. Voting no: none. Motion carries. The
19 minutes for the July 31, 2024 budget work session were also presented. Motion Dempcy to approve
20 as presented. Second Meyer. Voting yes: Backer, Dempcy, Meyer. Patrick abstained as she was
21 not present at that work session. Absent and not voting: Fleecs. Voting no: none. Motion carries.
22 Minutes from the work session held on July 31, 2024 were again presented for approval. Motion
23 Backer to approve the minutes as presented. Second Meyer. Voting yes: Backer, Fleecs, Patrick,
24 Meyer. Dempcy abstained due to not being present at that work session. Voting no: none. Motion
25 carries.

26 At 6:02 PM, Meyer adjusted the agenda to accommodate Lincoln County Commissioner
27 Chris Bruns. Commissioner Bruns was in attendance to give an update on the Lincoln County
28 happenings. First was the budget season for Lincoln County. Bruns stated his goal was to work on
29 trimming the budget down until Lincoln County is property tax request neutral. Next, Bruns let
30 the Board know that Lincoln County was declared a nuclear friendly county. Bruns feels this will
31 have a significant impact on the county, including opportunities to pursue funding on both the state
32 and the federal level, for this type of technology and power generation. Bruns stated this is in
33 addition to the operation of Gerald Gentleman power station, as he believes the jobs and the
34 operation out there need to be protected. According to Bruns, the Gerald Gentleman station is the
35 epitome of what the nation should be doing when looking at coal power generating. Bruns also let
36 the Board know that Lincoln County just accepted a bid to repave North River Road. The planned
37 paving area will be between Highway 83 and Game Trail Road. Milling and resurfacing will begin
38 in the early part of September and will be completed by the end of September. Bruns said his
39 ultimate goal would be to pave North River Road all the way to Prairie Trace Road, but that is a
40 future discussion to be had concerning budgets and with the Department of Roads. Bruns also
41 addressed the North River Bridge project. The bridge will be open for traffic early in the morning
42 of August 30th. Striping is being done and needs to cure before being driven on. The project is not
43 completed, there is still some landscaping to be done, he asks people to be cautious while traveling
44 over the bridge and watch for crews still working. Bruns stated the Lincoln County Commissioners
45 felt opening the bridge was important for area residents, school busses, and first responders.

46 Meyer then adjusted the agenda back to unfinished business.

47
48 **UNFINISHED BUSINESS:**

49
50 Ambulance Billing was discussed. The rural fire department has asked for a check for all
51 monies in that account and it's corresponding ICS account to be written, leaving only what is
52 necessary to keep the checking account open for now in case any more insurance deposits are
53 made. This account is a no fee account so would only require \$1.00 to keep it open. The rural fire
54 department has also provided the office with a list of outstanding accounts. These accounts will
55 be addressed in Ordinance #681.

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
August 28, 2024
At 6:00 P.M.

ORDINANCE NO. 681

58
59
60 **AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA ASSIGNING**
61 **CERTAIN ACCOUNTS AND FUNDS TO THE SUTHERLAND RURAL FIRE**
62 **PROTECTION DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF**
63 **NEBRASKA, TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR**
64 **PARTS THEREOF IN CONFLICT; AND TO PROVIDE WHEN THIS ORDINANCE**
65 **SHALL BE IN FULL FORCE AND EFFECT.**
66

67 Motion Fleecs to suspend the three statutory reading requirements. Second Patrick. Voting
68 yes: Dempcy, Meyer, Backer, Fleecs, Patrick. Voting no: none. Motion carries. Motion Fleecs to
69 adopt Ordinance #681 and authorize the chair to sign. Second Backer. Voting yes: Dempcy, Fleecs,
70 Patrick, Meyer, Backer. Voting no: none. Motion carries.

71 ARPA funding was discussed. This item will remain on the agenda until the funds have
72 been spent.

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

75 The budget agenda item was discussed. A work session has been scheduled for Friday
76 August 30th with B. Meyer to look over the budget and begin finalizing it for the new fiscal year.

77 Walnut Street property was addressed. There is nothing new on this. It will remain on the
78 agenda.

79 The office has not heard from B. Meyer since receiving the revised report. This will be
80 addressed at the budget work session on the 30th.

81 There has been no decision made on the Tree Board grant. This item will remain on the
82 agenda.

83 Purchasing a generator for the sewer lagoon was addressed. Kendall reported that this is
84 out for bid and will be on the agenda for the September 11, 2024 meeting to open bids.

85 Nuisance definitions and ordinances is tied to an item under new business and will be
86 discussed with that agenda item.
87
88

89 **NEW BUSINESS:**
90

91 Hay Bale Nuisance is the first item on the agenda under new business. The current
92 nuisance definitions and ordinance were provided in the packet for the Board. Meyer clarified
93 the agenda item by reiterating the complaint concerning a citizen who felt the bales were a
94 nuisance. He asked Kendall, the appointed nuisance officer, if he felt these bales constituted a
95 nuisance. Kendall stated he did not feel they met the definition of a nuisance. Pictures of the
96 bales in question were included in the packet, these photos were obtained from a public viewing
97 spot as required per ordinance. Meyer asked Attorney Roundtree what the best way to handle this
98 would be. Roundtree referenced 91.19c which states that the nuisance officer shall identify and
99 confirm that in his or her opinion a nuisance exists as defined by federal, state, or village law.
100 The nuisance officer then presents this to the Village Board for confirmation that a nuisance
101 exists. Meyer reiterated that the nuisance office stated he does not feel a nuisance exists and
102 reminded the Board that the photos are in the packet. Patrick questioned what reasons can be
103 given to declare that this is not a nuisance. She asked if the bales were lifted or inspected to
104 determine if there is rot underneath. Kendall stated he was not allowed to go onto private
105 property, and that any violations must be observable from the street or a publicly accessible area.
106 Kendall stated that in his opinion the bales appeared to be this year's crop and not a nuisance in
107 any way. Meyer spoke up and said that since this has been discussed multiple times, and there is
108 a resolution in front of the Board to declare a nuisance, he would entertain a motion on this.
109 Backer asked for further discussion. Backer asked if the Board does not follow through with the
110 resolution, it would mean the Board did not feel hay bales were a nuisance. Meyer responded
111 that she was correct. Backer expressed her reluctance to adopt the resolution based on the

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
August 28, 2024
At 6:00 P.M.

112 number of properties in the village where bales are stored, including the rodeo grounds which are
113 owned by the village. Backer stated that F. Patrick was the only one to bring this before the
114 Board as a nuisance complaint. F. Patrick agreed and then questioned how many individual
115 complaints each nuisance receives. F. Patrick stated that she disagrees with the findings and
116 wanted it made clear. F. Patrick question how the ordinance could list rodents, rot, etc. when
117 Kendall is not able to go onto private property. Meyer stated that the appointed nuisance office
118 must observe the nuisance from public property. In the case of a rodent such as a possum or
119 raccoon, Kendall would offer a property owner a trap and dispose of anything caught and advise
120 the property owner on ways to mitigate the issue. Meyer asked for a motion to adopt Resolution
121 2024-08-02. No motion was forthcoming. Resolution 2024-08-02 died for lack of motion.

122 A well permit for 110 W County Road was presented to the Board. Kendall clarified that
123 this well was to be used for a garden. Motion Backer to approve the well permit. Second Dempcy.
124 Voting yes: Fleecs, Meyer, Patrick, Dempcy, Backer. Voting no: none. Motion carries.

125 A chicken permit was submitted for 1431 South Street. Kendall stated that this permit had
126 been denied once due to lack of adequate fencing. Since then, the fencing has been fixed, Kendall
127 stated he had no issue with the permit now. Motion Backer to approve the chicken permit. Second
128 Dempcy. Voting yes: Patrick, Backer, Dempcy, Meyer, Fleecs. Voting no: none. Motion carries.

129 Superintendent Kendal submitted an estimate for the repairs to Victory Street that need to
130 be done. There was a water main leak this summer, and while that was repaired, more work is
131 needed. Kendall also stated that work needs to be done to 2nd Street as well. He would like to have
132 both done at the same time if possible. The Board asked Kendall to get estimates for 2nd Street and
133 then place both on the agenda.

134 Signers for the Adams Bank and Trust ICS accounts were next on the agenda. In the past,
135 the ICS accounts had the clerk, chairman, and vice chair as signers. During the last meeting when
136 these accounts were set to be opened, all the Trustees' names were listed as signers in the minutes.
137 Adams Bank and Trust wanted clarification on which way the Board would like this done.
138 Consensus of the Board was to leave all Trustee names on as per the minutes of the August 14,
139 2024 meeting.

140 The final agenda item was the upcoming gWorks renewal. Clerk Ralston stated that since
141 claims and payroll are being done in QuickBooks, she felt there was no need to renew those
142 modules in the gWorks software.

143

144 **OTHER:**

145

- 146 • Claims were presented to the Board in the amount of \$41,800.72. Motion Backer to
147 approve the claims as presented. Second Meyer. Voting yes: Fleecs, Meyer, Patrick,
148 Dempcy, Backer. Voting no: none. Motion carries.
- 149 • Payroll Report was presented to the Board.
- 150 • Comp Time Report was also included in the packet.
- 151 • The Utility Rate increase report was included in the packet.

152

153 **FYI INFORMATION:**

154

155

156 **REPORTS:**

- 157 • Superintendent Kendall reported he had met with T. Werblow concerning some crack
158 sealing that was peeling up. Werblow believes it was caused by excess moisture when it
159 was applied. The company who did the work is coming back to fix it. Cameras at the
160 wellfield have been installed. Have had some issues with the meters at the wellfield.
161 Working on getting that fixed. They have started to winterize the pool. Concrete on
162 Spruce Street intersection by the shop looks great. Kendall would recommend using that
163 company again.
- 164 • Clerk Ralston covered all of her report during the meeting. Fleecs questioned when all
165 the checking accounts will be sorted out since opening the new accounts. Ralston
166 reported the accounts are open, waiting on the ICS accounts to be finished before
167 transferring money into them.

168

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
August 28, 2024
At 6:00 P.M.

169 **Trustees Reports:**

- 170 • K. Backer had nothing to report.
171 • D. Dempsy had nothing to report.
172 • F. Fleecs had nothing to report.
173 • F. Patrick had nothing to report.
174 • S. Meyer had nothing to report.

175

176

177

178

With nothing further on the agenda, the meeting was adjourned at 6:33 PM.

179

180

181

182

These minutes are set to be approved at the September 11, 2024, regular meeting.

183

184

185

186

187

188

189

Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

190

191

192

193

194

195

196

197

198

[Seal]

Bonnie Ralston, Clerk
Village of Sutherland

199