

**VILLAGE of SUTHERLAND**  
**BOARD OF TRUSTEES Regular Meeting**  
**December 11, 2024**  
**At 6:00 P.M.**

1 The Village of Sutherland Board of Trustees held a Regular Meeting on December 11,  
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, and Derek Dempcy.**  
8 **Felicia Patrick arrived at 6:04 P.M. Frank Fleecs was absent.** Quorum was established. Also  
9 present were Village Superintendent Casey Kendall, Village Clerk Bonnie Ralston, and Village  
10 Attorney Rory Roundtree. The guests present were Justin Nelms, Jim Dickerson, Gene Tacey,  
11 and Bailey Guenin. 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 Chairman Meyer gave notice of the open meeting law poster and its location and proper  
15 procedure for guests.

16 The Board read the minutes for the regular meeting of the Board of Trustees November 13,  
17 2024, regular meeting. Motion Backer to approve the minutes as presented. Second Meyer. Voting  
18 yes: Meyer, Dempcy, Backer. Absent and not voting: Patrick and Fleecs. Voting no: none. Motion  
19 carries.

20  
21 **UNFINISHED BUSINESS:**  
22

23 The topic of storm/sewer drainage was addressed, as was the sewer lagoon drainage.  
24 Superintendent Kendall stated there was nothing new on this item. He also informed the Board  
25 that Werblow is aiming for January to have the specs put together so this item can go out for bid.

26 Walnut Street property was addressed. The title search had been completed. Roundtree  
27 requested this item be discussed in executive session since it concerns possible litigation.

28 The Tree Board grant agenda item was discussed. Gene Tacey was in attendance and had  
29 heard nothing new on this item.

30 Fencing on the north lot was discussed. The trial bag of slats has been received and  
31 Kendal and Trusty-Solko will install it to determine how labor intensive they will be.

32 The South Street water project was next on the agenda. Kendall reported that pipe had  
33 been laid. Samples will need to be taken before lines can be hooked up. Kendall stated that  
34 chlorination will begin next week and will continue until samples come back clean.

35 The Board then addressed the rate and fee schedule agenda item. The occupation tax  
36 agenda item is tied to this, the Board addressed that item first. Ralston gave the second reading  
37 of the ordinance by title only.  
38

39 **Ordinance #683**  
40

41 AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, LINCOLN COUNTY,  
42 NEBRASKA, TO ESTABLISH AN OCCUPATION TAX ON MECHANICAL AMUSEMENT  
43 DEVICES AND SKILL GAMES AND TO CREATE CHAPTER 110, § 110.22 OF THE  
44 MUNICIPAL CODE BOOK (ORDINANCE NO. 679), TITLED "MECHANICAL  
45 AMUSEMENT DEVICES AND SKILL GAMES"; TO REPEAL ALL OTHER ORDINANCES  
46 AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE  
47 PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE  
48 VILLAGE OF SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE  
49 SHALL TAKE EFFECT.  
50

51 Backer questioned if the office had received any negative feedback about this ordinance  
52 after the first reading during the November meeting. Ralston stated that the office had not received  
53 any feedback concerning this at all. Motion Patrick to waive the third reading of Ordinance #683.  
54 Second Dempcy. Voting yes: Meyer, Backer, Dempcy, Patrick. Absent and not voting: Fleecs.  
55 Voting no: none. Motion carries. Motion by Patrick to adopt Ordinance #683 and authorize the  
56 chair to sign. Second Dempcy. Voting yes: Dempcy, Meyer, Patrick, Backer. Absent and not  
57 voting: Fleecs. Voting no: none. Motion carries. Backer questioned when the ordinance would go

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58 into effect. Roundtree stated that the language in the ordinance states it would go into effect May  
59 1, 2025. The Board then returned to the rate and fee schedule agenda item. Motion Backer to adopt  
60 Resolution 2024-10-01 and authorize the chair to sign. Second Patrick. Voting yes: Meyer, Patrick,  
61 Dempcy, Backer. Absent and not voting: Fleecs. Voting no: none. Motion carries.

62 The December 11, 2024 claims in the amount of \$86,456.58 were presented to the Board.  
63 This included the payroll from November 22, 2024, payroll from December 6, 2024, and Board  
64 payroll from December 6, 2024. Ralston clarified for the Board why the gWorks claim was not  
65 included in this list, stating that the office was waiting on a corrected invoice from the company.  
66 The office had been attempting to get this for more than a month. Meyer questioned if the bond  
67 payment was also in this list. Ralston stated that it was and explained, after Meyer questioned the  
68 amount, that the December payment is interest only. Patrick asked what Dream Share productions  
69 claim was for. Ralston explained that it was for Maly Marketing, who hosts and maintains the  
70 Village of Sutherland webpage. The Miller & Banks claim was also discussed, Ralston informed  
71 the Board that the amount of the claim was for hours during August-November. Motion Backer to  
72 approve the claims as presented. Second Dempcy. Voting yes: Backer, Patrick, Dempcy, Meyer.  
73 Absent and not voting: Fleecs. Voting no: none. Motion carries.

74

75 **Adjourn Sine Die:**

76 Meyer adjourned Sine Die at 6:12 P.M. The meeting was turned over to Attorney  
77 Roundtree who acted as Chairperson pro tempore.

78

79 **Re-Organizational Meeting:**

80 Roundtree invited the new member of the Board of Trustees to come forward and asked  
81 the re-elected Board members to stand. Roundtree then read the oath of office in its entirety before  
82 asking each newly elected member if they so swore. Kimberly Backer did take and subscribe to  
83 that oath. Derek Dempcy did take and subscribe to that oath. Justin Nelms did take and subscribe  
84 to that oath. Roundtree then invited the newly sworn Trustees to take their seats.

85 Roundtree then explained the process of electing a chairperson. He asked if the Board  
86 would prefer to give a voice vote for this process or if they would prefer to use secret ballots.  
87 Motion Dempcy to utilize voice vote for the election of officers. Second Backer. With no further  
88 discussion to be had, Roundtree called for a vote. Voting yes: Nelms, Meyer, Backer, Dempcy,  
89 Patrick. Voting no: none. Motion carries. Roundtree then opened the floor to nominations. Backer  
90 nominated Scott Meyer for chairperson. Roundtree asked if Meyer would consent to the  
91 nomination. Roundtree then questioned if there were any further nominations for chairperson.  
92 Hearing no further nominations for chair, Roundtree declared the nominations closed. Roundtree  
93 then asked for a second motion to nominate Scott Meyer as the Chairperson. Motion Backer.  
94 Roundtree called for discussion. No discussion was had. Roundtree asked all those in favor to say  
95 aye. Backer, Nelms, Patrick, and Dempcy responded with "aye". Roundtree announced that the  
96 motion carries, and Scott Meyer received the majority of the votes. Then Roundtree called for a  
97 motion and a second to accept the result of the vote. Motion Patrick to accept the result of the vote.  
98 Second Dempcy. Roundtree asked if there was any further discussion to be had. With no discussion  
99 held, Roundtree called for a voice vote to confirm Meyer as chair. Voting yes: Nelms, Backer,  
100 Patrick, Dempcy. Abstaining: Meyer. Voting no: none. Motion carries. The meeting was then  
101 turned over to Meyer by Roundtree.

102 At 6:17 PM the regular reorganizational meeting was opened.

103 The first item addressed by Meyer was the nomination and election of a Vice-Chairperson.  
104 Backer nominated Derek Dempcy for Vice-Chair. Dempcy respectfully requested his name be  
105 removed from nomination. Backer then nominated Felicia Patrick. Patrick accepted the  
106 nomination. Meyer called for a vote to accept the nomination. Voting yes: Meyer, Nelms, Dempcy,  
107 Backer. Abstaining: Patrick. Voting no: none. Motion carries.

108 Meyer then address the assigning of committees for board liaisons. Backer discussed dates  
109 and times of the various committee meetings. Backer also reminded the Board that it is  
110 recommended the liaison attend meetings as often as possible. Meyer then asked if any Trustee  
111 wanted to change the committees they are currently assigned to. Patrick stated that the meetings  
112 for Lillies of the Valley are at a time that is difficult for her to attend with her work schedule.  
113 Backer stated she would take over the liaison position with the Lillies of the Valley. Dempcy stated  
114 he is content with his assigned committees. Backer also expressed that she would like to keep her

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115 assigned committee, with the addition of the Lillies of the Valley. Meyer then asked Nelms if he  
 116 would be comfortable being the liaison for the investments, sewer, streets, and water departments.  
 117 Nelms stated that he would be. The assigned committees are:  
 118

Meyer	Backer	Patrick	Dempcy	Nelms
Board of Health, Keno, Planning Commission, Safety committee	Growth Committee, Compost, Law enforcement, Recycling, Lilies of the Valley	Chamber of Commerce, Community Development, Library Board	Parks, Rodeo Grounds, SYP	Investments, Sewer, Streets, Water

119  
 120 Reappointment of employees was next on the agenda. Motion Backer to reappoint Casey  
 121 Kendall as the Utilities Superintendent. Second Dempcy. Voting yes: Dempcy, Backer, Patrick,  
 122 Nelms, Meyer. Voting no: none. Motion carries. Motion Patrick to reappoint Bonnie Ralston as  
 123 Village Clerk/Treasurer. Second Dempcy. Voting yes: Backer, Dempcy, Patrick, Nelms, Meyer.  
 124 Voting no: none. Motion carries. Motion Backer to reappoint Rory Roundtree from Roundtree  
 125 Law Office as the Village Attorney. Second Patrick. Voting yes: Meyer, Dempcy, Backer, Patrick,  
 126 Nelms. Voting no: none. Motion carries. Motion Patrick to reappoint Tom Werblow from TC  
 127 Engineering as Village Engineer. Second Dempcy. Voting yes: Backer, Patrick, Meyer, Dempcy,  
 128 Nelms. Due to an error on the agenda Werblow could not be reappointed as the Street  
 129 Superintendent at this meeting, that appointment will be placed on the January agenda.

130 Committee reappointments were also on the agenda. For the Planning Commission,  
 131 Ralston questioned if RC O’Neal would need reappointment, after a short discussion it was  
 132 determined that since O’Neal completed the remainder of a term that was up for reappointment he  
 133 would need to be. Motion Backer to reappoint RC O’Neal to the Planning Commission. Second  
 134 Patrick. Voting yes: Patrick, Meyer, Backer, Nelms, Dempcy. Voting no: none. Motion carries.  
 135 The Sutherland Housing Authority has submitted a letter asking for the appointment of Bob  
 136 Thompson. Motion Patrick to reappoint Thompson. Second Backer. Voting yes: Backer, Dempcy,  
 137 Nelms, Meyer, Patrick. Voting no: none. Motion carries. Growth Committee reappointments were  
 138 discussed. Ralston stated she had not been told of any that were due. This item will be carried over  
 139 to the January meeting. Meyer then asked about the Board of Health. The office is doing some  
 140 research on this committee with assistance from Roundtree, so this will be addressed in January  
 141 also.

142 At 6:27 P.M., having fulfilled all the reorganization requirements, the reorganizational  
 143 meeting was adjourned and the regular meeting was reopened.  
 144  
 145

146 **NEW BUSINESS:**  
 147

148 The first new business agenda item was the Sutherland Swimming Pool replat positive  
 149 recommendation from the Planning Commission. Roundtree asked Ralston to clarify the changes  
 150 made to this. Ralston stated that the legal description and a couple of misspellings had been  
 151 noticed by Boni Edwards, Lincoln County Surveyor, and Dickinson Land Surveyors had  
 152 corrected them. Ralston had asked Edwards if the replat would need to go back to the planning  
 153 commission before being presented to the Board. Edwards had advised that the main portion of  
 154 the replat, measurements, etc., had not changed, merely wording and spelling, so it would be fine  
 155 to present it for approval to the Board. Roundtree stated he simply wanted this clarified for full  
 156 transparency. Motion Backer to accept the Sutherland Swimming Pool replat, subject to  
 157 correction. Second Dempcy. Voting yes: Nelms, Backer, Patrick, Dempcy, Meyer. Voting no:  
 158 none. Motion carries.

159 Superintendent Kendall addressed the mower bid agenda item. Kendall stated that it had  
 160 been a couple of years since the Village had purchased a new mower. He provided a bid from  
 161 Rankin Sales and Service. Kendall stated that the last time the Village purchased a mower the  
 162 old one was sold on consignment through Rankin instead of being traded in. Kendall said the  
 163 Village gets more back from selling it than they would if they were to trade it in. Meyer  
 164 mentioned that the consignment fee had also been lowered from the usual 10% to 5%. Patrick  
 165 questioned which fund the money from the mower would come from. Kendall and Meyer stated  
 166 that the funds would come from the Equipment fund. Meyer also stated that this item has been in

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167 the budget for several years. Motion Backer to approve the purchase of the mower from Rankin  
168 Sales and Service in the amount of \$17,995.12 and authorize it to come out of the equipment  
169 fund. Second Dempcy. Voting yes: Patrick, Meyer, Backer, Nelms, Dempcy. Voting no: none.  
170 Motion carries.

171 At 6:33, to accommodate an audience member, the FFA proposal for the food pantry box  
172 was addressed next. Bailey Guenin was in attendance to discuss this with the Board. Guenin  
173 explained the project that the FFA kids were working with the Extension Office on. This project  
174 is a free food pantry that would be accessible at all hours. Backer questioned if she had  
175 considered asking the school board if they would allow it to be placed near the school  
176 greenhouse. Backer stated that there is parking there, and since it would be affiliated with the  
177 FFA it made sense to place it on school owned property. Guenin stated that her students would  
178 be maintaining it and continuing the project. Kendall said that if the school was not open to  
179 allowing it to be placed on school property Guenin could bring it back to the Village and  
180 alternate locations could be discussed. Ralston questioned if any sort of a permit would be  
181 needed for this. The Board discussed this, and it was determined that based on the size, a permit  
182 would not be needed.

183 The agenda was then adjusted back to the letter of support for NPPD. Ralston explained  
184 that Brian Vasa has requested the Board sign this letter to show support for the SMR application.  
185 This would allow NPPD to begin the process of conducting studies and preparing for the  
186 possibility of being selected as the site for the small modular reactor. Meyer clarified that this  
187 does not agree to anything but is simply a letter of support for their process. Motion Backer to  
188 authorize the Chair to sign a letter of support for NPPD. Second Patrick. Voting yes: Backer,  
189 Nelms, Meyer, Patrick. Abstaining: Dempcy. Voting no: none. Motion carries.

190 Gene Tacey was in attendance to address the Growth Committee purchase of a new globe  
191 for the light at the old gas station. Tacey informed the Board he had priced the reproduction  
192 globe from several sources and was asking for \$125.00 to purchase the globe. The old one had  
193 been blown off or fallen off during the summer. Motion Backer to authorize the purchase of the  
194 globe with a price limit of \$150.00. She reasoned that this amount would cover small increases in  
195 pricing that may occur between the time Tacey researched and now and cover any taxes on the  
196 item. Second Patrick. Voting yes: Meyer, Patrick, Dempcy, Backer, Nelms. Voting no: none.  
197 Motion carries.

198 Next on the agenda was an introductory letter from Crosswinds Animal Health. They are  
199 a veterinary clinic out of Imperial and offer a mobile veterinary clinic. The clinic had stated they  
200 were working with the recently closed Sutherland Vet Clinic. They are interested in servicing the  
201 Sutherland area, and questioned if there would be a preferred location for them to park that  
202 would have access to electricity. Backer questioned if there would be any need for a peddlers  
203 permit or any other documentation. Roundtree clarified that since residents would be setting up  
204 appointments with them, they would be invited, not unwanted, and therefore would not need the  
205 peddler's permit. Kendall stated he felt the Village should express their support for this, after Dr.  
206 McCune retired there is not a vet in town. Backer suggested getting the clinic the contact  
207 information for the Rodeo Committee as a possible location for setting up that also has access to  
208 electricity. The office will reach out and express the support of the Board along with providing  
209 contact information for the Rodeo Committee.

210 Lilies of the Valley had requested \$50.00 from Keno funds to be used for prize money for  
211 their Christmas lighting contest. Motion Patrick to approve the request. Second Dempcy. Voting  
212 yes: Patrick, Meyer, Backer, Nelms, Dempcy. Voting no: none. Motion carries.

213 Ralston presented the Board with the information concerning the clerk's academy. It will  
214 be held March 16-21<sup>st</sup> in South Sioux City. This training provides the state required training  
215 hours for clerk and treasurer. Ralston had discussed attending the academy with Fear and options  
216 for staffing the office. It was decided between the two that only Ralston would attend.  
217 Discussion was held concerning the recordings of the training sessions and the course materials  
218 provided. Ralston stated she would ensure that Fear had access to those and pass along all  
219 information from the academy. Motion Patrick to approve the request for the registration fee,  
220 hotel, and related costs for Ralston to attend the training. Second Dempcy. Voting yes: Backer,  
221 Dempcy, Nelms, Meyer, Patrick. Voting no: none. Motion carries.

222 The final agenda item was brought to the Board by Pronto Sutherland. They had  
223 expressed concern with the parking situation in front of the store. The owner wondered if this

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224 could be made a No Parking zone. Discussion was held on whether the Board could declare that  
225 side of the street no parking and, if so, where the signs could be posted. There are no posts along  
226 that side of the street, so it would require auguring of the concrete to create holes to place posts.  
227 Gene Tacey addressed the Board and suggested that perhaps a couple of parallel parking spots  
228 could be designated and painted. Patrick stated that she could understand frustrations, as it can  
229 get tight and hard to pull up to a pump with larger or longer vehicles at them and vehicles parked  
230 while people are in the store. She also felt that the issue is added to by the vehicles waiting to be  
231 serviced by the tire shop and their mobile unit. Patrick questioned how it could be monitored if it  
232 were made no parking, or spots were designated. Backer stated the owner and employees would  
233 have to call the Sheriff's department if it were not being followed. Some discussion was held on  
234 where the property line is, this would allow the Village to determine where the sidewalk area  
235 would be. Backer said that she would bring these questions to the owner and request he attend  
236 the meeting in January.

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238

239 **OTHER:**

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- 241 • Payroll Report was presented to the Board for both the Board payroll and the regular
- 242 payroll.
- 243 • Comp Time Report was also included in the packet.
- 244 • Balance of Accounts was presented to the Board.
- 245 • Profit & Loss statement was presented to the Board.

246

247 **FYI INFORMATION:**

248

249 Ralston had been asked by Backer to provide the increase percentage for the insurance to  
250 the Board. The other insurance policies had been discussed at previous meetings, the only one  
251 left was United Healthcare. There was a 5% increase to the policy, which worked out to be less  
252 than two dollars per employee per month. Ralston stated that she had spoken with the  
253 representative from United Benefit Services that oversees the insurance plans for the Village.  
254 They recommended the Village stay with the current plan and could not find any similar plans  
255 that were not significantly more. This plan will auto renew if the Village chooses not to change  
256 providers. Ralston also told the Board she was still waiting on the corrected invoice from  
257 gWorks. Backer suggested the office reach out to see if an extension could be asked for to allow  
258 the Board time to get the invoice and pay the claim. Backer also asked the office to keep track of  
259 all emails and contact with gWorks concerning this.

260

261 **REPORTS:**

262

- 263 • Superintendent Kendall reported that the South Street water project is going well. Mains  
264 should be hooked up the next day and services should be hooked up soon after that. He  
265 also stated that chlorination will begin the following week as a precaution and will  
266 continue until the Village receives clean samples back. He estimates it could take up to  
267 two weeks. Kendall also addressed hiring a full-time employee for the maintenance shop.  
268 He feels that people don't want to work in a part-time position and would like this to be  
269 placed on the agenda in January. Patrick questioned how the chlorinating will affect the  
270 residents. Kendall replied that it just kills any bacteria that may be in the water, but the  
271 only affect is that the water will smell and taste a little like Clorox.
- 272 • Clerk Ralston reminded the Board she would only be in the office for a half day on the  
273 12<sup>th</sup> and would not be in at all on the 13<sup>th</sup> due to appointments.

274

275

276 **Trustees Reports:**

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- 278 • K. Backer had nothing to report.
- 279 • D. Dempcy had nothing to report.

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