

VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
March 12, 2025 at 6:00 P.M.

1 The Village of Sutherland Board of Trustees held a Regular Meeting on March 12, 2025,
2 at 6:00 P.M. in the Village of Sutherland Meeting Room, located at 1200 First Street, Sutherland,
3 Nebraska. Notice of these meetings 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, Derek**
8 **Dempsy, and Justin Nelms**. Quorum was established. Also present were Village Superintendent
9 Casey Kendall, Village Clerk Bonnie Ralston, and Village Attorney Rory Roundtree. The guests
10 present were Milan Moore, Jim Dickerson, Gene Tacey, Trena Seifer, and Muriel Clark. If all
11 the names are not included, it is only by error, absence of signature or undecipherable signature
12 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 At this time, the Board opened the floor for comments from the public. Chairman Meyer
17 stated that all comments need to be directed to the Chair and that there was a five-minute time
18 limit. Chairman Meyer also said that there would be no discussion by the Board on comments by
19 the public that addressed items that were not on the agenda. Muriel Clark asked Chairman Meyer
20 if the public will still be allowed to speak on agenda items or if all public comments were limited
21 to this open floor period. Attorney Roundtree addressed this and explained that the open comments
22 period was for items that were not on the agenda that the public wanted to bring to the attention of
23 the Board. With no further comments from the public, Chairman Meyer moved on with agenda
24 items.

25 The Board read the minutes for the regular meeting of the Board of Trustees February 26,
26 2025. Motion Backer to approve the minutes as presented. Second Dempsy. Voting yes: Nelms,
27 Backer, Meyer, Dempsy. Abstaining due to not being present at that meeting: Patrick. Voting no:
28 none. Motion carries.

29 The Sheriff report was provided in the packet. There were 78 calls for service, including 3
30 traffic violations and 2 Village Code violations. 105.25 hours were logged, bringing the total
31 logged hours to 570.25 to date out of the contracted 1200 yearly hours.

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33 **UNFINISHED BUSINESS:**

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35 The topic of storm/sewer drainage was addressed, as was the sewer lagoon drainage.
36 Superintendent Kendall stated there was nothing to report at this time.

37 Walnut Street property was addressed. Attorney Roundtree addressed this item. All
38 information has been sent to Thalken Title and Roundtree is waiting for a response.

39 Fencing on the north lot was discussed. Kendall reported that at this time there was
40 nothing new on this.

41 Nuisance violations were next on the agenda. Notification processes were the issue the
42 Board was concerned with. Attorney Roundtree stated that the state does require the homeowner
43 and/or renter to be notified of a nuisance violation. The method of notification is set within the
44 Village by ordinance. Roundtree outlined the methods adopted by the village, stating that the
45 ordinance allows for notification by mail, either regular or certified, or by personal service. If
46 these methods fail, a single publication in the newspaper can also be utilized. Roundtree said that
47 the fastest method would be serving people in person. Kendall asked if the fee for having the
48 Sheriff's department serve a resident could then be assessed to the resident. Roundtree agreed
49 that this could be done. Discussion was held on the length of time it takes to notify someone by
50 certified mail. Backer questioned if a posting at the residence could be done alongside a regular
51 letter. Roundtree stated that the effort to serve the resident must be made. Some discussion was
52 held concerning sending a first-class letter and the fact that there is no way of determining if the
53 letter was received. Patrick stated her opinion that the letter should be personally served to
54 residents, particularly those who repeatedly violate the nuisance ordinances. Kendall discussed
55 issues with personally serving residents, including there being no one at home during the hours
56 he and Trusty-Solko were at work. With no better option presented, the Board opted to leave the
57 procedure for notification as it currently is. This item can be removed from the agenda.

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58 Transfer of Maple Street property from Village of Sutherland ownership to Community
59 Redevelopment Authority ownership was next on the agenda. Ordinance #684 was given a
60 second reading.

ORDINANCE NO. 684

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63 AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA, DECLARING THAT
64 THE COMMUNITY REDEVELOPMENT AUTHORITY IS A PUBLIC AGENCY FOR
65 PURPOSES OF *NEB. REV. STAT.* 17-503; CONVEYING REAL ESTATE LOCATED IN THE
66 VILLAGE OF SUTHERLAND, LINCOLN COUNTY, NEBRASKA, MORE PARTICULARLY
67 DESCRIBED IN THE ATTACHED EXHIBIT “A” TO THE COMMUNITY REDEVELOPMENT
68 AUTHORITY OF THE VILLAGE OF SUTHERLAND, NEBRASKA; FINDING THAT THE
69 TRANSFER OF THE REAL ESTATE IS FOR THE REMOVAL OF SUBSTANDARD AND
70 BLIGHTED CONDITIONS; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS,
71 OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS
72 ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF
73 SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE SHALL TAKE
74 EFFECT.

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76 Roundtree clarified the change made to the ordinance after the first reading, at the request
77 of the Board. The purchase price of \$2,000.00 was added with the reasoning that the Village
78 used tax dollars for the original purchase of this property, so the CRA should purchase it from
79 the Village to make the accounts whole. Patrick commented that she had been to the school
80 board meeting, and had been told that the property was being purchased by a specific person. She
81 questioned this because the property would need to be placed up for bid and that has not been
82 done yet. Roundtree stated that Patrick was correct, the property would need to be placed up for
83 bid and all legalities followed for the sale of property. These details will need to be determined at
84 a CRA meeting. Backer motioned to suspend the three reading of Ordinance #684. Second
85 Patrick. Voting yes: Nelms, Backer, Meyer, Dempcy, Patrick. Voting no: none. Motion carries.
86 Motion Backer to adopt Ordinance #684. Second Patrick. Voting yes: Patrick, Meyer, Nelms,
87 Backer, Dempcy. Voting no: none. Motion carries.

88 The Hershey Help Club has contacted the office regarding the Village donating a family
89 pool pass to them for a silent auction item at their Carnival. Some discussion was held on a
90 government entity donating to a public school. Meyer called for a motion; no motion was made.
91 This item can be removed from the agenda.

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94 **NEW BUSINESS:**

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96 The office had placed the water account on the agenda. Clerk Ralston asked the Board for
97 definitive guidance regarding amounts and timelines for transferring revenue from utility billing
98 into the water account and the sewer account. It had been suggested at one point to figure the
99 utility rate increase amount, like had been previously done, and move that amount quarterly.
100 Some discussion was held on what would be best to build the water and sewer accounts back up.
101 Frank Fleecs was attending the meeting via Zoom and asked to address the Board. Fleecs stated
102 that he thought the plan was to move all water and sewer profits into their respective accounts,
103 that is why those accounts were opened. Meyer and Backer agreed that was the initial discussion.
104 Backer added that a timeframe was never set on that. Meyer asked the office to determine the
105 date the account was opened. The profits from that date forward will be transferred into the
106 respective accounts and the office will continue to do this quarterly.

107 Schaben’s Sanitation had reached out to the office to ask that the Village take over the
108 accounts who were still being direct billed through them. The office presented a sample letter to
109 notify the residents of the change in billing. Motion Backer to approve the office to mail out the
110 letters and take over the billing for those accounts. Second Dempcy. Voting yes: Nelms, Backer,
111 Meyer, Dempcy, Patrick. Voting no: none. Motion carries.

112 Backer had requested that Fundraising for Anchor Park Project be placed on the agenda.
113 Backer expressed that the public needs to be informed of funding that has been raised and what

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114 is still needed. Patrick will attend the Chamber of Commerce meeting and address this question
115 with them.

116 Muriel Clark was in attendance to address the Board concerning some available grants
117 through the Visit North Platte Improvement Fund and also through the Mid-Nebraska
118 Community Foundation. Clark expressed that she would like to apply for these, with Village
119 permission, to supplement the Anchor Park Expansion fundraising. Both of these grants have
120 deadlines in April, Clark would need to submit minutes proving authorization along with the
121 letter of intent and the applications. The office had checked with West Central to see if applying
122 for grants to be used in conjunction with the Game and Parks grant was allowed. Clerk Ralston
123 reported that she had been told that it was allowed, with a warning that the Game and Parks grant
124 must be disclosed on all other applications and was also told that many grants will be denied if
125 the applicant is already receiving a federal grant. Clark informed the Board that these grants she
126 wanted to apply for are funded through local taxes and donations so do not involve federal funds.
127 Clark would like to apply for \$25,000.00 from each, with the understanding that a smaller
128 amount may be awarded or it may be denied. Gene Tacey was in the audience and asked if these
129 grants required matching funds. Clark replied that they are matching grants, but the matching
130 funds are set already, these grants would merely offset the already promised spending. Motion
131 Backer to allow Muriel Clark to apply for the Visit North Platte Improvement Fund on behalf of
132 the Village of Sutherland. Second Dempcy. Voting yes: Backer, Dempcy, Patrick, Meyer,
133 Nelms. Voting no: none. Motion carries. Motion Backer to allow Muriel Clark to apply for the
134 Mid Nebraska Community Foundation grant on behalf of the Village of Sutherland. Second
135 Patrick. Voting yes: Dempcy, Patrick, Backer, Nelms, Meyer. Voting no: none. Motion carries.
136 Backer also motioned to authorize the chair to sign any necessary letters required for the
137 purposes of the applications. Second Dempcy. Voting yes: Patrick, Meyer, Nelms, Backer,
138 Dempcy. Voting no: none. Motion carries.

139 Next on the agenda was the Property Improvement Grant contract for 130 Park Street.
140 This grant was awarded to Streeter Electric from the Citizen's Advisory Review Committee.
141 Muriel Clark, as program administrator, was in attendance to address this. Mike Streeter, owner
142 of Streeter Electric, was also in attendance. Clark explained that terms of the contract state that
143 the business that received the grant must remain in business for 3 years after receiving it and
144 must provide financial documents yearly to prove this. If these conditions are not met, the Board
145 may require a full repayment of the property improvement grant. Clark went on to explain that
146 Streeter has been presented with a better opportunity and so he and his family will be moving.
147 Streeter also addressed the Board, stating that the improvement made to the property did raise the
148 value, and wouldn't be affected by the sale of the home. Meyer asked Roundtree if the contract
149 was between the CARC board and Streeter Electric or between the Village and Streeter Electric.
150 Roundtree clarified that the contract is with the Village, the CARC is simply an advisory board.
151 Milan Moore asked if this property having received a grant from the CARC board would affect
152 new owners if they also chose to apply for a grant. Meyer stated that the grant was given to the
153 business, not to the property and would not be affected by new owners. Backer expressed
154 concern with setting a precedent so future grant recipients could not be held to the terms of the
155 contracts. Meyer questioned if the business remained open, is there anything in the contract that
156 requires the business to remain in town. Discussion was held concerning the grant being tied
157 only to the business as named in the contract and not the property itself. Patrick asked Streeter if
158 he was planning on remaining in business after the move. Streeter stated that was the intention.
159 Patrick asked for clarification that Mr. Streeter would be required to provide proof that he is still
160 in business as Streeter Electric, and if the business is sold or no longer operating under that name
161 the contract would be fully enforceable. M. Moore commented that the contract may need to be
162 looked into deeper and require some re-wording. Discussion was held concerning this. Backer
163 stated she wasn't sure if there was anything the Board could do at this point with the wording of
164 the contract. Meyer asked if the Board would like to take action or agree that no action is needed.
165 The Board was in agreeance that no action was needed on this item.

166 Kendall addressed the park fertilizer bids next. Kendall submitted bids from TruGreen,
167 Jorgenson's Lawn Service, and Mow Power. Discussion was held on the number of rounds each
168 offered and if grub control was guaranteed. Motion Patrick to accept the bid from TruGreen for
169 \$12,661.08 with the listed discount and verification that they do five rounds of treatment. Second
170 Backer. Voting yes: Meyer, Nelms, Dempcy, Patrick, Backer. Voting no: none. Motion carries.

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171 The drip system at the library was addressed next. Lillies of the Valley thought it was
172 malfunctioning. Kendall stated the system had been repaired. Backer also reported that the
173 Lillies of the Valley were requesting mulch and preen, they informed Backer that they would do
174 the initial mulching but have asked others to take over the care of the plants. Kendall will get the
175 mulch as he has in the past.

176 Damage at the Veteran’s Memorial was next on the agenda. During some high winds one
177 of the stones had been blown over. Gene Tacey addressed this item. Tacey stated he had
178 contacted the memorial company to arrange for the removal of the stone and getting a
179 replacement ordered. The company informed Tacey that they would stand by their product and
180 will make it right. Tacey would like TC Engineering to look over the plans for setting the stone
181 when it is replaced, and get an opinion on whether the other stones were set correctly. Tacey also
182 addressed the issue of the concrete that was broken when it fell. Meyer clearly stated that the
183 company who placed the stones will be replacing the concrete that broke due to failure of their
184 installation. Tacey also reported to the Board that the grant for the veteran’s memorial had
185 received a completion extension due to this problem. The repair of the grass was also addressed
186 by Tacey. Discussion was held on why the veteran’s funds were being used for the repair of the
187 grass torn up by the crane instead of the contractor being responsible. Tacey stated he told the
188 company if they did not have mats then the Veteran’s Memorial funds would pay to repair the
189 grass. Meyer felt this was not something that Tacey should have agreed to, he felt the company
190 should have been held responsible for repairing any damages to the park from the crane. More
191 discussion was held on options to block off the broken stone and to ensure the other stones
192 wouldn’t fall also. Kendall let the Board know that fencing had already been placed around the
193 broken stone. Patrick asked if the agreement not to hold the contractor accountable for damaged
194 grass should have been brought before the Board for approval instead of Tacey making the
195 decision. Tacey explained that the agreement was made due to time constraints. Some discussion
196 was held on how future decisions should be made in regard to Village property. Meyer
197 questioned if the Board would like Tom Werblow involved in this process, the Board
198 unanimously agreed that this was their preference. Backer stated she would even be comfortable
199 if they had an engineer that would agree to state that the stones were correctly installed.
200 Discussion was held on suggestions for reinforcing the stones. Backer motioned that Tom
201 Werblow be consulted and involved in the process of ensuring the Veteran’s Memorial stones are
202 correctly installed and plans for the replacement of the fallen stone. Second Nelms. Voting yes:
203 Backer, Dempcy, Patrick, Meyer, Nelms. Voting no: none. Motion carries.

204 The agenda item of summer personnel will be addressed in executive session.

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210 **OTHER:**

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- Claims in the amount of \$54,041.01 were presented to the Board. Backer had questioned the amount of the gas bill at the rodeo grounds, the office had reached out and was told that the rodeo committee would check to ensure all doors and windows were closed tight and would keep an eye on future bills. Meyer reminded the Board that there was also a bitter cold snap during that time. Backer and Ralston discussed the Schaben’s billing also. All overpayment was accounted for on the February billing, the invoices are reflecting the usual amounts now. Motion Patrick to approve claims as presented. Second Dempcy. Voting yes: Meyer, Nelms, Dempcy, Patrick, Backer. Voting no: none. Motion carries.
- Payroll Reports were presented to the Board for the March 28, 2025 Board and regular payroll.
- Comp Time Reports were also included in the packet.
- Profit and Loss report was included in the packet. Ralston reported that all discrepancies had been noted and as soon as the auditor releases it the entries can be made to rectify those.

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229 **FYI INFORMATION:**

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- 231 • Clerk Ralston informed the Board she had received a \$100.00 scholarship to help offset
- 232 the cost of the Clerk's Institute.

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234 **EXECUTIVE SESSION:**

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- 236 • At 7:19 PM the Board entered into Executive Session to discuss the Summer Personnel
- 237 agenda item. No action will be taken during executive session.
- 238 • At 7:27 PM the Board came out of Executive Session. Backer asked if the Schaben's
- 239 billing could be revisited. She would like the billing to be monitored better. The office
- 240 will create a spreadsheet for the containers currently being utilized and a form for
- 241 residents to be filled out if they would like a change made to their sanitation services.

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244 **REPORTS:**

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- 246 • Superintendent Kendall had attended water training in Kearney. He had spoken with a
- 247 company that uses a remote sonar boat to determine depth of sludge on the bottom of
- 248 sewer lagoons.
- 249 • Clerk Ralston reported that she would hopefully be setting up the youtube channel to try
- 250 streaming meetings that way instead of Zoom. Youtube streams live and also stores the
- 251 video for people to watch at a later date if they choose to. It is also free. Ralston stated
- 252 she would like to look into different cameras and would bring options to the Board once
- 253 she had time to research them

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255 **Trustees Reports:**

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- 257 • K. Backer reported she loved attending the garden club meeting and reminded everyone
- 258 that they will not be as active as usual.
- 259 • D. Dempcy had nothing to report.
- 260 • F. Patrick had nothing to report.
- 261 • J. Nelms reported he had been approached by residents concerning the crack sealing and
- 262 the schedule of trash pickup. Kendall and the office were able to address both issues.
- 263 • S. Meyer had nothing to report.

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268 With no further agenda items to discuss Meyer asked for a motion to adjourn. Motion

269 Dempcy to adjourn the meeting. Second Backer. Voting yes: Nelms, Backer, Meyer,

270 Dempcy, Patrick. Voting no: none. Motion carries. Meeting is adjourned at 7:38 P.M.

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273 These minutes are set to be approved at the March 26, 2025, regular meeting.

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Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

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[Seal]

Bonnie Ralston, Clerk
Village of Sutherland