VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular Meeting
Public Hearing RE: Large Animal Permit at 6:15 P.M.
August 26, 2026 at 6:00 P.M.

The Village of Sutherland Board of Trustees held a Regular Meeting on August 26, 2026, at 6:00 P.M. in the Village of Sutherland Meeting Room, located at 1200 First Street, Sutherland, Nebraska. Notice of these meetings was given by posting notice in four public places, the designated method by the Village Board of Trustees. The agenda for this meeting was kept continuously current and available for inspection at the Office of the Village Clerk.

Chairman Meyer called the Regular Meeting of the Board of Trustees to order at 6:00 PM Members present upon roll call were Scott Meyer, Kim Backer, Felicia Patrick, Derek Dempcy and Justin Nelms. Quorum was established. Also present were Village Attorney Rory Roundtree, Village Superintendent Casey Kendall, and Village Clerk Bonnie Ralston. Guests present were Frank Fleecs, Jim Dickerson, Brian Vasa with NPPD, and Kristi Singleterry with NPPD. If all the names are not included, it is only by error, absence of signature or undecipherable signature in the guest book.

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

Chairman Meyer gave notice of the open meeting law poster and its location on the west wall of the meeting room. Meyer also stated the proper procedure for guests.

At this time, the Board opened the floor for comments from the public. Chairman Meyer stated that all comments need to be directed to the Chair and that there was a five-minute time limit. Chairman Meyer also said that there would be no discussion by the Board on comments by the public that were not on the agenda. Having no comments from the public, Chairman Meyer continued with the meeting.

Chairman Meyer asked for a motion to approve the agenda as presented. Motion Backer to approve the agenda as presented. Second Patrick. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries.

The Board read the minutes for the August 12, 2026 Board of Trustees regular meeting. Motion Patrick to approve the minutes as presented. Second Backer. Voting yes: Backer, Patrick, Nelms, Meyer, Dempcy. Voting no: none. Motion carries.

The minutes for the August 13, 2026 budget work session were presented for approval. Motion Backer to approve the minutes as presented. Second Dempcy. Voting yes: Dempcy, Backer, Meyer, Patrick, Nelms. Voting no: none. Motion carries.

The Sheriff's Report was presented to the Board. For the month of July there were 64 calls for service, which included 5 traffic violations and 8 Village Code violations. Listed code violations were two loose animal calls, two parking and traffic calls, one firework violation, and three animal calls: one dangerous dog, one animal bite, and one additional dog call. Village hours for July were 140.25. To date the Village has used 1167.5 of the contracted 1200 yearly hours. Backer asked if the Board would need to go into executive session to discuss the animal calls. Attorney Roundtree said since he did not have the specifics at this time he would not recommend that.

UNFINISHED BUSINESS:

Walnut Street property was addressed. Chairman Meyer stated this will need to go to executive session at the end of the meeting.

Sewer lagoon was on the agenda. Superintendent Kendall had nothing new to report.

Storm drainage was next on the agenda. Backer asked if the office of Kendall had heard from the state or Tom Werblow. Nothing had been heard regarding this.

Discussion and action on purchasing a CD with a portion of the Infrastructure money was on the agenda. Backer asked if Clerk Ralston had reached out to get rates from Hershey State Bank. Rates from both Adams Bank and Hershey Bank were presented to the Board. Backer told the Board she had no problem with a 6-month CD. Meyer said that there would be an option to renew at the end of the 6-months or pull the money out. The Board discussed the amount currently in the Infrastructure account and the average monthly amounts deposited. Patrick asked if the Infrastructure fund could be used to make the payment on the new sewer bond.

NPPD submitted a request for unbilled streetlight revenue. Brian Vasa and Kristi Singleterry were present to discuss this with the Board. During a recent audit of the streetlights it was discovered that there were some installed that were now added to the billing. This had been discussed at the August 12, 2026 meeting and held over to allow Vasa to be present. Vasa explained that some lights that had been changed out and had not been added to NPPD's inventory. Some of the inaccuracies dated back to 2019, the billing request only asks for one year of lost revenue as provided for in NPPD's policies and procedures. Backer asked if the Village pays for the lights on the overpass that are shown on the provided map. Vasa told the Board that those are included on the map, but are not lights that the Village pays for. At this point Chairman Meyer asked Vasa if the discussion could be paused to allow Meyer to open the public hearing.

PUBLIC HEARING RE: LARGE ANIMAL PERMIT – 6:15 P.M.

At 6:15 PM Chairman Meyer paused the current discussion and opened the public hearing regarding the large animal permit. At this time, all Board members present for the regular meeting are present. Chairman Meyer also reminded everyone of the location of the Open Meetings Act poster and proper procedure for guests. Meyer asked if there were any public comment at this time. Hearing none, Meyer left the public hearing open but returned to the regular agenda.

Meyer continued the discussion on streetlight payment request. Attorney Roundtree sought clarification, asking Vasa if there were 6 to 7 years unbilled but NPPD is only seeking payment for one years' worth of payment. Vasa confirmed that the one year is what is stated in NPPD policy and that is what is being requested. Vasa and Roundtree discussed state laws which would have allowed for more to be requested. Roundtree asked Vasa about a property that the Village sold and if Vasa had suggestions on how the power pole issue that has risen could be resolved. Backer asked Roundtree if he had discussed the pole and the previous contract with NPPD with their lawyer. Roundtree stated he had not. Some discussion followed on this topic. Meyer said this would need to be discussed at a later date. There was some discussion on the failure to get the new lights into the system and billed correctly. Meyer asked if there was any more discussion to be had on this

matter. F. Fleecs asked Vasa if the switch to LED lights caused the rate per light to go down. Vasa and Singleterry agreed that it did. Backer asked Roundtree if state statute allowed more than one year to be charged for unbilled usage. Roundtree stated that it did. Motion Patrick to pay the requested unbilled revenue in the amount of $2,215.78 out of the Infrastructure fund. Second Backer. Voting yes: Meyer, Patrick, Nelms, Backer. Abstaining: Dempcy. Voting no: none. Motion carries.

An application for payment for the Anchor Park Restroom project was discussed. This had been held from the August 12, 2026 meeting to allow the office to request the release of the Robert Hanich Charitable Trust funds. Clerk Ralston stated that the funds had been deposited into the Village of Sutherland Operating account and would be marked as grant funds in QuickBooks. Motion Backer to approve the claim from Paulsen Inc. in the amount of $57,395.25 to be paid from the Hanich Trust funds. Second Patrick. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries.

Meyer then asked if there were any questions or comments concerning the open Public Hearing for changes to the large animal permit. Backer clarified that the changes are being made to alleviate 4H animals in residential areas. Attorney Roundtree and Chairman Meyer stated that the changes being made are to remove pigs, sheep, and goats as allowed animals and to require lot sizes to be 1.5 acres. F. Fleecs asked if this was only allowed in Suburban Residential. Meyer confirmed this. Fleecs then asked about cornstalk grazing. Backer stated that the permit was only allowed in SR areas. Fleecs questioned the 1-mile ETJ zoning. Roundtree cautioned that agriculture zoned land has different state statutes, and he didn't think this would affect any of the land outside of village limits.

With no further questions or comments, Chairman Meyer closed the public hearing regarding large animal permits at 6:30 P.M. and adjusted back to the regular agenda.

NEW BUSINESS:

The Planning Commission forwarded several recommendations to the Board of Trustees. The first was a recommendation for changes to the current large animal permit. Ordinance 692 was read by title for the first time.

ORDINANCE NO. 692

AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, LINCOLN COUNTY, NEBRASKA, TO AMEND AND REVISE SECTION NO. 507 OF THE SUTHERLAND PLANNING AND ZONING REGULATIONS; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE PLANNING AND ZONING REGULATIONS OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Motion Patrick to waive the three readings of Ordinance 692. Second Nelms. Voting yes: Patrick, Nelms, Meyer. Voting no: Backer, Dempcy. As the waiving of the three readings requires a supermajority the motion fails.

The second was a recommendation of approval for a demolition permit submitted by Hi Line CoOp. Backer asked which tanks were being removed. Meyer and Kendall discussed which ones were indicated. Motion Backer to approve the demolition permit. Second Patrick. Voting yes: Dempcy, Backer, Meyer, Patrick, Nelms. Voting no: none. Motion carries.

The final recommendation was to ask the Board to consider a 1-year moratorium on data centers. The Planning Commission had asked the Board to consider this to allow them time to do research and see how other communities are handling this. Backer asked if this would be voted on at this meeting. Attorney Roundtree stated this is for discussion only, and possibly a directive to have him draw up something for the Board to consider. Roundtree said he would need to write up something specifically identifying the concerns and legal basis for a moratorium. Clerk Ralston told the Board that the Planning Commission wanted the Board to consider this in order to allow them to look further into definitions, what they can and cannot do, and what needs to be put in place in the zoning book. Meyer said this would be a directive, not a voting issue, to start the drafting process. Roundtree agreed and said he would also reference the Governor's commission along with a definition in anything he drafts. F. Fleecs asked if this would only be for the 1-mile jurisdiction. Backer and Meyer stated it would. Backer asked if the terms were in the current zoning book. Roundtree stated he did not believe there were any in place. Patrick said she would strongly suggest the Planning Commission be present at a meeting or attend the Lincoln County Planning Commission meetings. Patrick expressed concerns with people getting information from social media that may or may not be accurate. Meyer stated he was at the Planning Commission meeting, and that they just wanted time to look into what other town or counties are putting into place to see if any of it is relevant to Sutherland. Patrick asked if the moratorium could be set at 6 months instead of a year. Roundtree told the Board it could be whatever length they chose. He also informed the Board that even though a moratorium is put in place, things could still be changed or adopted by rescinding the moratorium. Roundtree stressed that a moratorium is a temporary pause. Clerk Roundtree let the Board know that the Planning Commission has been doing some serious research, not just relying on social media. F. Fleecs recommends that as many people as possible attend the Planning and Zoning conference in March because he believes this will be a hot topic. This will remain on the agenda.

Next on the agenda is the discussion/action on the Sewer Utility Bond Anticipation notes. Ausin Partridge was not able to attend the meeting but had asked Clerk Ralston to call him so he could discuss this with the Board. Meyer reminded the Board that the pool bond was paid off now, this payment was approximately $103,000 per year. F. Fleecs stated that the pool bond was paid property taxes and this is not. Meyer said this could be structured that way also. Fleecs thought it would have to go on the ballot to be voted on if so. Clerk Ralston was able to reach Partridge for the Board to discuss this with him. The Board and Partridge discussed the Resolution being presented to them at this meeting. Partridge stated this is the authority and formal notice to call the existing bond anticipation notes. This provides current bond holders notice that the preliminary

bonds are being paid off with the long-term bonds. The second is an Ordinance for the long-term sewer bonds. As the project finishes, this gets the long-term funding in place. This contains a not-to-exceed amortization schedule. Terms cannot be longer than 20 years. Partridge had included estimates for payments based on term. Meyer asked Partridge if paying this bond using property taxes would need to go to a vote of the public. Partridge replied that there are three types of bonds that do not have to be voted on by the public. These are sewer, water, and paving and a bond fund levy can be requested. Partridge said he refers to these categories as critical infrastructure bonds. The estimated payment printout also included an estimated levy impact amount. F. Fleecs commented that sewer and water are revenue generating departments and bonds for these should be paid out of user fees. He stated that was the purpose of having rate studies done. Fleecs also said that if a property tax levy is implemented it would mean tax-exempt entities such as the school wouldn't be contributing to the payment even though they use the service. Fleecs said that the village needed to use sewer revenue that has been collected. Having a rate study done was discussed, Meyer and Kendall said one had been started. Clerk Ralston told the Board that the gentleman who does the studies had retired. Meyer stated that he had worked with the office to run numbers and the sewer rate would need to be raised approximately $8 per month for residential in order to pay the bond with user fees. Kendall suggested breaking the rate increase into steps. Meyer asked Partridge when he anticipated the first payment would be due. Partridge said he had been coordinating with Tom Werblow to determine when the project is substantially complete. The timeline for issuance would be sometime in late September or October, but the bond would not close until late October or November. The first payment is due typically about 6 months after closing, so a small interest payment would be due in June of 2027 and the first full payment of interest and principal would be due in December of 2027. This does give the Board a little time to make decisions. Clerk Ralston said that Partridge had asked if all funds from the anticipatory bond had been spent, she informed the Board that there is a remaining amount of $114,357.91 of the anticipatory bonds remaining. The electrical components and SCADA system had been bid at $187,352.00. Ralston said the remaining bond funds could be put towards this if the Board chose to do so. Discussion was held on paying the difference out of the sewer funds if the Board chose to put the remaining anticipatory bond funds towards the lift station pumps and SCADA system. With no more questions for Partridge, Meyer thanked him for his time. Meyer asked if the Board had any more questions or discussion. Dempcy asked if the village had used a bond to pay for bond projects in the past. Meyer told him that there are sewer and water bonds open at this point. Fleecs commented that those were revenue bonds. Meyer agreed that those bonds were not tied to a tax levy. Kendall said that it has been a while since a rate increase was done. Resolution 2026-08-03 was presented to the Board. This starts the process of call in the preliminary bonds in and prepare to strike the long-term bonds. The Board discussed using the remaining bond funds or bonding out a smaller amount. Some discussion was also held concerning using sewer funds currently in the accounts to pay for the lift stations and SCADA system outright. This would lower the amount bonded out to right around $700,000 instead of $815,000. Patrick asked about paying for some out of the Infrastructure funds. F. Fleecs said that the Infrastructure funds should be used for non-revenue departments such as streets. Applying for an internal grant through CARC was

also discussed, however programs for that are not yet in place. Backer asked if the Board wanted to bond out the total amount. Dempcy stated he was against that. Meyer said the remaining could be returned which would lower the bonded amount. Backer said it is hard for her to justify raising rates when there is money in the accounts that could be used. Operating and usual repair and maintenance costs were also discussed. Meyer stated there is still some time to determine how to pay the bond back, the information tonight just starts the process. Motion Patrick to adopt Resolution 2026-08-03. Second Backer. Voting yes: Meyer, Dempcy, Patrick, Nelms, Backer. Voting no: none. Motion carries. Ordinance 691 was then read by title.

ORDINANCE NO. 691

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SEWER BONDS, SERIES 2026, OF THE VILLAGE OF SUTHERLAND, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED EIGHT HUNDRED FIFTY THOUSAND DOLLARS ($850,000) FOR THE PURPOSE OF PAYING AND REDEEMING THE VILLAGE'S SEWER UTILITY BOND ANTICIPATION NOTES, SERIES 2026, AND TO PAY COSTS OF ISSUANCE; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; AUTHORIZING OFFICERS OF THE VILLAGE TO MAKE ARRANGEMENTS FOR THE SALE OF THE BONDS AND TO DESIGNATE THE FINAL TERMS, RATES AND MATURITY SCHEDULE FOR SAID BONDS WITHIN STATED PARAMETERS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Patrick had questions regarding portions of the ordinance. Roundtree stated they were standard bond contract language, stating that the Board deems the Bond necessary and it can be paid by user fees or property taxes. Motion Backer to waive the three readings. Second Patrick. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries. Patrick asked if the interest from the Infrastructure CDs could be used to pay a percentage of the bond payment. Meyer stated that could be done. Motion Backer to adopt Ordinance 691. Second Nelms. Voting yes: Patrick, Nelms, Dempcy, Backer, Meyer. Voting no: none. Motion carries.

Potentially dangerous dogs were on the agenda. Backer stated she had been chased into a yard by three dogs that had already been declared potentially dangerous. Backer asked how the Village ensures that the owner is following all ordinance requirements. Roundtree stated that if the ordinance is not being followed he could be authorized to pursue this matter and look into potential criminal charges. Meyer said that the ordinance allows for 5 days to meet all requirements once notified and there has been no contact from the owners. Clerk Ralston stated there has been no contact from the owners. There has been no follow up at this point from the Sheriff's Department also. Meyer told the Board both owners had been served their paperwork by a deputy. Discussion was held on the sheriff being required to verify all requirements are being followed. Roundtree

said he could follow up on this if the Board directs him to do so. Nelms said his biggest concern is the proximity to the school and wondered how long the Village should wait before pushing this. Backer said she would like Roundtree to contact the Sheriff and have the dogs seized until the owner complies. Discussion followed on the owners being responsible for the cost, Roundtree reminded the Board that if the owner doesn't pay it may fall back on the village. Roundtree will reach out to the Sheriff's Department. F. Fleecs asked if the village could post addresses of the potentially dangerous dogs. Roundtree stated this is a public record so could be provided to residents.

Some concerns on the multi-sport court were discussed. It had been reported that there was a surface crack in the court. Meyer and Kendall had looked at the court. Meyer asked about the warranty, Clerk Ralston said she would reach out to the company. Other concerns mentioned were the weight of the nets as they are put up and taken down. Meyer said he had discussed the possibility of getting a wagon or cart to assist in moving the nets and poles. Dempcy asked what they weigh, Meyer said the pipes are about 30 pounds each, but a cart would help with moving them. Kendall said he would prefer a cart with solid wheels.

Kendall had put the purchase of a used cardboard bailer on the agenda. There is one being auctioned off by the grocery store. Kendall thought it would be a nice backup for the one he village owns. Discussion followed on the cost of a new bailer, Kendall said he wouldn't like to spend a lot but thought he may be able to get it pretty cheap. Dempcy asked if it was comparable in size to the village bailer. Kendall and Backer stated it is a little smaller. Meyer asked Kendall what he would like to go to for a bid. Kendall said he would not spend more than $500.00, Backer said then he would have to add the buyers fee on top of that. Kendall will try to get in to look at it and move forward with this since it is under his purchase limit.

Patrick had requested a continuous monthly balance report be placed on the agenda. She would like a report showing beginning balance, income, expenditures, and ending balance. This had been discussed during a budget work session. Motion Patrick to have the office create and provide a continuous monthly balance report. Second Backer. Meyer asked Clerk Ralston if she knew what the report was being requested. Ralston confirmed she did. F. Fleecs asked if this was the report Bob Meyer had recommended. Chairman Meyer confirmed it was. Voting yes: Meyer, Dempcy, Patrick, Nelms, Backer. Voting no: none. Motion carries.

OTHER:

- Claims in the amount of $43,581.32 were presented to the Board. Clerk Ralston informed the Board that the Maline's Superfoods claim was for all outstanding charges and is paid in full. Backer asked about the Sportsman's Cove claim, Ralston stated that was included on this because claims at the last meeting were not amended to add this. Motion Backer to amend the claims to include the payment to Paulsen Inc. in the amount of $57,395.25 to be paid from the Robert Hanich Charitable Trust funds and to include the payment to NPPD for the unbilled streetlights in the amount of $2215.78 coming from Infrastructure

and to pay the claims as amended. Second Patrick. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries.

At this time Patrick motioned to enter into executive session for reasons of possible litigation. Second Backer. Voting yes: Dempcy, Backer, Meyer Patrick, Nelms Voting no: none. Motion carries.

At 7:32 the Board entered into executive session for reasons of potential litigation. No action will be taken.

At 7:45 the Board came out of executive session. No action was taken.

FYI INFORMATION:

REPORTS:

- Superintendent Kendall reported that he will be gone tomorrow for personal reasons. Pipe for the sewer lagoon has been ordered and will be here in a couple weeks. Discovered during meter reads that all of the 2" and up meters are dead or dying. Only the tops need ordered, so it will not be as expensive as it would be if the whole meter needed replaced. As of now there are 8 needing replaced. Oak and South Street were jetted today because of a reported problem. The jetter got stuck so Superior Sanitation ran a camera through it. Under the old highway doesn't look good for about 35 feet. Kendall contacted Johnson Service who believes they can roto it out and put a sleeve in to repair it but this will be cheaper than tearing up the road. Kendall will know more in a couple of days. Patrick had a question on low hanging branches and if they were village responsibility or owner responsibility. Kendall said this was owner responsibility.
- Clerk Ralston reported that she had spoken with Bob and sent him the budget worksheets. If the Board thinks everything looks good he will set aside a time to attend a work session before officially presenting the budget.

Trustees Reports:

- K. Backer said she may not make it to the budget work session the following day.
- D. Dempcy had nothing to report.
- F. Patrick had nothing to report.
- J. Nelms had nothing to report.
- S. Meyer had nothing to report.

With no further agenda items to discuss, Meyer asked for a motion to adjourn. Motion Dempcy to adjourn the meeting. Second Nelms. Voting yes: Backer, Patrick, Nelms, Meyer, Dempcy. Voting no: none. Motion carries. Meeting is adjourned at 7:53 P.M.

These minutes are set to be approved at the regular meeting on September 9, 2026.

_____
Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

_____
[Seal]
Bonnie Ralston, Clerk
Village of Sutherland