VILLAGE of SUTHERLAND
BOARD OF TRUSTEES Regular meeting
September 23, 2026
Immediately Following the Special Meeting

The Village of Sutherland Board of Trustees held a Regular Meeting on September 23, 2026, immediately following the special meeting, 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 6:26 PM Members present upon roll call were Scott Meyer, Kim Backer, Derek Dempcy, Felicia Patrick, 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 Jim Dickerson, Spencer Hampton, Bre McConnell, Brett Webster, Kyle Stevenson, Muriel Clark, Andy Scott, Marlo Roberts, and Trenda Seifer. 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. Muriel Clark asked to comment on behalf of the Chamber of Commerce Maker's Market. Clark told the Board that they are anticipating a great turnout for the Maker's Market. There are about 76 vendors filling 97 booths this year. Clark said this was about 17 more booths than last year. Kendall had been working with Clark getting port-a-potties in place, along with barricades. Meyer thanked Clark for her report and asked if there were any more comments. Hearing none, Chairman Meyer continued with the regular 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: Meyer, Dempcy, Patrick, Nelms, Backer. Voting no: none. Motion carries.

The Board read the minutes for the September 9, 2026 Board of Trustees regular meeting. Motion Patrick to approve the minutes as presented. Second Backer. Voting yes: Patrick, Nelms, Dempcy, Backer, Meyer. Voting no: none. Motion carries.

The Sheriff's Report was provided for the Board. There were 112 calls for service in the month of August. These included 7 traffic violations and 1 loose animal Village Code violation. 147.75 hours were logged in August, the year-to-date hours logged were 1315.25 on a 1200-hour yearly contract.

At this point Chairman Meyer adjusted the agenda, at the request of Trustee Backer, to allow the discussion of housing agenda item to come first, followed by the street closing application.

Several Sutherland residents were present to discuss the housing situation in Sutherland with the Board. These residents included Kyle Stevenson, Brett Webster, Bre McConnell, and

Spencer Hampton. Stevenson spoke first, stating the group was wondering if there were and plans in motion to address the housing issue and if there was a possibility of using some of the sales tax monies collected towards this. Chairman Meyer said that the CARC board handles the portion of sales tax that could be used for this. Meyer also discussed TIF options. Backer spoke up, saying that one big problem the Village has as far as expansion and housing goes, is that the Village is landlocked. Some discussion was held on surrounding property not being for sale and empty lots in town. Stevenson mentioned some lots in town, Meyer said that people had previously contacted some of the owners but he didn't know if it had gone any farther than that. Backer mentioned the trailer court west of town, saying it had been for sale at one time but she wasn't sure if it still was. Webster asked what options were available if property could be purchased and a developer was interested. He asked if the village would be responsible for infrastructure or if there were things in place to assist with that. Backer told him there are steps that could be taken, such as working with the CARC board, that could help with that. Webster said he had looked over the census, and shared that it showed that approximately 75% of the homes in Sutherland have had the same owner since 2000. He stated it says a lot about the community when people come here and stay here. Looking at it from a personal point of view, Webster said it was something to be proud of. But looking at it from the school Superintendent angle, it could make things difficult when new teachers need hired and there aren't homes for them to move their families into. Chairman Meyer talked about the group that had come to Sutherland several months ago and discussed housing and the needs of the community. Meyer asked if the office still had their contact information. Clerk Ralston said she did and would forward it to Stevenson and Webster. Dempcy and Webster talked about the issues they had when moving to town and trying to find a home to buy. Backer and Patrick talked about open lots in town and the issues with building on some of them, such as gas or water and sewer lines running through them in areas that make it impossible to build without being on top of the lines. McConnell asked where that information could be found. Backer told her that owners can be found on the Lincoln County GIS website, and that Kendall could probably let them know which were not buildable, but until property owners could be convinced to sell, there isn't much point. Patrick pointed out that some of the land in and around Sutherland is held in trusts so can't be sold. Kendall said some of the land had been passed down by families for generations. Ralston commented that, from a planning and zoning perspective, some of the empty lots in town can't be built on because they are surrounded by homes and don't have direct street access. The only way they could be is if a section of land connecting to the street could be purchased also and made into a street. Hampton addressed the Board next, asking who would be the one to contact property owners, of both empty lots and homes that have been sitting empty, to see if the owner would be willing to sell. Discussion followed, with Backer saying that anyone who is interested in it could ask the owners if they would be willing to sell. Kendall pointed out that you would also need to get developers willing to build. Backer and Patrick talked about developers coming in and the risk of them backing out. Hampton told the Board that those who came to talk to the Board weren't sure what steps could be taken and who would be the best people to take them. Meyer suggested they start with the contact information the office will be sending. Muriel Clark spoke up and said that the CARC board had put the grants in place for engineering studies and to help with

infrastructure also. Patrick commented that the village engineer had said once that getting the infrastructure to an empty lot is very expensive, so she feels the CARC grants are a great resource.

A street closing application was presented to the Board. This application is to close Elm Street between Walnut and Maple Streets. Bre McConnell told the Board the high school would like to close the street for some homecoming activities. They would like to close the street just until the end of the school day. McConnell old the Board it would be a tailgate type situation with breakfast and activities. Motion Backer to approve the street closing application. Second Nelms. Kendall asked if the school had spoken to the neighbor across the street from the school if he was ok with the street being closed. McConnell said she had not, but she would visit with them. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries.

Meyer then adjusted the agenda back to the regular order.

UNFINISHED BUSINESS:

Walnut Street property was addressed. Chairman Meyer said there was nothing to report at this meeting.

Sewer lagoon was on the agenda. Kendall told the Board that pumps and control panel were being installed. He said this should be finished quickly.

Next on the agenda was Ordinance 692 pertaining to large animal permits. Meyer reminded the Board there have been two readings of this ordinance by title. The third reading of this ordinance was done by Clerk Ralston.

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.

Meyer stated that he felt there have been good discussions on this at the last couple of Board meetings and asked if there were any comments on this. Patrick asked if setbacks were in place regarding how close the animals could be to a fence. She explained that her concern is who is responsible if a neighbor pays to put in a fence and it in turn gets damaged by animals. She suggested looking at implementing setbacks from a fence in for the pen of the large animal to leave distance between them. Discussion followed on how it would be different from anything else or a household pet damaging a fence. Patrick said she was just asking if a large animal pen could have setbacks keeping it a certain distance from a property line. Backer said it would be a civil matter that could be brought to the Board to reconsider or revoke the permit if something like that

happened. Patrick expressed that she felt this would be a good thing to have in place before it became an issue. Roundtree reminded the Board that if they chose to amend what is before them they could do so. Dempcy stated he feels this was brought to the Board as a solution, but it seems to be looking for a problem. Meyer asked if Dempcy feels that the current ordinance covers everything needed. Dempcy replied that there aren't any issues with it. Backer agreed with Dempcy. Some discussion was held on restrictions other towns place on large animal permits, along with discussion on options for notifying neighbors and allowing them to give feedback on the permit. Motion Patrick to amend Section I of Ordinance 692 to read 1 acre instead of 1.5, require notification of neighbors, and allow cows, horses, donkeys, sheep and goats. Second Nelms. Voting yes: Patrick, Nelms. Voting no: Dempcy, Backer, Meyer. Motion fails. Chairman Meyer then asked for a motion to adopt Ordinance 692 as presented. No motion was made. Ordinance 692 failed for lack of a motion.

Potentially dangerous dogs were still on the agenda. Backer told the Board she had been approached about this. The owner of the dogs is in the process of moving and has removed most of the dogs. Chairman Meyer asked what the Sheriff's Office had said about this issue. Clerk Ralston informed the Board that the owner told the office one of the animals was still at the house, the rest had been moved to the new address or got rid of. The office had been told the final animal would be gone within a week. There was some debate between the owner and the Sheriff's Deputy on whether all animals were involved in the instance that led them to be declared potentially dangerous. Ralston told the Board that, when the Deputy came to seize the animals, the shelter in North Platte was full. This will remain on the agenda for the next meeting.

Multi-sport court concerns were addressed next. The office had reached out to the company who poured the court regarding the warranty. There was some question if the repaint of the court would be the responsibility of the Village or of the company. This will remain on the agenda.

The personnel handbook was next on the agenda. There had been some discrepancies found with the language in the handbook concerning sick time/vacation time/PTO wording. Chairman Meyer had identified several inconsistencies. Some discussion followed on the differences between PTO and sick/vacation time. Patrick had done some research and provided documentation for the Board. This stated that company policy determines what is paid out upon an employee leaving or being terminated. Meyer said his feeling was if an employee earns the days, they should be paid for them. Roundtree reviewed the documentation and clarified that it stated that PTO and vacation get paid out, sick time does not. Backer told the Board that the village currently pays out a portion of unused sick leave now, Dempcy asked if that was policy or state law. Backer and Meyer both said it is policy included in the handbook. The Board discussed combining sick and vacation leave into PTO, Backer reminded the Board that PTO is paid out in full upon an employee leaving or being terminated, and that currently only a portion of sick leave is paid out. Ralston clarified that the handbook reads that no unused sick leave is paid out upon voluntary or involuntary termination. Meyer has spoken with accountant Tiffany Banks, who was not against switching it all to PTO, the bookkeeping side of it is easier. Nelms asked if this would be for all employees or just full-time. Chairman Meyer told him that the part-time employee is already listed as PTO, the Board was brought this for consideration to clean up the wording inconsistencies. The

Board discussed what rates the vacation and sick would be earned if switched into PTO and what is earned currently. Dempcy said consideration needs to be given to what it would cost the Village if a long-term employee left and had to be paid out for a large number of hours. Kendall told the Board that sick leave and vacation time are capped at a set number of hours saved or rolled over. Meyer stated that most companies have a max number of hours that could be carried over. Backer said she feels this will take more discussion. Dempcy stated he would prefer to keep the sick leave and vacation time earned. Nelms told the Board he thought this would require more research to make sure all bases are covered. More discussion was held on how many hours the employees are allowed to roll over and the rates they are earned. Chairman Meyer told the Board these were also spelled out in the handbook. Dempcy and Meyer discussed how part-time workers would earn sick and vacation leave. Dempcy told the Board that other companies allow part-time employees to earn this time at 50% of what full-time employees earn. This will be removed from the agenda until the office has time to clean up the language and then present it to the Board again.

The wage schedule was on the agenda next. The Board had approved a 3% increase for all employees, so Ordinance 693 was presented to the Board for the first reading.

Ordinance #693

AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA, amending Ordinance #693 by establishing annualized salaries and wages for the fiscal year beginning October 1, 2026 and ending September 30, 2027 of the Village Officers and Employees; repealing all prior conflicting ordinances and ordering the publication of this Ordinance in pamphlet form.

Motion Dempcy to approve Ordinance 693. Second Nelms. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no: none. Motion carries. Meyer and Backer discussed when this will go into effect. Clerk Ralston told the Board they had decided at the last meeting to make in go into effect the first pay period beginning in October, which would be October 3rd.

The Board discussed the fee schedule next. Kendall had requested the cost for bulk water to be raised to $30 per 1,000 gallons. Per diem rates, sewer rates, and sanitation rates were also included. It was determined these will require a separate agenda item so will be presented at the October 14th meeting. Meyer asked if there were any other changes needed on the fee schedule. There were none suggested. This will remain on the agenda so a resolution can be presented to the Board.

Discussion and action on electric scooters and e-bikes was held. Backer requested this be removed. Patrick said she had spoken to the school about hosting a safety day. She had also been in contact with the Guardians of the Children and the Sheriff's Department. The idea is to wait until the spring to hold this class. Roundtree said he is working on the status of the law and definitions and what other cities have adopted. Backer discussed recent injuries in town. Jim Dickerson requested they include bicycles in this topic and spoke about some of the issues he has seen around town concerning children not being safe on bicycles. The Board agreed that bicycles would be included.

NEW BUSINESS:

An application for payment on the Anchor Park restroom project was presented to the Board. Meyer told the Board that Paulsen Inc. was requesting a payment of $21,060.00.Tom Werblow had submitted this application and stated he had no issues paying this. Discussion was held on paying this out of the Hanich Trust funds. Motion Patrick to pay the requested $21,060.00. Second Dempcy. Voting yes: Dempcy, Backer, Meyer, Patrick, Nelms. Voting no: none. Motion carries.

The South Street and Oak Street intersection requires some repairs. An estimate for this was presented to the Board. Kendall told the Board that the sewer main that runs under this is an old cast pipe and was about 3/4 plugged. Kendall said he had a company come out who basically took a hole saw and cut it back out to the 8 inch. A liner needs to be put in, this would fix the issue without the need to tear up the street and replace the entire pipe. Kendall said this is also a lot cheaper because there is no need to cut up the entire street and replace the asphalt. Kendall told the Board he had the pipe jetted and a camera run through. Johnson Service submitted an estimate for placing a concrete liner in this pipe for $17,950.00. This includes the mobilization and the liner, along with the cleaning that has already been done. Backer and Patrick discussed if this would come out of sewer or infrastructure. Backer expressed concerns with unforeseen issues coming up once the project has started. She would like to authorize up to $19,000 for this project. Motion Backer to approve up to $19,000 for South Street and Oak Street repairs to come from the Infrastructure account. Dempcy said he wouldn't mind increasing that amount since diesel prices are going up and suggested $22,500. Backer amended her motion to approve up to $22,500 coming from infrastructure. Second Dempcy. Jim Dickerson had a question on the starting date. Kendall said they had a crew that would be coming through who would do it then. Voting yes: Backer, Patrick, Nelms, Meyer, Dempcy. Voting no: none. Motion carries.

Clerk Ralston asked if the agenda could be adjusted to address the draft franchise agreement with Charter Communications dba Spectrum. The representative for Spectrum was unable to be at the meeting but had requested he be able to call in and speak to the Board this way. Chairman Meyer adjusted the agenda to this item. Dayton Murty, Director of State Government Affairs for Spectrum, spoke with the Board. Murty informed the Board that the 1984 Cable Act requires a franchise agreement be in place when building into a community. He provided a draft for the Board to consider. Murty assured the Board that all local ordinances will be followed and permits acquired. This agreement covers street and easement use also. There is also a section detailing the franchise fee. This is a 5% fee, that is federally capped, of the gross revenue paid to the community for use of the streets and easements. Dempcy asked if this would be fiber to the home or traditional coax. Murty replied he believed it would be fiber to the home, but he would check with the construction team to confirm. Dempcy then asked if free services would be provided to the Village buildings, Murty said comp services are possible to put into a franchise agreement, but the franchise fee might need to be lowered to compensate for that and avoid violating the federal cap. Meyer asked if they had met with NPPD concerning a pole survey to allow Spectrum

to use the poles for equipment. Murty said he had spoken with the construction manager, who said the plan, as of now, is to go completely underground. If the plan changes they do have pole use agreements with NPPD. Chairman Meyer asked if there were any more questions. Dempcy said he would be interested in hearing numbers for comp services for Village owned buildings. Murty stated he would work with the office to get a list of buildings and ensure it would not violate federal guidelines, such as not being publicly accessible. Chairman Meyer stated that he would be abstaining from this item. Patrick asked if the Board needed to wait for more information to take action on this. Roundtree agreed and Backer asked Murty if he could get those numbers to the office so the Board could revisit this in October. This will remain on the agenda.

Recycling concerns were placed on the agenda by Kendall. Meyer asked Kendall to speak on this item. Kendall stated he would like to do away with the tin can recycling. He had been talking to a company in Ogallala about taking over the recycling completely, but it was just discussion at this point. Kendall expressed concerns with the tin cans being a waste of time and feels a better use of the trailer would be using if for aluminum cans only.

Dempcy asked if he could ask a quick question regarding the previous agenda item. He wondered if any Village buildings had video services currently. Meyer said no Village buildings have video services. Kendall said he would also like to caution the Board because a lot of the alleys and easements are full of utilities and have very little room for new ones without interfering with water and sewer lines. Discussion was had on how much of the fiber would be able to be placed underground.

Returning to the recycling agenda item, Meyer asked what Kendall would suggest. Kendall would like to do away with tin cans; he told the Board that there aren't many tin cans being recycled and a lot of the time they are just mixed with the aluminum. Getting rid of the tin cans would open up more room for aluminum cans. Dempcy commented that he had been by the recycling trailers many times when they were full or overflowing. Motion Backer to discontinue collection of tin cans and use the extra space for aluminum. Second Patrick. Voting yes: Nelms, Meyer, Backer, Dempcy, Patrick. Voting no. none. Motion carries. The public will be notified via the Village Facebook page and the Courier.

Nelms had the office place recommending the Planning Commission reevaluate zoning districts on the agenda. He said it had been briefly discussed at prior meetings, and he wanted to bring the discussion back to the Board. Meyer said he thought the Planning Commission could look at all zoning districts to determine if there are any areas that could or should be changed. Meyer stated it couldn't be certain areas, the zoning districts as a whole would have to be considered. Roundtree told the Board this could be done with a motion to send a recommendation to the Planning Commission. Nelms said he would like the Boards' opinion before making a motion. Clerk Ralston told the Board that the comprehensive plan needs updated soon also and this would have been part of the process. Dempcy said he is not familiar enough with zoning to know the pros and cons of rezoning. Roundtree addressed this, saying that the zoning deals primarily with how the areas can be used. Meyer said he thought that residential and suburban residential are not taxed any differently. Roundtree agreed, saying usage is the biggest difference. Motion Nelms to request the Planning Commission reevaluate zoning districts in Sutherland.

Second Patrick. Voting yes: Meyer, Dempcy, Patrick, Nelms, Backer. Voting no: none. Motion carries.

A bond purchase agreement was presented to the Board for the sale of the long-term bonds. Clerk Ralston said she was told the bond sale was successful. Included in this paperwork was an amortization schedule detailing the payment dates and amounts. The first payments would be an interest payment in April and a principal payment in October. These payments would be approximately $69,000 yearly. These do need to be signed and sent back to the bond company. Dempcy briefly commented on the numbers in Appendix A. Motion Patrick to approve the bond purchase agreement and authorize the appropriate signatures. Second Backer. Voting yes: Dempcy, Backer, Meyer, Patrick, Nelms. Voting no: none. Motion carries.

The purchase of a new laptop for the CARC program was on the agenda. Clerk Ralston told the Board that Muriel Clark had brought the CARC laptop in because it was not working. Integrated Computers looked at the laptop and told the office that the motherboard was fried. No signs of spills, moisture, or drops were found, Jim felt is was just a bad part. The office presented a quote for a new laptop in the amount of $940.64. Meyer questioned the taxes included on the estimate. Clerk Ralston said it had been pointed out already and would be removed. Motion Backer to approve the purchase in the amount of $875.00 to come from the CARC funds. Second Nelms. Voting yes: Backer, Patrick, Nelms, Meyer, Dempcy. Voting no: none. Motion carries.

OTHER:

- Claims in the amount of $69,627.78 were presented to the Board. Motion Backer to amend the claims to include the $875 for Integrated Computers to be paid from CARC funds upon delivery of the laptop, and to include the Paulsen pay application in the amount of $21,060. Backer asked if the claim for Kendall was his travel voucher for the fall conference, Kendall said it was. Clerk Ralston told the Board that the claim to the Lincoln County Treasurer was the first half of the new Sheriff contract. Backer asked how many months the Miller and Banks claim was for. Ralston replied it covered from May to September. Motion Backer to approve the claims as amended. Second Patrick. Voting yes: Meyer, Dempcy, Patrick, Nelms, Backer. Voting no: none. Motion carries.
- Payroll reports, sick and vacation reports, and comp time reports were presented to the Board.
- Balance of Accounts and Profit and Loss reports were also presented. The office included a report requested by the Board in the packet. This report is a monthly comparison report showing beginning bank balances, income, expenditures, and the ending bank balance. The ICS account information is also included on the report. Meyer commented that having the ICS and the checking account on the same page was nice, it allowed the Board to see what each account had easily.

FYI INFORMATION:

REPORTS:

- Superintendent Kendall reported that the floors were being poured at the Anchor Park restrooms and the roof was on. Manhole rehab is completed and the pumps at the lagoon were almost done. Kendall also said the street sweeper was up and running again. Backer asked how long the roll off would remain at the compost site, Kendall replied that he would consider moving the roll off down once it starts slowing down some.
- Clerk Ralston reported that she will be gone next week but be available if Kristin needs any help. She will be reaching out to RJ Meyer to start getting the audit scheduled as soon as the reconciliations for September are completed.

Trustees Reports:

- K. Backer had nothing to report.
- D. Dempcy had nothing to report.
- F. Patrick had nothing to report.
- J. Nelms had nothing to report.
- S. Meyer had nothing to report.

- Attorney Roundtree let the Board know that he did draft language for the Planning Commission regarding the ability to put a moratorium in place for data centers, along with definitions for data centers. This will need to go before the Planning Commission for a public Hearing once they have reviewed the draft. Backer asked if the public hearings could be posted on the Facebook page. Ralston said the office will do so.

With no further agenda items to discuss, Meyer asked for a motion to adjourn. Motion Dempcy to adjourn the meeting. Second Nelms. Voting yes: Patrick, Nelms, Dempcy, Backer, Meyer. Voting no: none. Motion carries. Meeting is adjourned at 8:19 P.M.

These minutes are set to be approved at the regular meeting on October 14, 2026.

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Scott Meyer, Chairman
Board of Trustees, Village of Sutherland

[Seal]

Bonnie Ralston, Clerk
Village of Sutherland