

MINUTES

January 8, 2019

The Village Board of Trustees held a Regular Meeting on January 8, 2019 at 7:30 PM at the Village Hall by posting in the Holdrege Daily Citizen on January 3, 2019 and at the Post Office, First State Bank, and the Village Office. Present were Chairman TJ Wilcox and Trustees Lucas Evans, Brian Schroeder, and Fred Spiegel. Absent Trustee Robert Dahlgren.

The Chairman publicly stated to all in attendance that a copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

On a motion by Spiegel, seconded by Schroeder, the minutes of the Regular Board meeting held on December 17, 2018 were approved. Voting Aye, Spiegel, Schroeder, Evans, Wilcox.

On a motion by Schroeder, seconded by Evans, the financials for the month of December were approved. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Evans, seconded by Spiegel, the payable to the Bertrand Fire Department in the amount of \$8,525.51 was approved. Voting Aye, Evans, Spiegel, Wilcox. Abstaining, Schroeder. On a motion by Schroeder, seconded by Spiegel, the payable to Evans Construction in the amount of \$2,025.00 was approved. Voting Aye, Schroeder, Spiegel, Wilcox. Abstaining, Evans. On a motion by Schroeder, seconded by Evans, the remaining payables for the month of December in the amount of \$52,244.15 were approved. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

AR-Auto Repair	EQ-Equipment	ER-Equipment Repair
FP-Food Pantry	FR-Freight	FU-Fumigation
GA-Garbage Collection	GO-Gas, Oil	G2G-Give2Grow Donations
IMP-Improvement	INS-Insurance	INT-Internet
LAB-Labor	LF-Landfill	LP-Lease Payment
LT-Liquor/Tobacco Tax	MI-Miscellaneous	OS-Operating Supplies
PP-Printing/Publishing	SR-Snow Removal	ST-Sales Tax
SU-Supplies	TE-Telephone	UT-Utilities
WT-Water Testing		

<u>CEMETERY</u>		<u>POOL</u>	
Salaries/Taxes/Benefits	11.56	Black Hills Energy UT	66.14
	11..56	Frontier TE	70.80
<u>FIRE DEPARTMENT</u>		Southern Power UT	47.00
Airgas SU	242.32		183.94
Black Hills Energy UT	775.53	<u>SEWER</u>	
Cash Statement MI	2.47	Salaries/Taxes/Benefits	1,892.66
C Plus GO	89.51	C Plus GO	31.64
Danko Emergency Equipment EQ	2,404.79	Janssen Motor LAB AR MI	145.05
Dearborn National INS	82.56	Southern Power UT	699.88
Frontier TE	59.66	Verizon TE	13.52
Matheson EQ	93.94		2,782.75
Penguin Management PF	1,548.00	<u>STREET</u>	
Physio-Control, Inc. SU	725.50	Salaries/Taxes/Benefits	6,454.43
Southern Power UT	361.00	Jim Bennett SR	66.00
Verizon TE	40.01	Black Hills Energy UT	330.51
	6,425.29	C Plus GO	749.98

GARBAGE COLLECTION		STREET (cont.)	
Waste Connection of NE GA	5,771.91	Countryside Market MI	191.45
	5,771.91	Evans Construction SR	2,025.00
GENERAL		Janssen Motor AR LAB MI	145.04
Salaries/Taxes/Benefits	3,470.67	Latter Repair & Irrigation ER	154.23
AcroMat SU FR	81.84	Ralph's Welding ER LAB	419.75
ATC Communications INT	35.60	S & W Auto Parts SU GO	108.15
Bertrand Fire Department G2G	8,525.51	Southern Power UT	1,370.42
Black Hills Energy UT	210.54	The Auto Shack ER	28.00
Countryside Market FP SU	64.90	Verizon TE	84.40
Frontier TE	156.08		12,127.36
Hi-Line Golf Assoc. G2G	1,046.15	WATER	
Holdrege Daily Citizen PF	75.00	Salaries/Taxes/Benefits	14,882.63
Hometown Leasing LP	110.24	Black Hills Energy UT	503.13
Office Solutions OS	109.09	C Plus GO	63.29
Menards SU	310.91	Frontier TE	78.09
One Call Concepts PF	1.89	Janssen Motor LAB AR MI	290.09
PCDC PF	1,500.00	NE Department of Revenue ST	1,382.72
Red Wing Software OS	197.50	NE Public Health Env. Lab. WT	16.00
School Dist. #54 LT	520.00	Red Wing Software OS	197.50
Southern Power UT	147.00	Southern Power UT	1,159.00
US Post Office OS	100.00	US Post Office OS	100.00
Woodward's Disposal	10.00	Verizon TE	13.51
	16,672.92	Woodward's Disposal MI	10.00
LAW ENFORCEMENT			18,695.96
Salaries/Taxes/Benefits	1,322.73	YARD WASTE/RECYCLING	
Straight Talk (card services)	74.12	Salaries/Taxes/Benefits	202.73
	1,396.85	Frontier TE	123.66
PARK		Reliable Pest Control FU	43.00
Salaries/Taxes/Benefits	28.92	Schaben Sanitation LF	721.06
Rainbow Nursery IMP	183.75		1,090.45
Southern Power UT	130.00		
	342.67		

Amy Grube, Nursing Home & Assisted Living Administrator, gave the Nursing Home report. The ending census for the month of November had the Nursing Home at 21 residents and the Assisted Living at 10 residents. Grube is looking for a back up person to help the Nursing Home when the weather conditions are bad. She will also start to research grant possibilities for this year.

On a motion by Schroeder, seconded by Evans, the financials for the month of November were accepted. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Spiegel, the payables for the month of January in the amount of \$148,919.40 were accepted. Voting Aye, Schroeder, Spiegel, Evans, Wilcox.

NURSING HOME			
Salaries/Taxes/Benefits	87,947.02	Mid-American Research	455.99
American Healthtech	397.38	Midwest Automatic Sprinkler	404.70
AMGL	2,612.50	Nurses Incorporated	3,541.25

NURSING HOME (cont.)			
Barb Metzger	270.60	Penny Martinez	61.79
Black Hills Energy	1,317.88	Petty Cash	167.50
Blums & Collectibles	38.51	Phelps County Rehab Services	8,455.86
C Plus	458.62	Reliable Pest Control	41.00
Cash-wa Distributing	2,397.74	Resident Trust Account	27.90
Charter	86.26	RHD	10,756.00
Compufact	55.00	Secrest LTC Consulting	499.76
D & M Security	87.00	Shane Smith	300.00
Direct TV	336.14	Shopko	53.90
Encompass	334.32	Southern Power District	2,716.80
Eutis Body Shop	800.00	Spartan Nash	190.68
First State Bank	1,879.10	Stericycle	115.34
Frontier	597.10	Svoboda's ACE Hardware	27.45
HCIS	80.00	Sysco	9,534.70
Hobart	95.58	The Clinical Advantage KCI	916.32
Holdrege Pharmacy	722.39	United Heartland	5,909.00
McCormack Distributing	89.28	Village of Bertrand	502.17
Marlin Business Bank	506.29	WeCare	1,553.00
McKesson	1,565.91	Woodward's Disposal	23.75
			148,919.40

James Nelson, Village Ordinance Officer, gave the Ordinance Officer Report. There is a dog at large that Nelson has been unable to obtain. All of the vehicles that remained on the street have been warned for parking violations after the snow storm.

Brad Slaughter, Ameritas, spoke with the Board regarding the financing of a new swimming pool for the Village. The Board discussed a sales tax increase, possible interlocal agreements, and how to approach the community. Slaughter will continue to research funding possibilities and offered whatever support he could. He will be available for any public hearings or to help with forming the ballots for an election.

Sharon Hueftle, SCEDD Representative, presented the Board with the 2018 Nuisance Abatement Program. On a motion by Schroeder, seconded by Evans, a postponement request from property 2018-BERT-3035 was approved until 6/9/19. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Spiegel, a bid from Evans Construction to abate the property 2016-BERT-1104 was approved. Voting Aye, Schroeder, Spiegel, Wilcox. Abstaining, Evans.

On motion by Spiegel, seconded Schroeder, a bid from Evans Construction to demolish the property 2018-BERT-3002 was approved pending an asbestos inspection and the cost of removal was approved. Voting Aye, Spiegel, Schroeder, Wilcox. Abstaining, Evans.

On a motion by Spiegel, seconded by Schroeder, a bid from Evans Construction to abate the properties 2018-BERT-3006, 3007, and 3008 was approved. Once on site for the abatement, it will be determined if demo is required. Voting Aye, Spiegel, Schroeder, Wilcox. Abstaining, Evans.

On a motion by Schroeder, seconded by Spiegel, a bid from Evans Construction to abate the property 2018-BERT-3023 was approved. Voting Aye, Schroeder, Spiegel, Wilcox. Abstaining, Evans.

On a motion by Spiegel, seconded by Schroeder, a bid from Evans Construction to abate the property 2018-BERT-3116 was approved. Voting Aye, Spiegel, Schroeder, Wilcox. Abstaining, Evans.

On a motion by Spiegel, seconded by Schroeder, a bid from Evans Construction to abate and demolish the property 2018-BERT-3117 was approved. Voting Aye, Spiegel, Schroeder, Wilcox. Abstaining, Evans.

On a motion by Schroeder, seconded by Spiegel, a bid from Evans Construction to demolish the property 2018-BERT-3118 was approved. Voting Aye, Schroeder, Spiegel, Wilcox. Abstaining, Evans.

On a motion by Spiegel, seconded by Schroeder, the Board approved the 2019 contract with the South Central Economic Development District. This contract will review properties located east of Minor Avenue and south of Kellogg Street. Voting Aye, Spiegel, Schroeder, Evans, Wilcox.

On a motion by Schroeder, seconded by Evans, SCEDD was appointed the Nuisance Officer of the Village of Bertrand for 2019. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Evans, a discussion regarding the merger of the Bertrand Fire Department and the Rural Fire Department was tabled. Further discussion will take place once the Rural Board has approved the sum which the Village Board approved at the December meeting. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

Kevin Stehl, Fire Chief of the Bertrand Fire Department, advised the Board that the Bertrand Fire Department has been looking to purchase a 2019 Ford Ambulance. The estimated purchase price will be \$247,241.00. This will not include a power cot, but funds for this can be raised at a later time. On a motion by Spiegel, seconded by Evans, the Board approved the purchase of a new ambulance for the Bertrand Fire Department. Voting Aye, Spiegel, Evans, Wilcox. Abstaining, Schroeder.

Trustee Brian Schroeder will be attending the Mid-Winter Conference that will be held in Lincoln, NE on February 25-26th.

On a motion by Schroeder, seconded by Evans, the Holdrege Daily Citizen was designated as the publisher for the Village's publications since the Bertrand Herald is no longer publishing. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

Trustee Spiegel moved for the adoption of Ordinance No. 674 regarding the regulations of ATVs, scooter, UTVs and golf carts within the limits of the municipality. The ordinance reads as follows:

ORDINANCE NO. 674

of the

VILLAGE OF BERTRAND, NEBRASKA

AN ORDINANCE RELATING TO ALL TERRAIN VEHICLES, SCOOTERS, UTILITY VEHICLES AND GOLF CARTS; TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES, SCOOTERS, UTILITY VEHICLES AND GOLF CARTS WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL TERRAIN VEHICLES, SCOOTERS, UTILITY VEHICLES AND GOLF CARTS; TO ESTABLISH PENALTIES FOR VIOLATIONS; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE AN EFFECT DATE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, PHELPS COUNTY, NEBRASKA:

Section 1. For the purposes of this Ordinance:

- (a) All Terrain Vehicle means any motorized off-highway vehicle which: (1) is 50 inches or less in width, (2) has a dry weight of 900 lbs. or less, (3) travels on 3 or more low pressure tires, (4) has handle bars or any other steering assembly for steering control.
- (b) Utility Vehicle shall mean any side by side vehicle (e.g. gator, mule or prowler).
- (c) Golf Cart means a vehicle which: (1) has at least four wheels, (2) has a maximum level ground speed of less than 20 miles per hour, (3) has a maximum payload capacity of 1200 lbs., (4) has a

maximum passenger capacity of nor more than 4 persons, (5) is designed and manufactured for operation on a golf course for sporting and recreational purposes, and (6) is not being operated within the boundaries of a golf course.

- (d) Street or Highway means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Section 2. An all-terrain vehicle, scooter, utility vehicle, and golf cart may be operated on the streets and highways, within the corporate limits of the Village of Bertrand, Nebraska only if the operator and vehicle comply with the provisions of this section. Owners must show proof of insurance on all all-terrain, scooters, utility vehicles, and golf carts at the Village Office at the time of paying for registration fee of for registration fee of \$15.00 on a yearly basis.

Section 3. Any person operating an all-terrain vehicle, scooter, utility vehicle or golf cart authorized by this ordinance shall be at least 16 years old and shall possess a valid driver's license issued by the State of Nebraska or any other state. No person shall operate an all-terrain vehicle, scooter, utility vehicle or golf cart on the streets or highways of the Village of Bertrand, Nebraska in violation of the Nebraska rules of the road established by the Revised Statutes of the State of Nebraska. When operating an all-terrain vehicle, scooter, utility vehicle, or golf cart, the operators and passengers must be restrained within the vehicle's restraint system. If no restraint system is available, the operators and passengers must be seated at all times. Parking of an all-terrain vehicle, scooter, utility vehicle, and golf carts will not be permitted on any sidewalk.

Section 4. Any violation of this Ordinance shall be subject to the penalty provisions of the Bertrand Municipal Code Section 5-501.

Section 5. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall take into effect and be in full force and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS 8TH DAY OF JANUARY 2019.

Said ordinance was duly and distinctly read, and on a motion by Spiegel, seconded by Schroeder, it was designated as Ordinance No. 674 and the title thereto was approved. Trustee Evans moved that the Statutory Rule requiring ordinances to be fully and distinctly read on three different days be dispensed with, which motion was seconded by Trustee Schroeder. The Chairman stated the motion and instructed the Clerk to call roll. Voting Aye, Evans, Schroeder, Spiegel, Wilcox. The Chairman stated the motion to adopt Ordinance No. 674 and instructed the Clerk to call roll. Voting Aye, Spiegel, Schroeder, Evans, Wilcox. The passage and adoption of said Ordinance No. 674 having concurred in by a majority of all members elected to the board of Trustees was declared passed and adopted. The Chairman then instructed the Clerk to cause Ordinance No. 674 to be published as required by law.

On a motion by Schroeder, seconded by Evans, the agreement between the owner (Village of Bertrand) and the engineer (JEO Consulting Group, Inc.) was approved. This agreement will only be valid if the Village of Bertrand is awarded the planning grant from the Civic and Community Center Financing Fund. The amount stated in 'Exhibit A' is not to be exceeded. Voting Aye, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the Demolition Permit request from Darlene Samuelson to demolish a house located at 207 ½ Minor Ave. was approved. Voting Aye, Spiegel, Schroeder, Wilcox. Abstaining, Evans.

On a motion by Spiegel, seconded by Evans, the Propane Tank Permit request from Robert Dahlgren to place a 500 gallon propane tank at 712 Montrose was approved. Voting Aye, Spiegel, Evans, Wilcox. Abstaining, Schroeder.

Matt Gregg, Utilities Superintendent, reported to the Board that the field inspector from HHS conducted the sanitary survey. Gregg does not foresee any deficiencies with this survey, so that will mean that the Village of Bertrand has not had any deficiencies in the last 15 years. Snow removal went as well as could be expected.

The meeting adjourned at 9:33 PM.

Lori Vinzant
Village Clerk

TJ Wilcox
Chairman of the Board