

MINUTES

May 9, 2018

The Village Board of Trustees held a Regular Meeting on Wednesday, May 9, 2018 at 7:30 PM at the Village Hall by posting in the Bertrand Herald on May 3, 2018 and posting at the First State Bank, the Post Office and Village Office. Present were Chairman, TJ Wilcox, and Trustees Robert Dahlgren, Lucas Evans, Brian Schroeder and Jerold Weber. Dahlgren joined the meeting at 7:32 PM.

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 Schroeder, seconded by Weber, the minutes for the Regular Meeting held on April 10, 2018 were approved. Voting Aye, Schroeder, Weber, Wilcox, Evans.

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

On a motion by Schroeder, seconded by Weber, the payables for the month of April in the amount of \$59,433.13 were accepted. Voting Aye, Schroeder, Weber, Dahlgren, Evans, Wilcox.

<b><u>CEMETERY</u></b>		<b><u>LAW ENFORCEMENT</u></b>	
Salaries/Benefits	290.74	Phelps County Sheriff's Dept.	1,666.67
Jack Bowen	500.00		<b>1,666.67</b>
C Plus GO	14.76	<b><u>POOL</u></b>	
Miller & Associates PF	408.00	Salaries/Benefits	0.00
Tractor Supply (card services) SU	279.99	Arnold Pool Comp. SU	2,347.50
Van Diest Supply Co. SU	1,345.75	Black Hills Energy UT	34.01
	<b>2,839.24</b>	Frontier TE	73.79
<b><u>FIRE DEPARTMENT</u></b>		Southern Power UT	60.00
Ag Systems SU	285.81	The Bertrand Herald PR	36.00
Airgas SU	207.60		<b>2,551.30</b>
Black Hills Energy UT	301.82	<b><u>SEWER</u></b>	
Cash Statement MI	1.84	Salaries/Benefits	1,576.16
C Plus GO	216.37	C Plus GO	55.32
Danko Emer. Equip. EQ	131.25	Dave Cox EQ	4,500.00
Dearborn National INS	89.44	Holdrege Irrigation SU LAB ST	5,164.40
Frontier TE	57.90	K&D Motor EQ	1,100.00
Matheson EQ	83.00	Ralph's Welding SU LAB	332.51
NSVFA PF	20.00	S&W Auto Parts SU	39.98
Southern Power UT	123.00	Southern Power UT	264.48
Spectrum INT	0.00	Verizon TE	13.49
The Auto Shack	50.00		<b>13,046.34</b>
Verizon TEL	40.01	<b><u>STREET</u></b>	
	<b>1,608.04</b>	Salaries/Benefits	4,721.21
<b><u>GENERAL</u></b>		Black Hills Energy UT	184.11
Salaries/Benefits	0.00	C Plus GO	326.31
ATC Communications INT	35.60	Central Fire & Safety PF	79.75
Black Hills Energy UT	109.68	Central Valley Electric SU	80.00
Carbonite (card services) PF	97.18	Countryside Market SU	7.78
Cash Statement MI	7.92	Latter Repair & Irrigation SU	93.00

<b>GENERAL (cont.)</b>		<b>STREET (cont.)</b>	
Countryside Market FP	97.71	S&W Auto Parts SU	40.16
Frontier TEL	142.92	Southern Power UT	1,317.74
Hometown Leasing LP	110.24	The Auto Shack ER	50.00
NE Dept. of Revenue ST	3.94	Van Diest Supply Co. SU	988.33
Office Solutions OS	34.24	Verizon TE	80.94
One Call Concepts PF	13.98		<b>7,519.33</b>
Southern Power UT	100.00	<b>WATER</b>	
The Bertrand Herald PR	444.30	Salaries/Benefits	10,722.40
US Post Office OS	200.00	Black Hills Energy UT	286.00
Woodward's Disposal MI	10.00	Carbonite (card services) PF	97.19
	<b>1,407.71</b>	Cash Statement MI	10.76
<b>PARK</b>		C Plus GO	55.32
Salaries/Benefits	578.31	Central Fire & Safety PF	79.75
3E Electrical SU	199.73	Central Dist. Health Dept. WT	63.50
Bennett Construction ER LAB	2,938.50	Frontier TE	59.58
C Plus GO	36.11	Matheson WT	80.25
CHS Agri Service SU	158.27	NE Dept. of Revenue ST	1,318.15
JandJ Faithscapes PF	199.50	S&W Auto Parts SU	77.83
Latter Repair & Irrigation	93.32	Southern Power UT	1,131.00
Menards RM	314.99	TL Sund Constructors MH LAB	1,190.00
Municipal Supply SU	223.45	Verizon TE	13.49
Orschlen's (card services) SU	6.49	Woodward's Disposal MI	10.00
Overton Sand & Gravel PF	196.35		<b>15,195.22</b>
S&W Auto Parts SU	30.85	<b>YARD WASTE/RECYCLING</b>	
Southern Power UT	97.00	Salaries/Benefits	187.76
Svoboda's ACE SU	84.44	Frontier TE	120.34
Tractor Supply (card services) SU	279.99	Platte Valley Communications PF	120.55
Van Diest Supply Co. SU	632.50	Reliable Pest Control LF	43.00
	<b>6,069.80</b>	Schaben Sanitation LF	1,110.23
<b>GARBAGE COLLECTION</b>		The Bertrand Herald PR	96.00
Waste Connection of NE GA	5,851.60		<b>1,677.88</b>
	<b>5,851.60</b>		

Amy Grube, Nursing Home Administrator, and Walt Dye, RHD Representative, gave the Nursing Home and Assisted Living report. A proposed budget for the 2018-2019 fiscal year was reviewed.

On a motion by Schroeder, seconded by Weber, the financials for the month of March were accepted. Voting Aye, Schroeder, Weber, Dahlgren, Evans, Wilcox.

On a motion by Weber, seconded by Schroeder, the payable to the First State Bank in the amount of \$1,879.10 was accepted. Voting Aye, Weber, Schroeder, Evans, Wilcox. Abstaining, Dahlgren. On a motion by Schroeder, seconded by Dahlgren, the remaining payables in the amount of \$161,182.10 were accepted. Voting Aye, Schroeder, Dahlgren, Evans, Weber, Wilcox.

<b>NURSING HOME</b>			
Salaries/Taxes/Benefits	81,626.68	Marlin Business Park	682.25
AACO	1,438.79	McKesson	1,452.42
American Healthtech	397.38	Megan Stuart	61.16
Barb Metzger	300.60	Mid-Nebraska Mobility	150.00
Black Hills Energy	1,215.62	Nationwide	2,692.33

<b>NURSING HOME (cont.)</b>			
Briggs	40.59	Nurses Incorporated	7,009.25
Bryns Floorcovering	1,480.22	Omaha World Herald	42.90
Cash-wa Distributing	1,454.63	Petty Cash	146.99
Charter	84.99	Phelps County Rehab Services	13,094.32
CLIA	150.00	PMHC	176.21
Compufact	44.00	Quill	175.94
Countryside Market	209.64	Reliable Pest Control	41.00
C Plus	408.42	RHD	10,342.00
D&N Lammel's	489.50	Secrest LTC Consulting	483.76
Direct Supply	239.16	Shane Smith	300.00
Direct TV	331.89	Shopko	19.99
Eakes	553.88	Southern Power District	2,543.00
Eustis Body Shop	1,941.39	SpartanNash	66.66
Family Medical Specialties	266.00	Stericycle	110.16
First State Bank	1,879.10	Svoboda's ACE	108.90
Frontier	598.59	Sysco	9,770.47
HCIS	80.00	United Heartland	15,764.00
Holdrege Daily Citizen	51.20	Village of Bertrand	499.67
Holdrege Floral	40.00	WeCare	1,260.00
HTMC	55.00	White Advanced Hearing	250.00
Intuit	415.30	Woodward's Disposal	25.25
			<b>163,061.20</b>

On a motion by Evans, seconded by Schroeder, a shift differential setting an hourly rate rather than a shift rate for a weekend shift bonus was approved. Voting Aye, Evans, Schroeder, Dahlgren, Weber, Wilcox.

On a motion by Weber, seconded Dahlgren, a private room rate increase of 7.5% was approved. Voting Aye, Weber, Dahlgren Evans, Schroeder, Wilcox.

Guest, Brad Slaughter, Ameritas Investment Corp., presented the Board funding options for a swimming pool bond. The presentation provided a 20 year amortization for projects of \$2 million and \$2.5 million. A resolution will need to approved at the August board meeting to put this issue on the ballot in November.

On a motion by Weber, seconded by Dahlgren, Shawn Young was given permission to open a firework stand in a portable firework stand. He will be required to sign a hold harmless contract, as well as provide proof of insurance for such stand. Voting Aye, Weber, Dahlgren, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Weber, the following resolution was approved:

**RESOLUTION NO. 368**

**OF THE VILLAGE OF BERTRAND, NEBRASKA**

**WHEREAS, THE BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA DEEMS IT ADVISABLE TO ADOPT CERTAIN RULES AND REGULATIONS WITH RESPECT TO THE USE OF AND ACCESS TO THE VILLAGE YARD WASTE SITE.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES TO THE VILLAGE OF BERTRAND, NEBRASKA AS FOLLOWS:**

The use and access to the Village of Bertrand's yard waste site shall be governed by the following rules and regulations:

1. **Access.** Access to the yard waste site shall be controlled by gate access cards issued by the Village. Except as specifically provided otherwise herein, cards shall only be issued to the residents of the Village of Bertrand (“residents”) and to non-residents who have contracted with the Village to have water service provided to their residence or business (“non-resident water users”).
2. **Card Issuance.** One card will be issued per qualifying household and/or business. Residential card holders are prohibited from lending their card to anyone who is not a member of their immediate household. Business card holders are prohibited from lending their card to anyone who is not an owner or employee of the business and, in any event, only yard waste relating to the qualifying business shall be taken to the yard waste site. If such household or business allows such use, a fine of two hundred and fifty dollars (\$250.00) and 30 days suspension of the card will be enforced.
3. **Card Fees.** No fee is required for issuance of the first card per household or business. However, a five dollar (\$5.00) fee must be paid to the Village prior to issuance of replacement card in the event the initial card is lost or destroyed.
4. **Trees.** Non-residents who have not contracted with the Village to have water service provided to their residence or business may apply to the Village to dump trees and branches at the designated area(s) of the yard waste site; provided that such individuals’ or businesses’ access to and use of the yard waste site shall be limited to the dumping of trees and branches. Prior to receiving an access card for the limited use of dumping of trees and branches, such individuals and businesses shall also be subject to the following rules and regulations:
  - a. Commercial tree service businesses shall first pay a deposit of fifty dollars (\$50.00) to the Village. The access card shall be valid for a period of two (2) days from issuance. The deposit shall be returned if the access card is returned to the Village before it becomes invalid.
  - b. Individuals and businesses who are not commercial tree service businesses shall first pay a deposit of twenty-five (\$25.00) to the Village. The access card shall be valid for a period of twenty-four (24) hours from issuance. The deposit shall be returned if the access card is returned to the Village before it becomes invalid.
  - c. In addition to the applicable deposit required, any individuals and/or businesses (other than residents and non-resident water users) shall be subject to the following fees for the dumping of trees and/or branches:

i. Trucks	\$20.00 per load
ii. Pickups	\$10.00 per load
iii. Cars	\$5.00 per load
5. **Violations.**
  - a. Any violation of this Resolution shall subject the person and/or entity violating the Resolution to a fine of up to, but no more than, two hundred and fifty dollars (\$250.00).
  - b. The Municipal Utilities Superintendent is hereby authorized to assess a fine of up to, but no more than, two hundred and fifty dollars (\$250.00) and/or suspension of use of card for 30 days per violation, in which event the fine shall be due and payable to the Village Clerk within ten (10) days after the date of issuance of the citation.

- c. The following shall subject persons and/or entities to an immediate loss of privileges of access to and use of the yard waste site, and require immediate return of the access card to the Village Clerk.
  - i. A second or further violations of this Resolution; and/or
  - ii. Failure to pay a fine on or before the due date thereof.
- d. Subsequent issuance of an access card after a second or further violation shall be at the discretion of the Village Board of Trustees or designated representative thereof.

This resolution repeals all prior resolutions in conflict herewith.

**PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF MAY 2018.**

Voting Aye, Dahlgren, Weber, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, a discussion regarding the fines for dogs running at large was tabled until the June board meeting. Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox.

On a motion by Dahlgren, seconded by Evans, a dog complaint regarding the dogs at 506 Mason was considered. Voting Aye, Dahlgren, Evans, Schroeder, Weber, Wilcox. The Village Clerk will inform the dog owner's by way of letter to inform them that an investigation will be completed.

A survey regarding a sales tax increase for 1.0 % to 1.5% and a bond for a swimming pool will be included in the June newsletter. Citizen will be encouraged to mail it to the Village Office or leave it in the drop box. This information will help the board to see if it would be beneficial to put it on the ballot in November.

On a motion by Dahlgren, seconded by Schroeder, the following ordinance was approved:

**ORDINANCE NO. 669**

**OF THE VILLAGE OF BERTRAND, NEBRASKA**

**AN ORDINANCE OF THE VILLAGE OF BERTRAND, NEBRASKA PROVIDING CERTAIN PROHIBITIONS AND RESTRICTIONS WITH RESPECT TO THE STOPPING, STANDING, AND PARKING OF VEHICLES WITHIN THE MUNICIPAL LIMITS OF THE VILLAGE OF BERTRAND, NEBRASKA; REPEALING ONLY THOSE PRIOR ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA AS FOLLOWS:**

1. Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, no person shall:
  - a. Stop, stand, or park any vehicle:
    - i. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
    - ii. On a sidewalk;
    - iii. Within an intersection;
    - iv. On a crosswalk;
    - v. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless the Department of Transportation or the local authority indicates a different length by signs or markings;
    - vi. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

- vii. On any railroad track; or
- viii. At any place where official signs prohibit stopping'
- b. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger(s):
  - i. In front of a public or private driveway;
  - ii. Within fifteen (15) feet of a fire hydrant;
  - iii. Within twenty (20) feet of an intersection;
  - iv. Within thirty (30) feet of any flashing signal, stop sign, yield sign, or other traffic control device located at the side of the roadway;
  - v. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance when properly signposted; or
  - vi. At any place where official signs prohibit standing; or
- c. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
  - i. Within fifty (50) feet of the nearest rail of a railroad crossing; or
  - ii. Any place where official signs prohibit parking;
- 2. No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as shall be unlawful.
- 3. Any violation of this Ordinance shall be subject to the penalty provisions of Bertrand Municipal Code Section 5-501.
- 4. All prior Ordinances and Resolutions, or parts thereof, in conflict herewith, are hereby repealed.
- 5. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**PASSED AND APPROVED THIS 9<sup>TH</sup> DAY OF MAY 2018.**

Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox. On a motion by Weber, seconded by Schroeder, the 3 readings of this ordinance was waived. Voting Aye, Weber, Schroeder, Dahlgren, Evans, Wilcox.

Adding the Nursing Home & Assisted Living to the Village of Bertrand's budget for the 2018-2019 fiscal year was discussed.

The Board review a letter sent by the Phelps County Sheriff's Department. The letter stated that the contract between the Village of Bertrand and the Phelps County Sheriff's Department will not be renewed after June 30, 2019. Further discussion regarding this situation will be at a later date.

The Village Attorney has been working on a separation agreement between the Village of Bertrand and the Bertrand Fire Department. The Board feels that the process has taken a substantial amount of time and would like to start the process of finding a new Village Attorney. This will be discussed at the June board meeting.

The location of the Bertrand Street Dance has been moved from the park and Nelson Street to Minor Avenue from Kane Street to Kossuth Street.

On a motion by Weber, seconded by Schroeder, the Blue Moose Bar & Grill's application for a Special Designated Liquor License for the Bertrand Street Dance on June 23, 2018 located on Minor Ave. was approved. Voting Aye, Weber, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the Blue Moose Bar & Grills application for a Special Designated Liquor License for the Jensen/Lavene wedding reception on June 9, 2018 at the Bertrand Community Building was approved. Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox.

On a motion by Weber, seconded by Evans, a Building Permit request from Allen Wissmann to construct a 12x20' deck at 404 Melbourne was approved. Voting Aye, Weber, Evans, Dahlgren, Schroeder, Wilcox.

On a motion by Weber, seconded by Dahlgren, a Building Permit request from Allen Wissmann to construct a carport at 402 Marshall was tabled. Voting Aye, Weber, Dahlgren, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Evans, a Fence Permit request from Craig Peterson to construct a privacy fence at 312 Keopple was approved. Voting Aye, Dahlgren, Evans, Schroeder, Weber, Wilcox.

On a motion by Dahlgren, seconded by Weber, a Fence Permit request from Toby Rekart to construct a privacy fence at 511 Marshall was approved. Voting Aye, Dahlgren, Weber, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Evans, a Building Permit request from Doyle Benson to construct a steel grain bin at 73779 Road 438 was approved. Voting Aye, Dahlgren, Evans, Schroeder, Weber, Wilcox.

Matt Gregg, Utilities Superintendent, informed the Board that the armor coating in town has been postponed until after the parade. A new window door has been installed in the concession stand in the park. Due to vandalism of the restroom at the park, both doors will need to be replaced, as well as some other minor repairs. The bleachers at the baseball field are in the process of being repaired. The alley repair behind the First State Bank will have to be delayed until October. Several more violations in the Yard Waste Site have been reported. Bids for new cameras will be prepared for the June board meeting. He will also prepare an article for the June newsletter, asking the community for help in dealing with this issue.

Lori Vinzant, Village Clerk, reported that the June newsletter will go out at the end of this month. Dead tree letters will go out the first of next week so that the community members can get them taken care of during Community Clean Up timeframe. SCEDD will be at the June board meeting to review windshield observations that were done in the first week of May. There are also some other properties that should be reviewed while they are in attendance.

Brian Schroeder, Trustee, stated that there are a few properties that have trees that are too close to the side of the road or are too small. This will be discussed at the June board meeting. The trailer located at 304 Keopple has been demolished.

On a motion by Wilcox, seconded by Weber, the meeting adjourned at 9:50. Voting Aye, Wilcox, Weber, Dahlgren, Evans, Schroeder.