

MINUTES

June 11, 2019

The Village Board of Trustees held a Regular Meeting on June 11, 2019 at the Village Hall by posting in the Holdrege Daily Citizen on May 31, 2019 and at the Post Office, First State Bank, and Village Office. Present were Chairman TJ Wilcox, and Trustees Robert Dahlgren, Lucas Evans, Brian Schroeder, and Fred Spiegel. Dahlgren joined the meeting at 7:36 PM.

The Chairman opened the meeting and 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 in the room where the meeting was being held.

On a motion by Spiegel, seconded by Schroeder, the minutes of the May 14, 2019 regular meeting were approved. Voting Aye, Spiegel, Schroeder, Evans, Wilcox.

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

On a motion by Spiegel, seconded by Evans a split from the payables in the amount of \$3,735.68 for the Fire Department bills was accepted. Voting Aye, Spiegel, Evans, Wilcox. Abstaining, Schroeder.

On a motion by Spiegel, seconded by Schroeder, the remaining payables for the month of May in the amount of \$114,451.40 were accepted. Voting Aye, Spiegel, Schroeder, Evans, Wilcox.

AN-Animal Control	EMS-EMS Billing	EQ-Equipment
FP-Food Pantry	FR-Freight	FU-Fumigation
GA-Garbage Collection	GO-Gas, Oil, Tires	GRA-Grant
GRO-Grave Opening	INS-Insurance	INT-Internet
LAB-Labor	LEG-Legal	LF-Landfill
LP-Lease Payment	MI-Miscellaneous	MIL-Mileage/Meals
PC-Pool Concessions	PF-Professional Fees	PP-Printing/Publishing
OS-Operating Supplies	RM-Repair & Maintenance	SC-SCEDD Clean Up
SCH-Schooling	ST-Sales Tax	SU-Supplies
TE-Telephone	UT-Utilities	

<u>CEMETERY</u>		<u>POOL</u>	
Salaries/Taxes/Benefits	428.36	Salaries/Taxes/Benefits	882.61
Jack Bowen GRO	500.00	American Red Cross (card) SCH	134.00
C Plus GO	135.02	Arnold Pool Co. SU FR	644.35
Latter Repair & Irrigation SU GO	112.62	Black Hills Energy UT	272.31
Treetop Products (card ser.) EQ	599.01	C Plus SU	5.99
	1,775.01	Cash-wa (card services) PC	206.30
<u>FIRE DEPARTMENT</u>		Joanne Chesterman SU	41.70
Airgas SU	242.32	Chesterman Co. PC	41.10
Black Hills Energy UT	93.10	CHS SU	199.90
C Plus GO	68.02	DHHS SCH	40.00
Dearborn National INS	82.56	Frontier TE	71.47
EMS Billing EMS	432.79	Menards SU	259.61
Frontier TE	59.46	Might Ducts LAB	3,750.00
Fyr-Tek SU	1,582.00	Municipal Supply SU	2,393.70
Matheson EQ	102.59	NE Department of Revenue ST	75.56
Brian Schroeder SCH	690.00	Sabrina Nielsen SCH	1,050.00
Southern Power UT	123.00	Orscheln's (card services) PC	23.96

<u>FIRE DEPARTMENT (cont.)</u>		<u>POOL (cont.)</u>	
Spectrum INT	169.83	Pretty & Fabulous SU	240.00
The Auto Shack RM	50.00	S & W Auto Parts SU	95.96
Verizon TE	40.01	Southern Power UT	115.00
	3,735.68	Svoboda's ACE SU	121.89
<u>GARBAGE COLLECTION</u>		Swimoutlet (card services) SU	441.42
Waste Connection of NE GA	5,815.58	TYR Sport (card services) SU	394.83
	5,815.58	Walmart (card services) PC	34.23
<u>GENERAL</u>		Wayfair (card services) SU	357.83
American Red Cross (card) MI	150.00		11,893.72
ATC Communications INT	35.60	<u>SEWER</u>	
Bertrand Chamber PF	35.00	Salaries/Taxes/Benefits	1,675.32
Black Hills Energy UT	57.05	Sewer/Lift Station Bond/Interest	29,735.43
Cash Statement MI	6.85	CHS GO	40.23
Countryside Market FP OS	70.83	First State Agency INS	932.25
Eakes Office Solutions PF OS	600.35	Southern Power UT	216.07
Earl May (card services) SU	27.79	Verizon TE	14.33
EMC Insurance INS	166.00		32,613.63
Evans Construction SC	24,386.00	<u>STREET</u>	
Frontier TE	158.37	Salaries/Taxes/Benefits	5,077.80
Hi-Line Golf Course GRA	2,659.75	Black Hills Energy UT	67.98
Holdrege Daily Citizen PP	129.13	C Plus GO	360.77
Hometown Leasing LP	110.24	CHS GO	40.23
NE Department of Revenue ST	0.36	DeWald Deaver L'Heureux LEG	239.25
Office Solutions OS	126.08	Diamond Vogel SU	262.08
One Call Concepts PF	12.28	Menards SU	37.86
Southern Power UT	94.00	Popple Construction SU LAB	2,632.00
Svoboda's ACE SU	13.99	Southern Power UT	1,286.23
US Post Office OS	149.40	Svoboda's ACE SU	50.00
Woodward's Disposal MI	10.00	Verizon TE	68.34
	28,999.07		10,122.54
<u>LAW ENFORCEMENT</u>		<u>WATER</u>	
Salaries/Taxes/Benefits	1,167.32	Salaries/Taxes/Benefits	12,670.75
Bertrand Vet Clinic AN	99.00	Black Hills Energy UT	169.49
Straight Talk (card services) TE	38.52	CHS GO	80.44
	1,304.84	Eakes Office Solution OS	48.97
<u>PARK</u>		EMC Insurance INS	166.00
Salaries/Taxes/Benefits	828.62	Frontier TE	77.71
C Plus GO	144.65	Maguire Iron, Inc. RM	1,600.00
Countryside Market SU	11.98	NE Department of Revenue ST	1,290.76
Holdrege Auto Parts GO	30.00	Southern Power UT	1,472.00
JandJ Faithscapes SU	84.90	US Post Office SU	149.39
Latter Repair & Irrigation SU GO	112.62	Verizon TE	28.65
Ralph's Welding SU LAB	62.92	Roxanne Winheim MIL	46.40
Renken Electric SU LAB	839.73	Woodward's Disposal MI	10.00
Southern Power UT	145.05		17,810.56
Svoboda's ACE SU	49.99		

PARK (cont.)		YARD WASTE/RECYCLING	
Treetop Products (card ser.) EQ	599.01	Salaries/Taxes/Benefits	271.20
	<u>2,909.47</u>	Frontier TE	125.50
		Reliable Pest Control FU	43.00
		Schaben Sanitation LF	767.28
			<u>1,206.98</u>

Amy Grube, Nursing Home & Assisted Living Administrator, and Janet Lytton, RHD Representative, gave the Nursing Home & Assisted Living report. The current census is 21 residents for the Nursing Home and 10 residents for the Assisted Living.

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

On a motion by Schroeder, seconded by Evans, the payables for the month of June in the amount of \$170,794.22 were accepted. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

NURSING HOME			
Salaries/Taxes/Benefits	78,955.51	Joey Kugler	19.26
AACO	18,892.01	Marlin Business Bank	506.29
American Healthtech	397.38	McCormack	63.18
Barb Metzger	270.60	McKesson	2,432.20
Black Hills Energy	804.28	Nationwide	3,070.73
C Plus	493.45	Nurses Incorporated	6,828.00
Cash-wa Distributing	3,128.42	Oak Haven Aviaries	230.00
Charter	84.99	Petty Cash	141.11
CHI Good Samaritan	1,464.00	Phelps County Rehab Services	7,919.78
CHS	51.99	PMHC	59.00
Clipper Herald	111.93	Prioricare Staffing	4,888.93
Compufact	44.00	Providence Engraving	19.82
Countryside Market	379.70	Quill	247.50
Creative Forecasting	60.00	Reliable Pest Control	41.00
Direct Supply	49.98	Reminisce	14.98
Direct TV	354.04	Retina Center of NE	114.25
Dollar General	78.00	RHD	11,186.00
Family Medical Specialties	478.00	Secret LTC Consulting	549.52
First State Bank	1,879.10	Shane Smith	300.00
Friod Piano Tuning	114.00	Southern Power	2,061.00
Frontier	584.41	SpartanNash	219.55
Frontier Home Medical	37.03	Stericycle	115.34
General Glass of Holdrege	58.85	Svoboda's ACE	123.82
HCIS	80.00	Sysco	10,226.26
Holdrege Daily Citizen	41.60	United Heartland	5,131.00
Holdrege Floral Expressions	45.00	Village of Bertrand	655.05
Holdrege Pharmacy	2,650.63	WeCare	1,933.00
HTMC	85.00	Woodward's Disposal	23.75
			<u>170,794.22</u>

James Nelson, Village Ordinance Officer, gave a report regarding a dog that has been previously declared dangerous. The dog has since been impounded after biting a third child. The owner was given thirty (30) days to comply with the dangerous dog restrictions and has failed to do so at this time. The owner was given permission to speak regarding the situation. She stated that they are in the process of

having the dog deemed as an emotional support dog. The Clerk was advised to contact the Village Attorney regarding the correct course of action.

The Nursing Home & Assisted Living Budget Hearing was held.

Sharon Hueftle, SCEDD Representative, presented the Board with the 2019 Nuisance Abatement Program. On a motion by Schroeder, seconded by Spiegel, property 2019-BERT-4130 was declared a nuisance. Voting Aye, Schroeder, Spiegel, Dahlgren, Evans, Wilcox.

On a motion by Schroeder, seconded by Evans, the nuisance declaration was rescinded from the following properties: 2019-BERT-4024, 4037, 4054, 4065, 4067, 4071, 4085, 4086, 4090, 4112, 4128, and 4129. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Spiegel, the following properties were granted extensions: 2016-BERT-1011 until September 30, 2019 and 2018-BERT-3014 until December 8, 2019. Voting Aye, Schroeder, Spiegel, Dahlgren, Evans, Wilcox.

The Public Hearing to Demolish Private Property was held.

SCEDD will send a certified letter to the property owner of 3018-BERT-3117 to have vehicles licensed and moved within thirty (30) days.

Spiegel moved for the adoption of Ordinance No. 679 amending Bertrand Municipal Code Section 6-118 relating to the impoundment of dogs. This ordinance reads as follows:

ORDINANCE NO. 679

of the

VILLAGE OF BERTRAND, NEBRASKA

AN ORDINANCE OF THE VILLAGE OF BERTRAND, NEBRASKA AMENDING BERTRAND MUNICIPAL CODE SECTION 6-118 RELATING TO THE IMPOUNDMENT OF DOGS; REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Chairman and Board of Trustees of the Village of Bertrand, Nebraska as follows:

Section 1. Section 6-118 of the Bertrand Municipal Code is hereby amended so as to provide the following:

“§6-118 DOGS; IMPOUNDING. It shall be the duty of the Municipal Police to capture, secure, and removed in a humane manner to the Municipal Animal Shelter any dog violating any of the provisions of this Article. The dogs so impounded shall be treated in a humane manner and shall be provided with a sufficient supply of food and fresh water each day. Each impounded dog shall be kept and maintained at the shelter for a period of not less than five (5) days after public notice has been given unless reclaimed earlier by the owner. Notice of impoundment of all animals, including any significant marks of identifications, shall be posted at the office of the Municipal Clerk within twenty-four (24) hours after impoundment as public notification of such impoundment. Any dog may be reclaimed by its owner during the period of impoundment by payment of a general impoundment fee and daily board fee as set by resolution of the Governing Body and on file in the office of the Municipal Clerk. The owner shall than be required to comply with the licensing and rabies vaccination requirements before the animal will be released. If no owner is located, or if the owner cannot show proof of shots, within twenty-four (24) hours of impoundment, the animal will receive all necessary vaccination shots required by a veterinarian for impoundment. All costs incurred for this process will be the responsibility of the owner. If the dog is not claimed at the end of required waiting period after public notice has

been given, the Municipal Police may dispose of the dog in accordance with the applicable rules and regulations pertaining to the same; provided, that if, in the judgement of the Municipal Police, a suitable home can be found for any such dog within the Municipality, the said dog shall be turned over to that person and the new owner shall then be required to pay all fees and meet all licensing and vaccinating requirements provided in this Article. The Municipality shall acquire legal title to any unlicensed dog impounded in the Animal Shelter for a period longer than the required waiting period after giving notice. All dogs shall be destroyed and buried in the summary and humane manner as prescribed by the Board of Health unless a suitable home can be found for such dog. (Ref. 17-548, 71-4408 RS Neb.)”

Section 2. All prior Ordinances and Resolutions, or parts thereof, in conflict herewith, are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED THIS 11TH DAY OF JUNE 2019.

Said Ordinance was duly read, and on a motion by Spiegel, second by Schroeder, it was designated as Ordinance No. 679 and the title thereto was approved. On a motion by Schroeder, seconded by Evans, the Statutory Rule requiring ordinances to be fully and distinctly read on three (3) different days was dispensed. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox. Wilcox stated the motion to adopt Ordinance No. 679 and instructed the Clerk to call roll. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox. The Chairman instructed the Clerk to cause Ordinance No. 679 to be published as required by law.

On a motion by Spiegel, seconded by Dahlgren, it was approved to close Kane Street from Highway 23 to Minor Avenue for an auction. The date will be available at a later time. Voting Aye, Spiegel, Dahlgren, Evans, Schroeder, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the Permanent Easement Agreement between the Village of Bertrand and the Bertrand Community Schools was approved per review of the Village Attorney. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the purchase of a surveillance system for the Village Office was approved. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Spiegel, seconded by Evans, the revised contract between the Village of Bertrand and JEO Consulting Group regarding the pool study was approved. Voting Aye, Spiegel, Evans, Dahlgren, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the Special Designated Liquor license request from the Blue Moose Bar & Grill for the Bertrand street dance and BBQ on June 22, 2019 was approved. Voting Aye, Dahlgren, Schroeder, Evans, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Evans, the Special Designated Liquor license request from the Blue Moose Bar & Grill for a fund raiser to be held on June 29, 2019 at the Bertrand Community Building was approved. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

The Board of Trustees met as the Board of Adjustments and approved the following variance requests.

On a motion by Spiegel, seconded by Schroeder, the variance request from Travis Kuck to have more than two (2) accessory buildings on a property was approved. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the variance request from Don Tomes to have a structure within twenty-five feet (25') of the front property line was approved. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Schroeder, seconded by Evans, the variance request from Jason High to construct a driveway extend to the property line was approved. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Evans, the variance request from Ralph Stehl to construct an accessory building on a property that does not have a permanent residence on it was approved. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

The Board of Trustees approved the following building/fence permit requests.

On a motion by Schroeder, seconded by Spiegel, the building permit request from Gloria Eppley to add on to existing driveway and construct a 12x40' carport pad at 323 Union Street was approved. Voting Aye, Schroeder, Spiegel, Dahlgren, Evans, Wilcox.

On a motion by Schroeder, seconded by Dahlgren, the building permit request from Don Tomes to construct a 40x10' deck at 511 Marshfield Avenue was approved. Voting Aye, Schroeder, Dahlgren, Evans, Spiegel, Wilcox.

On a motion by Schroeder, seconded by Evans, the building permit request from Steve Gardine to move a 16x10x8' accessory building to 607 Marshfield Avenue was approved provided that the building will be locate according to the permit request. Voting Aye, Schroeder, Evans, Dahlgren, Spiegel, Wilcox.

On a motion by Evans, seconded by Schroeder, the building permit request from Anthony Sattler to construct a 17x8.5' driveway at 511 Mason Avenue was approved. Voting Aye, Evans, Schroeder, Dahlgren, Spiegel, Wilcox.

On a motion by Spiegel, seconded by Dahlgren, the building permit request from James Blincow to construct a 10x8x7' accessory building at 306 Kellogg was approved. Voting Aye, Spiegel, Dahlgren, Evans, Spiegel, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the building permit request from Larry White to construct to construct a 37x27' addition to the existing garage at 705 Melbourne Avenue. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Spiegel, seconded by Evans, the building permit request from Roberta Ogg to move in a 24x20' carport at 307 Kellogg was approved. Voting Aye, Spiegel, Evans, Dahlgren, Schroeder, Wilcox.

On a motion by Evans, seconded by Schroeder, the amended building permit request from Patrick Berry to construct a 24.5x20' garage at 302 Miller was approved. Voting Aye, Evans, Schroeder, Dahlgren, Spiegel, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the building permit request from Jason High to construct a 15.5x46' addition to the existing driveway at 318 Miller was approved. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Spiegel, seconded by Schroeder, the building permit request from Gary Wilken to construct a 16x10' patio at 307 Montrose was approved. Voting Aye, Spiegel, Schroeder, Dahlgren, Evans, Wilcox.

On a motion by Schroeder, seconded by Dahlgren, the building permit request from Ralph Stehl to construct a 41x24x8' garage at 503 Medina was approved. Voting Aye, Schroeder, Dahlgren, Evans, Spiegel, Wilcox.

On a motion by Evans, seconded by Schroeder, the building permit request from the Young At Heart senior center to construct a 20x10x7' accessory building at 611 Minor Avenue was approved. Voting Aye, Evans, Schroeder, Dahlgren, Spiegel, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the building permit request from Dusty Way to construct a 17x14' roof on the existing patio was approved. Voting Aye, Dahlgren, Schroeder, Evans, Spiegel, Wilcox.

Matt Gregg, Utilities Superintendent, informed the board that a possible donation might be coming for the new swimming pool. More information will be available at a later date. The new fire hydrant to be installed at the intersection of Mason Avenue and Kane Street will be delayed. A line stop will need to be repaired. Gregg will have bids to fix curb stops for several locations for the July board meeting.

The meeting adjourned at 9:52 PM.

Lori Vinzant
Village Clerk

TJ Wilcox
Chairman of the Board