

MINUTES

May 9, 2022

The Village Board of Trustees of the Village of Bertrand, Nebraska, held a Regular Meeting on Monday, May 9, 2022, by publishing in the Holdrege Daily Citizen on May 3, 2022, and posting at the First State Bank, Post Office, and Village Office. The agenda for said meeting was kept continuously at the office of the Village Clerk. Present were Chairman TJ Wilcox and Trustees Robert Dahlgren, Lucas Evans, and Brian Schroeder. Fred Spiegel was absent.

The Chairman opened the meeting at 7:30 PM and 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 Evans, the consent agenda was approved. The items on the consent agenda were as follows: minutes for prior meeting on April 12, 2022; the Village’s financials for the month of April; the Village’s payables for the month of April in an amount no to exceed \$401,000; and the Village’s employees’ salaries for the month of May in an amount not to exceed \$28,000. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent. The April payables are as follows:

AC-Armor Coating	AR-Auto Repair	CG-Curb & Gutter	DF-Dues, Fees Subscriptions
EL-Extra Labor	EQ-Equipment	ER-Equipment Repair	FP-Food Pantry
FR-Freight	FU-Fumigation	FUND- Pool Fundraiser	GA-Garbage Collection
GC-Gravel/Cold Mix	GG-g2g Donations	GO-Gas, Oil, Tires	GRA-Grant
GRO-Grave Opening	GS-Garage Sales	IMP-Improvement	INS-Insurance
INT-Internet	LAB-Labor	LAW-Law Enforcement	LEG-Legal
LF-Landfill	LP-Lease Payment	MH-Machine Hire	MI-Miscellaneous
MIL-Mileage/Meals	NH-Nursing Home Loan	OS-Office Supplies	PC-Pool Concessions
PF-Professional Fees	PP-Pool Project	PR-Printing/Publishing	RM-Repair/Maintenance
REN-Rental	SCH-Schooling	SR-Snow Removal	ST-Sales Tax
SS-Shop Supplies	SU-Supplies	TE-Telephone	TL-Tobacco/Liquor License
UT-Utilities	WT-Water Testing		

<u>CEMETERY</u>		<u>SEWER</u>	
Salaries/Taxes/Benefits (April)	223.93	Salaries/Taxes/Benefits (April)	1,824.85
C Plus GO	22.31	C Plus GO	58.03
REK Enterprises SU FR GO	185.42	Evans Repair GO LAB ER RM AR	102.99
Southern Power UT	30.00	Southern Power UT	261.06
Van Diest Supply SU	162.62	Verizon TE	10.90
	624.28		2,257.83
<u>GARBAGE COLLECTION</u>		<u>STREET</u>	
Waste Connection of NE GA	5,557.44	Salaries/Taxes/Benefits (April)	6,543.36
	5557.44	Black Hills Energy UT	190.55
<u>GENERAL</u>		C Plus GO	473.24
Bertrand Chamber DF	40.00	Evans Repair GO LAB AR	33.12
Black Hills Energy UT	84.08	First State Bank SWEEPER	27,717.69
Capital Business Solutions LP	110.20	Southern Power UT	1,224.53
Chase Credit Card DF	96.24	Van Diest Supply SU	1,027.15
Cross Country Market FP	82.18	Verizon TE	53.74
Holdrege Daily Citizen PR	4.81		37,263.38
One Call Concepts PF	23.34	<u>WATER</u>	
Southern Power UT	125.00	Salaries/Taxes/Benefits (April)	12,643.66

GENERAL (cont.)		WATER (cont.)	
USPS OS	116.00	Black Hills Energy UT	228.34
Woodward's Disposal MI	12.50	BOK Financial BOND	3,452.50
	<u>b</u>	C Plus GO	116.05
LAW ENFORCEMENT		Central District Health Dept. WT	57.00
Salaries/Taxes/Benefits (April)	1,334.75	Chase Credit Card DF	96.23
Verizon TE	42.83	Evans Repair GO LAB AR	66.18
	1,377.58	NE Department of Revenue ST	607.61
PARK		NE Public Health Lab WT	64.00
Salaries/Taxes/Benefits (April)	634.46	Pro Building Supply RM	5.69
C Plus GO	22.31	Southern Power UT	1,615.00
Cross Country Market SU ST	78.51	Spectrum INT TE DF	131.65
Evans Repair RM	130.77	USPS OS	116.00
Holmes Plumbing RM	283.73	Verizon TE	21.82
Menard's SU	23.52	Woodward's Disposal MI DF	12.50
REK Enterprises LLC SU FR GO	185.42		19,234.23
Southern Power UT	213.52	YARD WASTE/RECYCLING	
Svoboda's ACE Hardware RM	241.71	Salaries/Taxes/Benefits (Apr.)	223.93
Van Diest Supply SU	1241.13	Platte Valley Comm. RM	146.35
	3,055.08	Reliable Pest Control FU	47.00
POOL		South Central Sanitation LF	1,145.22
C Plus GO	50.30		1,562.50
Chase Credit Card SU	2,423.11	TOTAL	395,768.73
Evans Repair PP	315.00		
RMV Construction PP	321,353.65		
	324,142.06		

Amy Grube, Nursing Home and Assisted Living Administrator, gave the Nursing Home report. Current census of the Nursing Home is 22 resident and 6 residents in the Assisted Living. The Board was given a tentative budget for the Nursing Home. The Nursing Home Budget Hearing will be held June 14, 2022. On a motion by Schroeder, seconded by Evans, the Nursing Home's financials for the month of March were accepted. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent. On a motion by Schroeder, seconded by Evans, a split in the Nursing Home's May payables to the First State Bank in the amount of \$1,879.10 was accepted. Voting Aye, Schroeder, Evans, Wilcox. Dahlgren abstained. Spiegel absent. On a motion by Schroeder, seconded by Evans, the Nursing Home's remaining payables for the month of May were accepted in an amount not to exceed \$90,000. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent. On a motion by Schroeder, seconded by Dahlgren, the Nursing Home's employees' salaries for the month of June were accepted in an amount not to exceed \$100,000. Voting Aye, Schroeder, Dahlgren, Evans, Wilcox. Spiegel absent. The Nursing Home payables and salaries are as follows:

NURSING HOME			
Paid			
Salaries/Taxes/Benefits (March)	78,702.98	HCIS	80.00
American Healthtech	397.38	Monica Alvarez	111.03
Black Hills Energy	1,309.15	Nationwide	4,315.74
Charter	117.97	RHD	12,098.00
Direct TV	376.19		97,508.44

Not Paid			
Agape Medical Staffing	2,699.85	Nurse Incorporated	23,715.13
Barbara Metzger	293.10	Queen Bee Staffing	1,099.00
Cash Wa	862.32	Quill	253.97
Compufact	44.00	Reliable Pest Control	46.00
C Plus	428.28	Secrest Consulting	300.00
Cross Country Market	396.85	SFM	4,034.00
Dollar General	24.00	Shane Smith	300.00
Durable	86.80	Southern Power	2,128.00
Eclipse Staffing	285.00	Stanley Healthcare	368.02
Ecolab	1,034.58	Stericycle	132.49
First State Bank	1,879.10	Spartan Nash	440.59
Frontier	567.59	Svoboda's ACE Hardware	272.87
HD Supply	37.05	Sysco	3,832.76
Holdrege Daily Citizen	128.00	Village of Bertrand	511.70
Marlin Business Bank	92.91	WeCare	1,066.00
Lincoln Journal Star	234.18	Woodward's Disposal	25.00
McKesson	2,986.47		50,605.61

Guest Rod Fields addressed the Board regarding the speeding problem on Kennett Street and electric scooters in the Village. He has asked that the Village post speed limit signs along the street. Guest Gloria Fields addressed the Board regarding the Board of Health and the nuisance properties throughout the Village. She has requested a new Board of Health. Guest Gene Wissmann addressed the Board regarding the speeding throughout the Village and has requested a new Village Ordinance Officer.

On a motion by Schroeder, seconded by Dahlgren, a split in the Village's April payables to Evans Repair in the amount of \$850.35 was accepted. Voting Aye, Schroeder, Dahlgren, Wilcox. Evans abstained. Spiegel absent.

On a motion by Schroeder, seconded by Evans, a split in the Village's April payables to First State Bank in the amount of \$27,717.69 was accepted. Voting Aye, Schroeder, Evans, Wilcox. Dahlgren abstained. Spiegel absent.

On a motion by Schroeder, seconded by Evans, the Contractor's Application for Payment No. 9 from RMV Construction, as approved by JEO Consulting, in the amount of \$321,353.65 was approved. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent.

On a motion by Dahlgren, seconded by Evans, the estimated from AP Roofing & Specialty Coatings to repair the roof of the Fire Hall in the amount of \$3,445.58 was approved. Voting Aye, Dahlgren, Evans, Schroeder, Wilcox. Spiegel absent.

Chairman Wilcox introduced Ordinance No. 752 regarding the registration of vacant houses in the Village. On a motion by Dahlgren, seconded by Evans, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, Dahlgren, Evans, Schroeder, Wilcox. Spiegel absent. The motion to suspend the rule was adopted by three-fourths of the members elected to the board and the statutory rule was declared suspended for consideration of said Ordinance. Thereupon said Ordinance No. 752 was then read by title and Trustee Schroeder moved for its final passage, which motion was seconded by Evans. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent. Said Ordinance reads as follows:

ORDINANCE NO. 752

AN ORDINANCE OF THE VILLAGE OF BERTRAND, NEBRASKA, ENACTING SECTIONS 9-307, 9-308, 9-309, 9-310, 9-311, 9-312, AND 9-313 TO PROVIDE FOR THE VACANT PROPERTY REGISTRATION WITHIN THE

CORPORATE LIMITS AND ONE-MILE ZONING JURISDICTION OF THE VILLAGE OF BERTRAND PURSUANT TO THE VACANT PROPERTY REGISTRATION ACT.

BE IT ORDAINED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA, AS FOLLOWS:

Section 1. Section 9-307 VACANT PROPERTY REGISTRATION; DEFINITIONS of the Bertrand Municipal Code is hereby enacted as follows:

As used in this article, unless the context otherwise requires, the following definitions shall apply:

- (1) Evidence of vacancy shall mean any condition or circumstance that on its own or in combination with other conditions or circumstances would lead a reasonable person to believe that a residential building or commercial building is vacant. Such conditions or circumstances may include, but are not limited to:
 - a. Overgrown or dead vegetation, including grass, shrubbery, and other plantings;
 - b. An accumulation of abandoned personal property, trash, or other waste;
 - c. Visible deterioration or lack of maintenance of any building or structure on the property;
 - d. Graffiti or other defacement of any building or structure on the property; or
 - e. Any other condition or circumstance reasonably indicating that the property is not occupied for residential purposes or being used for the operation of a lawful business;
- (2) Owner shall mean the person or persons shown to be the owner or owners of record on the records of the Phelps County Register of Deeds;
- (3) Residential building shall mean a house, condominium, townhouse, apartment unit or building, or a trailer house;
- (4) Vacant shall mean that a residential building or commercial building exhibits evidence of vacancy; (*Neb. RS 19-5404*)

Section 2. Section 9-308 VACANT PROPERTY REGISTRATION; APPLICABILITY AND ADMINISTRATION of the Bertrand Municipal Code is hereby enacted as follows:

- (1) This article shall apply to any type of either residential or commercial building or both, located within the corporate limits and the one-mile zoning jurisdiction of the Village of Bertrand, Nebraska, except any property owned by the Federal Government, the State of Nebraska, or any political subdivision thereof or any property specifically referenced in Section 9-310. (*Neb. RS 19-5405*)
- (2) The Village of Bertrand shall maintain a database of vacant property within the corporate limits and one-mile zoning jurisdiction of the Village of Bertrand, Nebraska. Said database shall be maintained by the Village Clerk of the Village of Bertrand. (*Neb. RS 19-5407*)

Section 3. Section 9-309 VACANT PROPERTY REGISTRATION PROCEDURE AND FEES is hereby enacted as follows:

- (1) Owners of vacant property, as defined in this article, shall be required to register such property with the Village Clerk if the property has been vacant for one hundred eighty (180) days or longer. Registration shall be completed by the completion of a vacant property registration form in either paper or electronic form, upon which the following information shall be required:
 - a. Name, street address, mailing address, telephone number, and, if applicable, the facsimile number and email address of the property owner and/or his or her agent;
 - b. Street address and parcel identification number of the vacant property;

- c. Transfer date of the instrument conveying the property to the owner;
 - d. Date on which the property became vacant; and
 - e. Owner plan of occupancy.
- (2) Owners of vacant property shall be required to pay an initial registration fee one hundred eighty (180) days after initial registration of the vacant property pursuant to subsection (1) of this section or three hundred sixty days after the property becomes vacant, whichever is sooner. The initial registration fee for residential properties shall be \$250.00. The initial registration fee for commercial properties shall be \$500.00.
- (3) Owners of vacant property shall be required to pay an additional supplemental fee each year for as long as the property remains on the vacant property registration database. The supplemental fee shall be \$500.00 for residential properties. The supplemental fee shall be \$1,000.00 for commercial properties. *(Neb. RS 19-5406)*

Section 4. Section 9-310 VACANT PROPERTY REGISTRATION; EXEMPTIONS is hereby enacted as follows:

Vacant property that is advertised in good faith for sale or lease shall be exempt from the provisions of this Article. *(Neb. RS 19-5406)*

Section 5. Section 9-311 VACANT PROPERTY REGISTRATION; INSPECTION is hereby enacted as follows:

The Village Ordinance Officer or his or her designee shall inspect the interior and exterior of the vacant property upon registration and at one-year intervals thereafter for so long as the property remains on the vacant property registration database. *(Neb. RS 19-5407)*

Section 6. Section 9-312 VACANT PROPERTY REGISTRATION; COLLECTION OF FEES AND FINES is hereby enacted as follows:

- (1) The Village may enforce the collection of vacant property registration fees by civil action in any court of competent jurisdiction.
- (2) Unpaid vacant property registration fees and unpaid fines for any violation of this Article shall become a lien on the applicable property upon the recording of a notice of such lien in the office of the Phelps County Register of Deeds. The lien created under this subsection shall be subordinate to all liens on the applicable property recorded prior to the time the notice of such lien under this subsection is recorded. *(Neb. RS 19-5407)*

Section 7. Section 9-313 VACANT PROPERTY REGISTRATION; OTHER PROVISIONS is hereby enacted as follows:

- (1) If vacant property changes ownership, the subsequent owner or owners of the vacant property shall assume the obligations of the previous owner or owners.
- (2) If, at any time, vacant property that has been registered with the database ceases to be classified as vacant or subsequently meets one of the exemptions, the owner or owners shall notify the Village Clerk who shall upon proof of such change in circumstances remove said property from the database.
- (3) If the owner or owners of any property subject to this article object to any determination made by the Village pursuant to this article, they may appeal said determination to the Village Board of Trustees.
- (4) Notice of any determination made pursuant to this Article shall be sent by certified mail to the registered owner at the address maintained in the Register of Deeds' office. Any determination shall not take effect until ten days after the sending of said notice. *(Neb. RS 19-5407)*

Section 8. Any other ordinance or code section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 9. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED THIS 9TH DAY OF MAY 2022.

On a motion by Schroeder, seconded by Evans, the discussion regarding the Village and Chamber's approval for food vendors in the Village was tabled under further information is made available. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent.

On a motion by Schroeder, seconded by Evans, the Board adjourned into Executive Session at 8:17 PM. Voting Aye Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent. On a motion by Schroeder, seconded by Dahlgren, the Board exited Executive Session at 8:19 PM. Voting Aye, Schroeder, Dahlgren, Evans, Wilcox. Spiegel absent.

On a motion by Schroeder, seconded by Dahlgren, the Village employees were awarded a 5% pay increase for 2022-2023. Voting Aye, Schroeder, Dahlgren, Evans, Wilcox. Spiegel absent.

On a motion by Schroeder, seconded by Evans, the Special Designated Liquor license request from Gutterz Fun Center LLC for a wedding reception to be held at the Bertrand Community Building on June 11, 2022, was approved. Voting Aye, Schroeder, Evans, Dahlgren, Wilcox. Spiegel absent.

On a motion by Dahlgren, seconded by Schroeder, the Special Designated Liquor license request from the Blue Moose Bar & Grill for the annual street dance and BBQ on June 25, 2022, was approved. Voting Aye, Dahlgren, Schroeder, Evans, Wilcox. Spiegel absent.

On a motion by Schroeder, seconded by Dahlgren, the Fence Permit request from Jeff Campbell to extend and repair the existing fence at 508 Medina Avenue was approved upon Matt Gregg's inspection. Voting Aye, Schroeder, Dahlgren, Evans, Wilcox. Spiegel absent.

James Nelson, Village Ordinance Officer, gave his report to the Board. He stated that he is dealing with several dog complaints. He also asked the Board to consider authorizing him to issue citations, such as speeding, in the Village.

Matt Gregg, Utilities Superintendent, gave his report to the Board. He stated that the soil samples are completed for the sewer lagoon project. They are now entering into the design phase of the project. There should be enough funds to cover the entire project, but he is in discussion with Phelps County to secure more funding. He will have bids for the Nelson Street and valley/drainage repair at the following meeting. The pool is nearing completion. The concrete is almost complete, and the first coat of paint has been applied.

Lori Vinzant, Village Clerk/Treasurer, gave her report to the Board. She informed the Board of a webinar that the office staff reviewed regarding a community-wide texting program. However, she thought the price was not something the Village could afford at this time. She will do more research. She also informed the Board that the Village received a \$2,500 grant from the Southern Power Round Up program to help with the purchase of pool supplies. There is still one more grant application to be approved for these supplies which should cover nearly all of the cost. The ice cream freezer was delivered this week.

The meeting adjourned at 8:43 PM.

Lori Vinzant, Village Clerk/Treasurer

TJ Wilcox, Chairman of the Board