

MINUTES

October 9, 2018

The Village Board of Trustees held a Regular Meeting on Tuesday, October 9, 2018 at 7:30 PM at the Village Hall by posting in the Bertrand Herald on September 27, 2018 and at the First State Bank, Post Office, and Village Hall. Present were Chairman, TJ Wilcox, and Trustees, Robert Dahlgren, Lucas Evans, Brian Schroeder, and Jerold Weber. Dahlgren joined the meeting at 7:52 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 September 11 and the minutes for the Budget Hearing and Special Hearing held on September 17, 2018 were approved. Voting Aye, Schroeder, Weber, Evans, Wilcox.

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

On a motion by Schroeder, seconded by Weber, the payable for Evans Construction in the amount of \$1,133.50 was accepted. Voting Aye, Schroeder, Weber, Wilcox. Abstaining, Evans. On a motion by Schroeder, seconded by Weber, the remaining payables in the amount of \$49,104.87 were accepted. Voting Aye, Schroeder, Weber, Evans, Wilcox.

AN-Police Dept./Animal	CM-Cold Mix	EL-Extra Labor
EMS-EMS Billing	EQ-Equipment	ER-Equipment Repair
FP-Food Pantry	FU-Fumigation	GA-Garbage Collection
GO-Gas, Oil, Filters, Tires	GR-Grave Opening	IMP-Improvement
INS-Insurance	INT-Internet	LAB-Labor
LF-Landfill	LP-Lease Payment	MI-Miscellaneous
MIL-Mileage/Meals	PF-Professional Fees	PP-Printing/Publishing
OS-Operating Supplies	RM-Repair & Maintenance	SCH-Schooling
ST-Sales Tax	SU-Supplies	TEL-Telephone
UT-Utilities	WT-Water Testing	

<b><u>CEMETERY</u></b>		<b><u>POOL</u></b>	
Salaries/Taxes/Benefits	392.92	Salaries/Taxes/Benefits	267.28
C Plus GO	34.45	Black Hills Energy UT	45.09
Jack Bowen GR	500.00	Frontier TEL	75.10
Latter Repair & Irrigation SU	13.98	Southern Power UT	65.00
	<u>941.35</u>	The Auto Shack SU	28.00
			<u>480.47</u>
<b><u>FIRE DEPARTMENT</u></b>		<b><u>SEWER</u></b>	
Airgas SU	233.40	Salaries/Taxes/Benefits	1,735.08
Black Hills Energy UT	56.03	C Plus GO	18.32
Cash Statement MI	2.47	Cobblestone Inn (card services) SCH	120.61
C Plus GO	136.57	Matt Gregg MIL	79.77
Dearborn National INS	89.44	Holdrege Irrigation RM LAB	468.23
EMS Billing Services EMS	487.41	Nebraska Rural Water Assoc. SCH	31.25
Frontier TEL	58.47	NMVCA PF	12.50
Matheson Tri-Gas SU	91.30	Southern Power UT	227.48
Southern Power UT	153.00	Verizon TEL	14.28
The Auto Shack ER	100.00		

<b><u>FIRE DEPARTMENT (cont.)</u></b>		<b><u>SEWER (cont.)</u></b>	
Verizon TEL	40.01		<b>2,707.52</b>
	<b>1,448.10</b>	<b><u>STREET</u></b>	
<b><u>GARBAGE COLLECTION</u></b>		Salaries/Taxes/Benefits	4,158.52
Waste Connection of NE GA	5,813.67	Black Hills Energy UT	33.07
	<b>5,813.67</b>	C Plus GO	185.53
<b><u>GENREAL</u></b>		CHS GO	69.67
ATC Communications INT	35.60	Cobblestone Inn (card services) SCH	120.62
Black Hills Energy UT	37.44	Matt Gregg MIL	79.77
Countryside Market FP SU OS	131.94	Nebraska Rural Water Assoc. SCH	31.25
Dana F. Cole PF	497.50	NMVCA PF	12.50
Evans Construction EL	1,133.50	Southern Power UT	1,289.31
Frontier TEL	144.94	Verizon TEL	68.16
Holdrege Daily Citizen PP	24.42		<b>6,048.40</b>
Hometown Leasing LP	110.24	<b><u>WATER</u></b>	
NE Labor Law Poster OS	89.50	Salaries/Taxes/Benefits	11,708.54
Office Solutions OS	158.70	Black Hills Energy UT	79.27
One Call Concepts PF	18.84	Cash Statement	2.05
Southern Power UT	139.00	C Plus GO	36.63
US Post Office OS	44.14	Central Dist. Health Dept. WT	31.00
Woodward's Disposal	10.00	Cobblestone Inn (card services) SCH	241.24
	<b>2,575.76</b>	Dana F. Cole PF	497.50
<b><u>LAW ENFORCEMENT</u></b>		Frontier TEL	60.05
Salaries/Taxes/Benefits	2,372.50	Matt Gregg MIL	159.55
Bertrand Vet Clinic AN	160.00	Municipal Supply SU T	1,571.17
Consolidated Management MIL	26.22	NE Department of Revenue ST	1,304.16
First State Agency INS	679.00	Nebraska Rural Water Assoc. SCH	62.50
JD Lumber SU	125.70	Nebraska Rural Water Assoc. PF	150.00
Janssen & Sons MI	158.00	NMVCA PF	25.00
James Nelson MIL	209.42	Southern Power UT	2,013.00
The Auto Shack MI	96.00	US Post Office OS	44.14
	<b>3,826.84</b>	Verizon TEL	28.57
<b><u>PARK</u></b>		Woodward's Disposal MI	10.00
Salaries/Taxes/Benefits	1,525.52		<b>18,024.37</b>
C Plus GO SU	80.08	<b><u>YARD WASTE/RECYCLING</u></b>	
Latter Repair & Irrigation SU	13.98	Salaries/Taxes/Benefits	186.34
Overton Sand & Gravel CM	529.00	Frontier TEL	122.85
Pierce Contracting IMP	2,000.00	Platte Valley Comm. EQ LAB	825.48
Pro Building Supply IMP	2,487.11	Reliable Pest Control FU	43.00
Southern Power UT	135.00	Schaben Sanitation LF	423.53
	<b>6,770.69</b>		<b>1,601.20</b>

Amy Grube, Nursing Home & Assisted Living Administrator, gave the Nursing Home & Assisted Living report. She stated that the Nursing Home had their annual survey and fire code survey and passed with 2 deficiencies and 3 deficiencies accordingly.

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

On a motion by Schroeder, seconded by Weber, the payables for the month of October in the amount of \$160,530.38 were accepted. Voting Aye, Schroeder, Weber, Evans, Wilcox.

<b>NURSING HOME</b>			
Salaries/Taxes/Benefits	86,334.71	Kearney Floral	36.95
American Healthtech	397.38	Marlin Business Bank	506.29
Ameri-Tech	11,151.00	McKesson	616.18
Amy Grube	143.38	Midwest Automatic Sprinkler	489.90
Barb Metzger	285.60	Nationwide	2,692.35
Black Hills Energy	561.81	NHCA	49.00
Bryns Floorcovering	120.00	Nurses Incorporated	4,899.25
C Plus	564.27	Penner	256.64
Cash-wa Distributing	1,980.75	Petty Cash	182.55
Central Valley Electric	8.80	Phelps County Rehab Services	8,839.24
Charter	84.99	Phelps Memorial Health Center	558.34
Coach Masters	104.66	Providence Engraving	14.91
Compufact	92.00	Quill	269.52
Countryside Market	387.53	Reliable Pest Control	41.00
Culligan of Kearney	45.17	RHD	10,756.00
D&M Security	87.00	Secrest LTC Consulting	491.76
Direct Supply	404.96	Shane Smith	300.00
Direct TV	336.14	Southern Power	2,646.00
Durable Service	75.40	Spartan Nash	229.85
First State Bank	1,879.10	State Fire Marshal Office	50.00
First State Bank	1,879.10	Stericycle	115.34
Frontier	591.46	Svoboda's ACE Hardware	33.45
Frontier Home Medical	67.82	Sysco	8,910.71
Grainger	93.16	The Clinical Advantage KCI	1,461.35
HCIS	80.00	Teresa Stadler	132.00
Holdrege Floral Expressions	35.00	United Heartland	5,909.00
Holdrege Pharmacy	1,661.86	Village of Bertrand	499.67
Joey Kugler	75.33	Woodward's Disposal	23.75
			<b>160,530.38</b>

Trustee Schroeder moved for the adoption of Ordinance No. 673 which reads as follows:

**ORDINANCE NO. 673**

of the

**VILLAGE OF BERTRAND, NEBRASKA**

**AN ORDINANCE OF THE VILLAGE OF BERTRAND, NEBRASKA AMENDING BERTRAND MUNICIPAL CODE SECTION 3-501 RELATING TO THE POLICE DEPARTMENT AND ITS DUTIES; 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 3-501 of the Bertrand Municipal Code is hereby amended so as to provide as follows:

“3-501 POLICE DEPARTMENT; DUTIES. The Police Department shall consist of the Village Marshal and such number of regular policemen as may be duly ordered by resolution of the

Board of Trustees. The Village Marshal shall, subject to the direction of the Chairman, have control and management of all matters relating to the Police Department, its officers and members, and shall have the custody and control of all property and books belonging to the Department. The Department shall execute and enforce all laws and also the orders of the Chairman. It shall be the duty of the Department to protect the rights or persons and property. The Village Marshal shall serve as the Ordinance Officer of the Village. Except as otherwise delegated to such other Village departments or officers, including delegation of authority to an appointed Nuisance Officer, the Police Department shall take notice of all nuisances, impediments, obstructions, and defects in the streets, avenues, alleys, business places, and residences of the Municipality. The Department shall execute, or cause to be executed, the processes issued and shall cause all persons arrested to be brought before the proper court for trial as speedily as possible. The Village Marshal and all regular and special policemen shall become thoroughly conversant with the laws of the Municipality, and shall see that the same are strictly enforced and shall make sworn complaints against any person or persons for violation of the same.”

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 9<sup>TH</sup> DAY OF OCTOBER 2018.**

Said Ordinance was duly and distinctly read, and on a motion by Schroeder, seconded by Weber, it was designated as Ordinance No. 673 and the title thereto was approved. Trustee Weber 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 the roll. Voting Aye, Weber, Schroeder, Evans, Wilcox. The Chairman stated the motion to adopt Ordinance No. 673 and instructed the Clerk to call roll. Voting Aye, Schroeder, Weber, Evans, Wilcox. The passage and adoption of said Ordinance No. 673 having concurred in by a majority of all members elected to the board of Trustees was declared passed and adopted. The Chairman thereupon instructed the Clerk to cause Ordinance No. 673 to be published as required by law.

On a motion by Weber, seconded by Evans, Resolution No. 381 was approved and reads as follows:

**RESOLUTION NO. 381**

**of the**

**VILLAGE OF BERTRAND, NEBRASKA**

**WHEREAS, THE BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA DEEMS IT ADVISABLE TO CONFIRM THE REESTABLISHMENT OF THE VILLAGE POLICE DEPARTMENT, TO AUTHORIZE THE POLICE DEPARTMENT AND THE VILLAGE MARSHAL TO ENFORCE THE LAWS OF THE MUNICIPALITY, TO DESIGNATE THE VILLAGE MARSHAL AS THE VILLAGE ORDINANCE OFFICER, AND TO APPOINT THE VILLAGE MARSHAL AND ORDINANCE OFFICER.**

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

1. That upon Motion previously adopted by the Board of Trustees on September 11, 2018, the Police Department of the Village of Bertrand, Nebraska, was reestablished. This Resolution hereby confirms and ratifies the reestablishment of the Village Police Department.
2. That the Police Department shall have all authority as set forth in the Village Ordinances, the Bertrand Municipal Code, and such statutes of the State of Nebraska as may be applicable.
3. That the Village Marshal shall also service as the Ordinance Officer of the Village. Except as otherwise delegated to such other Village departments or officers, including delegation of authority to an appointed Nuisance Officer, the Police Department shall take notice of all nuisances, impediments, obstructions, and defects in the streets, avenues, alleys, business places, and residences of the Municipality.
4. That James Nelson, previously appointed as the Village Ordinance Officer, is hereby appointed as the Village Marshal.

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

Voting Aye, Weber, Schroeder, Evans, Wilcox.

On a motion by Evans, seconded by Schroeder, the Blue Moose Bar & Grill's application for a Special Designated Liquor license for the Wilken/Fitzgerald wedding reception to be held at the Bertrand Community Building on November 17, 2018 was approved. Voting Aye, Evans, Schroeder, Weber, Wilcox.

On a motion by Weber, seconded by Schroeder, the First State Bank was named as the depository for the Village of Bertrand. Voting Aye, Weber, Schroeder, Evans, Wilcox.

On a motion by Weber, seconded by Evans, a third round of tree letters will be sent to properties that contain trees with limbs hanging less than twelve feet (12') from the surface of the street or properties that contain dead or diseased trees. These letters will contain final notices for some property owners with a 10-day time limit before the Village will remove the limbs/trees at the owners' expense. Voting Aye, Weber, Evans, Schroeder, Wilcox.

On a motion by Schroeder, seconded by Evans, the Building Permit request from Jim Bennett to replace an existing carport with a 26'x20'x9' carport at 327 Minor was approved upon the submission and approval of a variance permit. Voting Aye, Schroeder, Evans, Dahlgren, Weber, Wilcox.

On a motion by Schroeder, seconded by Dahlgren, the Demolition Permit request from Fred Spiegel to demolish a wood shed at 507 Marshfield was approved. Voting Aye, Schroeder, Dahlgren, Evans, Weber, Wilcox.

On a motion by Schroeder, seconded by Dahlgren, the Building Permit request from Fred Spiegel to construct a 12'x10'x8' shed at 507 Marshfield was approved. Voting Aye, Schroeder, Dahlgren, Evans, Weber, Wilcox.

On a motion by Schroeder, seconded by Weber, the Demolition Permit request from Evans Construction to demolish a house at 303 ½ Minor was approved. Voting Aye, Schroeder, Weber, Wilcox. Abstaining, Dahlgren, Evans.

Matt Gregg, Utilities Superintendent, asked the Board if a \$200 donation could be made to the Nebraska Rural Water Association. The NRWA offers assistance and equipment at no charge to any water system. On a motion by Weber, seconded by Schroeder, a \$200.00 donation to the Nebraska Rural Water Association was approved. Voting Aye, Weber, Schroeder, Dahlgren, Evans, Wilcox. Gregg will be attending the Nebraska VMCA conference on October 11 – 12, 2018. Marcus Schwarz has begun

sweeping the streets to remove excess armor coating. However, the street sweep is continually breaking down.

Lori Vinzant, Village Clerk, discuss the current results of the swimming pool survey that was mailed with the latest newsletter and rate change letters. She also informed the Board that information for the One- & Six-Year Report was sent to Miller & Associates. Information to start the audit process was sent to Dana F. Cole & Co. The annual audit will be on November 27 – 28, 2018.

Sharon Hueftle, SCEDD representative, presented the Board with the 2018 Nuisance Abatement Program. On a motion by Dahlgren, seconded by Schroeder, the Board approved a certified motion to abate the 2018-BERT-3119 property. Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox.

On a motion by Weber, seconded by Dahlgren, Resolution No. 2018-383-3009 which rescinded prior Resolution No. 2018-373-3009 regarding property 2018-BERT-3009 and Resolution No. 2018-383-3098 which rescinded prior Resolution No. 2018-373-3098 regarding property 2018-BERT-3098 were approved. Voting Aye, Weber, Dahlgren, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the Board approved a motion to impound in place a totally dilapidated mobile home located at 2018-BERT-3118. Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox. A Public Hearing to Demolish Private Property will be held at the November 13, 2018 regular board meeting.

The Board also reviewed two properties that were recently inspected, property 2018-BERT-3118. A letter defining the county's zoning regulations will be sent to one property owner. On a motion by Schroeder, seconded by Dahlgren, the property owner was given one (1) year to cleanup and demolish an existing trailer and have the second trailer ready to be sold. Voting Aye, Schroeder, Dahlgren, Evans, Weber, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the meeting adjourned at 8:53 PM. Voting Aye, Dahlgren, Schroeder, Evans, Weber, Wilcox.

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Lori Vinzant  
Village Clerk

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TJ Wilcox  
Chairman of the Board