

VILLAGE OF BERTRAND  
REGULAR BOARD MEETING

January 18, 2024

The Village Board of Trustees of the Village of Bertrand, Nebraska held a Regular Meeting on Thursday, January 18, 2024, at the Village Hall by 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 Lucas Evans, Jason McNierney, and Brian Schroeder. Robert Dahlgren absent.

The Chairman opened the meeting at 6:00 PM and publicly stated to all in attendance that a copy of the Nebraska Open Meeting 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 accepted. Voting Aye, Schroeder, Evans, McNierney, Wilcox. Dahlgren absent. The items on the consent agenda were as follows: minutes for Regular Meeting on December 12, 2023; the Village financials for the month of December; the Village payables for the month of December in an amount not to exceed \$97,000; the Village employees’ salaries for the month of January not to exceed \$27,000. The December payables were 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     |                        |                             |

|                                  |                 |                                  |                 |
|----------------------------------|-----------------|----------------------------------|-----------------|
| <b><u>CEMETERY</u></b>           |                 | <b><u>SEWER</u></b>              |                 |
| Salaries/Taxes/Benefits (Dec.)   | 2,285.00        | Salaries/Taxes/Benefits (Dec.)   | 4,096.83        |
| Southern Power UT                | 32.00           | C Plus GO                        | 34.74           |
|                                  | <b>2,317.00</b> | Southern Power UT                | 220.94          |
| <b><u>COMMUNITY BUILDING</u></b> |                 | Verizon TE                       | 10.92           |
| Black Hills Energy UT            | 468.91          |                                  | <b>4,363.46</b> |
| Chase Credit Card SU ST          | 211.03          | <b><u>STREET</u></b>             |                 |
| Cross Country Market OS ST       | 17.10           | Salaries/Taxes/Benefits (Dec.)   | 4,169.46        |
| Fred Speigel EL                  | 40.00           | Black Hills Energy UT            | 125.66          |
| Pam Long PF                      | 90.00           | C Plus GO                        | 772.40          |
| Menards SU                       | 17.97           | Evans Repair LAB                 | 45.00           |
| Reliable Pest Control FU         | 40.00           | Landmark Implement ER            | 478.20          |
| Southern Power UT                | 100.00          | Michael Todd SU FR               | 976.78          |
| Village Uniform PF               | 41.57           | S & W Auto Parts ER              | 398.41          |
|                                  | <b>1,026.58</b> | Southern Power UT                | 1,361.89        |
| <b><u>GARBAGE COLLECTION</u></b> |                 | Verizon TE                       | 53.80           |
| Waste Connection of NE. GA       | 5,664.67        |                                  | <b>8,381.60</b> |
|                                  | <b>5,664.67</b> | <b><u>WATER</u></b>              |                 |
| <b><u>GENERAL</u></b>            |                 | Salaries/Taxes/Benefits (Dec.)   | 9,039.82        |
| Salaries/Taxes/Benefits (Dec.)   | 10,892.44       | American Legal PF                | 325.00          |
| American Legal PF                | 325.00          | Aryn Schwarz EL                  | 80.00           |
| Aryn Schwarz EL                  | 80.00           | Black Hills Energy UT            | 304.79          |
| ATC Communications INT           | 40.65           | C Plus GO                        | 69.47           |
| Bertrand Schools TL              | 520.00          | Central District Health Dept. WT | 78.00           |
| Black Hills Energy UT            | 146.50          | Chase Credit Card OS ST          | 365.91          |
| Capital Business Solutions LP    | 178.74          | Eakes OS                         | 68.78           |
| Chase Credit Card SCH OS ST      | 439.44          | Holmes Plumbing SU               | 148.02          |
| Cornhusker Press SU              | 123.67          | NE Department of Revenue ST      | 629.61          |
| Cross Country Market FP          | 50.96           | PCDC PF                          | 750.00          |
| Eakes OS                         | 68.77           | Southern Power UT                | 1,485.00        |
| First State Bank NH              | 10,089.03       | Spectrum INT TE DF               | 153.92          |
| Holdrege Daily Citizen PR        | 71.32           | Svoboda’s ACE Hardware SU        | 36.98           |
| PCDC PF                          | 750.00          | Verizon TE                       | 21.85           |

|                                |                  |                                    |                  |
|--------------------------------|------------------|------------------------------------|------------------|
| <b><u>GENERAL (cont.)</u></b>  |                  | <b><u>WATER (cont.)</u></b>        |                  |
| Miller & Associates BHA        | 5,625.00         | Woodward's Disposal                | 15.00            |
| NE Department of Revenue ST    | 2.59             |                                    | <b>13,572.15</b> |
| One Call Concepts PF           | 9.56             | <b><u>YARD WASTE/RECYCLING</u></b> |                  |
| Southern Power UT              | 114.00           | Salaries/Taxes/Benefits (Dec.)     | 616.12           |
| Spectrum IN TE DF              | 202.72           | ATC Communications INT             | 100.00           |
| Woodward's Disposal MI DF      | 15.00            | Reliable Pest Control FU           | 57.00            |
|                                | <b>29,745.39</b> | South Central Sanitation LF        | 815.68           |
|                                |                  |                                    | <b>1,588.80</b>  |
| <b><u>LAW ENFORCEMENT</u></b>  |                  | <b><u>POOL</u></b>                 |                  |
| Salaries/Taxes/Benefits (Dec.) | 1,528.13         | BOK Financial BOND                 | 22,425.00        |
| DeWald, Deaver, L'Heureux      | 214.50           | Southern Power UT                  | 57.00            |
| Verizon TE                     | 42.87            | Spectrum TE INT                    | 255.94           |
|                                | <b>1,785.50</b>  |                                    | <b>22,737.94</b> |
| <b><u>PARK</u></b>             |                  | <b><u>TOTAL</u></b>                |                  |
| Salaries/Taxes/Benefits (Dec.) | 3,209.06         |                                    | <b>94,713.35</b> |
| Southern Power UT              | 321.20           |                                    |                  |
|                                | <b>3,530.26</b>  |                                    |                  |

On a motion by Schroeder, seconded by McNierney, the Nursing Home's financials for the month of November were accepted. Voting Aye, Schroeder, McNierney, Evans, Wilcox. Dahlgren absent. On a motion by Schroeder, seconded by Evans, the Nursing Home's payables for the month of January were accepted in an amount not to exceed \$145,000. Voting Aye, Schroeder, Evans, McNierney, Wilcox. Dahlgren absent. On a motion by McNierney, seconded by Schroeder, the Nursing Home's employees' salaries for the month of February were accepted in an amount not to exceed \$95,000. Voting Aye, McNierney, Schroder, Evans, Wilcox. Dahlgren absent. The Nursing Home's payables and salaries were as follows:

|                                |            |                        |                   |
|--------------------------------|------------|------------------------|-------------------|
| <b><u>NURSING HOME</u></b>     |            |                        |                   |
| <b><u>Paid</u></b>             |            |                        |                   |
| Salaries/Taxes/Benefits (Dec.) | 120,727.32 | Indeed                 | 62.82             |
| American Healthtech            | 409.30     | Intuit                 | 234.97            |
| Blacks Hills Energy            | 1,295.23   | McKesson               | 1,726.52          |
| Bruce Furniture                | 92.00      | Nurse Incorporated     | 5,033.60          |
| BTS Communications             | 275.00     | Petty Cash             | 496.27            |
| Cash-Wa Distributing           | 635.42     | Prioricare             | 474.30            |
| Charter                        | 132.97     | Queen Bee Staffing     | 1,318.00          |
| Direct TV                      | 367.45     | Quill                  | 692.77            |
| Eclipse Staffing               | 1,476.15   | RHD                    | 13,085.00         |
| First State Bank               | 1,879.10   | Scale Funding          | 1,069.40          |
| Fusion Medical Staffing        | 9,972.90   | Sysco                  | 2,995.45          |
| HCIS                           | 80.00      | USPS                   | 264.00            |
| Hometown Leasing               | 186.50     |                        | <b>164,982.44</b> |
| <b><u>Not Paid</u></b>         |            |                        |                   |
| AACO                           | 2,629.85   | Nurses Incorporated    | 20,913.09         |
| Ameri-Tech Industrial          | 109.60     | Penner Patient Care    | 218.87            |
| Barbara Metzger                | 240.60     | Prioricare             | 329.81            |
| C Plus                         | 339.70     | Queen Bee Staffing     | 3,814.15          |
| Cash-Wa Distributing           | 1,565.80   | Quill                  | 100.00            |
| Compufact                      | 44.00      | Reliable Pest Control  | 46.00             |
| Cross Country Market           | 582.43     | Scale Funding          | 2,294.55          |
| Dannull Engine                 | 501.85     | Secrest LTC Consulting | 350.00            |
| Dollar General                 | 8.00       | Securitas Healthcare   | 339.50            |
| Eclipse Staffing               | 13,487.35  | SFM                    | 1,485.00          |
| Ecolab                         | 249.26     | Shane Smith            | 300.00            |
| Frontier                       | 676.84     | Southern Power         | 2,427.38          |
| Fusion Medical Staffing        | 16,041.25  | SpartanNash            | 16.98             |
| Holdrege Daily Citizen         | 67.50      | Stericycle, Inc.       | 145.40            |
| Holdrege Pharmacy              | 2,649.65   | Svoboda's ACE Hardware | 92.92             |
| InSPIRE                        | 13,358.40  | Sysco                  | 4,648.85          |
| Integrated Security Solutions  | 490.00     | U Save Pharmacy        | 26.70             |
| McKesson                       | 3,751.63   | Village of Bertrand    | 516.39            |
| Mid-American Research          | 323.46     | Woodward's Disposal    | 40.00             |
| Monica Alvarez                 | 124.24     |                        | <b>95,407.00</b>  |

On a motion by Schroeder, seconded by McNierney, the payment to McElhinny Builders for Application No. 3 in the amount of \$165,969.00 for the Bertrand Housing Authority project was

accepted. Voting Aye, Schroeder, McNierney, Evans, Wilcox. Dahlgren absent. On a motion by Schroeder, seconded by McNierney, the payment to South Central Economic Development District, Inc. in the amount of \$5,000 for the Bertrand Housing Authority project was accepted. Voting Aye, Schroeder, McNierney, Evans, Wilcox. Dahlgren absent. On a motion by Schroeder, seconded by Evans, the request for NAHTF Fund Drawdown #5 in the amount of \$170,969.00 was approved. Voting Aye, Schroeder, Evans, McNierney, Wilcox. Dahlgren absent.

On a motion by Schroeder, seconded by McNierney, a split in the Village's December payables to Evans Repair in the amount of \$45.00 was accepted. Voting Aye, Schroeder, McNierney, Wilcox. Evans abstained. Dahlgren absent.

On a motion by McNierney, seconded by Evans, Resolution No. 509 to appoint Matt Gregg as the representative and Brian Schroeder as the alternate representative to the NMPP Members Council was approved. Voting Aye, McNierney, Evans, Wilcox. Schroeder abstained. Dahlgren absent. The Resolution reads as follows:

**RESOLUTION NO. 509**

of the

**VILLAGE OF BERTRAND, NEBRASKA**

**MEMBER RESOLUTION FOR NMPP MEMBERS' COUNCIL**

**BE IT RESOLVED** by the Chairman of the Village of Bertrand, State of Nebraska that:

1. Such Village of Bertrand is a member of the Nebraska Municipal Power Pool.
2. The Chairman of the Village of Bertrand, State of Nebraska, does hereby appoint Mathew Gregg as the Representative of the Village of Bertrand, State of Nebraska to the Members' Council of the Nebraska Municipal Power Pool for 2024.
3. The Chairman of the Village of Bertrand, State of Nebraska, does hereby appoint Brian Schroeder as the Alternate Representative of the Village of Bertrand, State of Nebraska to the Members' Council of the Nebraska Municipal Power Pool for 2024.

**PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF JANUARY 2024.**

Wilcox introduced Ordinance No. 776 regarding the procedure to set the property tax request. On a motion by McNierney, seconded by Schroeder, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, McNierney, Schroeder, Evans, Wilcox. Dahlgren absent. The motion to suspend the rule was adopted by three-fourths of the members elected to the Board and the statutory rule was suspended for consideration of said Ordinance. Thereupon said Ordinance No. 776 was then read by title and Trustee Schroeder moved for its final passage, which motion was seconded by Evans. Voting Aye, Schroeder, Evans, McNierney, Wilcox. Dahlgren absent. Said Ordinance reads as follows:

**ORDINANCE NO. 776**

of the

**VILLAGE OF BERTRAND, NEBRASKA**

**AN ORDINANCE RELATING TO PROPERTY TAX REQUESTS AND THE PROCEDURE FOR SETTING A HEARING; TO HARMONIZE WITH TATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF BERTRAND, NEBRASKA AS FOLLOWS:**

**Section 1.** The Village's Code of Ordinances Section 1-823 is revised to read as follows regarding property tax requests and the procedure for setting a hearing:

**§1-823 FISCAL MANAGEMENT; PROPERTY TAX REQUEST; PROCEDURE FOR SETTING.**

- (A) If the annual assessment of property would result in an increase in the total property taxes levied by a county, municipality, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the village's property tax request for the current year shall be no more than its property tax request in the prior year, and the village's rate of levy for the current year shall be decrease accordingly when such rate is set by county board of equalization pursuant to Neb. RS 77-1601. The Board of Trustees shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) of this section. If the Board of Trustees seek to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so to the extent allowed by law after holding the public hearing required in division (C) of this section and by passing a resolution or ordinance that complies with divisions (D) of this section. If any count, city, school district, or community college seek to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. 77-1633 in lieu of the requirements in divisions (C) and (D) of this section.

- (B) If the annual assessment of property would result in no change or a decrease in the property taxes levied by a county, city, village, school district, educational service unit, or community college, as determined by using the previous year's rate of levy, the village's property tax request for the current year shall be no more than its property tax request in the prior year, and the village's rate of levy for the current year shall be adjusted accordingly when such rate is set by the county board of equalization pursuant to Neb. RS 77-1601. The Board of Trustees shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) of this section. If the Board of Trustees seek to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so to the extent allowed by law after holding the public hearing required in division (C) of this section and by passing a resolution or ordinance that complies with division (D) of this section. If any county, city, school district, or community college seek to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. 77-1633 in lieu of the requirements in divisions (C) and (D) of this section.
- (C) The resolution or ordinance required under this section shall only be passed after a special public hearing called for the purpose is held and after notice is published in a newspaper of general circulation in the area of the village at least 4 calendar days prior to the hearing. For purposes of such notice, the 4 calendar days shall include the day of publication, but not the day of the hearing. If the village's total operating budget, not including reserves, does not exceed \$10,000 per year or \$20,000 per biennial period, the notice may be posted at the Board of Trustees' principal headquarters.
- (D) The hearing notice shall contain the following information:
- (1) The certified taxable valuation under Neb. RS 13-509 for the prior year, the certified taxable valuation under Neb. RS 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year;
  - (2) The dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request;
  - (3) The property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation;
  - (4) The proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request;
  - (5) The percentage increase or decrease in the property tax rate from the prior year to the current year; and
  - (6) The percentage increase or decrease in the total operating budget from the prior year to the current year.
- (E) Any resolution or ordinance setting a village's property tax request under Neb. RS 77-1632 at an amount that exceeds the village's property tax request in the prior year shall include, but not be limited to, the following information:
- (1) The name of the village;
  - (2) The amount of the property tax request;
  - (3) The following statements:
    - (a) The total assessed value of property differs from last year's total assessed value by \_\_\_\_ percent;
    - (b) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$ \_\_\_\_ per \$100 of assessed value;
    - (c) The Village of Bertrand proposes to adopt a property tax request that will cause its tax rate to be \$ \_\_\_\_ per \$100 of assessed value; and
    - (d) Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Bertrand will exceed last year's by \_\_\_\_ percent; and
  - (4) The record vote of the Board of Trustees in passing such resolution or ordinance.
- (F) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the County Clerk on or before October 15 of the year for which the tax request is to apply. (Neb. RS 77-1632)

**Section 2.** Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

**Section 3.** 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 18<sup>TH</sup> DAY OF JANUARY 2024.**

Wilcox introduced Ordinance No. 777 regarding the general authority for traffic regulations. On a motion by McNierney, seconded by Evans, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, McNierney, Evans, Schroeder, Wilcox. Dahlgren absent. The motion to suspend the rule was adopted by three-fourths of the members elected to the Board and the statutory rule was suspended for consideration of said Ordinance. Thereupon said Ordinance No. 777 was then read by title and Trustee Schroeder moved for its final passage, which motion was seconded by McNierney. Voting Aye, Schroeder, McNierney, Evans, Wilcox. Dahlgren absent. Said Ordinance reads as follows:

**ORDINANCE NO. 777**

**of the**

**VILLAGE OF BERTRAND, NEBRASKA**

**AN ORDINANCE RELATING TO TRAFFIC REGULATIONS AND GENERAL AUTHORITY THEREFORE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF BERTRAND, NEBRASKA AS FOLLOWS:**

**Section 1.** The Village of Bertrand Code of Ordinances Section 5-103 is added to read as follows regarding traffic regulations and general authority therefore:

**§5-103 TRAFFIC REGULATIONS; GENERAL AUTHORITY**

- (A) The Board of Trustees may, in its jurisdiction, enact regulations permitting, prohibiting, and controlling the use of motor vehicles, minibikes, motorcycles, off-road recreation vehicles of any and all types, electric bicycles, other powered vehicles, electric personal assistive mobility devices, and vehicles which are not self-propelled. Any person who operates any of such vehicles without the permission of the Board or its designated representative or in a place, time, or manner which has been prohibited by the Board shall be guilty of an offense.
- (B) The Board may further authorize the supervising official of any area under its ownership or control to permit, control, or prohibit operation of any motor vehicle, minibike, motorcycle, off-road recreational vehicle of any or all types, electric bicycles, other powered vehicle, electric personal assistive mobility device, or vehicle which is not self-propelled on all or any portion of any area under its ownership or control at any time by posting or, in case of an emergency, by personal notice. Any person operating any such vehicle where prohibited, where not permitted, or in a manner so as to endanger the peace and safety of the public or as to harm or destroy the natural features or manmade features of any such areas shall be guilty of an offense. (Neb. RS 60-678)

**Section 2.** Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

**Section 3.** 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 18<sup>TH</sup> DAY OF JANUARY 2024.**

Wilcox introduced Ordinance No. 778 regarding the reading and passage of ordinances, resolutions, orders, and bylaws. On a motion by Schroeder, seconded by McNierney, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, Schroeder, McNierney, Evans, Wilcox. Dahlgren absent. The motion to suspend the rule was adopted by three-fourths of the members elected to the Board and the statutory rule was suspended for consideration of said Ordinance. Thereupon said Ordinance No. 778 was then read by title and Trustee Evans moved for its final passage, which motion was seconded by Schroeder. Voting Aye, Evans, Schroeder, McNierney, Wilcox. Dahlgren absent. Said Ordinance reads as follows:

**ORDINANCE NO. 778**

**of the**

**VILLAGE OF BERTRAND, NEBRASKA**

**AN ORDINANCE RELATING TO READING AND PASSAGE OF ORDINANCES, RESOLUTIONS, ORDERS AND BYLAWS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF BERTRAND, NEBRASKA AS FOLLOWS:**

**Section 1.** The Village's Code of Ordinance Section 1-606 is revised to read as follows regarding reading and passage of ordinances, resolutions, orders, and bylaws:

**§1-606 ORDINANCES; READING AND PASSAGE OF ORDINANCES, RESOLUTIONS, ORDERS, AND BYLAWS.**

