The Village Board of Trustees of the Village of Bertrand, Nebraska held a Regular Meeting on March 12, 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 Robert Dahlgren, Lucas Evans, Jason McNierney, and Brian Schroeder.

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 McNierney, the consent agenda was accepted. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox. The items on the consent agenda were as follows: minutes for Regular Meeting on February 13, 2024; the Village financials for the month of February; the Village payables for the month of February in an amount not to exceed \$55,000; the Village employees' salaries for the month of March not to exceed \$27,000. The February 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		

C Plus GO	33-3110p 3upplies	30-3upplies	TE-Telephone TE	- Tobacco/ Liquor Licerise
Salaries/Taxes/Benefits (Feb.) 2,145.47 Salaries/Taxes/Benefits (Feb.) 3,876.4		WT-Water Testing		
C Plus GO	·			
Chase Credit Card SU ST 32.00 Verizon TE 10.7	Salaries/Taxes/Benefits (Feb.			
Southern Power UT			C Plus GO	32.21
2,492.63 3,492.63	Chase Credit Card SU ST	271.15	Southern Power UT	254.03
COMMUNITY BUILDING STREET Black Hills Energy UT 435.56 Salaries/Taxes/Benefits (Feb.) 3,735.2 Cross Country Market SU ST 18.25 Black Hills Energy UT 242.3 Fred Spiegel LAB 40.00 C Plus GO 382.5 Pam Long PF 90.00 Landmark Impl. ER FR LAB 8,077.3 Reliable Pest Control FU 40.00 Southern Power UT 1,438.3 Southern Power UT 117.00 Verizon TE 54.4 Village Uniform PF 41.57 13,930.2 Waste Connection of NE. GA 5,692.67 Bertrand Chamber DF 20.0 GENERAL Salaries/Taxes/Benefits (Feb.) 8,027.3 Salaries/Taxes/Benefits (Feb.) 4,1209.09 Chase Credit Card OS ST WT 64.4 ATC Communications INT 40.65 Core & Main RM ST FR 234.9 Bertrand Chamber DF 20.00 Cross Country Market SU ST 28.6 BISC Communications EQ 414.52 NE Department of Revenue ST 635.4 BTS Communications EQ PAID 655.47 Southern Power UT 1,269.6	Southern Power UT	32.00	Verizon TE	10.72
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NE Department of Revenue ST 15.60 Reliable Pest Control FU 57.0	Holdrege Daily Citizen PR	49.23	•	553.44
'	NDEE LAB	40.00		100.00
One Call Concepts PF 5.98 South Central Sanitation LF 1,255.4	NE Department of Revenue S	T 15.60	Reliable Pest Control FU	57.00
	•	5.98	South Central Sanitation LF	1,255.43
Southern Power UT 100.00 1,965.8	Southern Power UT	100.00		1,965.87

GENERAL (cont.)		POOL	
Spectrum IN TE DF	207.36	BTS Communications EQ	207.27
USPS DF	160.00	BTS Communications EQ PAID	327.74
Woodward's Disposal MI DF	15.00	Clearfly TE	45.76
	7,061.00	NDEE Swimming Pool SCH	160.00
LAW ENFORCEMENT		Southern Power UT	57.00
Salaries/Taxes/Benefits (Feb.)	1,443.96	Spectrum TE INT	129.98
Verizon TE	42.88		927.75
	1,486.84		
<u>PARK</u>		<u>TOTAL</u>	52,979.63
Salaries/Taxes/Benefits (Feb.)	2,973.64		
C Plus GO	44.02		
Chase Credit Card SU ST	84.48		
Southern Power UT	165.20		
	3,267.34		

Amy Grube, Nursing Home and Assisted Living Administrator, gave her report to the Board. The current census for the Nursing Home is 20 residents and 7 residents in Assisted Living. On a motion by Schroeder, seconded by McNierney, the Nursing Home's financials for the month of January were accepted. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox. On a motion by McNierney, seconded by Dahlgren, the Nursing Home's payables for the month of March were accepted in an amount not to exceed \$115,000. Voting Aye, McNierney, Dahlgren, Evans, Schroeder, Wilcox. On a motion by Dahlgren, seconded by Schroeder, the Nursing Home's employees' salaries for the month of April were accepted in an amount not to exceed \$100,000. Voting Aye, Dahlgren, Schroeder, Evans, McNierney, Wilcox. The Nursing Home's payables and salaries were as follows:

NURSING HOME			
Paid			
Salaries/Taxes/Benefits (Feb.)	78,469.24	McKesson	683.70
American Healthtech	409.30	Nationwide	4,921.73
Black Hills Energy	1,152.83	Prioricare	1,577.60
Charter	134.98	Queen Bee Staffing	2,576.65
Culligan of Kearney	603.50	Quill	167.94
Direct TV	363.30	RHD	13,085.00
HCIS	80.00	Southern Power	2,529.60
Hometown Leasing	186.50	Sysco	3,664.94
			110,606.81
Not Paid			
Barbara Metzger	308.10	Nurse Incorporated	22,581.83
Bertrand Chamber	40.00	Oak Haven Aviaries	270.00
BTS Communications	925.78	Penner Patient Care	144.39
C Plus	309.83	Providence Engraving	25.73
CashWa Distributing	1,324.17	Queen Bee Staffing	4,533.75
Central Valley Electric	122.40	Quill	14.96
Compufact	33.00	Reliable Pest Control	92.00
Cross Country Market	487.45	Scale Funding	2,101.55
D & N Lammel's	727.82	Scrubs on Wheels	1,018.33
Dollar General	38.00	Secrest LTC Consulting	350.00
Eclipse Staffing	6,789.00	Securitas Healthcare	1,834.50
Ecolab	292.04	Shane Smith	300.00
First State Bank	1,643.78	Spartan Nash	82.69
Fusion Medical Staffing	14,652.90	Stericycle, Inc.	145.40
Holdrege Pharmacy	168.64	Svoboda's ACE Hardware	309.16
Integrated Security	1,875.24	Village of Bertrand	516.39
McKesson	2,872.09	Woodward's Disposal	40.00
Mid-American Research	325.30		67,439.22

On a motion by Dahlgren, seconded by McNierney, the discussion regarding the Nursing Home's wind and hail insurance was tabled until next meeting. Voting Aye, Dahlgren, McNierney, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the payment to McElhinny Builders for Payment Application No. 5 in the amount of \$123,480.00 was accepted. Voting Aye, Dahlgren, Schroeder, Evans, McNierney, Wilcox. On a motion by Schroeder, seconded by Dahlgren, the payment to South Central Economic Development District for grant administration in the amount of \$5,000.00 was accepted. Voting Aye, Schroeder, Dahlgren, Evans, McNierney, Wilcox. On a motion by Schroeder,

seconded by McNierney, the request for NAHTF Funds Drawdown No. 7 in the amount of \$128,480.00 (McElhinny Builders, SCEDD) was approved. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox. On a motion by Dahlgren, seconded by McNierney, the updated Fair Housing Statement for the Bertrand Housing Authority was approved. Voting Aye, Dahlgren, McNierney, Evans, Schroeder, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the micro sealing of A Road from Highway 23 to School Street and School Street from A Road to Miller Avenue was approved in an amount not to exceed \$20,000.00. Voting Aye, Dahlgren, Schroeder, Evans, McNierney, Wilcox.

On a motion by Schroeder, seconded by McNierney, the construction of electrical outlets at the Village's RV Camping Area was approved in an amount not to exceed \$4,000.00. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the repair of the street in front of the new housing complex located at 510 Marshall Street was approved in an amount not to exceed \$4,994.00. Voting Aye, Dahlgren, Schroeder, Evans, McNierney, Wilcox.

On a motion by Dahlgren, seconded by Schroeder, the repair of the eaves end caps at the Community Building was approved in an amount not to exceed \$1,700.00. Voting Aye, Dahlgren, Schroeder, Evans, Willcox. McNierney abstained.

Wilcox introduced Ordinance No. 779 regarding parking restrictions. On a motion by Schroeder, seconded by Dahlgren, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, Schroeder, Dahlgren, Evans, McNierney, Wilcox. 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. 779 was then read by title and Trustee Dahlgren moved for its final passage, which motion was seconded by Evans. Voting Aye, Dahlgren, Evans, McNierney, Schroeder, Wilcox. Said Ordinance reads as follows:

ORDINANCE NO. 779

of the

VILLAGE OF BERTRAND, NEBRASKA

AN ORDINANCE OF THE VILLAGE OF BERTRAND, NEBRASKA, PROVIDING CERTAIN PROHIBITIONS AND RESTRICTIONS TO THE STOPPING, STANDING, AND PARKING OF VEHICLES WITHIN THE CORPORATE 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 RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA, AS FOLLOWS:

Section 1. The Village's Code of Ordinances Section 5-301 is revised to read as follows regarding the stopping, standing, and parking of vehicles within the corporate limits of the Village:

§5-301 PARKING; GENERALLY.

- (A) 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:
 - (1) Stop, stand, or park any vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a sidewalk, except at a duly authorized and established crossing;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. 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;
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - g. In any alley for a period of time longer than is necessary for loading and unloading and said vehicle shall be parked in such manner as will cause the least obstruction possible to traffic in the alley, and in any case will not remain parked for the purpose of loading or unloading for a period to exceed twenty (20) minutes;
 - h. On any railroad track; or
 - i. At any place where official signs prohibit stopping.
 - (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger(s):
 - a. In front of a public or private driveway;
 - b. Within fifteen (15) feet of a fire hydrant;
 - c. Within twenty (20) feet of an intersection;

- d. Within thirty (30) feet of any flashing signal, stop sign, yield sign, or other traffic control device located at the side of the roadway;
- e. Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of such entrance when properly signposted; or
- f. At any place where official signs prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
 - a. Within fifty (50) feet of the nearest rail of a railroad crossing;
 - On any front yard, side yard, or rear yard of any residential property, except on a paved surface, defined as cement, brick, asphalt, or rocked areas constructed to a depth sufficient to distribute the weight of the vehicle over such area to preclude deterioration and deflection of the area due to vehicle load, adverse weather, or other conditions;
 - c. Any place where official signs prohibit parking.
- (B) 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.
- **Section 2.** Any violation of this Ordinance shall be subject to the penalty provisions of the Bertrand Municipal Code Section 5-501.
- **Section 3.** All prior Ordinances and Resolutions, or parts thereof, in conflict herewith, are hereby repealed.
- **Section 4.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED THIS 12TH DAY OF MARCH 2024.

Wilcox introduced Ordinance No. 780 regarding the use of speed measurement devices, requirements, and apprehension of driver. 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, Dahlgren, Evans, Wilcox. 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. 780 was then read by title and Trustee Dahlgren moved for its final passage, which motion was seconded by Schroeder. Voting Aye, Dahlgren, Schroeder, Evans, McNierney, Wilcox. Said Ordinance reads as follows:

ORDINANCE NO. 780

of the

VILLAGE OF BERTRAND, NEBRASKA

AN ORDINANCE RELATING TO THE USE OF SPEED MEASUREMENT DEVICES, REQUIREMENTS, AND APPREHENSION OF DRIVER; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. The Village's Code of Ordinances Section 5-223 is revised to read as follows regarding the use of speed measurement devices, requirements, and apprehension of driver:

§5-223 SPEED; USE OF SPEED MEASUREMENT DEVICES; REQUIREMENTS; APPREHENSION OF DRIVER; WHEN.

- (A) Determinations made regarding the speed of any motor vehicle based upon the visual observation of any peace officer, while being competent evidence for all other purposes, shall be corroborated by the use of a radio microwave, mechanical, or electronic speed measurement device. The results of such radio microwave, mechanical, or electronic speed measurement device may be accepted as competent evidence of the speed of such motor vehicle in any court or legal proceeding when the speed of the vehicle is an issue. Before the Village may offer in evidence the results of such radio microwave, mechanical, or electronic speed measurement device for the purpose of establishing the speed of any motor vehicle, the Municipality shall prove the following:
 - (1) The radio microwave, mechanical, or electronic speed measurement device was in proper working order at the time of conducting the measurement;
 - (2) The radio microwave, mechanical, or electronic speed measurement device was being operated in such a manner and under such conditions so as to allow a minimum possibility of distortion or outside interference;

- (3) The person operating the radio microwave, mechanical, or electronic speed measurement device and interpreting such measurement was qualified by training and experience to properly test and operate the radio microwave, mechanical, or electronic speed measurement device; and
- (4) The operator conducted external tests of accuracy upon the radio microwave, mechanical, or electronic speed measurement device, within a reasonable time both prior to and subsequent to an arrest being made, and the device was found to be in proper working order.
- (B) The driver of any motor vehicle measured by use of a radio microwave, mechanical, or electronic speed measurement device to be driving in excess of the applicable speed limit may be apprehended if the apprehending officer:
 - (1) Is in uniform and displays his or her badge of authority; and
 - (2)(a) Has observed the recording of the speed of the motor vehicle by the radio microwave, mechanical, or electronic speed measurement device; or
 - (b) Has received a radio message from a peace officer who observed the speed recorded and the radio message (A) has been dispatched immediately after the speed of the motor vehicle was recorded and (B) gives a description of the vehicle and its recorded speed. (*Ref.* 60-6,192 RS Neb.)
- **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 12TH DAY OF MARCH 2024.

On a motion by Dahlgren, seconded by McNierney, Resolution No. 524 regarding the establishment of a policy of insufficient funds or accounts closed checks in payment of services provided by the Village was approved. Voting Aye, Dahlgren, McNierney, Evans, Schroeder, Wilcox. The Resolution reads as follows:

RESOLUTION NO. 524

of the

VILLAGE OF BERTRAND, NEBRASKA

A RESOLUTION OF THE VILLAGE OF BERTRAND, NEBRASKA, ESTABLISHING A POLICY TO DISCOURAGE THE ISSUANCE OF INSUFFICIENT FUNDS OR ACCOUNT CLOSED CHECKS IN PAYMENT OF SERVICES PROVIDED BY THE VILLAGE OF BERTRAND.

WHEREAS, the Village of Bertrand, Nebraska, has received insufficient funds and account closed checks in payment of services provided by the Village, and

WHEREAS, it has become necessary to discourage the issuance of insufficient funds and account closed checks to the Village of Bertrand by establishing a written policy regarding insufficient funds and account closed checks.

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

- 1. For the purposes of this Resolution, any form of payment, including, but not limited to, bank withdrawal, automatic payment plans, and debit card transactions shall be treated as an insufficient funds or account closed check.
- 2. Any person tendering an insufficient funds or account closed check to the Village of Bertrand for any service provided by the Village, will be assessed a "returned check" fee in the amount of thirty-five dollars (\$35).
- 3. If an insufficient funds or account closed check is issued to pay a utility bill, the utility customer will be subject to disconnection if payment for the full amount of the insufficient or account closed check, plus the returned check fee, is not made in cash, money order, or other certified funds prior to the previously given disconnection date, without any further notice.
- 4. If an insufficient funds or account closed check is issued to the Village of Bertrand, a notice will be sent to the person issuing the insufficient or account closed check, informing them that they have seven (7) days from the date of the notice to pay the amount of the returned check plus the returned check fee, or the check will be turned over to the Village Attorney for collection.
- 5. Any person tendering an insufficient funds or account closed check to the Village of Bertrand for any service provided by the Village, will be required to make payments owed to the Village of Bertrand by cash, money order, or other certified funds for the next six (6) months.
- 6. Any person tendering a second insufficient funds or account closed check to the Village of Bertrand for any service provided by the Village within twelve (12) months of the first

insufficient or account closed check will be required to make payments owed to the Village of Bertrand by cash, money order, or other certified funds on a permanent basis.

PASSED AND APPROVED THIS 12TH DAY OF MARCH 2024.

On a motion by Schroeder, seconded by McNierney, Resolution No. 525 regarding maximum limits of expenditures of the Village Clerk/Treasurer, Village Utilities Superintendent, and Nursing Home & Assisted Living's Administration was approved. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox. The Resolution reads as follows:

RESOLUTION NO. 525 of the

VILLAGE OF BERTRAND, NEBRASKA

WHEREAS, the Board of Trustees of the Village of Bertrand, Nebraska, deems it advisable to place a maximum limit upon expenditures made by the Village Clerk/Treasurer, Village Utilities Superintendent, and Nursing Home and Assisted Living Administration without prior approval; and WHEREAS, the Village of Bertrand, Nebraska, is the owner of the Bertrand Nursing Home & Assisted Living facility.

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

- 1. That the Village Clerk/Treasurer is hereby authorized to bind the Village to expenditures of not more than \$1,500.00 per transaction without prior approval of the Board of Trustees. The Village Clerk/Treasurer shall not be authorized to bind the Village to expenditures of more than \$1,500.00 per transaction without prior approval of the Board of Trustees.
- 2. That the Village Utilities Superintendent is hereby authorized to bind the Village to expenditures of not more than \$4,000.00 per transaction without prior approval of the Board of Trustees. The Village Utilities Superintendent shall not be authorized to bind the Village to expenditures of more than \$4,000.00 per transaction without prior approval of the Board of Trustees.
- 3. That the Bertrand Nursing Home & Assisted Living Administration is hereby authorized to bind the Bertrand Nursing Home & Assisted Living facility to expenditures of not more than \$3,000.00 per transaction without prior approval of the Board of Trustees. The Bertrand Nursing Home & Assisted Living Administration shall not be authorized to bind the Bertrand Nursing Home & Assisted Living facility to expenditures of more than \$3,000.00 per transaction without prior approval of the Board of Trustees.

PASSED AND APPROVED THIS 12TH DAY OF MARCH 2024.

On a motion by Dahlgren, seconded by McNierney, the Building Permit request from Dick Hickenbottom to construct a 20'x20' addition, 14'x20' cover deck, and 12'x14' attached shed at 215 Bailey Drive was approved. Voting Aye, Dahlgren, McNierney, Evans, Schroeder, Wilcox. On a motion by Schroeder, seconded by McNierney, the Fence Permit request from Hansen's Gallery to construct a wood privacy fence at 615 Minor Avenue was approved. Voting Aye, Schroeder, McNierney, Dahlgren, Evans, Wilcox.

Matt Gregg, Utilities Superintendent, gave his report to the Board. He informed the Board that he and Marcus Schwarz are currently attending the Rural Water Conference in Kearney, Nebraska. There has been a lot of discussion regarding nitrates. The Village of Bertrand is one of only six Nebraska communities that have turned in a completed Lead & Copper Inventory. The 2023 Quality on Tap report was mailed out to all water consumers in the Village. Demolition of the sewer lagoon is slated to begin within the next three weeks.

Lori Vinzant, Village Clerk/Treasurer, gave her report to the Board. She informed the Board that the rate increase letters have been sent out to all utility customers of the Village.

On a motion by Wilcox, seconded by Schroeder, the Board adjourned into Executive Session at 7:08 PM. Voting Aye, Wilcox, Schroeder, Evans, McNierney. Dahlgren absent. On a motion by McNierney, seconded by Schroeder, the Board exited Executive Session at 7:14 PM. Voting Aye, McNierney, Schroeder, Evans, Wilcox. Dahlgren absent.

The meeting adjourned at 7:15 PM.

Lori Vinzant, Village Clerk/Treasurer	TJ Wilcox, Chairman of the Board