

**ARNOLD COMMUNITY CENTER
DECEMBER 10, 2018**

A regular meeting of the Chairman and the Board of Trustees of the Village of Arnold, Nebraska was held in the Arnold Community Center on Monday, December 10, 2018 at the hour of 7:00 P.M. Notice of this meeting was given in advance by publication and by posting notices at Pinnacle Bank, Post Office, Reeds Food Center, and the Village Office. Said notice contained the statement that the agenda kept continuously current was available for public inspection at the office of the Village Clerk during normal business hours. Notice of this meeting and an agenda was given to the Board Members and all members present acknowledged receipt of said notice. All proceedings hereafter shown were taken while the convened meeting was open to the public.

In compliance with State Statute Section 17-204, the trustees at the first regular meeting of the Board in December shall reorganize, elect a Chairman of the Board and appoint the officers required. The meeting was called to order by Acting Chairperson, Patricia Lamberty, Village Clerk. On roll call the following were present: Glen Bowers, Donnell DeLosh, Scott McDowell, Aaron Olson, Tim Turley. Absent: none. A full council being present the following proceedings were had and done. Village Clerk, Patricia Lamberty, recorded the proceedings.

Village Clerk, Patricia Lamberty, publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for public inspection and is posted on the west wall of the meeting room in the Arnold Community Center.

Village Clerk, Patricia Lamberty, administered the Oath of Office to the newly elected member, Donnell DeLosh and to the newly reelected members: Scott McDowell and Tim Turley.

Patricia Lamberty, Village Clerk/Treasurer, informed the Board that she checked with the League of Nebraska Municipalities regarding Conflict of Interest Laws since Donnell DeLosh is her nephew. A Village board member has a potential conflict of interest if he or she is faced with taking an official action that could result in a financial benefit or detriment to the village official, a member of his or her immediate family or a business that he or she is associated with. Immediate family member is defined as a child residing in the person's household, a spouse, or an individual claimed by that individual as a dependent on federal tax returns. Patricia Lamberty stated that Donnell DeLosh is not considered an immediate family member based on that definition.

Donnell DeLosh stated that he is the Agronomy Sales & Productivity Supervisor for Country

Partners Cooperative and declared a Conflict of Interest on any matters regarding Country Partners Cooperative and any claims payable to Country Partners Cooperative.

The Acting Chairperson announced that nominations were in order for the election of a Chairman. Moved by Olson and seconded by McDowell that Glen Bowers be elected Chairman. Roll call vote: Aye: Bowers, McDowell, DeLosh, Olson, Turley. Nay: none. Absent: none. Motion carried. The Acting Chairperson surrendered the chair to Chairman Glen Bowers.

The Chairman appointed the Trustees to the following committees:

GENERAL (Community Center, Parks & Swimming Pool) & **STREETS, WATER & SEWER:** Aaron Olson & Scott McDowell

ELECTRIC and SOLID WASTE: Donnell DeLosh and Tim Turley

Moved by Turley and seconded by Olson that Patricia Lamberty be appointed Village Clerk/Treasurer. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Moved by McDowell and seconded by DeLosh that Harvey Foran be appointed Water Commissioner; that Doug DeLaune be appointed Assistant Water Commissioner; that Mike Borders, DBA Borders Law Office, be designated as the Village Attorney and that Tom Werblow, DBA T.C. Engineering, be designated as the Village Engineer/Street Superintendent. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Moved by DeLosh and seconded by Olson that the **ARNOLD SENTINEL** be designated as the official newspaper for publication of all the Village business. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Moved by Turley and seconded by McDowell that Chairman Glen Bowers, Village Superintendent Doug De Laune and Dell Cerny be appointed to the Board of Health. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Consideration of the Entity Authorization Form was the next item on the agenda. After discussion, moved by Olson and seconded by DeLosh that the Village Clerk/Treasurer and the following Trustees: Glen Bowers, Scott McDowell & Tim Turley be authorized to:

- (1) Open any deposit or checking account in the name of the Village
- (2) Endorse checks and orders for the payment of money and withdraw funds on deposit with the Pinnacle Bank
- (3) Borrow money on behalf of the Village

(4) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box

and all other arrangements with Pinnacle Bank which are necessary for the effective exercise of the powers indicated within the Entity Authorization Form and that Glen Bowers, Chairman, and Patricia Lamberty, Village Clerk/Treasurer be authorized to sign the Entity Authorization Form. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

The minutes of the previous regular meeting on November 12, 2018 were not read as the Clerk had previously furnished each member with a copy thereof. Moved by Turley and seconded by McDowell that the minutes of the previous regular meeting on November 12, 2018 be approved as presented. Roll call vote: Aye: Bowers, McDowell, Turley. Nay: none. Abstain: DeLosh and Olson. Nay: none. Motion carried.

The Clerk presented the claims paid in November:

11/12 Total Amount of Claims Approved & Paid		
		\$105,603.57
11/14 Nebraska Department of Revenue		
	4,034.00	Sales Tax
11/30 Payroll	9,563.56	
Aflac	160.03	Payroll Deductions
IRS	3,441.62	Payroll Taxes/Fed WH
TOTAL AMOUNT OF CLAIMS – NOV		\$122,802.78

The Treasurer's Report revealed there is \$123,580.59 in the General Fund; \$49,079.72 in the Edna B. Peterson Estate; \$68,608.03 in the Street Fund; \$8,317.51 in the Motor Vehicle Sales Tax Fund; \$863,874.82 in the Electric Fund; \$203,484.68 in the Water Fund; \$63,222.34 in the Sewer Fund; \$116,479.56 in the Solid Waste Fund; \$50,246.54 in the Closure/Post Closure Care Account; \$108,229.53 in the Economic Development Fund; \$2,335.44 in the Community Development Agency Fund; \$10,435.49 in the Trust & Agency Funds as of November 30, 2018. After discussion, moved by Turley and seconded by Olson that the Treasurer's Report be approved as presented. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

The Clerk presented the following claims on file:

American Agricultural Laboratory	125.50	Testing (WW)
Bailar Power Systems	184.00	Photo Cells/Contract Labor
BlueTarp financial	1,596.57	Portable Generator

		(2)Electric Heaters
Glen Bowers	507.92	Semi-Annual Salary
Carrot-Top Industries	1,581.88	Flags
Central Hydraulic Systems & Equipment Co.		
	375.00	Ice Melt/Trip Springs
Dutton-Lainson Company	9,309.49	electric supplies
Tory Edwards	50.00	Cell Phone Reimbursement
Tory Edwards	318.87	Overtime
Fastenal	226.29	WD-40/Safety Clothing
Harvey Foran	892.02	Salary
Great Plains Communications	140.80	CC: Telephone/Internet
Great Plains Communications	433.81	Telephone/Internet
Richard Hornung	1,045.00	Crawler/Loader with Operator
Brent Kulp	461.75	Semi-Annual Salary
Patricia Lamberty	50.00	Cell Phone Reimbursement
Patricia Lamberty	272.32	Overtime
Paula De Laune	438.66	CC: Salary
Ralph De Laune	50.00	Cell Phone Reimbursement
Ralph De Laune	772.79	Overtime
Scott McDowell	461.75	Semi-Annual Salary
Mid-American Research Chemical		
	1,900.17	supplies
Mills Hardware	193.75	electric supplies
Mills Hardware	16.34	water supplies
Mills Hardware	44.99	Portable Utility Heater
Mills Hardware	41.71	Parks: supplies
Mills Hardware	51.92	CC: spray paint
Mills Hardware	72.97	supplies/tool
Mills Hardware	741.77	Street Expense
Municipal Energy Agency of Nebraska		
	16,904.69	Electricity
NE Public Health Environmental Lab		
	185.00	Testing (Water)
Nansel Oil Company	730.09	Engine Oil
Nansel's Best Service	1,344.60	Gas/Diesel
		Repairs & Maintenance
Nebraska Municipal Power Pool		
	1,609.00	Power Manager Support Plan
Nebraska Municipal Power Pool		
	298.90	Utility Bills
Aaron Olson	461.75	Semi-Annual Salary
One Call Concepts, Inc.	5.67	One Call Fees
Pacific Funds	481.09	pension
Pinnacle Bank	150.82	Car Stereo (98 Dodge Ram)
		Speakers (Loader)
Pinnacle Bank	81.06	Meals/Gas (WW Certification
		Course - Doug)

Postmaster	255.00	Stamps
Reed's Food Center	23.10	supplies
TK's Welding & Fabrication	600.15	Parts (Man Lift)
The Arnold Sentinel	471.60	Publishing Fees Office Supplies
Titan Machinery	3,280.16	Heavy Duty Snow Blade
Titan Machinery	174.88	Engine Oil
Titan Machinery	619.19	Parts/Labor (Backhoe)
Tim Turley	461.75	Semi-Annual Salary
USA Blue Book	131.73	WW Plant Expense
Village of Arnold	6,382.32	utilities
WESCO Receivables Corp	3,726.44	electric supplies
Rusty Wyckoff	50.00	Cell Phone Reimbursement
Gail Zoerb	396.29	Salary
Borders Law Office	617.50	Attorney Fee
Central I.T. Inc.	115.99	Computer Expense
Country Partners Cooperative		
	1,404.77	Diesel/Welding Gas/Propane
Country Partners Cooperative		
	281.69	Power Plant: Propane
Custer Public Power District	36.39	electricity
Inland Truck Parts Company	169.07	parts
Lexington Area Solid Waste Agency		
	1,293.76	tipping fees
Sandhills Motors	112.46	Parts/Labor
Titan Machinery	8,420.00	T770 Bobcat Skid Steer
US Department of Energy	11,682.96	Electricity
Lois Witthuhn	26.25	Contract Labor - Janitorial
Total Amount of Claims	\$ 85,344.16	

After discussion, moved by McDowell and seconded by Turley that the claims be approved and paid as presented except for the claims payable to Country Partners Cooperative. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Moved by Olson and seconded by Turley to pay the claims payable to Country Partners Cooperative. Aye: Bowers, McDowell, Olson, Turley. Nay: none. Abstain: DeLosh. Absent: none. Motion carried.

Cheryl Carson, Economic Development Director, attended the meeting regarding the Arnold Economic Development Corporation (AEDC). AEDC's update for December:

Directors Update:

On November 8th and 9th I attended a Home NE Fall Gathering Seminar. This seminar was on Housing Education and Networking. This seminar covered Community Housing Assessments, Rental Challenges, Community/Employer Investment, Challenges to Changing Housing Conditions, and Closer Examination of successful housing projects and Owner Occupied Rehabilitation.

Youth Leadership Custer County (YLCC). On November 26th students met in Arnold. Students gathered to take a closer look at the S.W.A.T. analysis they completed for their community. Arnold students also identified something in the community/school that they thought could use improvement. Within their group they examined and presented reasoning why this needs improved. Then they developed elements and a process of steps which could help improve the situation.

Regular monthly meetings attended: Arnold Chamber, Custer County Tourism, USDA special meeting

Website / Facebook / Advertising: Continually updating of Website and Facebook, creating advertising campaigns/videos on Facebook for events and businesses, Visit Nebraska, advertising of events thru TV commercials, Newsmakers program, print ads, social media and newspaper

Cheryl Carson presented to the Board different versions of a new Entry Sign into the Arnold Recreation Area. After discussion, moved by Olson and seconded by DeLosh that Version #3 (Blue Background) be approved and to authorize Cheryl Carson to proceed with the Entry Sign Project and said project to be paid from the Edna B. Peterson Estate. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Chairman Glen Bowers volunteered to be one of the Village Representatives to the AEDC. Glen Bowers appointed Donnell DeLosh as the alternate Village Representative to the AEDC.

Patricia Lamberty, Village Clerk, informed the Board that the term of Mitch Geiser and Carlene Lanham on the Citizen Advisory Committee expires this month. Patricia Lamberty explained that the Citizen Advisory Committee is a “watch dog” committee, and not a committee that plays a role in the decision-making process in regard to where the Economic Development Funds are spent. Chairman Glen Bowers reappointed Mitch Geiser and Carlene Lanham to the Citizen Advisory Committee for a term of four years. Moved by DeLosh and seconded by Turley that the appointment of Mitch Geiser and Carlene Lanham to the Citizen Advisory Committee be approved. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley . Nay: none. Absent: none. Motion carried. Chairman Glen Bowers volunteered to be the ex-officio member of the Citizen Advisory Committee.

After discussion, moved by McDowell and seconded by Olson that the following claims be paid from the Economic Development Fund:

AEDC	\$1,687.81 Cheryl Carson's Salary (Reimbursement)
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AEDC	129.12	Social Security/Medicare (Reimbursement)
Cheryl Carson	164.12	Mileage (Meetings/Seminars)
Cheryl Carson	50.00	Cell Phone reimbursement
Natalie Cool	245.00	Bookkeeping Services
Eakes Office Plus	223.98	office supplies
Great Plains Communications	126.09	Telephone/Internet
KIIT	144.00	TV Commercial Advertising
KNPL	153.00	TV Commercial Advertising
KNOP	50.00	TV Commercial Production Fee
MJK CPA PC	137.50	Bookkeeping Services
Mills Hardware	37.98	Fluorescent Bulbs
United States Liability Insurance	1,108.00	Director's & Officers Policy
Village of Arnold	103.08	utilities
Lois Witthuhn	15.00	Contract Labor (Janitorial)
TOTAL AMOUNT OF CLAIMS	\$4,374.68	

Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley.. Nay: none. Absent: none.
Motion carried.

After discussion, moved by Olson and seconded by McDowell that Rose Bierman be reappointed to the Housing Authority Board for a term of five years. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Patricia Lamberty informed the Board that the term of Brad Forrester on the Planning Commission expires this month. Patricia Lamberty stated that Brad Forrester is willing to be reappointed. Chairman Glen Bowers reappointed Brad Forrester to the Planning Commission. Moved by Turley and seconded by Olson that the appointment of Brad Forrester to the Planning Commission for a term of three years be approved. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Patricia Lamberty, Village Clerk, informed the Board that Mike Borders, Village Attorney, recommended that the Board reaffirm its decision to adopt Ordinance No. 450 due to a potential conflict of interest. Board Member Scott McDowell introduced Ordinance No. 450 entitled:

ORDINANCE NO. 450
(See Ordinance Book Page 111)

AN ORDINANCE APPROVING RENEWAL OF THE NONEXCLUSIVE FRANCHISE GRANTED TO GREAT PLAINS CABLE TELEVISION, INC. TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE VILLAGE OF ARNOLD, NEBRASKA, SETTING FORTH CONDITIONS ACCOMPANYING RENEWAL OF THE FRANCHISE, AND REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Board Member Donnell DeLosh seconded the motion to suspend the rules and upon roll call vote on the motion the following Board Members voted AYE: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was read by title and thereafter Board Member Donnell DeLosh moved for final passage of the ordinance, which motion was seconded by Board Member Aaron Olson. The Chairman then stated the question: "Shall Ordinance No. 450 be passed and adopted?" Upon roll call vote, the following Board Members voted AYE: Bowers, DeLosh, McDowell, Olson, Turley. The following voted NAY: none. Absent: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairman declared the ordinance adopted and the Chairman, in the presence of the Board, signed and approved the ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto and the seal of the Village thereto.

After discussion, moved by Turley and seconded by McDowell that the following Resolution be adopted:

RESOLUTION 2018-11

BE IT RESOLVED BY THE VILLAGE CHAIRMAN AND VILLAGE BOARD OF THE VILLAGE OF ARNOLD, NEBRASKA that:

1. The Village Board hereby directs the sale of the real estate contingent upon an utility easement described as follows, to-wit:

Lot Eighteen (18), Block Two (2), Original Town of Arnold, Custer County

The Village of Arnold is offering this property for sale to AJH Land Company, LLC for \$500.00 plus closing costs pursuant to Neb. Rev. Stat §17-503.01. Transfer of property by Warranty Deed.

2. The Clerk shall cause notice of the sale and term of the sale to be posted in three prominent places within the Village for a period of not less than seven days prior to the sale of the property.

The Chairman put the Resolution to a vote. Those voting FOR PASSAGE: Bowers, DeLosh, McDowell, Olson, Turley. Those voting AGAINST PASSAGE: none. Absent: none. Motion carried.

After discussion, moved by McDowell and seconded by Olson that the following Resolution be adopted:

RESOLUTION 2018-12

BE IT RESOLVED BY THE VILLAGE BOARD OF TRUSTEES that the Village Clerk is authorized to pay the following monthly bills upon receipt:

Blue Cross Blue Shield	Health Insurance
Custer Public Power District	Electricity
Municipal Energy Agency of Nebraska	Electricity
US Department of Energy	Electricity

The Chairman put the Resolution to a vote. Those voting FOR PASSAGE: Bowers, DeLosh, McDowell, Olson, Turley. Those voting AGAINST PASSAGE: none. Absent: none. Motion carried.

After discussion, moved by Turley and seconded by DeLosh that the Agreement for Training Services between Nebraska Municipal Power Pool and the Village be approved and that Chairman Glen Bowers be authorized to sign said agreement. Roll call vote: Aye: Bowers, DeLosh, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

There being nothing further to come before the Board at this time, Chairman Glen Bowers declared the meeting adjourned. Meeting adjourned at 7:45 P.M.