

ARNOLD COMMUNITY CENTER

May 14, 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, May 14, 2018 at the hour of 7:00 P.M. Notice of this meeting was given in advance by publication and by posting notices at the following places: 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.

Chairman Glen Bowers called the meeting to order and Patricia Lamberty, Village Clerk, recorded the proceedings. On roll call the following were present: Glen Bowers, Brent Kulp, Scott McDowell, Aaron Olson, Tim Turley. Absent: none. A full council being present the following proceedings were had and done.

Chairman Glen Bowers 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.

The minutes of the previous regular meeting on April 9, 2018 were not read as the Clerk had previously furnished each member with a copy thereof. Moved by Olson and seconded by Turley that the minutes of the previous regular meeting on April 9, 2018 be approved as presented. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

The Clerk presented the claims paid in April:

04/09 Total Amount of Claims Approved & Paid

\$97,368.33

| | | | |
|--------------|--------------------------------|-----------|-------------------------------------------|
| 04/17 | Nebraska Plastics Inc. | 7,281.52 | Cemetery Improvement Project |
| 04/18 | Nebraska Department of Revenue | | |
| | | 4,411.43 | Sales/Use Tax |
| 04/23 | Plains Equipment Group | 14,192.91 | John Deere Utility Tractor (Down Payment) |
| 04/30 | Payroll | 6,933.33 | |
| | Aflac | 160.03 | Payroll Deductions |
| | IRS | 2,832.53 | Payroll Taxes/Fed WH |

TOTAL AMOUNT OF CLAIMS - April \$133,180.08

Patricia Lamberty, Village Clerk, stated that at the April 9th Board Meeting the Board authorized up to \$13,000.00 from the Edna B. Peterson Estate for the Cemetery Improvement Project. The following checks were issued for the Cemetery Improvement Project:

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|--------------------------------|-----------------|
| 04/17 Nebraska Plastics Inc. | \$ 7,281.52 |
| 05/01 Long's Precision Fencing | <u>4,629.25</u> |
| | \$11,910.77 |

The Treasurer's Report revealed there is \$106,473.08 in the General Fund; \$92,718.48 in the Edna B. Peterson Estate; \$106,969.50 in the Street Fund; \$5,166.99 in the Motor Vehicle Sales Tax Fund; \$836,664.96 in the Electric Fund; \$217,876.30 in the Water Fund; \$87,386.99 in the Sewer Fund; \$70,110.88 in the Solid Waste Fund; \$45,176.64 in the Closure/Post Closure Care Account; \$82,185.84 in the Economic Development Fund; \$1,272.90 in the Community Development Agency Fund; \$10,492.87 in the Trust & Agency Funds as of April 30, 2018. After discussion, moved by McDowell and seconded by Kulp that the Treasurer's Report be approved as presented. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

The Clerk presented the following claims on file:

| | | |
|----------------------------------|-----------|--------------------------------------------------------|
| A-1 Auto Repair, Inc. | \$ 183.24 | Parts/Labor (Digger Truck) |
| American Agricultural Laboratory | 161.75 | Testing (WW) |
| Arnold Insurance Agency | 264.00 | Insurance - Bonds |
| Arnold Pool Company | 2,148.81 | Pool Expense |
| Arnold Public School | 200.00 | Liquor License (Arnold Exchange) |
| Bailar Power Systems | 471.90 | Contract Labor/Materials City Park - Shelter Lights |
| Beveridge Inc. | 1,596.78 | crushed concrete |
| Border States Industries | 222.64 | electric supplies |
| Country Partners Cooperative | 1,391.02 | Diesel/Propane/Scale Fees |
| Country Partners Cooperative | 696.30 | Power Plant: Propane |
| Coventry Health & Life Ins | 3,740.40 | Health Insurance |
| Custer Public Power District | 29.66 | electricity |
| Thomas Dennis | 727.20 | Salary |
| Department of Energy | 8,987.13 | Electricity |
| Eakes Office Solutions | 469.87 | Office Supplies Copier Expense |

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|-------------------------------------|-----------|--------------------------------------------|
| Tory Edwards | 50.00 | Cell Phone Reimbursement |
| Fastenal | 310.27 | supplies |
| Harvey Foran | 1,560.49 | Salary |
| Great Plains Communications | 140.64 | CC: Telephone/Internet |
| Great Plains Communications | 433.09 | Telephone/Internet |
| HireRight, LLC | 35.70 | Drug Testing Services |
| Richard Horning | 385.00 | Equipment with Operator |
| Johnson Service Company | 10,065.20 | Sewer Maintenance |
| Keifer Swim Products | 832.21 | Pool Expense |
| Patricia Lamberty | 50.00 | Cell Phone Reimbursement |
| Paula De Laune | 415.57 | CC: Salary |
| Ralph De Laune | 50.00 | Cell Phone Reimbursement |
| Ralph De Laune | 617.47 | Overtime |
| Lawson Products, Inc. | 912.89 | street supplies |
| Lexington Area Solid Waste Agency | 944.00 | tipping fees |
| Mills Hardware | 64.81 | electric supplies |
| Mills Hardware | 13.85 | supplies |
| Mills Hardware | 109.95 | Solid Waste Expense |
| Mills Hardware | 91.37 | Park Expense |
| Mills Hardware | 85.29 | Pool Expense |
| Mills Hardware | 947.45 | CC/Pool/Street Expense |
| Mills Hardware | 20.96 | sewer supplies |
| Municipal Energy Agency of Nebraska | 22,816.89 | Electricity |
| NE Public Health Environmental Lab | 30.00 | Testing (Water) |
| Bryce Nansel | 95.90 | WW Plant Expense (Welding/Materials) |
| Nansel's Best Service | 252.63 | Diesel/Gas/Filters/Parts... |
| Nebraska Rural Water Association | 125.00 | Membership Dues |
| Olsson Associates | 7,854.00 | Engineering Fees |
| One Call Concepts, Inc. | 5.70 | One Call Fees |
| Pacific Funds | 446.41 | pension |
| Pinnacle Bank (VISA) | 549.06 | (2) Video Security System |
| Pinnacle Bank (VISA) | 356.75 | Waterproof Boots |
| Postmaster | 140.00 | stamps |
| Sandhills Motors | 392.85 | Parts/Labor (Silverado) |
| Sargent Drilling Company | 675.00 | Efficiency Test - Wells |
| Surplus Center | 143.93 | Hydraulic Cylinder |
| The Arnold Sentinel | 792.49 | Publishing Fees |
| Travelers - RMD | 1,514.00 | Workers Comp (Volunteer Firemen & EMTs) |
| Village of Arnold | 5,950.48 | utilities |
| Lois Witthuhn | 142.50 | Contract Labor |
| DHHS | 50.00 | Water Operator Exam |

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| Edwards Environmental Corp | 410.00 | sewer supplies |
| Kelly Supply Company | 77.60 | pool supplies |
| Shaelynn Laible | 40.00 | Pool Operator Clinic Fee |
| Larreau Construction | 770.56 | CC: Building Maintenance (Drywall/Paint... Labor) |
| Menards | 628.04 | Building Maintenance Pool Expense |
| Nebraska Power Review Board | 112.23 | Annual Assessment |
| Plains Equipment Group | 464.30 | Hitch |
| Reed's Food Center | 112.17 | supplies |
| Village of Stapleton | 810.00 | Trucking Fees (Roll Out) |
| Pool Payroll | 439.33 | |
| Borders Law Office | 190.00 | Attorney Fee |
| Petty Cash Fund | 139.21 | Postage |
| TOTAL AMOUNT OF CLAIMS | | \$85,953.94 |

After discussion, moved by Turley and seconded by Olson that the claims be approved and paid as presented. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Tom Werblow, Village Engineer, publicly opened the sealed bids for the project entitled Water Improvement 2018-1. The following bids were submitted:

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| Midlands Contracting, Inc. Kearney, NE | \$124,930.00 |
| Myers Construction Inc. Broken Bow, NE | \$ 97,641.00 |

After discussion, moved by Olson and seconded by McDowell to accept Myers Construction's bid of \$97,641.00 as recommended by Tom Werblow, Village Engineer, and that Chairman Glen Bowers be authorized to sign the necessary documents. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried. Perry Myers of Myers Construction and Scott White of Midlands Contracting attended the meeting regarding the matter.

Garrett Klein, Olsson Associates, attended the meeting regarding Phase IV of the Distribution Voltage Conversion and Rebuild Project. The project includes:

1. Rebuild approximately 1,800' of 2.4 kV delta 3-phase overhead distribution line and convert to 12.47 kV using Owner furnished poles and conductors
2. Rebuild approximately 2,500' of 2.4 kV delta 1-phase overhead distribution line and convert to 7.2 kV using Owner furnished pole and conductors
3. Re-conductor and/or re-insulate approximately 1,800' of existing 2.4 kV overhead distribution line and convert to 7.2/12.47 kV

4. Replace approximately 16 pole mounted transformers on existing 2.4 kV delta system for conversion to 7.2/12.47 kV. Switch approximately 6 existing dual-voltage transformers

Olsson Associates preliminary opinion of cost for Phase IV of the Distribution Voltage Conversion and Rebuild Project is \$285,000 for the Base Bid and \$35,000 for Add Alternate. The Add Alternate is for partial rebuild and conversion from 2.4 kV to 12.47 kV in the Walnut/Carroll alley, between 2nd and Washington. The estimates include Owner-furnished transformers and bare overhead conductor. After discussion, moved by Turley and seconded by Kulp that Olsson Associates be authorized to finalize the drawings and bid documents, and to solicit competitive bids for construction of the project and to include the Add Alternate to the Base Bid. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Cheryl Carson, Economic Development Director, presented AEDC's update:

Directors Update:

There is one loan application out.

I traveled to St Paul on April 25-26 and spent time networking with developers, contractors, appraisers, community leaders and State representatives.

Time was spent on:

- Assessing housing needs in your community
- Discussing strategies and approaches to needs defined
- Innovative approaches to housing development and redevelopment
- Discussing funding options and how best to use them
- Looking at appraisals for communities and areas in Nebraska
- Discussing the appraisal values of different structures and how determined
- Looking at ongoing projects in communities of Nebraska
- Discussion of St. Paul's projects /how each one was diversified

I traveled to Thedford on May 1st to meet with their community leaders. We explored the options for an Economic Development type position and explored resources for their community. I invited Ashley Gerlach and Brittany Hardin from the State to help explain programs, assistance and resources available from the State.

Website / Facebook /Advertising:

Continually updating Website and Facebook, Visit Nebraska, and advertising of events through print ads and TV commercials for community events.

Upcoming Community Events:

May 26th – Antique tractor show at Mills Hardware

June 2nd - Community Wide Garage Sales

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

| | | |
|-------------------------------|------------|-----------------------------------------------------------|
| AEDC | \$1,714.50 | Salary(C Carson-reimbursement) |
| AEDC | 131.16 | Payroll Taxes - Reimbursement |
| AEDC | 84.00 | Registration Fee - Housing Seminar - Reimbursement |
| AEDC | 49.80 | Lodging - Reimbursement (Cheryl Carson - Housing Seminar) |
| Cheryl Carson | 50.00 | Cell Phone (reimbursement) |
| Cheryl Carson | 147.70 | Mileage to Meetings and Housing Seminar |
| Eakes Office Solutions | 131.98 | office supplies |
| Great Plains Communications | 137.86 | Telephone/Internet |
| Village of Arnold | 99.40 | Utilities |
| Lois Witthuhn | 33.75 | Contract Labor |
| TOTAL AMOUNT OF CLAIMS | | \$2,580.15 |

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

Mike Nelson, President of the Devil's Den Bike Rally, attended the meeting to request permission to hold the Devil's Den Bike Rally on Friday, July 13th and Saturday, July 14th at the Arnold Recreation Area. The Devil's Den Bike Rally would be held on the north side of the Arnold Recreation Area (West of the Picnic Shelter). They would also like to block off the road at the Arnold Recreation Area beginning on Thursday, July 12th. After discussion, moved by Kulp and seconded by Olson that permission be granted to hold the Devil's Den Bike Rally on July 13th and July 14th at the Arnold Recreation Area for a fee of \$150.00 and that permission be granted to block off the road July 12th – July 14th. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson. Nay: none. Abstain: Turley. Absent: none. Motion carried.

After discussion, moved by Olson and seconded by McDowell to approve the Arnold Golf Association's Application for a Special Designated License for Friday, July 13th at the Arnold Recreation Area from 4:00 P.M. to 1:00 A.M. and for Saturday, July 14th at the Arnold Recreation Area from Noon to 1:00 A.M. and to approve the Arnold Community Center as the alternate location. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson. Nay: none. Abstain:

Turley. Absent: none. Motion carried.

Becky Dailey met with the Board regarding the Sandhills Open Road Challenge (SORC). Becky Dailey requested permission to close State Highway 92 and State Highway 40 for a parade on Friday, August 10, 2018. After discussion, moved by Turley and seconded by Kulp that the following Resolution be adopted:

RESOLUTION 2018-3

A RESOLUTION ACKNOWLEDGING LB 589/NEBRASKA REVISED STATUTES SECTION 39-1359 REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

WHEREAS, Sandhills Open Road Challenge (SORC) requested that the Village close Highway 92 and Highway 40 for the annual parade on Friday, August 10, 2018;

WHEREAS, traffic will be detoured on Highway 92 and Highway 40 for approximately 1½ hours on Friday, August 10, 2018 from 2:15 P.M. to 3:45 P.M.;

WHEREAS, barricades will be located at the intersection of Highway 92 and Cedar Street and traffic will be detoured north two blocks and then at the intersection of Cedar and W Lincoln Avenue traffic will be detoured four blocks east to the intersection of North Haskall and E Lincoln Avenue, at the intersection traffic will then be detoured south two blocks back to Highway 92, at this intersection traffic will also be diverted in reverse of above by use of barricades and detour signage.

WHEREAS, barricades will be located at the intersection of Highway 40 and East 7th Avenue and traffic will be detoured east one block to South Haskall Street, then north six blocks to Highway 92.

WHEREAS, closure of a State Highway for a special event requires notification to the Nebraska Department of Roads and the Village's agreement to indemnify the State

THEREFORE BE IT RESOLVED BY THE CHAIRMAN AND THE BOARD OF TRUSTEES that the Village Board acknowledges that it accepts the duties set out in subsection (2) of LB 589/N.R.S. Section 39-1359; and that the Village agrees to indemnify, defend and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

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

After discussion, moved by Turley and seconded by McDowell that permission be granted to SORC to block off the following streets for SORC events:

South Walnut Street and the side streets for the car show on Friday, August 10, 2018

North Broadway Street between West Arnold Ave and West Washington Ave for the “Burn Out” Contest on Friday, August 10, 2018;

North Walnut Street (between Washington Ave and West Arnold Ave) for a SORC “Dyno” event on Thursday, Friday, and Saturday (August 9, 10, and 11th)

Roll call vote: Bowers, Kulp, McDowell and Turley. Nay: none. Abstain: Olson. Motion carried.

After discussion, moved by Kulp and seconded by Olson to approve the Application for a Special Designated License from Kinkaider Brewery Company for Thursday, August 9, 2018 from 6:00 P.M. to 10:00 P.M. at the City Park and to approve the Arnold Community Center as the alternate location for the Sandhills Open Road Challenge’s supper for the drivers and navigators. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Mike Harvey, representing the American Legion Post 130, attended the meeting regarding an Application for a Special Designated License for August 8, 9, 10 and 11th for SORC. The SDL is for the American Legion Building and for a “Beer Garden” south of the American Legion Building. Patricia Lamberty, Village Clerk, stated that on the agenda it just listed the SDL for the American Legion Building. The matter will be on the Special Meeting on May 21st.

Eric Nelson, Fire Chief, attended the meeting regarding the Edna B. Peterson Estate. Eric Nelson compiled a list of items for the Fire Department. The list totaled \$31,315.43. Glen Bowers stated that according to Edna B Peterson’s will the money is to be used for maintaining and upgrading its fire and rescue department, for the care of the cemetery, and for any other services or benefits which the Village has been providing to its residents and those people in the surrounding area. After discussion, moved by Kulp and seconded by McDowell to issue a check to the Arnold Rural Fire District for \$31,315.43. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

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

RESOLUTION 2018-4

BE IT RESOLVED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES that the following rates be established for the Swimming Pool:

DAILY 1:00 P.M. TO 5:00 P.M. \$ 3.00 per person
 7:00 P.M. TO 9:00 P.M. \$ 2.00 per person

ADULT SWIM
 5:00 P.M. to 7:00 P.M. \$ 2.00 per person

INDIVIDUAL THIRTY DAY PASS \$25.00

INDIVIDUAL SEASON PASS \$45.00

FAMILY SEASON PASS \$90.00

LICENSED DAYCARE SEASON PASS \$90.00
(For Employees Only - Monday through Friday
1:00 P.M. to 5:00 P.M.)

CHILDREN FOUR AND UNDER ARE FREE
WADING POOL IS FREE

POOL PARTY \$70.00 (2 Hours)

BE IT FURTHER RESOLVED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES that the fee for swimming lessons is \$15.00 per person for one week and an additional \$10.00 per person for the second week.

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

Consideration of Ordinance No. 443: AN ORDINANCE CODIFYING THE NUMBER OF ANIMALS ALLOWED; DISTANCE FROM OTHER STRUCTURES; ENCLOSURES; PRE-EXISTING USE; AND PRESCRIBING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT was the next item on the agenda. Shane Cool attended the

meeting regarding the proposed Ordinance. According to the proposed Ordinance the amount of animals (horses, mules, donkeys, llamas, alpacas, cows, sheep, goats, ostriches, emus, or rheas) would be limited to one animal unit per one-tenth of an acre and in no event exceed ten animal units per acre. Discussion was held on reducing the amount of animals to one animal unit per two-tenths of an acre and in no event exceed five animal units per acre. The distance that the animals are to be maintained from residential structures or place of business would remain the same (100 feet). Discussion was also held on the definition of Confined Livestock Feeding according to the Zoning Regulations. Further discussion on the Animal Ordinance and the Confined Livestock Feeding will be on the June 11th agenda.

Board Member Scott McDowell introduced Ordinance No. 444 entitled:

ORDINANCE NO. 444
(See Ordinance Book Page 99)

AN ORDINANCE TO ADOPT ELECTRICAL INTERCONNECTION STANDARDS, PROCEDURES, AGREEMENTS, CHARGES AND FEES AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Board Member Aaron Olson seconded the motion to suspend the rules and upon roll call vote on the motion the following Board Members voted AYE: Bowers, Kulp, 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 Brent Kulp 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. 444 be passed and adopted?" Upon roll call vote, the following Board Members voted AYE: Bowers, Kulp, 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.

Doug De Laune, Interim Village Superintendent, informed the board that Sargent Drilling performed well and pump tests. The only concern at this time is the production of the northeast well. Production is down about 10% from last year. This will need to be watched.

Patricia Lamberty, Village Clerk, informed the Board that there will need to be a special meeting regarding the Backup Generator Project at the Community Center. Consideration of issuing checks to Knapp Electric and Country Partners for said project will be on the agenda for the special meeting on May 21st. The claims will then be submitted for reimbursement from the Hazard Mitigation Grant Program.

The next item on the agenda was reconsideration of Tom Dennis's salary. Doug De Laune, Interim Village Superintendent, informed the Board that Tom Dennis has a CDL. After discussion, moved by Olson and seconded by Kulp to increase Tom Dennis's hourly salary to \$12.00 effective May 1, 2018. Roll call vote: Aye: Bowers, Kulp, McDowell, Olson, Turley. Nay: none. Absent: none. Motion carried.

Consideration of the Village Superintendent position was the next item on the agenda. The matter was tabled until the June 11th meeting. Consideration of advertising for full time utility employee was also tabled until the June 11th meeting.

Doug De Laune, Interim Village Superintendent, informed the Board that he has met with Dennis Conner regarding the RV Park. The RV Park would be located in the south part of town.

Patricia Lamberty, Village Clerk, informed the Board that the Village received \$500.00 from the Salvation Army – Custer County Branch to help with the cost of Swimming Lesson.

There being nothing further to come before the Board at this time, Chairman Glen Bowers declared the meeting adjourned. Meeting adjourned at 8:30 P.M.