

VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

**Chairman Peterson called the meeting to order at 6:00 PM. Board members had been given the agenda and supporting documents, and notices were posted at the Village Office, Ceresco Post Office, and CerescoBank. Peterson pointed out the Open Meeting Law Act posted on the wall in the Board Chambers. Answering roll call: Peterson, Hartshorn, Custer, Rupe and Wilson. Also present: Scott Hoss, Kent Speicher, Logan Black, Randy Bower, Brian Roland and Joan Lindgren.**

**Peterson opened the Public Hearing for the liquor license request from Heritage Scratch Kitchen and Spirits Inc dba Heritage Scratch Kitchen and Spirits at 6:00 PM.**

Scott Hoss reviewed restaurant plans. There were no other public comments.

**Hartshorn moved to close the Public Hearing at 6:07 PM. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson, Custer and Peterson. No: none. Motion carried.**

**Peterson moved to approve the Class C-123526 liquor license request for Heritage Scratch Kitchen and Spirits Inc dba Heritage Scratch Kitchen and Spirits, located at 305 South 2<sup>nd</sup> Street. Custer seconded. Voting Yes: Peterson, Custer, Rupe, Wilson and Hartshorn. No: none. Motion carried.**

Scott Hoss was present to request keno for the Heritage Scratch Kitchen and Spirits dba as Heritage Scratch Kitchen and Spirits. Discussion held.

**Peterson moved to approve Heritage Scratch Kitchen and Spirits located at 305 South 2<sup>nd</sup> Street in Ceresco, NE for the lottery sales outlet location, and to approve the \$100 fee for the Department of Revenue. Rupe seconded. Voting Yes: Peterson, Rupe, Wilson, Custer and Hartshorn. No: none. Motion carried.**

**The meeting was adjourned Sine Die for re-organization:**

**Hartshorn moved to appoint Lindgren as Chair Pro-Tempore for the purposes of electing a Chairperson. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson, Custer and Peterson. No: none. Motion carried.**

Lindgren asked for nominations for the Chairperson.

**Custer nominated Peterson for Chairperson.**

**Hartshorn moved to cease nominations for Chairperson. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson, Custer and Peterson. No: none. Motion carried.**

**The roll was called for Peterson as the Chairperson. Voting Yes: Hartshorn, Rupe, Wilson, Custer and Peterson. No: none. Unanimously approved.**

**Lindgren announced Scott Peterson as Chairman, and he took over the meeting.**

Peterson asked for nominations for the Chairperson Pro-Tempore.

**Peterson nominated Hartshorn for Chairperson Pro-Tempore.**

**Custer moved that nominations cease and Hartshorn be named Chairperson Pro-Tempore. Peterson seconded. Voting Yes: Hartshorn, Custer, Rupe, Wilson and Peterson. No: none. Motion carried.**

**Peterson appointed Joan Lindgren as Village Clerk/Treasurer and Zoning Administrator. Approving the appointment of Joan Lindgren as the Village Clerk/Treasurer and Zoning Administrator were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.**

VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

Peterson appointed Loren Lindahl as the Village Attorney. Approving the appointment of Loren Lindahl as the Village Attorney were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Justin Stark from Olsson Associates as the Street Superintendent, License #S-1534, Class A, contract. Approving the appointment of Justin Stark from Olsson Associates as the Street Superintendent, License #S-1534, Class A, contract were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Steve Anderson as the Police Chief. Approving the appointment of Steve Anderson as Police Chief were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Justin Maxson as the Fire Chief. Approving the appointment of Justin Maxson as the Fire Chief were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Matt Bower as the Assistant Fire Chief. Approving the appointment of Matt Bower as the Assistant Fire Chief were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Alysha Heyen as the Assistance Chief Rescue. Approving the appointment of Alysha Heyen as the Assistant Chief Rescue were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Arnie Lowell, Bryan Moss and Dave Burklund to the Planning Commission for a three year term of 2020 - 2022. Approving the appointment of Arnie Lowell, Bryan Moss and Dave Burklund to the Planning Commission for a three year term of 2020 - 2022 were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Kim Hudson and Jennifer Davison to the Library Board for a two year term of 2020 - 2021. Approving the appointment of Kim Hudson and Jennifer Davison to the Library Board for a two year term of 2020 - 2021 were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Randy Bower as Building Inspector. Discussion held. Approving the appointment of Randy Bower as Building Inspector were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson appointed Brad Custer as the Assistant Building Inspector. Discussion held. Approving the appointment of Brad Custer as the Assistant Building Inspector were Peterson, Hartshorn, Rupe and Wilson voting Yes. No: none. Abstain: Custer. Unanimously approved.

No dog catcher was appointed at this time. Social media will be used.

Solid Waste Management is supervised by the Chairperson, which is Scott Peterson. Peterson appointed Doug Wilson as Water Commissioner, Toni Rupe as Sewer Commissioner, Tim Hartshorn as Street Commissioner and Sophia Custer as Park Commissioner. Approving the appointments of Doug Wilson as Water Commissioner, Toni Rupe as Sewer Commissioner, Tim Hartshorn as Street Commissioner and Sophia Custer as Park Commissioner were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Peterson made the following Department Liaison appointments: Water - Wilson and Custer, Sewer - Rupe and Wilson, Police - Peterson and Hartshorn, Parks - Custer and Rupe, Streets - Hartshorn and Peterson. Approving the appointments of Water - Wilson and Custer, Sewer - Rupe and Wilson, Police



VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

- Peterson and Hartshorn, Parks - Custer and Rupe, Streets - Hartshorn and Peterson were Peterson, Hartshorn, Rupe, Custer and Wilson voting Yes. No: none. Unanimously approved.

Rupe moved to designate the official method of published notice of meeting at the Village Office, Post Office and the CerescoBank lobby, and include the advance time of notice on Friday for a Tuesday meeting, and for Special meetings a day before the meeting, at least 24 hours in advance. Hartshorn seconded. Voting Yes: Rupe, Hartshorn, Custer, Wilson and Peterson. No: none. Motion carried.

Peterson moved to designate CerescoBank and First Northeast Bank of Nebraska as the Village depositories. Rupe seconded. Voting Yes: Peterson, Rupe, Wilson and Custer. No: none. Abstain: Hartshorn. Motion carried.

Peterson moved to designate the Wahoo Newspaper as the official newspaper. Rupe seconded. Voting Yes: Peterson, Rupe, Custer, Wilson and Hartshorn. No: none. Motion carried.

Hartshorn moved to create a new Maintenance Subcommittee with Peterson and Rupe. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe, Custer and Peterson. No: none. Motion carried.

Rupe moved to create a new Technology Subcommittee with Hartshorn and Rupe. Wilson seconded. Voting Yes: Rupe, Wilson, Custer, Hartshorn and Peterson. No: none. Motion carried.

Custer moved to create a new Personnel Policy Subcommittee with Peterson and Wilson. Rupe seconded. Voting Yes: Custer, Rupe, Wilson, Hartshorn and Peterson. No: none. Motion carried.

Rupe moved to keep the Fire Department Building Subcommittee with Custer and Wilson. Hartshorn seconded. Voting Yes: Rupe, Hartshorn, Custer, Wilson and Peterson. No: none. Motion carried.

Hartshorn moved to continue the Front Yard Requirement Exception Subcommittee with Custer and Wilson. Peterson seconded. Voting Yes: Hartshorn, Peterson, Custer, Rupe and Wilson. No: none. Motion carried.

Rupe moved to keep the Hazardous Mitigation Subcommittee with Hartshorn and Rupe. Wilson seconded. Voting Yes: Rupe, Wilson, Custer, Hartshorn and Peterson. No: none. Motion carried.

Rupe moved to keep the Community Building Rental Subcommittee with Custer and Rupe. Wilson seconded. Voting Yes: Rupe, Wilson, Custer, Hartshorn and Peterson. No: none. Motion carried.

Peterson moved to the general meeting items.

Wilson moved to approve the minutes of the November 19 Village Board meeting as presented. Hartshorn seconded. Voting Yes: Wilson, Hartshorn, Rupe, Custer and Peterson. No: none. Motion carried.

Custer noted the chicken farm decision has been appealed.

Kent Speicher, CPA with Erickson and Brooks, was present to review the 2018-2019 audit in draft form. Speicher recommended transferring \$38,794.77 from the debt service fund savings account to the general bank account, looking into security cameras, and looking for higher rates of return. Speicher will have final copies sent for final approval at the next Board meeting. Speicher will file the audit with the State auditor.

Roland reviewed the test results for the iron and manganese samples taken. **Iron:** 1) well 4 = 445 ug/L, 2) well 5 = 105 ug/L, 3) well 6 = 70.9 ug/L, 4) grade school kitchen 50.5 ug/L, 5) sewer plant = 92.4 ug/L, 6) Village hall kitchen = 96.7 ug/L. **Manganese:** 1) well 4 = 67.8 ug/L, 2) well 5 = 101 ug/L, 3) well 6 = 13.3 ug/L, 4) grade school kitchen .627 ug/L, 5) sewer plant = 31.7 ug/L, 6) Village hall kitchen = 24.3 ug/L. Manganese limits for an infant are 300 ug/L, and limits for an adult are 1,000 ug/L.



VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

Roland reviewed 1) new clarifier motor has been installed, 2) muskrat and beaver issues, 3) Matt Bower plans to start helping at wwtp and write instructions down for a manual.

Peterson asked about DataTech. The clerk said DataTech doesn't have finalized numbers yet.

The Utilities/Public Works Section 2020 Annual Conference for Roland was reviewed. **Hartshorn moved to approve Roland attending the Utilities/Public Works Section 2020 Annual Conference January 15<sup>th</sup> - 17<sup>th</sup> for a total of \$445.00. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe, Custer and Peterson. No: none. Motion carried.**

A bid from Tvrdy Paint for painting the ladies restroom was reviewed. The Board agreed the maintenance department needs to paint the restroom.

Coats for part-time help was discussed. The Board agreed not to purchase coats for the part-time help.

A donation for Nebraska Rural Water was reviewed. No action taken.

The wooden poles at the park have been inspected, but the report hasn't been received yet.

Personnel Policy Updates were tabled.

A notice from the NDEQ that the Village received a Waste Reduction and Recycling Incentive Grant was reviewed. The grant will be used for tire cleanup.

**Rupe moved to approve the Police Report as presented. Custer seconded. Voting Yes: Rupe, Custer, Wilson, Hartshorn and Peterson. No: none. Motion carried.**

The Building Inspector Report was reviewed. **Peterson moved to approve the Building Inspector Report as presented. Rupe seconded. Voting Yes: Peterson, Rupe, Wilson, Custer and Hartshorn. No: none. Motion carried.**

**Rupe moved to approve the Treasurer's Report with the addition of the Profit and Loss Budget vs Actual reports. Hartshorn seconded. Voting Yes: Rupe, Hartshorn, Wilson, Custer and Peterson. No: none. Motion carried.**

Claims were reviewed. **Hartshorn moved to approve the claims with the additional claims. Wilson seconded. Voting Yes: Hartshorn, Wilson, Custer and Peterson. No: None. Abstain: Rupe. Motion carried.** The approved claims are as follows: AFLAC \$432.72/ins; Alternative Service and Repair \$694.50/st; Ameritas Life \$51.78/ins; Aqua-Chem \$106.30/wat; Frontier Coop \$688.78/st, pol, wat, sew, prk, gen; J Jones LLC \$277.55/st Sunbelt Rentals \$1,157.30/st, wat; Blue Cross & Blue Shield \$3,198.88/health ins; Bromm, Lindahl \$750.00/gen; Carmel Most \$56.92/lib; Ceresco 60+ \$102.00/reimbursement; Fireguard \$286.50/fire, lib, pol, gen, st, sew; Baker & Taylor \$73.67/lib; Bomgaars \$127.53/st, wat; Dean Scheideler \$70.00/pol; Delta Dental \$228.65/ins; FES \$500.00/gen; First Bankcard \$366.96/st; HTR Inc/Klute Truck Equipment \$210.00/st; Hydro Optimization & Automation \$135.00/sew; Jackson Services \$143.15/uniforms & mats; Menards \$318.90/fire, gen, st; JEO \$2,727.50/st; JEO \$2,385.50/st; JEO \$3,818.50/st; Midwest Laboratories \$175.05/sew; Nebraska Public Health Environmental Lab \$366.00/wat; Nebraska Rural Water \$150.00/wat; Nebraska Salt & Grain \$1,564.50/st; Office Depot \$50.13/gen; OPPD \$3,109.74/electricity; Otte Oil \$1,101.63/gen, fire, st; Patricia Orcutt \$75.00/gen; Raymond Central Post Prom \$100.00/gen; Sam's Club \$191.50/lib, gen; Sandy Tvrdy \$215.00/gen; Schwarz Paper \$11.00/Gen; Simons Home Store \$50.42/st; Ty's Outdoor Power \$30,404.56/prk, st, wat, sew, comp, gen; U.S. Post Office \$195.00/postage; USA Blue Book \$289.78/gen; Utility Service Co \$40,815.00/wat; Verizon Wireless \$165.30/phones; Wahoo/Waverly Adv \$106.03/gen; Wahoo Auto Parts \$25.62/pol; Waste Connections \$5,293.93/trash; Windstream \$385.21/phones; Zee Medical \$44.75/st; Nebraska Department of Revenue; \$1,739.35/sales tax; Payroll



VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

**Liabilities: American Funds Investment \$814.64; United States Treasury \$4,099.22; Nebraska Department of Revenue \$559.65; Other Payroll Liabilities \$727.40; Payroll \$13,872.96**

There was no Fire Department report. Wilson invited the Village Board to attend the Fire Department annual banquet on January 18<sup>th</sup>, 6 pm at the Legion. Wilson shared that the Police Department is not invited to the banquet this year, and he received a phone call from Steve Anderson saying the Police won't back up the Fire Department on any accidents on 77, and if the Police see any volunteers coming to a call at a speed he doesn't like they will be writing tickets. Discussion held. Wilson noted the Fire Department has had Police assistance since this.

Wilson noted that he will be meeting with the Rural Board regarding a building.

Peterson reviewed the Street Subcommittee met with JEO to review the plans for the Laura Lane Project. Hartshorn noted they discussed concerns of parking for residents in the circle.

Peterson and Hartshorn reviewed their recommendations for an updated evaluation form. The new form will be prepared for the next meeting.

Wilson shared his suggested changes for the front yard requirement exceptions. Suggestions were made and Wilson will make changes to the front yard requirement exceptions for the next meeting.

Rupe shared that the CYRA Agreement has been reviewed and will be updated for the next meeting. The CYRA will pay a \$250 yearly fee for use of the ballfield. The Village will continue to chalk the fields. Communication between the CYRA and Village will only be made with Rupe and Lindgren. Rupe noted the calendar for games will not change, except if a game needs to be rescheduled, then we will be notified. The calendar is expected to come out in April. An outside select baseball team has requested to use the field. Discussion held. Rupe will be the contact person for the select team. Rupe also noted the CYRA will start paying for improvements to the field, such as the backstop.

Hartshorn reviewed costs and his recommendations for new computers to replace the windows 7 computers. Windows 7 support will end January 14, 2020. The Village would purchase the parts from NewEgg.com and Hartshorn would donate his time to build the computers. Hartshorn noted going directly to HP or Dell will cost more than building them. Hartshorn said we would go one more year with the server before replacing it, since it is built better and it doesn't have the operating system that is coming to end of life. The parts have a 3 year warranty. Discussion held.

**Wilson moved to purchase one number 4 option, and three number 5 options for a total of \$3,213.04. Custer seconded. Voting Yes: Wilson, Custer, Rupe, Hartshorn and Peterson. No: none. Motion carried.**

**Hartshorn moved to extend the meeting for 10 minutes. Wilson seconded. Voting Yes: Hartshorn, Wilson, Custer, Rupe and Peterson. No: none. Motion carried.**

Hartshorn reviewed the CRA International Claim for phase 2 has not yet been finalized.

Lindgren asked to carry over 8 hours of vacation to the end of the year. **Hartshorn moved to allow Lindgren to roll over 8 hours of vacation time up until the end of 2019. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson, Custer and Peterson. No: none. Motion carried.**

Peterson announced that the introduction of ordinances was now in order.

**Ordinance 2019-9 now comes on for second reading. AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 6 – PUBLIC WAYS AND PROPERTY, AND IN PARTICULAR, ARTICLE 4 – PENAL PROVISION, BY**

**RENUMBERING SAID ARTICLE TO ARTICLE 5 AND TO SUBSTITUTE IN ARTICLE 4  
FRANCHISES;**

**WHEREUPON**, Chairman Peterson moved that said Ordinance 2019-9 be approved upon its second reading and its title agreed to. Board Member Rupe seconded this motion.

The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Peterson, Rupe, Wilson and Custer. Nays: Hartshorn.

**WHEREUPON**, the Chair declared said Ordinance 2019-9 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2019-9 be on the next Agenda of a meeting of the Board of Trustees.

**WHEREUPON**, the Chair announced that the introduction of Resolution 2019-8 was now in order.

**Resolution 2019-8** was introduced by Board Member Hartshorn and is set forth in full as follows, to wit:

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

**Whereas:** The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or Interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

**WHEREUPON**, Board Member Hartshorn moved that said Resolution 2019-8 be approved. Board Member Wilson seconded this motion.

The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Hartshorn, Wilson, Rupe, Custer and Peterson. Nays: none.

**WHEREUPON**, the Chair declared that the Motion having been approved by a majority of the votes cast, said Resolution 2019-8 is approved and adopted.

Hartshorn moved to approve building permit 2019-39 for a new 500 gallon propane tank. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe, Custer and Peterson. No: none. Motion carried.

Tower development permit 2019-1 was reviewed. Rupe moved to approve the tower development permit. Custer seconded. Voting Yes: Rupe, Custer, Wilson, Hartshorn and Peterson. No: none. Motion carried.



VILLAGE BOARD OF TRUSTEES  
PUBLIC HEARING AND REGULAR MEETING  
DECEMBER 17, 2019

**Hartshorn moved to adjourn at 9:09 PM. Wilson seconded. Voting Yes: Hartshorn, Wilson, Custer, Rupe and Peterson. No: none. Motion carried.**

Scott Peterson, Chairman  
Joan Lindgren, Clerk