

VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING  
MAY 19, 2020

**Peterson called the meeting to order at 6:00 PM in the Community Room. 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 of the Community Room. Answering roll call: Peterson, Hartshorn, Custer via phone due to 14 day quarantine for being out of State, Rupe and Wilson. Also present: Mark Rezac, Travis Reitz, Steve Anderson, Brian Roland and Joan Lindgren.**

**Rupe moved to approve the April 21, 2020 minutes as presented. Wilson seconded.** Hartshorn noted at the bottom of the first page, the vote should state that it is an amended motion: "Voting Yes to Wilson's 'amended' motion.....". **Voting Yes: none. Voting No: Rupe, Wilson, Custer, Hartshorn and Peterson. Motion failed.**

**Hartshorn moved to approve the April 21, 2020 minutes with the changes to include "amended" in the motion: "Voting Yes to Wilson's amended motion.....". Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe, Custer and Peterson. No: none. Motion carried.**

The April 28<sup>th</sup> minutes were reviewed. Custer questioned why Lindgren's quarantine changed from one week to two weeks, and if everyone on the Board should have been notified. Rupe and Peterson noted the governor had specifically stated on the weekly call that anyone traveling to Colorado must quarantine for two weeks.

**Rupe moved to approve the April 28<sup>th</sup> minutes as presented. Hartshorn seconded. Voting Yes: Rupe, Hartshorn, Wilson and Peterson. No: none. Abstain: Custer. Motion carried.**

An email from Adam Rupe and a draft report for the stream project was included in the Board packets. The project engineer and Rupe will be attending the June meeting.

Roland reviewed 1) new clarifier motor put on, 2) electrical issues and modem fixed, 3) scum pit fixed so it can run in auto again, 4) suspended solids failed last month because of the clarifier issues, and DEQ was contacted, 5) work has been going great, 6) vacation, 7) part time help, 8) mower repairs, 9) appears to have a void underneath the patch at 4<sup>th</sup> & Beech, which needs to be repaired.

Bids for radios were reviewed. Sharing the cost with Ceresco Days was discussed.

**Hartshorn moved to purchase four radios from Shaffer Communications for the bid of \$1,469.60 provided Ceresco Days agrees to fund half the cost. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe, Custer and Peterson. No: none. Motion carried.**

The approaches on the bridges were discussed. Steve Mika with the County will be contacted.

Tire Clean Up was reviewed. Custer and Peterson will plan to help.

Clean Up day was reviewed. Custer and Rupe or her husband will plan to help.

Roland reviewed the letter from the Lower Platte South NRD regarding the Ground Water Management Plan Annual Review.

Peterson reviewed there have been a lot of kids from out of town using the ballfield, and they have been hard on the field and have ripped down some of the caution tape. Shutting down the ballfield since the CYRA isn't having ball season was discussed. Liability concerns were voiced. Mark Rezac with Prague Insurance was present, and noted there is liability insurance as a Board that protects them from the decisions they make and for the decisions they don't make. Every claim and situation is different, and it depends what happens and what decisions are made if there is coverage and how much.

Travis Reitz was present to request use of the ballfield by Calvary Softball for practices and games. Reitz noted waivers are required for all players. Discussion held. The attorney will be contacted for clarification.

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Closing the ballfield was discussed.

**Rupe moved to close the ballfield until further direction comes from the governor. Wilson seconded. Voting Yes: Rupe, Wilson and Peterson. No: Custer and Hartshorn. Motion carried.**

Anderson reviewed the Police Report and noted that Darrin Kremer resigned. Wilson brought up an incident he had involving his dogs, neighbors and a police officer. Discussion held. The Board agreed to purchase a battery charger for the police department. Hartshorn asked to watch properties for out of control weeds and grasses. Anderson said the new tires have been put on and oil changed, but the air conditioner isn't working well. Hartshorn will take a look at the a/c.

The building inspector report was reviewed. Lindgren noted the sidewalk agreement with Craig and Lani Swanson has been signed, but there is a question why he would need to put sidewalk across the alley. The building inspector doesn't think Swanson should pay for any of the alley sidewalk. Lindgren noted she has been in contact with the attorney and he agrees that based on the Village's codes, Swanson shouldn't pay for any of the alley sidewalk. Discussion held. The Board members will look at alleys and discuss further at the June meeting.

Mark Rezac with Prague Insurance Agency was present to review the Village's insurance. The commercial property cost has increased 7% across the board by \$1,320.00. General Liability has increased by \$47.00. Liquor Liability stayed the same. Commercial Auto has increased 6% across the board by \$351.00. Inland Marine increased by \$107.00 due to the new mower. Umbrella increased by \$7.00. Workers Compensation increased by \$1,017.00 due to an increase in overtime wages. The fire department Workers Compensation went down due to a decrease in membership. Hartshorn and Peterson noted the new mower is a Ventrac not a Kubota. Also noted was the Library claim for damage to the west side of the building. Ceresco Days and fireworks coverage was discussed and noted that it has been cancelled. Rezac said a \$750.00 premium will be refunded for the cancellation of Ceresco Days and fireworks.

**Hartshorn moved to accept the Prague Insurance Agency renewal for the Village Insurance Policies of \$42,274.00. Custer seconded. Voting Yes: Hartshorn, Rupe, Custer, Wilson and Peterson. No: none. Motion carried.**

Rezac noted the documents to sign are 1) terrorism coverage, which is included in the policy and 2) no deductible on the worker's compensation insurance since it doesn't benefit the Village.

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

**Hartshorn moved to pay the JEO claims of \$2,400.00 and \$6,800.00. Wilson seconded. Voting Yes: Hartshorn, Wilson, Custer and Peterson. No: none. Abstain: Rupe. Motion carried.**

Claims were reviewed. Rupe moved to accept the claims that were presented tonight, including the Payroll Claims. Wilson seconded. Voting Yes: Rupe, Wilson, Custer, Hartshorn and Peterson. No: none. Motion carried. The approved claims are as follows: AFLAC \$403.38/insurance; Ameritas Life \$34.52/ins; Baker & Taylor \$277.12/lib; Blue Cross & Blue Shield \$1,190.06/health ins; Bobcat of Omaha \$640.67/st; Barco \$87.87/prk; Bromm, Lindahl ET AL \$145.00/gen; Card Services \$163.38/st, sew, gen; Ceresco 60+ \$66.00/reimbursement; Christi Coughlin \$100.00/lib; Delta Dental \$164.65/insurance;; First Bankcard \$663.90/gen, st, pol, prk, wat, sew; Frontier Coop \$452.58/fuel; Helena \$151.75/prk; Hydro Optimization \$1,028.50/sew; Jackson Services \$122.67/uniforms & mats; Matheson Tri-Gas \$19.86/wat; Menards \$245.66/st, sew; Midwest Laboratories \$178.33/sew; Miracle Recreation \$403.00/prk; Momar \$770.19/sew; Municipal Supply of Omaha \$532.38/gen/sew; NMC \$1,210.78/st; NE Public Health Environmental Lab \$262.00/wat; NSVFA \$230.00/fire; Otte Oil & Propane \$463.16/propane; OPPD \$4,220.09/electric; Platte Valley Equipment \$74.01/prk; Pomp's Tire Service \$621.49/pol; Prochaska Repair \$376.78/prk, sew; Rebuild-it Services \$1,193.71/sew; Robert Guenter \$75.00/wat; Sandry Fire Supply \$397.25/fire; Sam's Club \$294.19/gen, lib; Sandy Tvrdy \$215.00/gen; Schwarz Paper \$213.02/gen;

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**Small Engine Specialists \$190.98/prk; U.S. Post Office \$195.00/postage; Utility Services \$3,213.90/wat; Verizon \$164.32/phones; Wahoo Auto Parts \$123.95/park; Wahoo/Waverly Adv \$196.99/gen; Waste Connections \$5,311.07/trash; Windstream \$385.45/phones; Zee Medical Service \$56.40/gen, lib, st, sew; Payroll Liabilities: American Funds \$561.36; Nebraska Department of Labor \$121.84; Nebraska Department of Revenue \$1,074.95; United States Treasury \$4,363.96; Payroll \$15,654.08**

The Liberty Lawn Invoice showing the trade for landfill use was discussed. The invoice shows the lawn treatment and an Emerald Ash Bore injection. Lindgren stated she had contacted Liberty Lawn and was told this was approved by Doug McIntosh.

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

**Rupe stated the ball season is cancelled.**

**No Fire Department report due to COVID-19.**

Lindgren reminded the Board of the Public Hearing for the Hunter Addition Final Plat on June 16<sup>th</sup>. Lindgren reviewed a complaint from the neighbor to the East of the house being built at 213 Main regarding the setbacks that are in the new Zoning Ordinances.

WHEREUPON, the Chair announced that the introduction of ordinances was now in order.

**Ordinance 2020-4 was introduced by Chairman Peterson and is set forth in full as follows, to wit:**

**AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR GIFT OR EMINENT DOMAIN FOR THE PURPOSE OF INSTALLING THEREON UNDERGROUND SANITARY SEWER MAINS, SAID REAL ESTATE BEING DESCRIBED, PARTIALLY, AS FOLLOWS, TO WIT: A PART OF TRACT A OF TRACT 4 AND A PART OF TRACT A OF TRACT 8, ALL LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., SAUNDERS COUNTY, NEBRASKA; THAT THE INTEREST TO BE ACQUIRED IN THE ABOVE-DESCRIBED REAL ESTATE IS A PERMANENT EASEMENT; TO PROVIDE THAT THE CHAIR OF THE BOARD OF TRUSTEES AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF CERESCO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE SHALL BE VIA POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF CERESCO, NEBRASKA; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA.**

**WHEREAS, it is in the best interests of the citizens of the Village of Ceresco, Saunders County, Nebraska, for public purposes, to acquire a permanent easement in the hereinafter described real estate that shall be utilized for the installation and maintenance thereon of underground sanitary sewer mains, with appurtenances and accessories thereto, and,**

**WHEREAS, Neb.Rev.Stat. §18-1755 provides that a village acquiring an interest in real property by purchase or eminent domain shall do so by ordinance, adopted at a public hearing of the governing body of the village after notice thereof,**

**NOW, THEREFORE, BE IT ORDAINED BY THE CHAIR AND BOARD OF TRUSTEES OF THE VILLAGE OF CERESCO, NEBRASKA, as follows:**

**Section 1.** That the findings hereinabove made should be, and are hereby made a part of this Ordinance as fully as if set out at length herein.

**Section 2.** That it is in the best interests of the citizens of the Village of Ceresco, Nebraska, that the Village of Ceresco, Nebraska, acquire a permanent easement for the installation and maintenance thereon of underground sanitary sewer mains in the following described real estate, to wit:

**A PART OF TRACT A OF TRACT 4 AND A PART OF TRACT A OF TRACT 8, ALL LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., SAUNDERS COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29, ON AN ASSUMED BEARING OF N87°59'27"E, FOR A DISTANCE OF 705.55 FEET TO THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF TRACT A OF TRACT 8 AND TRACT A OF TRACT 4, ALSO THE WEST LINE OF LOTS 1 THROUGH 6, TRUED BROS. FIRST ADDITION AND LOT 1, MARTHA ADDITION, N02°03'50"W, A DISTANCE OF 405.94 FEET TO THE NORTHWEST CORNER OF LOT 1, MARTHA ADDITION; THENCE N67°03'20"W, A DISTANCE OF 22.07 FEET; THENCE S02°03'50"E, A DISTANCE OF 415.26 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29, N87°59'27"E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 8212.03 SQUARE FEET OR 0.19 ACRES.**

**Section 3.** That a Survey Plat of the aforementioned Easement is attached hereto, marked Exhibit A, 1 of 1, and is incorporated herein by reference.

**Section 4.** That the above-described tract of real estate is owned by the following: James F. Hunter III and Martha Anne Watland Hunter, husband and wife.

**Section 5.** That the Chair of the Board of Trustees and the appropriate department of the Village of Ceresco, Nebraska, are hereby authorized and directed to take all actions and to execute all documents necessary to acquire the interest as aforementioned in the above-described real estate for consideration as deemed appropriate.

**Section 6.** That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Chair and Board of Trustees of the Village of Ceresco, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

**Section 7.** That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

**Section 8.** That this Ordinance shall be published by posting it in three public places within the corporate limits of the Village of Ceresco, Nebraska, and it shall be in full force and take effect from and after its passage and approval as provided by law.

**Section 9.** That this Ordinance shall not be made a part of the Municipal Code of the Village of Ceresco, Nebraska.

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**WHEREUPON**, Board Member Hartshorn moved that said Ordinance 2020-4 be approved on its first reading and its title agreed to. Board Member Wilson seconded this motion. Yeas: Hartshorn, Wilson, Custer, Rupe and Peterson. Nays: none.

**WHEREUPON**, the Chair declared said Ordinance 2020-4 approved on its first reading and its title agreed to and that the second reading of Ordinance 2020-4 be on the next Agenda of a meeting of the Board of Trustees.

**WHEREUPON**, the Chair announced that the introduction of Resolution 2020-4 was now in order.

Resolution 2020-4 was introduced by Chairman Peterson and is set forth in full as follows, to wit:

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000 placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

**WHEREAS**, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by the Lower Platte South Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, NE.

**WHEREAS**, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Village of Ceresco and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

**WHEREAS**, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the Village of Ceresco in the form of a resolution and further requesting approval of the plan at the Federal Level; and

**NOW, THEREFORE**, the governing body of the Village of Ceresco does herewith adopt the Lower Platte South Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety;

**WHEREUPON**, Board Member Hartshorn moved that said Resolution No. 2020-4 be approved. Board Member Wilson seconded this motion. No further discussion was required.

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

**WHEREUPON**, the Chair declared that the Motion having been approved by a majority of the votes cast, said Resolution 2020-4 is approved and adopted.

Custer reviewed the Ceresco Day's Splash Pad Committee would like to sell fireworks at the park by the tennis court. The distance between the anhydrous tanks and the fireworks tent will be checked in to.

Hartshorn moved to allow the Splash Pad Committee to sell fireworks on public property with the location to be determined later provided it meets all applicable codes and they file the proper permits. Rupe seconded. Voting Yes: Hartshorn, Rupe, Custer, Wilson and Peterson. No: none. Motion carried.

Custer mentioned her concern as Park Commissioner of not being notified of the closings at the park and tennis court.

Hartshorn asked to have the Board of Health appointed. Amendments to the Board of Health Ordinance will be prepared for the June meeting.

Wilson asked if the ash tray has been ordered, and Lindgren said it has.

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Hartshorn asked if the Fire Department memorial has been fixed. Wilson will look into having it fixed.

**Hartshorn moved to adjourn the meeting at 8:07 PM. Peterson seconded. Voting Yes: Hartshorn, Peterson, Rupe, Custer and Wilson. No: none. Motion carried.**

Scott Peterson, Chairman  
Joan Lindgren, Clerk