

VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING  
OCTOBER 15, 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, Custer, Rupe and Wilson. Absent: Hartshorn. Also present: Steve Anderson, Neil Johnson, Lynn and Mary Maxson, Jim Kenney, Kim Elley and grandchildren, Toby Miller and Joan Lindgren.**

**Rupe moved to approve the meeting minutes for September 17, 2019. Custer seconded. Voting Yes: Rupe, Custer, Wilson and Peterson. No: none. Motion carried.**

**Custer moved to approve the special meeting minutes of September 24, 2019. Peterson seconded. Voting Yes: Custer, Peterson and Wilson. Abstain: Rupe. No: none. Motion carried.**

**Rupe moved to approve the meeting minutes for October 1, 2019. Peterson seconded. Voting Yes: Rupe, Peterson and Custer. Abstain: Wilson. No: none. Motion carried.**

The Clerk reviewed the attorney has approved the updated franchise fee agreement with Zito Media. Discussed was the franchise being "non-exclusive" and a term of 15 years. Tabled to the November meeting.

Peterson reviewed that he spoke with Ken Halvorsen from Nebraska Rural Water and he recommends the entire Board be present at the training. A special meeting was scheduled on Tuesday, November 5<sup>th</sup> at 5 PM to review fees and have Board training.

Peterson reviewed the hearing he attended on the proposed chicken farm on October 2<sup>nd</sup>. The Lancaster Planning Commission recommended it for approval. Appeals have been sent in, and the next meeting is November 7<sup>th</sup> at 9:30 AM.

Anderson shared the police report. 1) Concerns of needing handicap parking stalls at the new Heritage restaurant was discussed and will be looked into. 2) Concerns of two pitbulls in town were mentioned. The Ordinances will be posted.

Kenney reviewed the building inspector report. Kenney shared concerns of the new driveway at 113 Spruce Street. There is a construction joint, but no expansion joint, and concrete has extended onto the asphalt street. The Street Subcommittee will review and make the final decision, unless there is an issue that it needs to come to the whole Board.

The assistant building inspector position was tabled to the December meeting.

Kenney reviewed yard requirement exceptions from Crete that could be used with modifications for front porch/deck requests in Ceresco. Modifications included 1) Extending 12 feet into the front yard, 2) Can't build across/over an easement, 3) Can't build across/over a water shutoff, 4) Can't obstruct the street view, 5) If resident builds over their service line and there is a break, the homeowner will be responsible for the repairs, not the Village of Ceresco. Tabled to the next meeting.

The Board decided to retain the 2009 International Building Code at this time. Kenney reviewed Ceresco's ordinance actually uses the latest, current edition of other codes. An updated ordinance has been prepared for the November meeting.

Neil Johnson with Small Data Tech was present to review potential low financing for the purchase of new meters so all houses can be upgraded. Discussion held. Johnson suggested adding a technology fee to the utility bills to help pay for the upgrades. Johnson also suggested the town buy a piece of equipment that can identify leaks in the water system. Further discussion will be held at the November meeting.

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

Claims were reviewed. **Wilson moved to approve the claims, with the additional claim sheet provided. Rupe seconded. Voting Yes: Wilson, Rupe, Custer and Peterson. No: None. Motion carried. The approved claims are as follows: AFLAC \$432.72/ins; Ameritas Life \$51.78/ins; Becky Dailey \$17.88/wat; Blue Cross & Blue Shield \$3,198.88/health ins; Bromm, Lindahl \$232.00/gen; Ceresco 60+ \$87.00/reimbursement; All Roads Barricade \$154.96/st; Baker & Taylor \$85.74/lib; Bomgaars \$121.97/st; Delta Dental \$228.65/ins; Erickson & Brooks \$3,060.00/gen, st, wat, sew; First Bankcard \$195.25/sew; Frontier Coop \$704.58/fuel; Helena \$380.00/prk; Jackson Services \$143.15/uniforms & mats; Midwest Laboratories \$131.80/sew; Mumm Heating \$148.75/gen; Municipal Supply of Omaha \$128.71/wat; NMC \$1,096.16/st, wat, sew, prk; Office Depot \$44.40/gen; Olsson \$96.75/st; One Call Concepts \$29.18/wat, sew; OPPD \$4,667.58/electricity; Progressive Electric \$124.00/sew; Sam's Club \$292.20/lib; Sandy Tvrdy \$215.00/gen; Shaffer Communications \$14.00/fire; Simons Home Store \$58.16/st; U.S. Post Office \$195.00/postage; Verizon Wireless \$165.30/phones; Wahoo Metal Products \$60.00/sew; Wahoo Newspaper \$287.62/gen; Waste Connections \$5,243.39/trash; Windstream \$399.18/phones; Zee Medical \$102.90/gen, st, sew; JEO \$2,385.50/st; Marsha Rogers \$75/gen; Payroll Liabilities: American Funds Investment \$509.22; United States Treasury \$3,968.30; Other Payroll Liabilities \$727.40; Payroll \$14,442.00**

Lynn Maxson suggesting having names of arborist or companies that can assist residents with the Emerald Ash Borer, Bagworms and other issues. Maxson noted at this time Liberty Lawn doesn't charge for inspecting trees. A list and phone number will be made available.

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

**Rupe moved to approve the September and October Fire Department minutes. Custer seconded. Voting Yes: Rupe, Custer, Wilson and Peterson. No: none. Motion carried.**

Wilson reported for the Fire Department Building Subcommittee. He noted the Fire Department is not asking for the new building, but the Rural Fire Board is. Wilson shared the following list of why a new building is needed: 1) More room for the trucks. 2) Safety with the stairs between the two buildings. 3) Security of personal items. Would like separate lockers. 4) Medical supply room that is air conditioned. 5) An office with a/c for the computer. 6) Officer's having their own office.

Wilson will contact Mike Eden regarding a company he is suggesting for the construction of a new building.

Rupe reviewed the updated community building rental agreement and policy, which includes community organizations and waiver of the fee by the subcommittee. **Custer moved to approve the updated rental agreement and policy for the community building. Rupe seconded. Voting Yes: Custer, Rupe, Wilson and Peterson. No: none. Motion carried.**

A request from Madelyne Dunn to use the community building for "Ceresco community public health talks" was discussed.

Rupe reviewed she has submitted the hazardous mitigation plan. She noted in previous plans that the American Legion and the Mason Lodge were listed as critical facilities, which mean the Village would be responsible to pay for the properties if something were to happen to them. This has been removed, but these facilities can still be used for housing during a disaster if the organizations open their doors.

Rupe reviewed she has sent an email to Richard Novak and April Otto from the CYRA to schedule a meeting for the agreement.

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REGULAR MEETING  
OCTOBER 15, 2019

The updated zoning map was included for the Board's review and will be reviewed further at the next zoning meeting.

**Ordinance 2019-5 now comes on for third reading: AN ORDINANCE TO AMEND THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE VILLAGE OF CERESCO, NEBRASKA: TO PROVIDE FOR THE EFFECTIVE DATE HEREOF AND TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH:**

**WHEREUPON, Board Member Custer moved that said Ordinance 2019-5 be approved by its third reading and its title agreed to. Chairman Peterson 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: Custer, Peterson, Rupe and Wilson. Nays: none.**

**WHEREUPON, the Chair declared that a majority of the members of the Board having voted in the affirmative for the passage and approval of said Ordinance 2019-5, the Chair declared Ordinance 2019-5 to have been duly passed and adopted as an Ordinance of the Village of Ceresco, Saunders County, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing his name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance 2019-5 in the manner required by law, within fifteen (15) days after passage.**

**Custer moved to close 2<sup>nd</sup> Street for the trunk or treat on October 27<sup>th</sup> from Beech Street to Spruce Street from 3:30 PM to 8:00 PM. Rupe seconded. Voting Yes: Custer, Rupe, Wilson and Peterson. No: none. Motion carried.**

The Institute for Human and Planetary Health 2019 Symposium was reviewed.

The Board reviewed the employment benefits section of the personnel policy regarding the Aflac Insurance Plan. A representative from Colonial Life has contacted the Village to provide a quote for supplemental insurance. Discussion held. The Board agreed to remove the Aflac name and allow other options to be made available for the employee insurance.

**Peterson moved to remove Aflac that is listed in the Personnel Policy. Rupe seconded. Voting Yes: Peterson, Rupe, Custer and Wilson. No: none. Motion carried.**

Madelyne Dunn was present to review Ceresco Community Public Health Talks. Dunn recently graduated with a Master's Degree in Health Administration from Bellevue University and would like to volunteer her time to present free Health Talks in the community. Dunn is looking for an area, such as the community building, to hold the presentations. Rupe noted that with the Village's policies, we would have to charge her for use of the building. Using the local churches or school was suggested.

Peer Regulations regarding iron and manganese was reviewed and tabled to November. A flyer on PFC's or perfluorochemicals was reviewed.

Rupe noted the Village PWS Security Grant Application was denied due to the median household income being over by less than a \$1,000.

Part time help was discussed. A couple applications through Facebook were received, but neither had replied to the Clerk's messages.

Lynn Maxson reviewed he is hoping to spray yet this fall. He noted there is mole activity in the park. Maxson asked if the Village would pay for the renewal of his pesticide license.

VILLAGE BOARD OF TRUSTEES  
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OCTOBER 15, 2019

**Rupe moved to approve the renewal cost of Lynn Maxson's pesticide license. Custer seconded. Voting Yes: Rupe, Custer, Wilson and Peterson. No: none. Motion carried.**

Lynn Maxson reviewed concerns of the Personnel Policies. 1) No employee will enter a manhole or other confined space without an assistant. (Air Monitor needs to be calibrated), 2. Do not enter certain areas of the Wastewater Treatment Facility or other confined spaces without adequate ventilation. (Air Monitor needs to be calibrated), 3) All employees are required to attend regular safety trainings as established by the Village Board. (Who gives these trainings?), 4) All employees are to be in compliance at all times with all Local, State and Federal laws and regulations. (How can workers be in compliance at all times). Maxson also questioned the part-time and full-time maintenance employees are required to wear a Village uniform which consist of jeans, shirts (long and/or short sleeved), and jackets. The Village has a uniform service which provides the uniforms; the employees are responsible for laundering them. Temporary seasonal employees shall be exempt from this uniform policy, but are prohibited from wearing any clothing which depicts offensive language and/or graphics related to profanity, nudity, alcohol or drugs, etc. Clothing shall be appropriate for the work required. Maxson feels the Village is first saying all employees will wear uniforms, and then the Village is exempting temporary seasonal employees. He also feels the Village is telling him what he can wear, and then the Village should provide him with a uniform. He also voiced concerns of safety clothing/vests when mowing next to the highway. In order for Maxson to sign the policy, he said it needs to be a better document and better clarification. An employee is an employee whether seasonal or full time. Maxson also asked for radios, possibly a joint share with the Ceresco Days. The Board will revisit the Personnel Policies for the November meeting.

Kim Elley and Toby Miller were present to discuss the adding of dirt in the old railroad right-of-way. They are concerned this will raise the grade and restrict the flow when it rains, and it will back up into their pasture. Discussion held. Elley noted she had contacted the core of engineers regarding the work that was done before, and they said nothing can be pushed in the main waterway or the sub-waterway. Peterson noted Dennis Johnson had put the dirt mixed with rocks, concrete, plastic tube and steel there without permission. Miller noted he contacted the NRD and was told a 100 year floodplain survey needs to be completed. Peterson noted there are no plans to fill the railroad right-of-way in. The previous plans with Klute was just to remove trees so they could park some trailers. Lindgren noted she will be requesting a base flood elevation from the Department of Natural Resources.

Miller questioned if the Zoning map has been updated to return their property back to TA. It was noted the plans are to return the zoning of their property back to TA.

**Peterson moved to adjourn at 8:27 PM. Wilson seconded. Voting Yes: Peterson, Wilson, Rupe and Custer. No: none. Motion carried.**

Scott Peterson, Chairman  
Joan Lindgren, Clerk