

VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING  
MARCH 21, 2023

Opening prayer by Custer.

**Rupe called the Regular Meeting to order at 6:00 PM in the Ceresco Community Room. Board Members had been given the agenda and supporting documents. Notices were posted at the Village Office, Ceresco Post Office and CerescoBank. Rupe pointed out the Open Meeting Law Act posted on the wall of the Community Room. Answering roll call: Rupe, Peterson, Custer, Ruble and Eggleston. Also present: Jack Edwards, Isaak Fredrickson, Bryce Benson, Dennis Johnson, Arsen Johnson, Dave Henke, Dustin Gushard, Brian Roland, Lynn Maxson, Tony Hernandez, Chilton Leedom, Joe Peterson, Dave Burklund and Joan Lindgren.**

The Pledge of Allegiance was recited.

**Eggleston moved to approve the February 21, 2023 minutes as presented. Ruble seconded. Voting Yeas: Eggleston, Ruble, Custer and Rupe. Abstain: Peterson. Voting Nays: none. Motion carried.**

Hernandez reviewed the Police Report and officer wages. He shared concerns of losing officers to other departments due to wages. He also shared concerns of the six month probation wage. Leedom also shared about the officers and suggested wages similar to the surrounding towns. Rupe asked the Personnel Policy Subcommittee to review the Police wages.

Roland reviewed: 1) Manhole in the Hunter Subdivision that is below grade and needs to be raised. Hunter has been contacted. 2) Lower Platte South NRD Groundwater Management Plan annual review. 3) White Castle made some repairs to the roof, but it is still leaking. 4) The well house generator has been connected and is working.

Gushard reviewed: 1) Bobcat attachments. Tabled to May meeting. 2) Backhoe bids. A second oil sample will be pulled and sent to CAT. Leasing options will be looked into further. 3) Clean Up Day and scheduled for Saturday, May 20<sup>th</sup>.

Mosquito control was discussed and tabled.

The Capital Arborist agreement was reviewed.

**Rupe moved to enter into the three year agreement with Capital Arborist. Eggleston seconded. Voting Yeas: Rupe, Eggleston, Ruble, Custer and Peterson. Nays: none. Motion carried.**

Cleaning the drainage ditch was discussed. The Board agreed it should be cleaned out before the second subdivision begins.

Gushard reviewed: 1) Part-time help. 2) Park and street projects that need to be completed. 3) CYRA putting up a new scoreboard. 4) A personal batting cage being added at the park. Insurance will be looked in to. 5) The ventrac blade has been cancelled, since the broom does all the snow removal needed. He noted a 3-point box scraper with teeth could be used on the ballfield and for ditch work.

It was noted that Wahoo will be coming to look at the hydrants, and an interlocal agreement is not needed.

Dave Henke from JEO was present to review Well #4 and the 2023 New Well Improvements Agreement. Well #4 has holes in the casing and a new well is needed, which is at least a year out. Building on the same site and piping into the existing building is planned. Increasing the casing size to 16-18" will be reviewed.

**Rupe moved to accept the Well Improvement Agreement letter with JEO. Ruble seconded. Voting Yeas: Rupe, Ruble, Peterson, Custer and Eggleston. Nays: none. Motion carried.**

Change Order No. 1 for the 2022 3rd Street Improvements, Main Street to Hunter Street was reviewed. The start date has been changed from April 3, 2023 to on or before June 26, 2023.

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**Ruble moved to approve the Change Order as submitted. Eggleston seconded. Voting Yeas: Ruble, Eggleston, Custer, Peterson and Rupe. Nays: none. Motion carried.**

**Eggleston moved to accept the Building Inspector Report as presented. Ruble seconded. Voting Yeas: Eggleston, Ruble, Peterson, Custer and Rupe. Nays: none. Motion carried.**

Eggleston updated the Board on the drainage near 440 E Elm. Lindgren will follow up with Windstream representatives.

The Zoning Administrator report was reviewed.

Dennis Johnson and Arsen Johnson were present to discuss creating north/south lots south of 4<sup>th</sup> & Ash. There are currently three east/west tracts. Roland noted a lift station will be needed to develop the land. Dennis suggested digging a deep pit at the sewer plant to dump into the plant, with a new gravity sewer line from 4<sup>th</sup> & Ash area. A Planning Commission meeting will be scheduled to review the request, with Eggleston and Ruble planning to attend.

**Rupe moved to approve the Treasurer's Report as presented. Peterson seconded. Voting Yeas: Rupe, Peterson, Custer, Ruble and Eggleston. Nays: none. Motion carried.**

**Eggleston moved to accept the JEO claim (\$1,605.00) as presented. Ruble seconded. Voting Yeas: Eggleston, Ruble, Custer, Peterson and Rupe. Nays: None. Motion carried.**

Claims were reviewed. **Eggleston moved to approve the claims as presented. Ruble seconded. Voting Yeas: Eggleston, Ruble, Custer, Peterson and Rupe. Nays: none. Motion carried. The approved claims are as follows: AFLAC \$490.68/ins; Ameritas Life \$31.44/ins; Arbor Day Foundation \$25.00/prk; Blue Cross and Blue Shield \$3,487.67/ins; Card Services \$27.02/gen/st; Carquest Auto Parts \$138.70/sew/wat; Cash \$35.76/sew, st, wat, gen; Ceresco 60+ \$90.00/gen; Ceresco American Legion Post #244 \$90.00/prk, gen; Cintas \$106.43/st, gen, sew; Cummins Sales & Service \$845.38/sew; Baker & Taylor \$17.23/lib; Bomgaars \$59.98/wat; Delta Dental \$158.19/ins; Eakes \$76.28/gen; FES \$500.00/gen; First National Bank of Omaha \$407.43/lib, gen; Frontier Coop \$636.70/fuel; GTS Tire & Towing \$490.00/wat; Hamilton Equipment \$51.00/prk; Iowa Pump Works \$1,099.34/sew; Jackson Services \$149.25/gen, sew, wat, fire, prk, st; JC Cross \$385.48/sew; Joan Lindgren \$69.96/gen; Johnson Service Company \$3,111.60/sew; Menards \$319.88/st, prk, gen, wat, sew; Midwest Labs \$200.49/sew; Mutual of Omaha \$82.60/ins; Nebraska Public Health Environmental Lab \$221.00/wat; Nebraska Department of Revenue \$852.62/sales tax; Office Deposit \$157.03/gen, sew; OPPD \$5,430.86/electric; Otte Oil & Propane \$3,177.76/gen, st, lib; Progressive Electric \$280.00/fire; Sam's Club \$86.56/lib; Sandry Fire Supply \$274.97/fire; Sandy Tvrdy \$325.00/gen; Simons Home Store \$40.56/sew, gen, st; Verizon \$178.38/phones; Wahoo-Waverly-Ashland Newspapers \$298.10/gen, lib; Wahoo Auto Parts \$57.78/st; Waste Connections of NE \$5,764.58/trash; Windstream \$399.24/phones; Hydro Optimization \$21,155.01/sew, ARPA; Payroll Liabilities: American Funds Investment \$815.86; United States Treasury \$4,515.64; Payroll \$16,043.79**

The Lower Platte South NRD Tree Services and Mitigation was mentioned and tabled for additional information on funding. If funding is not available, the Tree Board could do a study.

**Ruble moved to approve the Library Minutes as presented. Eggleston seconded. Voting Yeas: Ruble, Eggleston, Peterson, Custer and Rupe. Nays: none. Motion carried.**

**Eggleston moved to approve the request of Mary Mika being appointed to the Library Board vacancy for the 2 year term of 2023-2024. Peterson seconded. Voting Yeas: Eggleston, Peterson, Ruble, Custer and Rupe. Nays: none. Motion carried.**

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Park/Rec Subcommittee Report: 1) Eggleston noted the old scoreboard was a memorial donation and the donor should be contacted. Peterson will contact the family. Henke questioned the new scoreboard size and using the old foundation. Maxson questioned the type of electrical line needed. Eggleston noted it is wireless. 2) Rupe reviewed an anonymous gift for the Splash Pad, which is paid out at the completion of the project. 3) Custer noted the Village was approved for \$15,000 in CDAA tax credits. 4) Lindgren noted the Raymond Central Ballfield Agreement is still valid until either party cancels. 5) The CYRA Agreement was reviewed. Payment has been received for 2022 and 2023.

**Rupe moved to enter the Agreement with CYRA. Eggleston seconded. Voting Yeas: Rupe, Eggleston, Ruble, Custer and Peterson. Nays: none. Motion carried.**

Maxson discussed the placement of the bench at the park. Ruble said the Fire Department has discussed placing it near the flag pole.

**Eggleston moved to accept the Fire Department minutes as presented. Rupe seconded. Voting Yeas: Eggleston, Rupe, Peterson, Custer and Ruble. Nays: none. Motion carried.**

An article on the County 911 radio system and tower was reviewed.

Eggleston reviewed the Stream Stabilization project, along with the Lower Platte South NRD Community Assistant program. He is working on getting bids for the project. JEO updated the costs in the Assessment. The NRD requires someone to attend an upcoming subcommittee meeting. Drew with the NRD wants to see the request submitted in the current budget year, which ends June 30<sup>th</sup>. Eggleston and Custer will plan to attend meeting and coordinate the completion of the project.

Drainage at 300 W Beech was mentioned and is on the 6 Year Street Plan. Kaspersky Security was reviewed and will be cancelled in September. Eggleston will contact Gushard regarding the shop Wi-Fi.

The Chair announced that the introduction of ordinances was now in order and introduced Ordinance 2023-1 for the second reading. **AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 4 TRAFFIC AND VEHICLES ARTICLE 2 PARKING, AND IN PARTICULAR, SECTION 4-225 A OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA, THEREOF; TO PROVIDE THE ADDITION OF 17. THE SOUTH SIDE OF SPRUCE STREET FROM PRECINCT ROAD TO SPRUCE CIRCLE, 18. THE WEST SIDE OF SOUTH 2<sup>ND</sup> STREET FROM OAK STREET TO THE SOUTH CITY LIMITS (THE GRAVEL ROAD).**

**WHEREUPON, Board Member Eggleston moved that said Ordinance 2023-1 for prohibited street parking be approved on its second reading and its title agreed to. Board Member Ruble 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: Eggleston, Ruble, Custer, Peterson and Rupe. Nays: none.

**Board Member Ruble introduced Ordinance 2023-2 for the second reading. AN ORDINANCE TO AMEND THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE VILLAGE OF CERESCO, NEBRASKA.**

**WHEREUPON, Board Member Ruble moved that said Ordinance 2023-2 be approved on its second reading as presented and its title agreed to. Board Member Eggleston 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: Ruble, Eggleston, Custer, Peterson and Rupe. Nays: none.

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**WHEREUPON, the Chair declared said Ordinance 2023-2 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2023-2 be on the next Agenda of a meeting of the Board of Trustees.**

WHEREUPON, the Chair announced that the introduction of Resolution 2023-3 was now in order and is set forth in full as follows, to wit:

WHEREAS, the Glen-Gery Corporation, herein referred to as "APPLICANT" has filed an application for a Conditional Use Permit, seeking a permit for Mining and Extraction of Minerals on property that is legally described as follows:

**SE 33-13-7, CERESCO, SAUNDERS COUNTY, NEBRASKA; and**

WHEREAS, the property described above is presently included in Zoning District TA Transitional Agriculture District; and

WHEREAS, the Planning Commission of the Village of Ceresco, Nebraska has conducted a general public hearing on February 9, 2023 finding compliance with Section 6.05 Standards of the Zoning Ordinance relating to Conditional Use Permit, along with review and recommendation of the Village Engineer, Village Attorney, and receiving input and data from the APPLICANT and the general public. The Planning Commission recommended approval of the Glen-Gery Conditional Use Permit, provided the following conditions are met:

1. **Coordination with the US Army Corps of Engineers to obtain a permit if required or confirmation in writing that a permit is not required for this project.**
2. **Provide a copy of any permits/agreements upon completion with Saunders County for access and/or maintenance of the adjacent roadways.**
3. **Copies of all inspection report and testing required as part of the project permits shall be provided to the village within 10 business days of their submittal to the permitting agency.**
4. **A 24-hour emergency contact will be provided to the Village, Village Police Department, County Sheriff's office, Rural Fire Department and County Highway Department.**
5. **IF desired, the permit could allow the Village Clerk and Board Chair to approve temporary schedule adjustment for operation hours/day that will not last for more than a few weeks.**
  - a. **Any permanent schedule adjustments would require an amendment to the Conditional Use Permit.**
6. **Abide by all Local, State and Federal laws, and failure to do so could cause the Village of Ceresco to revoke the Conditional Use Permit.**
7. **The Conditional Use Permit will be reviewed every five (5) years and any costs incurred for the review will be paid by Glen-Gery.**

**NOW THEREFORE, in consideration of the foregoing recitals, the Board of Trustees of the Village of Ceresco, Nebraska hereby adopts the following Resolution:**

**BE IT RESOLVED** by the Board of Trustees of the Village of Ceresco, Nebraska that THE GLEN-GERY CORPORATION, is hereby granted a Conditional Use Permit for Mining and Extraction of Minerals on property that is legally described as follows:

**SE 33-13-7, CERESCO, SAUNDERS COUNTY, NEBRASKA; and the property is presently included in Zoning District TA Transitional Agriculture District**

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provided the following conditions are met:

1. **Coordination with the US Army Corps of Engineers to obtain a permit if required or confirmation in writing that a permit is not required for this project.**
2. **Provide a copy of any permits/agreements upon completion with Saunders County for access and/or maintenance of the adjacent roadways.**
3. **Copies of all inspection report and testing required as part of the project permits shall be provided to the village within 10 business days of their submittal to the permitting agency.**
4. **A 24-hour emergency contact will be provided to the Village, Village Police Department, County Sheriff's office, Rural Fire Department and County Highway Department.**
5. **IF desired, the permit could allow the Village Clerk and Board Chair to approve temporary schedule adjustment for operation hours/day that will not last for more than a few weeks.**
  - a. **Any permanent schedule adjustments would require an amendment to the Conditional Use Permit.**
6. **Abide by all Local, State and Federal laws, and failure to do so could cause the Village of Ceresco to revoke the Conditional Use Permit.**
7. **The Conditional Use Permit will be reviewed every five (5) years and any costs incurred for the review will be paid by Glen-Gery.**

**WHEREUPON, Chair Rupe moved to approve Resolution 2023-3 to approve the Conditional Use Permit for mining. Board Member Eggleston seconded this motion. No further discussion was required.**

**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: Rupe, Eggleston, Peterson and Custer. Nays: Ruble.**

**WHEREUPON, the Chair declared that the Motion having been approved by a majority of the votes cast, said Resolution 2023-3 is approved and adopted.**

Joseph Peterson was present to request the Ceresco sign along Highway 77 be moved as it impairs vision when looking down the highway. Lindgren will contact the State. Peterson also asked about rezoning part of his property. Peterson's request will be added to the next Planning Commission meeting for review.

Dave Burklund was present for S.O.S. regarding yard signs and signage on the community board. Since it is a mail-in ballot, the community building is not a polling place. It was noted the Village Board did pass a Resolution in favor of keeping the school in town and agreed to allow the signs and board message.

Custer asked about the Librarian position status. Interviews are scheduled for tomorrow.

Peterson noted the online code book is not updated. Lindgren will have it updated.

**Rupe moved to adjourn the meeting at 7:47 PM. Eggleston seconded. Voting Yeas: Rupe, Eggleston, Ruble, Custer and Peterson. Nays: none. Motion carried.**

Antonia Rupe, Chair  
Joan Lindgren, Clerk