

**Village Of Manley  
Board of Trustees Regular Meeting  
January 9, 2020**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on January 9, 2020 by Vice-Chairman Mickey Dalton at 7:03 PM at the Manley Community Center. Roll call was taken and members present were Mickey Dalton, Tim Glas, and Rebecca Goble, along with Village Clerk Jolene Dalton and Winter Streets Maintenance Supervisor Adam Goble. Board member Adam Zierott was excused & Board Chairman Denise Swenson will be late. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Vice-Chairman MDalton. Notice of this meeting was posted on the Village website and in the bulletin boards on the Fire House & Post Office.

**Agenda** After a request to move Agenda Item #3a Claims to after Agenda Item #4 Public Hearing, TGlas moved & RGoble seconded to approve the amended Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

\*December 12, 2019 **Minutes**

\*December 2019 **Water Clerk's Report**

\*December 2019 **Treasurer's Report**

\*December 2019 **Village Clerk's Report** - Submitted our DHHS 2021 Drinking Water Needs & DEQ CWSRF (Sewer) Needs Surveys to NDEQ; Filed 2019 Employer Tax Forms (Federal/4<sup>th</sup> Qtr, State/annual, SUTA/4<sup>th</sup> Qtr); Submitted applications for 2020 Cass County Tourism Marketing Grant for PTV & Capital Improvement Grant for Playground Project; Submitted annual 'Certification of City Street Superintendent' to DOT; Submitted the 2018-19 Audit Waiver Request; Sent an email to the NE Clerks regarding the copier – free, but they would have to pick it up. Had 5 replies so it was given to the first replier: Palmyra

\*December 2019 **Misc Monthly Reports** –

**Water Specialist** - Jack Faubion – December water sample had no violations.

**Wastewater Specialist** – Ed Blunt - #2 pump still not working in auto

**811 Locate Calls** – MDalton - Two (2) requests were received – One for 315 Sunrise Court & one for 213 Locust.

**160<sup>th</sup> Street Lights** – Emailed OPPD again (first time was in August) requesting installation of lights. They replied back about the plans they have been working on but no work date was included.

**NE & USA Flags** – Called American Legion & set up a tax-exempt account for the Village. Faxed our NE Form 13 to their Finance Dept. After we hear back from them, an order will be placed.

**Public Hearing** – was opened at 7:08 PM by Vice-Chairman MDalton. Discussed the proposed Ordinance 20-01 regarding increasing the water/sewer Basic Service Charge \$1.00 as of March 2020 (payment due in April).

(7:20 PM – Chairman DSwenson joined & took over the meeting.)

MDalton moved & TGlas seconded to waive the three readings of the proposed Ordinance. Roll call vote: All approved. Motion carried.

JDalton read the proposed **Ordinance 20-01**:

**AN ORDINANCE OF THE VILLAGE OF MANLEY, CASS COUNTY, NEBRASKA, AMENDING  
ORDINANCE NUMBER 16-01 OF THE VILLAGE OF MANLEY, PROVIDING FOR A CHANGE IN  
THE WATER AND SEWER USE RATE; AND  
ESTABLISHING RULES AND REGULATIONS TO GOVERN WATER AND SEWER SERVICES  
FURNISHED BY THE VILLAGE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES  
OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE  
OF MANLEY, CASS COUNTY, NEBRASKA:

Section 1: That Ordinances 6, 7, 16, 17, 90.3, 90.8, 06-0905, and 16-01 of the Village of Manley, Cass County, Nebraska shall be amended to read as follows:

**MONTHLY RATE SCHEDULE FOR WATER AND SEWER SERVICES PROVIDED  
BY THE VILLAGE OF MANLEY FOR RESIDENTIAL CUSTOMERS:**

The monthly rate fees for water and sewer charges being provided by the Village of Manley for residential customers shall be a Basic Service Charge for Water of \$12.50 + current sales tax rates, and a Basic Service Charge for Sewer of \$33.50 + current sales tax rates for a total of \$46.00 for Basic Water and Sewer Service plus the current sales tax rates for the Village of Manley, Cass County, Nebraska.

Any water used will be a charge of \$3.00 + current sales tax rates per 1,000 gallons of water used as shown below.

| <u>WATER CONSUMED (gallons)</u> | <u>WATER CHARGE (plus current sales tax rates)</u> |
|---------------------------------|--|
| 1,000                           | \$3.00   |
| 2,000                           | \$6.00   |
| 3,000                           | \$9.00   |
| 4,000                           | \$12.00  |
| 5,000                           | \$15.00  |
| 6,000                           | \$18.00  |
| 7,000                           | \$21.00  |
| 8,000                           | \$24.00  |
| 9,000                           | \$27.00  |
| 10,000                          | \$30.00  |

Amounts over 10,000 gallons shall be charged at a rate of \$3.00 per one thousand gallons plus current sales tax.

**MONTHLY RATE SCHEDULE FOR WATER AND SEWER SERVICES PROVIDED  
BY THE VILLAGE OF MANLEY FOR BUSINESS, CHURCH AND RURAL CUSTOMERS:**

The monthly rate fees for water and sewer charges being provided by the Village of Manley for Business, Church and Rural customers shall be a Basic Service Charge for Water of \$25.50 + current sales tax rates, and a Basic Service Charge for Sewer of \$37.50 + current sales tax rates for a total of \$63.00 for Basic Water and Sewer Service plus the Water consumption rates listed above.

Section 2: That any initial application for use of water and/or sewer services being provided by the Village of Manley will be required to submit a deposit of \$50.00 if the applicant is the owner of the property where service will be provided or \$100.00 if the applicant is the lessee of the property where services will be provided. \$10.00 of this deposit will be non-refundable for administrative fees.

Section 3: That refusal or failure of a consumer to make payment on or before the 20<sup>th</sup> day of each month for water consumed and/or sewer usage shall subject the consumer to an additional charge of \$10.00 for each month for which payment has not been received. If payment has not been received by the 1<sup>st</sup> day of the following month in which the payment has not been received, usage may be turned off by the Village of Manley.

Section 4: Tampering of water and/or sewer services (i.e. turning on your own water service) may subject the consumer to a fine of \$500.00.

Section 5: The Village of Manley Board of Trustees is hereby authorized to adjust rates as needed with a Resolution and public notification as required by State law.

Section 6: That any other Ordinance passed and approved prior to this passage, approval and publication of the Ordinance and in conflict with these provisions, is hereby repealed.

Section 7: The Ordinance shall take effect and be in full force with the issuance of the 2020 water/sewer books April payment for March usage) and passage-& publication as required by law.

MDalton moved & TGlas seconded to adopt Ordinance 20-01 as read. Roll call vote: All approved. Motion carried.

Discussed the proposed Resolution 20-01 that a one-half percent (1/2%) sales and use tax be put on the General Election ballot in November 2020. Edits were made but the Board postponed voting on it. The Public Hearing was closed at 7:43 PM.

### **Remaining Reports**

**\*Claims** – Black Hills Energy for CommCtr-\$142.69 & Fire House-\$114.12; DHHS for water testing-\$15.00; OPPD for CommCtr-\$91.55, Fire House-\$82.02, Sewer-\$52.87, Water-\$34.05 & Street Lights-\$270.86; RWD #3 for water-\$879.95; Windstream for CommCtr-\$96.33 and Fire House-\$99.20; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 & Water Acct-\$161.00; JFaubion for Jan water wages & postage-\$125.60; EBlunt for Dec wastewater specialist-\$175.00; Ball Insurance for qtrly premium-\$1,125.00; NE Dept of Revenue for 4<sup>th</sup> Qtr sales tax-\$646.97; Manley Water Acct for trsf from Sewer Acct for 4<sup>th</sup> Qtr Sales Tax-\$386.44; One Call Concepts for 4<sup>th</sup> Qtr digger calls-\$6.15; US Treasury for 4<sup>th</sup> Qtr P/R taxes-\$344.26; NE Dept of Revenue for 2019 P/R withholding-\$22.82; Buel Trucking for Picnic Shelter rock-\$112.93; Meeske Hdwr for light pole fuses-\$6.74; Mowen Owen Lawn & Garden for Oct mowing-\$280.00; AAA Sewer & Drain Cleaning for emergency hydro-jetting main sewer line-\$787.00; JDalton for 58-1/2 hr Dec Village Clerk wages-\$669.54; JDalton for 2-2018 IPMC books-\$56.44; MDalton for office printer blk ink-\$86.65 & orange stakes for 811 locates-\$8.54; Adam Goble for Dec snow plowing & spreading rock-3 hr-\$45.00; and DSwenson for outside Christmas lights decorations-\$145.05:

TGlas moved & MDalton seconded to approve the Claims with the exception of the last five (5). Roll call vote: All approved. Motion carried.

TGlas moved & RGoble seconded to approve the 3 Claims for the Daltons. Roll call vote: DSwenson-yes, MDalton-abstain, TGlas-yes, RGoble-yes. Motion carried.

TGlas moved & MDalton seconded to approve the Claim for Adam Goble. Roll call vote: DSwenson-yes, MDalton-yes, TGlas-yes, RGoble- abstain. Motion carried.

TGlas moved & MDalton seconded to approve the Claim for DSwenson. Roll call vote: DSwenson- abstain, MDalton-yes, TGlas-yes, RGoble-yes. Motion carried.

### **Unfinished Business**

Annexation Project – Emailed OPPD again (first time was in August) requesting installation of lights. They replied back about the plans they have been working on but no work date was included. After discussion, DSwenson will check with the Louisville office to see if the present poles on 160<sup>th</sup> Street can be used & if the number of poles suggested on their proposed plan can be reduced.

Zoning – The Board edited a letter to the owners of 209 Broadway regarding their zoning violation. It will be sent certified letter.

Zoning Administrator & Planning Commission positions –

\*Emailed NE Clerks asking if any from towns with populations of 400 or less have a Zoning Administrator & how much that person is paid. Received 3 replies.

\*JDalton will contact Irina Harrison/WireBuilt to find out what the Village is responsible for on the website. The Board will work further on job descriptions before we post.

Neglected Buildings Update –

\*JDalton ordered & received two IPMC books. MDalton took one & DSwenson will give the other one to AZierott to look thru

\*105 Locust – A deputy sheriff came & investigated. After receiving his report, DSwenson called the owner to discuss. The owner will contact the “renter”. At this time, there is no water in the house.

Picnic Shelter – The Board is discussing details about Cass County Tourism Capital Improvement Grants for the Picnic Shelter & the Playground. Weather permitting, MDalton is meeting with the cement contractor this weekend. A former resident is willing to work with us on ideas for a mural on the gable ends.

UNL Rural Community Prosperity Initiative – JDalton distributed a survey received from Rex Nelson of the Initiative that he would like the Board to fill out & send to him prior to his joining us at the February Board meeting (Feb 13<sup>th</sup>). It will help him start the process of exploring how they might help the Village. JDalton requested Board members return their completed survey to her by Monday night, Jan 13<sup>th</sup> so the answers can be compiled & forwarded to Mr. Nelson.

### **New Business**

PTV meeting – was scheduled for Wed, January 22<sup>nd</sup> at 7:00 PM. JDalton will post notice at the Post Office.

Animal Licensing – Feb 22, 2020 from 10:00 AM-2:00 PM has been set as a special time residents can get their animals licensed at the Village Office. RGoble moved & TGlaser seconded that 4 extra hours be approved for the Village Clerk for that activity. Roll call vote: DSwenson-yes, MDalton-abstain, TGlaser-yes, RGoble-yes. Motion carried.

Louisville Area Foundation – A \$500.00 unsolicited donation from the Foundation was received for Village projects. After discussion, TGlaser moved & RGoble seconded that the donation from the Louisville Area Foundation be used to purchase new picnic tables for the Picnic Shelter with a donor recognition plaque on them. Roll call vote: All approved. Motion carried.

Discussed what to do with the old wooden playground. It was decided to ask \$500.00 for it with the stipulation the buyer would have to disassemble it & haul it away. DSwenson will post this information on social media & JDalton will send an information notice to the NE Clerks.

Sewer Maintenance – A resident reported a sewage smell at the intersection of Manley Lane & Hwy 1. After investigation, a sewer blockage was discovered & a company (AAA Sewer & Drain Cleaning) out of Plattsmouth completed the emergency work. MDalton will check with Louisville once more as to their availability to flush the lines. If not, he will get bids from other companies to do the work.

### **Public Forum**

Christmas decorations - After discussion, Sun, January 12<sup>th</sup> at 1:00 PM was set to take down the Christmas decorations at the Community Center & off the light posts around town. TGlaser moved & MDalton seconded to purchase an appropriate number of totes to store the decorations in. Roll call vote: All approved. Motion carried.

**Adjournment** TGlaser moved & RGoble seconded to adjourn the meeting at 9:26 PM. Roll call vote: All approved. Motion carried.

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Jolene Dalton  
Village Clerk

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Date of Approval

\*Copies of the minutes and reports are on file at the Manley Village Office and are available for review upon request. Minutes of the meeting can also be viewed at [www.manleyne.com](http://www.manleyne.com).

\*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, disability, marital or familiar status. (Not all prohibited bases apply to all programs.)