

**Village Of Manley
Board of Trustees Regular Meeting
October 10, 2019**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on October 10, 2019 by Chairman Denise Swenson at 7:04 PM at the Manley Community Center. Roll call was taken and members present were Denise Swenson, Mickey Dalton, Tim Glas, and Rebecca Goble, along with Village Clerk Jolene Dalton, Zoning Administrator Betty Meyer, and Winter Streets Maintenance Supervisor Adam Goble. Board member Adam Zierott was absent. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Chairman DSwenson. Notice of this meeting was posted on our website and in the bulletin boards on the Fire House & Post Office.

Agenda After a correction was made to the September 12, 2019 Meeting Minutes, MDalton moved & TGlas seconded to approve the Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

*September 12, 2019 Regular Meeting **Minutes**

*September 2019 **Correspondence**

*September 2019 **Water Clerk's Report**

*September 2019 **Treasurer's Report**

September 2019 **Village Clerk's Report** - Wired money for Sewer Bond payment; Sent copies of Budget to State Auditor & Cass County Clerk; Filed 3rd Qtr Payroll Tax Forms; Cashed in General Fund CD at Pinnacle Bank for \$11,417.62. Paid off \$5,142.88 Tornado Siren Loan at Farmers & Merchants Bank. Deposited balance of \$6,274.74 into our General Account.

After discussion, RGoble moved & TGlas seconded that we take \$5,000 of the CD balance sitting in our General Account & invest it in a 17 month CD at Farmers & Merchants Bank at 2.50% (2.52% APY) & then evaluate in six (6) months whether to invest another \$5,000 at that time. Roll call vote: All approved. Motion carried.

After discussion, RGoble moved & TGlas seconded that we approve the request to the League of NE Municipalities' Legislative Committee regarding proposed changes to two (2) NE Statutes as presented by JDalton. Roll call vote: All approved. Motion carried.

After a couple of suggested changes, TGlas moved & RGoble seconded that we approve the edited welcome letter to our newly annexed residents as presented by JDalton. Roll call vote: All approved. Motion carried.

Misc Monthly Reports –

Water Specialist – September water sample had no violations.

Wastewater Specialist – Ed Blunt - Found lots of duck weed on cells & in wet well, which seems to be causing floats in wet well to not work. Sprayed & added copper sulfate with no results; MDalton contacted someone to check the floats, who advised the floats are working – they are just riding on top of the duck weed & recommended we have the wet well sucked out to rid it of duck weed. MDalton had the wet well pumped by Tri-State Pumping & the system is working.

MDalton reported he sprayed the duck weed with the chemical (Dibrox) approved & purchased during the past month but it did not work as anticipated. The duck weed has taken over and, after initially thinking the system was working after the wet well was pumped out, turns out it was not. Mickey devised something to keep the duck weed out of the overflow pipe. He & resident Phillip Tapp spent 3-4 hours analyzing the system and concluded the 1st float is not working. Mickey has called a plumber to look at that float.

Christmas Lights – Adam Zierott, Rebecca & Adam Goble and Denise Swenson are working on various aspects of this project.

It was agreed to purchase black paint to refresh some of the standards & fuses for some of the light poles.

Annual Street Work – NL Driveway was put on hold until spring as the Village is looking into other repair & maintenance options.

Conflict of Interest Statements - NADC Form C-4 (Employment of Immediate Family Members) has been received from MDalton & RGoble. They have been put on file in the Village Office.

Village Assets – The Board will start working on this long overdue project this month.

Insurance Renewal – RGoble reviewed our policy. Coverage will remain the same for the coming year with an annual premium increase of \$300.00.

She will check into coverage from other companies during the year.

Lagoon Entrance Culvert Wash Out – Dave Ortlieb delivered a load of rock & the wash out has been filled.

Flush Sewer Lines –MDalton talked to Dee Arias, Louisville City Clerk, and asked her to put us on the schedule.

TGlas moved & RGoble seconded to approve the above Village Clerk’s and Misc Monthly Reports. Roll call vote: All approved. Motion carried.

Claims – Black Hills Energy for CommCtr-\$15.49 & Fire House-\$12.70; DHHS for water testing-\$15.00; OPPD for CommCtr-\$83.85, Fire House-\$87.66, Sewer-\$36.16, Water-\$33.00 & Street Lights-\$270.18; RWD #3 for water-\$914.35; Windstream for CommCtr-\$96.24 & Fire House-\$99.12; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 & Water Acct-\$161.00; JFaubion for Oct water wages & postage-\$125.60; EBlunt for Sep wastewater specialist-\$175.00; Ball Insurance for qtrly premium & annual workman’s comp premium-\$1,954.00; NE Dept of Revenue for 3rd Qtr Sales Tax-\$680.07; Manley Water Acct for 3rd Qtr sales tax trsf from Sewer Acct-\$392.40; One Call Concepts for 3rd Qtr digger calls-\$11.14; US Treasury for 3rd Qtr P/R taxes-\$607.91; St. Patrick’s Altar Society for PTV food-\$99.93; David Chebatoris for annexation legal work-\$329.00; JP Cooke Co for animal license tags & rings-\$50.35; Rishel & Pfeifer PC for budget prep-\$650.00; Mowen Owen Lawn & Garden for Sept mowing-\$280.00; Woodhouse Ford for truck R&M-\$5,928.51; Lee Enterprises for 1&6 Yr Street Plan Public Hearing Notice-\$7.16; Nick Rockwell for tractor R&M labor-\$250.00; Pankonin’s for tractor R&M supplies-\$148.07; HTM Sales for lagoon floats service call-\$255.44; Dave Ortlieb for rock for lagoon entrance-\$183.97; and Betty Meyer for water shed sign-\$21.04. TGlas moved & MDalton seconded to approve these Claims. Roll call vote: All approved. Motion carried.

Additional Claim: Adam Goble for gas for truck & cold patch asphalt-\$101.46. TGlas moved & MDalton seconded to approve this Claim. Roll call vote: DSwenson=yes, MDalton=yes, TGlas=yes, RGoble=abstain. Motion carried.

Additional Claims: JDalton for 53 hr Sep Village Clerk wages-\$610.27; MDalton for CommCntr downspouts & extension-\$38.25; MDalton for Sep lagoon mowing & spraying and 1 gal Dibrox (duck weed killer)-\$189.00; and JDalton for postage-\$5.50. RGoble moved & TGlas seconded to approve these Claims. Roll call vote: DSwenson=yes, MDalton=abstain, TGlas=yes, RGoble=yes. Motion carried.

1 & 6 Year Road Plan Public Hearing

Chairman DSwenson opened the Public Hearing at 8:02 PM.

Clerk JDalton explained changes that were made by the State Legislature this year to the Road Program reporting.

After discussion, TGlas moved & MDalton seconded to add Sunrise Court to our 1 Year Street Plan. Roll call vote: All approved. Motion carried.

To avoid suspension of the Highway-user Revenue we receive from the state, we need to complete the following resolution & return it to the state by October 31st:

Resolution No. 19-03

Signing of the Municipal Annual Certification of Program Compliance Form 2019

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

Be it resolved that the Village Board Chairperson of Manley is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

TGlas moved & RGoble seconded to adopt the above Resolution No. 19-03. A roll call vote was taken. Voting for the Resolution: MDalton, TGlas, RGoble, and DSwenson. Voting against the Resolution: none. Motion carried.

Chairman DSwenson closed the Public Hearing at 8:08 PM.

Unfinished Business

Annexation Project – DSwenson will meet with our attorney to see what else we have to do to complete the annexation process. As a point of clarification, there will be no change for any of the new residents who presently get their water directly from RWD #3. If they have a water problem, they do not call us, they contact RWD.

Zoning Administrator – Betty Meyer

MDalton moved & TGlas seconded that the Board affirm the building permit granted by our Zoning Administrator to Lorie Cunningham, 109 Locust, for a 10' x 16' garden shed. Roll call vote: All approved. Motion carried.

Discussed the building permit violation at 209 Broadway. MDalton moved & TGlas seconded that we hire David Schmitz Land Surveying, Inc, out of NE City, to have that alley surveyed & place at least 2 corner pins for ~\$300.00. Roll call vote: All approved. Motion carried. BMeyer will contact him.

Betty showed a detailed chart of all the building permits we have approved since 2009. She was asked that all the signed original applications be kept in the Village Office. She also researched what role the Zoning Administrator plays with the Village Planning Commission. All recent Planning Commission meeting minutes will be put on our website.

Nuisance Violations Update – The following properties were discussed:

106 Locust – Cones need to be put around the dirt pile that is partially in the street.

105 Locust – There seems to be 'traffic' in that house, so MDalton was directed to make sure the water is still turned off at that house.

220 Main – When the trailer is parked there (not attached to a vehicle) it needs to be chalked.

202 Cherry – The wood piles & the weeds around the steel pile are becoming problems.

Community Center Projects –

We will work on landscaping the west side of the building & then can decide what to do in the west stairwell.

Cleaning out/organizing the storage rooms will be planned for a winter project.

Village Vehicles Maintenance Work – The repairs on the truck have been completed. There is a 24,000 mile or 24 month warranty on all work done.

Nick Rockwell has completed the winter maintenance work on the tractor.

Safety & the faded lines on Manley Lane was discussed. It was decided to further evaluate if t-posts with reflectors would be the answer.

After discussion, TGlas moved & RGoble seconded to purchase four 25-mph speed limit signs & posts for Manley Lane & 160th Street. Roll call vote: All approved. Motion carried.

Community Center Water Heater – After some research, MDalton recommended that we purchase a heat-on-demand water heater. The Board agreed to go with his recommendation but no additional motion was needed since they approved the purchase of a water heater at last month's meeting.

Pillage the Village – JDalton will have the 2019 Financial Report for next month's Board meeting but, because of the holidays, we will wait until January to set a PTV Committee meeting.

Picnic Shelter – We have been informed that if a project is under \$30,000.00 we do not have to have bids (NE Statute 17-568.01).

MDalton explained in detail plans for the shelter: 30' x 40' wooden structure with roofing to match the Community Center and a concrete floor with concrete extended 3' on the sides & 1' on the ends. For now, the ceiling will be open but it may be closed up later & lights added – but the pipe for the electrical will be put in the cement now. As finances allow, we will later add counters & a grill.

When a work date is decided upon, we will send out an email to the residents, inviting them to help. They will need to RSVP by a certain date, then Mickey will obtain other outside help as needed.

TGlas moved & RGoble seconded that the Board give MDalton permission to start the building process of a 30' x 40' picnic shelter. Roll call vote: DSwenson-yes, MDalton-abstain, TGlas-yes, RGoble-yes, AZierott-absent. Motion carried.

New Business

An Audit Committee meeting was scheduled for Wed, October 23rd at 7:00 PM.

It is time for the annual check of our fire extinguishers. MDalton volunteered to get that done.

Audit Waiver Request – TGlas moved & RGoble seconded that we request to submit an Audit Waiver to the State Auditor for the last fiscal year (2018-19). Roll call vote: All approved. Motion carried.

Community Center Rental Rates – After receiving input from Chairman DSwenson, JDalton presented an amended Rental Contract which includes information about the Vertical Platform Lift. MDalton moved & RGoble seconded to accept the new amended Rental Contract. Roll Call vote: All approved. Motion carried.

Chip Sealing on Roads - After looking at some roads in Lancaster County that were brought to the Board's attention, MDalton reported on information he found out from the Cass County Dept of Roads about Chip Sealing & distributed an article on it. After discussion, he was directed to get more information & pricing on this type of work for our streets.

Public Forum

Clerk JDalton handed out information she received via email regarding

- a MAPA County Outreach event in Weeping Water on Oct 17th (M&JDalton will attend),
- a "How to Revitalize Your Small Town" session in Holdrege on Oct 30th (Distance too far; JDalton will ask if a transcript of the session would be available),
- a UNL Rural Community Prosperity Listening Session in Lincoln on Oct 24th (DSwenson, M&JDalton will attend), and
- information on NE Road Program Funding.

Possible backups for snow removal was discussed, but hopefully with all the work that has been done on the truck & tractor, the Village will be able to handle whatever snow falls.

Adjournment MDalton moved & TGlas seconded to adjourn the meeting at 10:18 PM. Roll call vote: All approved. Motion carried.

Jolene Dalton
Village Clerk

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.

*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.)