

**Village of Manley Board of Trustees**  
**Meeting Minutes – May 5, 2010**

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A regular meeting of the Board of Trustees for the Village of Manley was held May 5, 2010 at 7:30pm at the Manley Firebarn. Present were Chairman Leonard Stohlmann, Jr., Bob Gruber and Betty Meyer. Tracy Zeorian arrived at 7:40pm. Denise Swensen, absent. Chairman Stohlmann stated that the Open Meetings Act is posted on the bulletin board near the entrance of the building.

All proceedings thereafter were taken while the convened meeting was open to the public. Chairman Stohlmann called the meeting to order and asked the members to review the agenda. Joe Evans was removed, as his questions regarding his driveway access had been previously answered. Gruber moves, Meyer seconds, to approve the agenda as modified. Motion carried.

Chairman Stohlmann asked the members to review a copy of the minutes from the regular meeting held April 7, 2010. Meyer moves, Gruber 2nds to approve the minutes.

Steve Swensen addressed the board concerning his intentions to change the existing roof over his backyard deck and asked if there were any permits that he needed to file for this project. He was advised that a building permit would not be necessary. Swensen also requested action from the board to have a dead tree removed from a property on South Street. A board member will discuss appropriate actions with the landowner. Swensen also asked about the size and location of the alley from Broadway St. to Cherry St., South of Main St. The board will research and advise. Swensen owns lots that are located at the corner of Main and Broadway and asked about the possibility of changing the zoning for these lots if they are sold. The board advised that zoning is the result of land usage and would only be changed if usage changed.

Tom Sorensen advised the board of intentions to purchase The Get-Away-Bar & Grill, and discussed what demolition regulations are in place concerning the old building located inside the fenced in area adjacent to the Bar, and what permits will be necessary if/when special events are planned for the Bar. No actions required.

A letter was drafted in response to the complaint that was received from the office of the Attorney General concerning the Open Meetings Act. The letter advised of procedures followed by the board and any oversights will be corrected in the future. No further action necessary at this time.

Progress of the street paving project was discussed. A request for an extension of 14.5 feet at the intersection of Cherry St., and Main was approved in order to make the conversion from new concrete to the old asphalt overlay more feasible. The schedule has been held up due to weather conditions, but over-all, is going well.

Heath Lindsey was present to discuss the policy adopted by the board to enforce village ordinances for animal control. Mr. Lindsey was advised that after multiple complaints from multiple sources of an animal running at large have been received concerning the same animal, a citation may be issued. The owner has 30 days to comply with the established fines stated on the citation. Failure to comply will result in the fine increasing to twice the original amount and an arrest warrant being issued. As of May 4<sup>th</sup>, one citation has been issued.

Meyer stated that the board had contracted with Dawn Hall from Weeping Water to act as official Animal Control Officer, but requiring residents to contact a board member with a complaint for three separate incidents for one animal before contacting the Animal Control Officer, was in fact tying the hands of the Animal Control Officer. Motion by Meyer, seconded by Gruber, to allow Dawn Hall the authority to catch and hold according to the contract signed April 7, 2010, any dog or cat found in violation of village ordinances, and have the authority, as well as a designated member of the board, to deliver citations to owners of dogs or cats after numerous complaints have been received about the same animal. Motion passed. This policy for animal control will be monitored closely and if the expense becomes excessive, may be amended in the future.

Sue Christofferson was present to question which Animal Control Ordinances are in effect. She was informed that Ordinance #32 and Ordinance #33 dated July 1994 were the most current ordinances on file with the Village Attorney. Christofferson has been provided copies of both. No further action taken.

Christofferson also questioned why expenditures were not listed in the text of meeting minutes. It was explained to her that in order to reduce the cost of publishing lengthy reports, listings of expenditures have been discontinued. Itemized income and expense reports are available upon request. No further action taken.

Meyer advised the board that June 5, 2010 has been set for the Village Community Auction. Help will be needed to set up the morning of the sale, and help through out the day to assign bid numbers and compile bid tickets and receive payments. Denise Swensen has volunteered to organize the lunch. A listing of sale items will be forthcoming.

In the absence of water clerk Jean Stohlmann, Chairman Stohlmann reported that all water accounts were current. A complete report will be reviewed at next months meeting.

Zeorian presented the treasurers report for the month of April. Motion to accept by Gruber, 2<sup>nd</sup> by Meyer. Motion passed.

Meyer presented a notice from Nebraska Department of Environmental Quality stating that the NPDES Permit application must be submitted by July 5, 2010. Meyer will review application process with Delton Bolles.

Meyer presented a letter from Sarpy/Cass Department of Health & Wellness offering villages in Sarpy or Cass the opportunity to apply for a mini-grant of no more than \$500.00 to increase public awareness of West Nile Virus. Meyer will respond with a request to obtain Off Mosquito Repellent for Manley residents.

Meyer has obtained an estimate from NL Driveway Maintenance located in Holmesville, Nebraska for repairs needed to fill cracks and spots of deterioration in streets not presently being concreted. Another estimate is needed before any decision can be made as to the extent of repairs possible for the summer of 2010.

Meyer presented a memo received from the Cass County Emergency Management Agency requesting the percentage of Manley's status of NIMS Compliance. Board members were asked to review their certificates of completion. This information must be submitted no later than July 31, 2010 in order to avoid being listed as non-compliant in Cass County's annual NIMS report.

Meyer presented a letter from the State of Nebraska-Emergency Management Agency advising of a Presidential Disaster Declaration due to Severe Storms, Ice Jams, and Flooding from March 6 to April 3, 2010. Board agreed that Manley had no damage due to severe storms during these dates..

Meyer presented a memo from the Nebraska Department of Health concerning Community and Non-Transient Non-Community Public Water System Security Grant Applications. Meyer will request more information on what types of projects will qualify.

Meyer presented the STIP, Surface Transportation Program Book, and the revised proposed STIP Public Involvement Plan from the State of Nebraska-Department of Roads for review and opportunity to comment. No action taken.

Meyer will post a notice advising that two, four year term positions on the Village Board will be open for election in the 2010 General Election. Incumbents must file no later than July 15, 2010. The deadline for all other interested candidates is August 2, 2010. All interested parties must file in person at the office of the Election Commissioner located at 145 N 4<sup>th</sup> St., Rm 201, Plattsmouth, NE 68048 1964.

Stohlmann moves, Gruber seconds to adjourn the meeting at 10:00pm. Motion carried.

I, the undersigned clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Manley Village Board. To the best of my knowledge, the agenda was kept continually current and available for public inspection, and the minutes are in written form and available for public inspection within 10 working days. Upon request complete copies of all minutes and reports are available at the home of the Village Clerk.

The next regular meeting is scheduled for June 2, 2010 at 7:30pm at the Manley Firebarn.

Betty Meyer  
Clerk