

**Village Of Manley  
Board of Trustees Regular Meeting  
November 9, 2023**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on November 9, 2023 by Board Chairman, Denise Swenson at 7:00 PM. The Pledge of Allegiance was recited and roll call was taken. Members present were Denise Swenson, Tim Glas, Patricia Gruber, and Phillip Tapp, Taylor Dunker was excused. Also present, the Village Clerk Jessica Tummons, Maintenance Supervisor Mickey Dalton and five (5) guests. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Board Chairman Denise Swenson. Notice of this meeting was posted on the Village website and in the bulletin boards at the Fire House & Post Office.

**Agenda** – Explanation of Treasurer report being split due to bank accounts at 2 banks provided by Chairperson DSwenson. Motion to accept the consent agenda made by TGlaser, Seconded by PGruber. Roll Call Vote: All in favor. Motion carried.

Consent Agenda items approved:

\* **September 14, 2023 Budget Hearing Meeting Minutes**

\* **October 2023 Correspondence**

\* **October 2023 Water Clerk's Report**

\* **October 2023 Treasurer's Report**

\* **October 2023 Village Clerk's Report**

\* **October 2023 Maintenance Supervisor Report**

\* **October 2023 Misc. Monthly Reports**

**Water Specialist** - Jack Faubion -

October: Level 1 assesment triggered due to positive sample from 10/3/23 followed by three consecutive positives on 10/10/23

**Wastewater Specialist** – Ed Blunt

10/10/23 Weeds in finishing cell- Frost should take care of them

10/24/23 Dead grass in the rip rap – Rest had been freshly mowed

**811 Digger Calls** – MDalton

Six (6) requests for September

**Community Center Rentals** – JTummons

Sunday, December 31, 2023 (Dalton)

Saturday, May 25, 2024 (Swenson)

**Remaining Reports**

\***Claims** –

Windstream (CC) - \$125.19; Black Hills Energy (CC & FH) - \$77.50; Papillion Sanitation - \$25.90; OPPD (CC&FH) - \$179.33; Windstream (FH) - \$176.57; Wirebuilt - \$50; Visa (Office) - \$201.65; Visa (Maintenance) - \$54.70; Mickey Dalton (Oct)- \$554.10; Jessica Tummons (Oct Clerk) - \$802.59; Meeske Hardware - \$27.01 (G) \$16.88 (W) \$25.17 (CC); LARM - \$104.14 (insurance for trailer); Svoboda & Chebatoris - \$1,120 (legal fees); The Voice News - \$12.20 (Special use Hearings); Manley Water Checking to Highway Checking - \$217  
OPPD (Water) - \$42.53; Nebraska DHHS (water testing) - \$81; Jack Faubion (October) - \$129.90; RWD#3 - \$1,006.25; Manley Sewer Checking to Highway - \$217; OPPD (sewer) - \$38.54; Ed Blunt (Sept) - \$175; OPPD (Street Lights) - \$309.82;

Motion to accept claims made by DSwenson, seconded by TGlaser. Roll call vote: all in favor. Motion carried.

**Unfinished Business**

**A. Nuisance Violations** – New letters to be mailed out to residents without improvements

**B. Building Permits** – No new permits to discuss

**C. Community Center Rentals** – Community Christmas party set for December 10, 2023 from 1-4pm.

Motion to approve spending up to \$250 for party expenses made by DSwenson and seconded by TGlaser.

Roll call vote: all in favor. Motion carried.

**D. Maintenance Supervisor** – MDalton reports clerk asking for him to locate the property pins for 219

Main street. Reports this will be done the next day. MDalton reports that the shelves have been installed in the Maintenance building. Big Thank you to Mickey Dalton for donating some organizational supplies for this project.

**E. Pillage the Village Committee** – Surveys are in the works to turn in w/December water bills.

**F. Community Center Small Projects** – Flag has been hung in CC; Maintenance Building has been cleaned up; Laramie Construction has been contacted regarding bid for Community Center Restrooms.

**g. Ordinance Committee** – DSwenson awaiting appointment with atty.

**H. 160<sup>th</sup> Street Speed bumps** – waiting until spring as will need removed for winter anyways

**I. Nuisance Ordinance** – DSwenson awaiting appointment with atty.

**J. Schmidt Appeal** – New court date set for Monday 11/13/23 @ 9:00AM

**K. Manley Newsletter** – Editor Madison Garey has decided to not involve Village Board

**L. ATV/UTV Ordinance** – Next month discussion of resolution

**M. Maintenance** – DSwenson has proposed for this to be an hourly paid position. Discussion regarding work done by volunteering of Board members. After discussion it was decided to have a meeting privately with MDalton to discuss on 11/16/23 @ 7PM.

Discussion of maintenance truck and ability to pull the new dump trailer. Truck is believed to be in good enough condition for the job but will need to add brake controller. Motion made by DSwenson to purchase brake controller and any wiring necessary at a max price of \$400. TGlaser seconded motion. Roll call vote: All in favor. Motion carried.

**N. Christmas Lights** – DSwenson volunteered to get garland for the ornaments. MDalton to check on how many light poles have outlets to plug in.

**O. Storage Building** – Clerk to check into Tuff Shed for pricing

### New Business

**A. Year End Certification of Street Superintendent** - Steven A Parr (License No. S-859, Class A) contracted of JEO Consulting has been appointed for 2024 Calendar year.

Following the mandate set by the NE State Legislature, DSwenson read the following resolution required by the NE Dept of Transportation for the Village to receive its yearly Incentive Payments.

#### Resolution 23-06

#### SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2023

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

**Whereas:** The NDOT requires that such certification shall also include a copy of the documentation of the City Street Superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

**Be it resolved** that the Village Board Chairperson of Manley, NE is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

TGlaser moved to appoint JEO Consulting Group as the Village Engineer for 2024 and adopt resolution 23-06, seconded by PGruber. Roll Call Vote: TGlaser – Yes, PGruber – Yes, PApp – Yes, DSwenson – Yes, TDunker – Absent. Resolution adopted.

**B. Snow Removal** – MDalton will continue to provide assistance during the day with snow removal but need to hire someone for after normal business hours. Motion to hire someone for snow removal at \$30/hr made by TGlas and seconded by DSwenson. Roll call vote: All in favor. Motion carried.

**C. Village Clerk** – Current Village clerk has resigned as of November 30<sup>th</sup>. Clerk asked to place want ad in cassgram to have applications turned in by November 24, 2023. Motion made by PGruber to pay new clerk as well as current clerk(during training) at rate of \$15/hour. Motion seconded by DSwenson. Roll call vote: all in favor. Motion carried.

**D. Bank Accounts** – Motion made to close accounts with the exception of the current CD with Farmers and Merchants Bank by TGlas and seconded by PGruber. Roll call vote: All in favor. Motion carried.

### **Public Forum**

Election – Incumbent needs to be filed by July 15, 2023. New elector will need to be filed by August 1, 2023 to be added to the ballot. Village board will have 3 board member terms ending (Phillip Tapp, Patricia Gruber, and Denise Swenson)

Fee Schedule - To be discussed at next meeting and possibly adopt an ordinance.

MDalton reports he has all fire extinguishers checks and they are up to date as well as he turned in the most recent Menards rebate from Village purchases.

**Adjournment** - TGlas moved & DSwenson seconded to adjourn the meeting at 9:35 PM. Roll call vote: All in favor. Motion carried.

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Jennifer Smith  
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.)