

**Village Of Manley  
Board of Trustees Regular Meeting  
September 12, 2019**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on September 12, 2019 by Chairman Denise Swenson at 7:00 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, Winter Streets Maintenance Supervisor Adam Goble, CPA Steve Rishel, and three guests. Board Member Adam Zierott will be arriving later. 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 request to pull out the Misc. Monthly Reports, MDalton moved & RGoble seconded to approve the amended Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

\*August 12, 2019 Regular & September 4, 2019 Special Meeting **Minutes**

\*August 2019 **Correspondence**

\*August 2019 **Water Clerk Report**

\*August 2019 **Village Clerk Report** - Closed Village Safe Deposit Box at Farmers & Merchants Bank on 8/13/19 and moved all documents to our fireproof file cabinets in the Village Office; Received a \$100.00 donation for the Playground from Steve & Bonnie Meyer. Sent them a thank you. Also sent thank yous to Ash Grove Cement & Gerald Snodgrass for their \$1,000 donations; Received 6 pages of information about the 2020 Census, which is now posted at the Post Office.

\***Misc Monthly Reports –**

**Water Specialist** – August water sample had no violations

**Wastewater Specialist** – Lots of duck weed in wet well & the 3 cells; need to find something to kill it

**MAPA Leader’s Meeting**

**Flush Sewer Lines**

MDalton reported that our Wastewater Specialist, Ed Blunt, sent a recommendation on Dibrox, a product he has researched to kill the duck weed. Mickey has only been able to find it online so TGlas moved & RGoble seconded that we buy one (1) gallon of the product at \$99.00 (free shipping). Roll call vote: All approved. Motion carried.

\*August 2019 **Treasurer’s Report** – Our General Fund CD is maturing on September 30<sup>th</sup>. After discussion, TGlas moved & MDalton seconded that we use ~\$5,490.00 of the CD to pay off the Tornado Siren Loan at Farmers & Merchants Bank and hold the remainder (~\$5,665.00) until we make a decision next month on what to do with it. Roll call vote: All approved. Motion carried.

There was no further discussion on the Treasurer’s Report & a copy of it will be included with the official minutes along with the Consent Agenda items.

AZierott joined the meeting.

\***Claims** – Black Hills Energy for CommCtr-\$20.58 & Fire House-\$22.50; DHHS for water testing-\$15.00; OPPD for CommCtr-\$136.09, Fire House-\$130.60, Sewer-\$46.48, Water-\$33.00 & Street Lights-\$270.03 (Aug) & \$270.04 (Sept); RWD #3 for water-\$935.85; Tornado Siren Loan payment-\$350.00 (Sept) & \$350.00 (Oct); Windstream for CommCtr-\$96.55 (Aug) & \$96.24 (Sept) & Fire House-\$99.12 (Aug); WireBuilt for website maint-\$50.00 (Sep) & \$50.00 (Oct); Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 (Sep) & \$161.00 (Oct) & Water Acct-\$161.00 (Sep) & \$161.00 (Oct); JDalton for 54-1/2 hr Aug Village Clerk wages-\$626.92; JFaubion for Sep water wages & postage-\$125.60; EBlunt for Aug wastewater

specialist-\$175.00; Ameritas Investment Corp for sewer bond P&I pymt-\$20,555.00; Farmers & Merchants Bank for PTV change (redeposited 8/19/19)-\$600.00; Lincoln Tent & Awning for PTV tent-\$379.00; Lucas Minor Band for PTV band-\$500.00; Finch on the Run for PTV DJ tip-\$100.00; Stadium Sports for PTV tshirts-\$1,072.00; Cassgram for PTV advertising-\$193.00; Forms Associate for PTV parade & raffle tickets-\$165.00; Dave Ortlieb for PTV meat & cooking-\$814.65; Manley HideAway for PTV beer-\$117.80; Meeske Hardware for PTV tarp-\$40.49; Betty Meyer for meat & lawn games-\$162.86; M&N Investments for PTV gas for generator-\$12.17; Lincoln Journal Star for PTV PlattsJrnl advertising-\$165.60; NE City News Press for PTV advertising (NE City, Syracuse, Print & Deliver)-\$723.00; St. Patrick's Altar Society for PTV food-\$413.67; Betty Meyer for PTV meat-\$29.33; Mowen Owen for Aug mowing-\$420.00; Loftus Septic for Aug portable toilet-\$125.00; M&N Investments for gas for power washer-\$13.38; League of NE Municipalities for annual dues-\$276.00; NE Municipal Clerks Assoc for annual dues-\$20.00; Farmers & Merchants Bank for replacement Safe Deposit Box key-\$20.00; M&N Investments for tractor fuel-\$88.00; Farmers & Merchants Bank for sewer bond pymt wire fees-\$30.00; MDalton for basement lights, shop vac accessories, PTV parade candy, PTV SDLicense, PTV program printing-\$402.64; MDalton for Aug lagoon mowing & spraying-\$157.50; and DSwenson for PTV food-\$60.00. TGLas moved & RGoble seconded to approve the Claims. Roll call vote: DSwenson-abstain, MDalton-abstain, TGLas-yes, RGoble-yes, AZierott-yes. Motion carried.

MDalton moved & TGLas seconded to approve the Misc. Monthly Reports & the Treasurer's Report. Roll call vote: All approved. Motion carried.

**2019/20 Budget** – Steve Rischel from Rischel & Pfeifer, P.C. distributed copies of Manley's proposed Budget for 2019-20, explained the document & answered questions about it. After discussion, the following Resolution was presented for approval:

Resolution No. 19-02

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Village Board of the Village of Manley passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Village of Manley that the property tax request for the current year be a different amount than the property tax request for the prior year;

NOW, THEREFORE, the Village Board of the Village of Manley, by a majority vote, resolves that:

1. The 2019-2020 property tax request be set at \$29,796.00.
2. The budget limit for 2019-2020 is set using the base limitation percent increase of 2.5% and is approved by this resolution.
3. A copy of this resolution is to be forwarded to the County Clerk prior to October 13, 2019, as part of the Village's budget.
4. The 2019-2020 budget, as a whole, is approved including the budgeted expenditures of \$242,250.00.

TGLas moved & MDalton seconded to adopt the Resolution of a 2.5% levy increase with taxes requested of \$29,796.00. A roll call vote was taken. Voting for the Resolution: MDalton, TGLas, RGoble, DSwenson, and AZierott. Voting against the Resolution: none. Steve Rishel was then excused from the meeting.

**Unfinished Business**

\*Annexation Project – Our attorney, David Chebatoris, has filed the certified Ordinance with the County Register of Deeds & sent us the official completed paperwork. We need to publish the Ordinance & guest, Dan

Henry, volunteered to check if it has been submitted to all the necessary County Offices. JDalton will write up a welcome letter to our new residents for approval by the Board.

**\*Zoning Administrator – Betty Meyer**

AZierott moved & TGlas seconded that the Board affirm the building permit granted by our Zoning Administrator to Austin Arias for a sidewalk. Roll call vote: All approved. Motion carried.

BMeyer also presented a building permit for the Village for a picnic shelter which she has not approved. Further discussion will take place when the Picnic Shelter is discussed later in the meeting.

Discussed a building permit violation at 209 Broadway. A permit was never applied for & a fence has been built in what is believed to be the alley. We need to contact Bob Van Dyne at the Cass County Surveyor's Office & find the markers for the alley. We will wait until we find the location of the markers to make a decision on what action to take but, meanwhile, AZierott volunteered to talk to the property owner and inform them of what is being investigated & that they will, at a minimum, be fined \$100.00 regarding the situation.

The water meter at 105 No. Elm Street is grown over with weeds, which is a violation of Ordinance 17, Sec 8, Item b. MDalton talked to the resident about it & they said it will be taken care of.

BMeyer reported that there were three (3) 811 Locate requests this past month.

Guest Jennifer Myers stated she & her husband, Marty, are interested in buying the Don Colbert property that is for sale by Hwy 50 to develop into an outside camper storage area. They asked BMeyer what they need to do. Briefly she told them they would need to get the zoning changed from Agriculture for that property & then start by submitting a drawing of the proposed development. They will stay in contact with her. Jennifer was then excused from the meeting.

**\*Nuisance Violations Update – JDalton** reported that she has received a letter, an email & two phone calls from residents about the property at 111 Broadway. The Board has been in contact with the owner and is continuing to keep an eye on the situation. The property owner did have a dumpster delivered & has cleaned up the trash (which was left by the previous owner) on the outside of the building.

TGlas presented two letters for the Board to consider regarding trees & cars that need to be addressed with property owners. AZierott volunteered to talk first with property owners who need to trim their trees before we send them a letter. He will get a list from MDalton.

The garage at 105 Locust is becoming a hazard. DSwenson volunteered to talk to the property owner about it.

**\*Picnic Shelter –** A tent set up at PTV to get a visual about the proposed Picnic Shelter was a good example. Positive & negative comments were heard during the day.

After discussion, MDalton moved to build the same size picnic shelter but to the west of where originally proposed to the Board. The motion died for lack of a second.

After further discussion, MDalton will write up the necessary specs & DSwenson will get two additional bids to present at the next meeting.

Zoning Administrator, BMeyer, was asked why our building permit was denied, what else she needed from us. No decision was made.

Not being sure they officially did this before, RGoble moved & AZierott seconded that we build a picnic shelter. Roll call vote: DSwenson-yes, MDalton-no, TGlas-yes, RGoble-yes, AZierott-yes. Motion carried.

**\*Playground –** DSwenson received a large colored picture from the BCI Burke Company of a proposed playground. After discussion, AZierott moved & TGlas seconded that we purchase our playground from Crouch Recreation. Roll call vote: All approved. Motion carried.

AZierott was then excused from the meeting.

TGlas moved & RGoble seconded that we order the Sales Flyer Play Structure (Model 704-S057J) & the Ten Spin (Model 304W) from Crouch Recreation. Roll call vote: All approved. Motion carried.

JDalton reported that a \$100.00 donation for the playground has been received from Steve & Bonnie Meyer.

\*Annual Street Work – After discussion, MDalton moved & TGlas seconded that we do our usual annual street work with NL Driveway Maintenance. Roll call vote: All approved. Motion carried. TGlas moved & RGoble seconded that we purchase cold patch asphalt & fix the holes on Manley Lane ourselves. Roll call vote: All approved. Motion carried.

\*Community Center Projects –

Decisions on the west stairwell & cleaning out/organizing the storage rooms will be discussed at the next meeting.

When the weather & schedules permit, we will work on landscaping the west side of the building with the mulch that is left over in the Maintenance Building.

\*Hanging Trees – (was already addressed in Nuisance Violations Update)

\*Village Vehicles Maintenance Work – Adam Goble reported that the transmission on the snow plow was found to be fine after the wiring harness was replaced. After discussion, TGlas moved & RGoble seconded that we get the remainder of the needed repair work done at Woodhouse Ford in Plattsmouth on the snow plow: ~\$270.00 for the rear differential sensor, ~\$1,700 for both leaf springs, and ~\$2,350 for u-joint front end issues. Roll Call vote: All approved. Motion carried.

Nick Rockwell has volunteered to do winter maintenance work on the tractor. After discussion, TGlas moved & RGoble seconded that we purchase the necessary supplies that Nick Rockwell will need to do the maintenance work on the tractor. Roll Call vote: All approved. Motion carried.

\*Smoke Sewer Lines – DSwenson contacted Mike Lucas again but he has some medical issues that prevent him from doing the work at this time so he will lend his equipment to Pat Peterson, who will smoke the lines in the next couple of weeks for us.

\*Lower Platte South NRD Hazard Mitigation Plan – MDalton went to the second required meeting on September 5th. Roseann Dobesh-Degraff from CCEM was also at the meeting & volunteered to help us fill out the necessary forms. DSwenson will set up a meeting with Roseann.

\*Community Center Water Heater – After discussion, TGlas moved & RGoble seconded that we replace the CommCtr Water Heater. Roll Call vote: All approved. Motion carried.

\*Lagoon Entrance Culvert Wash Out – After Discussion, TGlas moved & RGoble seconded that we buy a load of rock to fill the wash out & ask Dave Ortlieb to deliver it. Roll Call vote: All approved. Motion carried.

\*Christmas Lights Work Day – Before he left, AZierott volunteered to take the lights to his house to re-weld them & replace the lights with LEDs. He will let Board members know when this will all happen so they can come help if able.

\*Pillage the Village – A meeting date to finalize discussion on this year's event & make an action plan for next year's will be set up at the next meeting.

### **New Business**

\*Insurance Renewal – RGoble reviewed the Workman's Comp renewal material received from our insurance company, Ball Insurance. Some coverage was moved from one company to another; otherwise, there were no changes for us to be concerned about.

\*Village Clerk Evaluation – Clerk JDalton submitted a request for two (2) additional hours/week. After discussion, TGlas moved & RGoble seconded that we approve two (2) additional hours/week for the Village Clerk as administrative hours as set forth by the Clerk left up to her discretion. Roll call vote: DSwenson-yes, MDalton-abstain, TGlas-yes, RGoble-yes. Motion carried.

Now that things have settled down a little, JDalton & RGoble will start working on the Village Inventory that needs to be created. They will keep track of their hours & reimbursement will be discussed later.

\*Community Center Rental Rates – Now that the lower level has been opened up & enlarged, the rental rates for the building were reviewed. TGlas moved & RGoble seconded that we retain the rates stated on the Rental Agreement form dated 4/12/17 (one room-\$50, entire building-\$100) but remove the words “non-refundable” in the list of Rental Fees. Roll Call vote: All approved. Motion carried.

\*Park Needs – Action on the getting lids for trash cans & more picnic tables was tabled until Spring.

\*NE Accountability Commission–Conflict of Interest Statement – The forms were discussed and the necessary ones will be filled out & filed with the Village Clerk.

### **Public Forum**

\*JDalton distributed copies of the final letter released from the NE Auditor’s Office concerning our Audit Waiver Request issues which included our responses.

\*The length of a term for Planning Commission members was questioned. After research, it appears the listing on our website will need to be updated.

**Adjournment** MDalton moved & TGlas seconded to adjourn the meeting at 10:45 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.)