

**VILLAGE OF ANSLEY**  
**Special Meeting**  
**May 27, 2020 – 6:00 p.m.**

A special meeting of the Chairperson and Board of Trustees of the Village of Ansley, Nebraska, was held via teleconference on Wednesday, May 27, 2020 at 6:00 p.m. Present were Fecht, Hogg, Mills, Smith and Henry. Also present Lanette.

Notice of this meeting was by posting in three (3) public places, the window of the Village Clerk's Office, the windows of the Municipal Auditorium and the Ansley Post Office, and by posting on the Village's website. All notices included the teleconference call in #935-9921 and access code #113533 to afford the public the opportunity to access the meeting. The teleconference meeting was held in accordance with Governor Rickett's Executive Order No 20-03 waiving certain requirements of the Nebraska Open Meetings Act and allowing public bodies to meet by videoconference or by telephone conferencing and still are in compliance with the open meeting act. The open meeting act was also posted in the window of the Village Clerk's Office.

The League of NE Municipalities, through legal counsel, had prepared a COVID-19: Resolution Regarding Use of Municipal Property for Sports or Other Recreational Activities; COVID 19: License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities, and COVID-19: Participants Agreement for Sports or Other Recreational Activities. The purpose of implementing the documents would be to provide defenses to municipalities to limit and mitigate liability to the municipality and transfer responsibility and enforcement of COVID-19 related risk to the group sponsoring any sports or recreational activities. The most recent documents provided by the League and legal counsel today expanded the wording to include "adult and/or youth" and "sports or other recreational activities". The new wording broadens the scope to include the new DHM guidelines Phase II. Terms of the Resolution were reviewed and discussed. The terms of the resolution require participants to sign *Participants Agreement for Sports or Other Recreational Activities*; sponsor(s) to sign *COVID-19 License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities*; outline responsibility and compliance requirements.

Trustee Hogg introduced Resolution 03-2020 and moved its adoption.

**COVID-19: Resolution 03-2020 of the Village of Ansley Regarding Use of  
Municipal Property for Sports or Other Recreational Activities**

A Resolution of the Village of Ansley, Nebraska, Regarding the Risk of Exposure to COVID-19 Through the Use of Municipal Property for Sports or Recreational Activities.

**Recitals**

**WHEREAS**, the novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization, is extremely contagious, and is believed to spread mainly from person-to-person contact;

**WHEREAS**, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska and this state of emergency remains in effect;

**WHEREAS**, directed health measures are in effect for every County in the State of Nebraska through May 31, 2020, and are likely to be extended by the Governor in some form for most or all Counties after May 31, 2020;

**WHEREAS**, on May 21, 2020, the Governor announced that the directed health measure prohibiting all organized team sports, youth and adult, would be relaxed by the State of Nebraska beginning June 1, 2020, in order to permit the planned reopening of certain adult and/or youth team sports;

**WHEREAS**, a copy of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* is attached to this Resolution and incorporated herein as part of these Recitals;

**WHEREAS**, it is anticipated that future guidance from the State of Nebraska will permit additional team sports and other recreational activities;

**WHEREAS**, players, coaches, officials, and others who participate in such games, practices, or other recreational activities, and spectators who attend such activities risk the dangers of illness, disease, medical complications, injury or death, caused by or related to COVID-19, by voluntarily entering the municipal property and/or facilities on which such activities take place, by watching such activities, and

by participating or authorizing the participation of a minor, in such games, practices, or other recreational activities; and

**WHEREAS**, it is the intent of the Village of Ansley to permit the resumption of adult and/or youth team sports and other recreational activities on municipal property and/or facilities, in accordance with the directed health measures and other laws and guidance issued by the State of Nebraska, including, but not limited to, the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* and such further laws and guidance that may be issued in the future, provided that every individual, organization, or group sponsoring such activities, and all participants and spectators, fully assume the health risks associated with these activities, including the inherent risk now present in any such activities as a result of the presence of COVID-19 in the State of Nebraska, and provided that participants in such activities sign an agreement that releases the Village of Ansley, its elected and appointed officials and employees, and all other participants in adult and/or youth team sports or other recreational activities from liability associated with exposure to COVID-19 in the course of such activities.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Ansley, Nebraska, that any individual, organization or group sponsoring adult and/or youth team sports or other recreational activities that wishes to use the playing or practice fields, courts, grounds, and/or other facilities of the Village of Ansley for games, practices, or other recreational activities will be required to enter into the **COVID-19: License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities** attached hereto. These License Agreements will be maintained by the Municipal Clerk and shall constitute an addendum to any other contract, license agreement, lease, or agreement allowing the use of the municipal property and/or facilities of the Village of Ansley by the same individual, organization, or group.

**BE IT FURTHER RESOLVED** that, in order to enter the playing or practice fields, courts, grounds, and/or other facilities of the Village of Ansley to participate in games, practices, or other recreational activities, all players, coaches, officials and other participants must sign the agreement titled *COVID-19: Participants Agreement for Sports or Other Recreational Activities* in substantially the same form as attached hereto. Each team wishing to participate on or use the municipal property and/or facilities of the Village of Ansley must provide copies of signed *Agreements* for all participants affiliated with the team, together with a roster containing a complete list of the names of all players, coaches, officials, and others affiliated with the team. Copies of these documents must be provided to and shall be maintained by the Municipal Clerk.

**BE IT FURTHER RESOLVED** that, for the avoidance of doubt as to the risk assumed by participants and spectators, in order to encourage compliance with directed health measures and guidelines, and in order to promote public safety, the applicable provisions of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, shall be posted on all practice and playing fields, courts, grounds, and/or other facilities where adult and/or youth practices and/or games or other recreational activities occur. If the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, are subsequently modified or updated, the applicable provisions of the modified or updated guidelines shall be posted in the same manner.

**BE IT FURTHER RESOLVED** that all participants and spectators shall comply with all federal, state and local laws and regulations, all directed health measures and guidelines, and all security policies or procedures established by the Village of Ansley relating to COVID-19 or other safety or hygiene precautions while present on municipal property and/or facilities, understanding that the Village of Ansley may elect to deny entrance to its playing or practice fields, courts, grounds, and/or other facilities to any non-complying participant or spectator, or to require a non-complying participant or spectator to leave the premises at any time.

**BE IT FURTHER RESOLVED** that officials and employees of the Village of Ansley are authorized to execute the directives set forth in this Resolution.

Passed and approved this 27<sup>th</sup> day of May, 2020.

ATTEST:

---

Trenton Fecht, Chairperson

---

Lanette C. Doane, CMC

Trustee Henry seconded the motion for adoption of the resolution. The Chairperson stated the motion and the Village Clerk called roll. On roll call vote the following voted in favor of passage of said motion: Hogg, Henry, Mills, Smith and Fecht. The following voted against the same: None. The Chairperson thereupon declared said motion carried and said resolution adopted.

The Board discussed provisions in the COVID-19 License and Management Agreement and the document will be adapted to remove the License Fee; set the term to commence 6-1-2020 to 12-31-2020; provide for 30 days prior written notice to terminate; Licensor provides utilities; remove the requirement for WC and COVID-19 coverages; remove "pay utilities" from Section 15 D. Trustee Mills will provide a map of the area with approximate acres to be used for Exhibits A and B and Spartan Foundation will be the sponsoring entity for Spartan youth and/or adult team sports and other recreational activities. Participant Agreement forms will be provided to the various teams and once signed a copy will be returned to the Clerk for the Village records along with the signed License and Management Agreement. The Village will also provide hand sanitizer for the restrooms.

The Board briefly discussed the swimming pool and agreed to move forward with pool preparation and watch for updated guidelines/DHM requirements. Swimming pool will be discussed on the June 8<sup>th</sup> agenda. The Board was also advised that the Governor extended the teleconference/videoconferencing option through June but he does not anticipate extending it beyond that time. The Village Board will probably have to meet at the Municipal Auditorium after June to accommodate the 6' distancing guideline.

There being no further business to come before the Board Trustee Smith moved that the meeting be adjourned and Trustee Hogg seconded the motion. On roll call vote the following Trustees voted AYE: Smith, Hogg, Mills, Fecht. ABSENT: Trustee Henry. Motion carried and meeting adjourned at 7:06 p.m.

ATTEST:

---

Trenton Fecht, Chairperson

---

Lanette C. Doane, CMC

(Seal)

I, the undersigned Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairperson and Board of Trustees; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continuously current and available for public inspection at the office of the Clerk and on the Village website; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at said meeting was available at the meeting for copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of the meeting and the subjects to be discussed at said meeting.

(Seal)

---

Lanette C. Doane, CMC

