

VILLAGE OF ANSLEY
Regular Meeting
August 10, 2020 – 6:30 p.m.
Ansley Municipal Auditorium

A regular meeting of the Chairperson and Board of Trustees of the Village of Ansley, Nebraska, was held on Monday, August 10, 2020, at 6:30 p.m. in the Ansley Municipal Auditorium. Present were Chairperson Fecht, Trustees Smith, Mills, Henry and Hogg. Also present Rich Eymann of NMPP Energy, Brandon Jacques of Tillotson Enterprises, Joel Varah, Alison Varah, Brent Petrick, Orin Clinger, Lanette, Todd and Bill.

Notice of this meeting was by posting in three (3) public places, the Clerk's Office, Flatwater Bank and the Ansley Post Office as required by law. Availability of the agenda was communicated in advance thereof to the Chairperson and Board of Trustees of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. Chairperson Fecht opened the meeting at 6:30 p.m. and verified compliance with the open meeting act. The Pledge of Allegiance was recited by all.

Trustee Henry moved to waive reading and approve the July minutes as presented. Trustee Smith seconded the motion and on roll call vote the following Trustees voted AYE: Henry, Smith, Mills, Hogg and Fecht. Motion carried.

Rich Eymann of NMPP Energy gave a presentation on proposed AMI metering. He had a power point overview and estimated costs for a system in Ansley. AMI metering is all done via Wi-Fi and is a 2-way communication providing meter readings on the desired schedule you set up in the system (hourly, weekly, etc.). ITRON meters are being proposed, but the ITRON meters we currently have in our system would have to be replaced as they are either manual or radio read. The system has not yet been approved by NMPP Energy. AMI metering would outsource meter readings for billing to NMPP Energy, move-in/move-out reads, provide remote connect/disconnect, provide outage information and voltage level readings. This system would be for both electric and water meters. Several questions were posed and costs were discussed. NMPP Energy would like a decision from the Board in September whether or not Ansley is interested in pursuing this service.

Chairperson Fecht opened the public comment period for agenda items only. Joel and Alison Varah spoke about their concerns regarding pit bulls in Ansley (agenda item #6). Joel had read our ordinances on the subject and felt they were sufficient, however, they would like to be proactive versus reactive in protecting their children and property from a dangerous situation. They had sent videos of a pit bull at large in their neighborhood on more than one occasion and have reported the incidents to the Sheriff's Office. The Board indicated this would be discussed at more length later on the agenda.

Brent Petrick had questions regarding the closing of the compost site (agenda item #4) but decided to reserve comment until that portion of the meeting agenda.

Brandon Jacques of Tillotson Enterprises presented "Good", "Better" and "Best" proposals for cleaning, repairing and recoating the roof on the shop/office building. The roof was last done in 2011 and their inspection revealed hail damage. There was discussion on costs, warranty, materials, temperature considerations for the application, timeframe for payment, etc. There is a line item in the current budget for building repairs. The acrylic coating in the "Better" proposal is temperature sensitive while the urethane coating in the "Best" proposal is not.

Trustee Henry moved to approve the "Better" quote from Tillotson Enterprises for the roof repairs on the maintenance/office building at 217 Nile Street at a cost of \$17,677.00 which includes roof cleaning, caulking and Evercoat base and top coats and an eight (8) year warranty. Trustee Hogg seconded the motion and on roll call vote the following Trustees voted AYE: Henry, Hogg, Fecht, Smith and Mills. Motion carried.

Orin Clinger presented a proposal to the Board whereby he has made an offer to purchase the compost site from the current owner with the intention to lease the site back to the Village for continued use as a compost site. The annual lease fee would remain the same and some controls could be put in place to monitor dumping in the site. Trustee Smith moved that the Village agree to enter into an agreement with Orin Clinger to lease the current compost site at the same annual lease fee; to allow only trees, compost materials, dog waste and cat litter; no lumber or pallets will be allowed. Trustee Mills seconded the motion and on roll call vote the following Trustees voted AYE: Smith, Mills, Henry, Hogg and Fecht. Motion carried. The Board and everyone present expressed their appreciation to Orin for his generosity in stepping up to help continue this service to Ansley residents.

Todd discussed with the Board the mower situation and whether or not they would want to consider adding a mower with a bagger and phasing out the Big Dog mower. Replacement parts for the bagger on the JD mower are no longer available. The Big Dog is smaller and slower and is mainly used around the light plant. The Board considered quotes for mowers both with and without baggers, deck size, engine type and HP. Trustee Smith moved to approve the purchase of a Tiger Cat II 61" 26 HP Kawasaki mower with bagger at an estimated cost of \$10,204.00. Trustee Henry seconded the motion and on roll call vote the following Trustees voted AYE: Smith, Henry, Hogg, Mills and Fecht. Motion carried. Todd will watch pricing to see the best time to order and lock in the price.

Dangerous dogs, (agenda Item #6,) was discussed further by the Board. Attorney White does not recommend banning any certain breed of dog, rather following the procedures set out by ordinance. Another more recent incident involving the same dog but a different individual was shared with the Board but no written complaint was filed. In all cases the dog was running at large and not under the control of the owner(s). A citation could be issued for violation of that ordinance. Attorney White will be consulted and the individual contacted about submitting a complaint.

**ORDINANCE PASSAGE PROCEEDINGS
UNDER SUSPENSION OF RULES
Village of Ansley, Nebraska**

Trustee Hogg introduced Ordinance No. 531A entitled:

**AN ORDINANCE OF THE VILLAGE OF ANSLEY, NEBRASKA, TO AMEND ORDINANCE #531,
AN ORDINANCE ESTABLISHING REQUIREMENTS AND RESTRICTIONS FOR THE CONSTRUCTION
AND MAINTENANCE OF FENCES, HEDGES AND WALLS IN THE VILLAGE OF ANSLEY, NEBRASKA;
TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT**

and moved that the statutory rule requiring reading on three different days be suspended. Trustee Mills seconded the motion to suspend the rules and upon roll call vote on the motion the following Trustees voted AYE: Hogg, Mills, Smith, Henry and Fecht. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Trustee Hogg moved for final passage of the ordinance, which motion was seconded by Trustee Mills. The Chairperson then stated the question was "Shall Ordinance No. 531A be passed and adopted?" Upon roll call vote, the following Trustees voted AYE: Hogg, Mills, Fecht, Smith and Hogg. The following voted NAY: None.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted, and the Chairperson in the presence of the Board signed and approved the ordinance, and the Clerk attested the passage and approval of the same and affixed her signature thereto. The ordinance is to be filed in the Village of Ansley Ordinance Record Book as a permanent record thereof.

Trustee Hogg moved to publish the ordinance by publishing in pamphlet form and by posting in three public places, to-wit: the Clerk's Office, Flatwater Bank and the Ansley Post Office as required by law. Trustee Mills seconded the motion and on roll call vote the following Trustees voted AYE: Hogg, Mills, Henry, Fecht, Smith. The following voted NAY: None. Motion carried.

**ORDINANCE PASSAGE PROCEEDINGS
UNDER SUSPENSION OF RULES
Village of Ansley, Nebraska**

Trustee Henry introduced Ordinance No. 539 entitled:

**AN ORDINANCE PROVIDING FOR THE REGULATION OF PRIVATE SWIMMING POOLS IN
ANSLEY, CUSTER COUNTY, NEBRASKA; PROVIDING THE DEFINITION; GOVERNING THE
LOCATION; PROVIDING THE ENCLOSURE REQUIREMENTS; GOVERNING THE DISCHARGE OF
WATER FROM THE PRIVATE POOL; PROVIDING RETROACTIVITY FOR COMPLIANCE; PROVIDING
ENFORCEMENT AND PENALTY FOR VIOLATION; PRESCRIBING THE TIME WHEN THIS ORDINANCE
SHALL BE IN FULL FORCE AND TAKE EFFECT**

and moved that the statutory rule requiring reading on three different days be suspended. Trustee Smith seconded the motion to suspend the rules and upon roll call vote on the motion the following

Trustees voted AYE: Henry, Smith, Fecht, Hogg, Mills. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Trustee Henry moved for final passage of the ordinance, which motion was seconded by Trustee Smith. The Chairperson then stated the question was "Shall Ordinance No. 539 be passed and adopted?" Upon roll call vote, the following Trustees voted AYE: Henry, Smith, Mills, Hogg, Fecht. The following voted NAY: None.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted, and the Chairperson in the presence of the Board signed and approved the ordinance, and the Clerk attested the passage and approval of the same and affixed her signature thereto. The ordinance is to be filed in the Village of Ansley Ordinance Record Book as a permanent record thereof.

Trustee Henry moved to publish the ordinance by publishing in pamphlet form and by posting in three public places, to-wit: the Clerk's Office, Flatwater Bank and the Ansley Post Office as required by law. Trustee Smith seconded the motion and on roll call vote the following Trustees voted AYE: Henry, Smith, Mills, Hogg, Fecht. The following voted NAY: None. Motion carried.

Trustee Smith introduced the following Resolution and moved its adoption.

RESOLUTION NO. 05-2020

WHEREAS, the Village of Ansley is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of the Village of Ansley, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- 1. Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. (180 day and 3 year commitment; 5% discount)**

Adopted this 10th day of August, 2020

Trenton Fecht, Chairperson

ATTEST:

Lanette C. Doane, CMC

(Seal)

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

Trustee Hogg moved to approve the increase of total restricted funds authority by the additional 1% for the FY 2020-2021 budget. Trustee Smith seconded the motion and on roll call vote the following Trustees voted AYE: Hogg, Smith, Mills, Henry and Fecht. Motion carried.

The Board discussed park camping fees for next summer. No definite decision was made but the \$15 fee per night will probably be kept in place (\$10/night fee eliminated) as full services are available plus grills and fire pits have been added to the site.

Department Head Reports – Bill reported that the Village lost 3 poles during the July 10th wind storm and all have been replaced; the GIS mapping is 2/3 completed; the new water line has been installed from Adrian to Belmont on Main Street as well as a new fire hydrant at the corner of Belmont and Main; a new power pole has been installed for the new residence being built on reservoir hill.

Lanette reported the following: (1) The Section 22 study from the Corps of Engineers is undergoing an internal audit before they set a meeting with the Village to review the results/recommendations; (2) the Village’s quarterly health insurance review has been received and is very favorable; (3) there will be items for approval on the September agenda regarding the League bylaws and articles; (4) 2 more benches have been ordered for the Municipal Auditorium and are being donated by families; (5) the engineers will be billing us for \$4,000 of expense in this fiscal year for the GIS mapping grant project; (6) there is a need for an additional filing cabinet in the office and the storm door needs to be replaced; (7) Lanette has contacted NMPP Energy about a cost of service rate study which is due to be done this year but has had no response yet; (8) there will be a tire collection in Broken Bow September 1st; (9) Lanette will prepare an article for the newsletter and Village website regarding candidates for village board as the requirements for write-in candidates has changed since the last election; (10) JEO is hosting a virtual meeting on 9-1-20 from 2-4p.m. regarding a Mud Creek Watershed Plan they are developing and has requested in letters to the Clerk and Chairperson that Ansley participate.

Trustee Henry moved to approve claims and Trustee Hogg seconded the motion. On roll call vote the following Trustees voted AYE: Henry, Hogg, Mills, Smith and Fecht. Motion carried.

GENERAL FUND			
Ace Hardware-sup	15.64	Akrs Eq-pts	30.99
Amazon-sup	34.06	American Elec-sup	399.07
Ansley Lmbr-sup	597.48	BlueTarp-eq	155.46
Buffalo Outdoor-sup	74.94	Capital Bus-ser	115.95
Custer Co Chief-ad/pub	36.72	Custer Federal-inv	8,920.00
Custer’s-fuel	408.55	DOE-en	749.58
Lanette Doane-ins/cell	274.11	Dollar General-sup	25.47
Eakes-sup	40.14	Freedom Claims-ins	230.80
Grainger-sup	54.24	Travis Harrop-tvl	62.10
League NE Mun-dues	751.00	LASWA-fees	813.75
LC Auto-pts	430.98	Menards-sup	244.50
Miller & Assoc-ser	750.00	Municipal Supply-sup	273.15
NCTC-ph	596.25	NE Dept Rev-tx	5,122.72
NE St Fire Marshal-fee	61.00	NE Public Health Lab-test	15.00
NMC Exchange-pts	119.99	One Call-ser	9.98
Orschelns-sup	224.41	Petty Cash-sup/ref	291.33
R&R Welding-rep	135.00	Sandhills Motor-pt	15.88
Trotter Grain-chem	391.49	Union Bank-inv	1,500.00
Unitech-chem	578.00	Village-util	2,829.99
Jason White-fee	100.00	Yanez Service-fuel	573.26
Black Hills-util	343.31	MEAN-en	33,016.84
Tillotson Ent-B&G	8,838.50	Treetop Prod-B&G	1,850.21
UHC-ins	1,605.28	AFLAC-ins	60.45
Payroll-sal	17,903.36	Federal Tax Dep-tx	4,831.12
Todd Grant-cell	25.00	Invesco-ret	1,681.00
Bill Moser-cell	25.00	Nate Slagle-cell	25.00

Due to scheduling conflicts the September meeting will be held on Wednesday, September 9th.

There being no further business to come before the Board Trustee Henry moved to adjourn and Fecht seconded the motion. On roll call vote the following Trustees voted AYE: Henry, Fecht, Mills, Smith and Hogg. Motion carried and meeting adjourned at 9:22 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 hour 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