

**Village Of Manley
Board of Trustees Regular Meeting
November 12, 2020**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on November 12, 2020 by Chairman Denise Swenson at 7:00 PM. Roll call was taken and members present were Denise Swenson, Mickey Dalton, Tim Glas, and Rebecca Goble, along with Village Clerk Jolene Dalton, Streets Maintenance Supervisor Adam Goble & new elected Board member Phillip Tapp. Board member Adam Zierott will be late. 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 the Village website and in the bulletin boards on the Fire House & Post Office.

Agenda TGlas moved & RGoble seconded to approve the Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

*October 8, 2020 **Minutes**

*October 2020 **Correspondence** – Responded to KCCB regarding changes to the Cass County Recycling Program; Forwarded information received about MAPA’s Landlord Assistance Program to Manley landlords.

*October 2020 **Water Clerk’s Report**

*October 2020 **Treasurer’s Report**

*October 2020 **Village Clerk’s Report** - Sent/mailed October letter to residents; After receiving proper payment, gave liquor & tobacco licenses to Tom Sorensen; Working on Quick Books, getting FY figures ready for the Audit Waiver Request.

*October 2020 **Misc Monthly Reports** –

Water Specialist - Jack Faubion

The results of the water sample for the month of October had no violations.

Wastewater Specialist – Ed Blunt

9/21,9/30,10/19,10/31 – Checked lagoons; Pumps #1 and 2 are working in auto; 9/30 freshly mowed

Water Meters – Mickey Dalton & Adam Goble

Progressing as time allows. 1 meter dug & replaced this past month.

811 Digger Calls - Received 12 locate requests this month. Two were later cancelled & some from Windstream are being investigated regarding their marking.

New Playground – Mickey Dalton

Thanks to Dan Monahan, the grading on the west edge of the playground, the picnic shelter sidewalk & playground sidewalk was completed and the huge hole for the 10-spin footing was dug. A crew of 6 helped load & move the playground equipment from the Maintenance Bldg to the Park the night before assembly. On October 10th a crew of 14 residents & family, under the supervision of two men from Crouch Recreation, constructed the playground & partially filled the footings with cement. The following day, a crew of 6 mixed 80(!) bags of concrete to finish filling the footings & set the 10-spin pole. Two weeks later, a crew of 12 laid the picnic shelter & playground sidewalks and assembled the 10-spin. This week, the certified chips were delivered & 3 residents spread them out. The remaining section of the playground sidewalk was laid by 4 residents.

Trash Can Lids – Rebecca Goble

3 blue (recycle) & 1 black steel domed lids ordered & received from Uline. Trash can bottoms will be painted during the winter to match coordinating lids.

After recent incidents, it was suggested that two Board of Trustees members go to talk to a resident about a problem and then fill out a Documentation of Contact form to be filed with the Village Clerk. Any water shut-off notices should be hand delivered by Trustees and the resident sign a document stating that they received the notice.

Remaining Reports

***Claims** – Black Hills Energy for CommCtr-\$42.11 & Fire House-\$35.24; DHHS for water testing-\$15.00; OPPD for CommCtr-\$51.30, Fire House-\$66.01, Sewer-\$48.06, Water-\$33.00 & Street Lights-\$354.71; RWD #3 for water-\$877.50; Windstream for CommCtr-\$96.58 and Fire House-\$99.45; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$138.00 & Water Acct-\$138.00; JFaubion for Nov water wages & postage-\$126.75; EBlunt for Oct wastewater specialist-\$175.00; David Chebatoris for speed humps & tornado shelter legal work-\$120.00; Meeske Hardware for orange marking paint-\$6.29; Uline for 4 domed trash can lids-\$468.16; Weeping Water Public Schools for liquor & tobacco licenses-\$310.00; Postmaster for stamps-\$55.00; Meeske Hardware for yellow paint & street sign hardware-\$44.14; Cornhusker State Industries for 4 “Speed Hump” signs-\$108.00; NE Rural Water Assoc for liquid smoke used in 5/19/20 sewer smoking-\$50.00; AGoble for playground concrete mix-\$294.40; DSwenson for playground sidewalk concrete mix-\$142.60; JDalton for Oct Village Clerk-64 hr-\$791.50; Ready Mixed Concrete for sidewalk concrete-\$578.31; Farmers & Merchants Bank for fee to change trsf amount to Hwy Acct from Sewer Acct-\$2.00 & Water Acct.-\$2.00.

MDalton moved & TGlaser seconded to approve the Claims with the exception of the Dalton, Goble & Swenson claims. Roll call vote: All approved. Motion carried.

TGlaser moved & MDalton seconded to approve the Goble claim. Roll call vote: DSwenson-yes, MDalton-yes, RGoble-abstain, TGlaser-yes. Motion carried.

TGlaser moved & RGoble seconded to approve the Swenson claim. Roll call vote: DSwenson-abstain, MDalton-yes, RGoble-yes, TGlaser-yes. Motion carried.

RGoble moved & TGlaser seconded to approve the Dalton claim. Roll call vote: DSwenson-yes, MDalton-abstain, RGoble-yes, TGlaser-yes. Motion carried.

Unfinished Business+

Building Permits –

After discussion, TGlaser moved & RGoble seconded that the Board affirm the building permits granted by our Zoning Administrators, DSwenson & MDalton, to Jim Bley for a shed & Pat Gruber for a cement slab. Roll call vote: All approved. Motion carried.

Two more outstanding permits were discussed. DSwenson will talk to Dan Houchin about the permit for 112 Cherry Street & refer the case to the attorney if needed. She will also talk to Randy Abbott about the permit for 107.5 Main Street work.

Nuisance Violations – 106 Broadway continues to have violations. TGlaser will compose a letter to the owner regarding compliance with our Village Ordinance & the State Statute. After approval, it will be hand delivered to her.

It has been reported that the owner of 201 Cherry has a dog that runs loose. There is no dog licensed at that address so TGlaser will compose a letter to the owner regarding compliance with our Village Ordinance.

JDalton was asked to send out an email reminder that all animals outside the owner’s yard must be on a leash.

Park projects –

***Playground** – Nate Colgrove/Curb It will install the playground border next week.

***Park Benches** – (When AZierott arrived the Board went back to this subject.) AZierott reported that he has talked to Gerald Switzer about the benches. He needs a size & more detail before he can give a price.

Tornado Shelter in the Community Center – DSwenson is still looking for the correct weather radio. She purchased the bottled water the Village needs to have on hand in the case of an emergency. Some edits were made to the signs JDalton presented.

(AZierott joined the meeting. At this time he was asked about the park benches mentioned above.)

Culvert at Manley Lane & Hwy 1 – DSwenson talked to Fire Chief Larry Schliefert. He felt the fire truck pressure would not safely open up the culvert. DSwenson will check with the state, then the county, to clean it out.

IPMC Book Fees – The Board decided to form a small committee after the first of the year to work on this.

Vacant Property Registration Ordinance – no update at this time

Renumbering Ordinances – Renaming this project to ‘Reorganize & Properly Certify Ordinances’, the Board will task the committee mentioned above to work on this project also.

UTV/ATV discussion – AZierott reported that most complaints are about 4-wheelers & dirt bikes in town. Discussion was held on each item in the summary presented last month. DSwenson will work on an Ordinance that covers all points discussed.

Planning & Zoning Virtual Training - Fri, October 2nd – DSwenson talked to Chad Nabity, who will check with the Planning & Zoning Board to see if a DVD of the training is available.

Audit Committee – The postponed semi-annual audit of the books was scheduled for Tuesday, November 17th at 7:00 PM at the Community Center.

Fire Extinguishers recheck – AZierott reported that Dan Timm was not certified to do this. DSwenson will check with Jason McClun, Louisville, to see if he can help us.

New Business

Village Engineer & Street Superintendent Requests –

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 20-08

SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2020

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 31st 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.

TGlas moved & AZierott seconded to adopt Resolution 20-08 as read. Roll call vote: All approved. Motion carried.

After discussion, MDalton moved & TGlas seconded to appoint JEO Consulting Group as the Village Engineer for 2021 and Steven A. Parr (License No. S-859, Class A, Contracted) from JEO Consulting Group as the Street Superintendent for 2021. Roll call vote: All approved. Motion carried.

Community Service – With the hours worked on the Picnic Shelter & Playground sidewalk, it was agreed that James Struthers fulfilled his Community Service hours to the Village. DSwenson will talk to him regarding the requirement to move the fence or be fined again. Progress needs to be seen by December 31, 2020.

2020 Election Results – No certified official results have been received yet. There was a lack of communication regarding the Village’s newly annexed boundaries so the new Manley residents did not receive a Manley ballot. DSwenson will investigate the details & cost of a special election/re-election.

Clerk Retirement – On October 15th the Board received a letter from the Village Clerk announcing her retirement, as of 01-01-21. Excerpts from the letter: “I am grateful for the opportunity this Village has given me to set up an official Office for the municipality, to help make our Village a recognizable community in the area, to help make improvements to the Village, and to meet & work with some wonderful people. ... I believe we (the Village & I) have learned a lot about what an official Village Clerk’s responsibilities are & I am proud of what we have accomplished. I know a new Clerk will bring new insight & talent to the position and keep us moving forward. Thank you for all your support in the past.”

The Board discussed where to advertise for a replacement, job description, wages, hours, & requiring a background check.

Christmas Lights – Dan Weeks has volunteered to help us design & weld. AZierott had an additional decoration he would like to build, which the Board gave him permission to move forward with.

Copy Machine – No update yet, so JDalton volunteered to do a little research & looking. TGlas moved & RGoble seconded that JDalton be given permission to spend up to \$1,000.00 on a new copier. Roll call vote: All approved. Motion carried.

Village Generator - DSwenson reported that grants are not available for the size of the generator(s) needed for the Village. After much discussion, TGlas moved & RGoble seconded that up to \$3,000.00 be approved to purchase two (2) Village generators – a larger one for the Community Center & a smaller, mobile one to be available for resident emergency use – and accessory hook ups. Roll call vote: All approved. Motion carried. AZierott volunteered to take charge of purchasing & getting the generators set up.

Community Burn Site – The NE Dept of Environment & Energy contacted DSwenson & JDalton regarding a complaint they received about an open burning incident in the Village. They suggested establishing an alternative Village burning site to accompany the VFD approved burn permits. The NDEE has to follow up whenever a complaint is received. After discussion & evidence, the Board decided this was an unfounded nuisance complaint and will make no change to the Village burn permit procedures.

Public Forum

Documentation of Contact – JDalton presented a proposed form for Board members to fill out when they go to talk to a resident about a problem. With a couple of suggested edits, the form was approved.

Insurance – RGoble reported that she has been in contact with Erin Ball/Ball Insurance regarding getting the structures in the Park added to the Village Insurance Policy. With JDalton’s help they determined a replacement cost for the new Picnic Shelter (\$25,000) & Playground (\$45,000), but needed a figure for the small Picnic Shelter & north Playground. The Board decided upon \$10,000 & \$25,000 respectively. RGoble will continue to work with Erin Ball to update our policy.

JDalton distributed a breakdown of the OPPD Village light costs showing the savings when they were changed to LED bulbs & when the new annexed lights were added.

The tennis court net is rather in need of being replaced. The Board will revisit the issue in the Spring.

JDalton distributed the 2019-20 Fiscal Year Village financial reports with some written explanations. The Board is to look over the reports for next month.

Animal Citation – JDalton received animal license & late fees from Anthony Houchin, 112 Cherry, in July but is still waiting for a rabies certificate to issue the tag. Have asked him numerous times for the certificate. DSwenson will talk to Mr. Houchin.

Adjournment TGlas moved & RGoble seconded to adjourn the meeting at 9:30 PM. Roll call vote: All approved. Motion carried.

Jolene Dalton
Village Clerk

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.

*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 familial status. (Not all prohibited bases apply to all programs.)