**VILLAGE OF DUNCAN BOARD MEETING**

**& PUBLIC HEARINGS**

**August 14th, 2017**

**7:00 PM – VILLAGE HALL**

**906 Eighth Street – Duncan NE**

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The regular meeting of the Village of Duncan Board of Trustees was called to order at 7**:**00 PM by Chairperson Dustin Schaefer. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held. Schaefer assured that everyone present could hear the proceedings. Board members present were Schaefer, Paige Young, Chris Staroscik and Josh Dahlberg. Joe Boruch was absent. Also in attendance were Village Staff: Don Reves, Stephanie Laska and Mari Evans. Visitors were: Jeff & Michelle Oppliger, John Massman and Betty Kropatsch. The Pledge of Allegiance was recited by the board. Prior meeting minutes were reviewed by the board. *A motion to approve the minutes was made by Dahlberg, second—Young. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg (Boruch was absent). Voting nay--none. The Chairperson declared the motion carried*. Young read aloud Ordinance 3321, pertaining to the meeting minutes being completed 10 working days after the board meetings and requested that the minutes be emailed to the board once they are completed by the 10 day deadline instead of what the process currently is (sending the minutes with the agenda, the Thursday prior to meetings). Schaefer reported that the minutes cannot be published though, until they are approved at the next meeting. Evans stated that the minutes are completed on time and she would start emailing the minutes to the board once completed every month instead of being emailed with the agenda prior to the meeting as had previously been done. The Chairperson opened the floor to any unscheduled visitors for questions or concerns for the board. Betty Kropatsch presented to the microphone with concerns for the continued deterioration of 6th street. She wondered where the Village was as far as the One and Six Year Road Plan of resurfacing 6th street. Kropatsch stated that the west end of town was completed while she was in office (as Village Chairman) and the rest of the plan was supposed to fall in line. She understands about money and the budget however, she stated that if something is not started soon, we could end up with problems down the road. She stated that the traffic flow on 6th street has been and will be a more increased with the growth of Boystown Day School and regular traffic. She stated she would continue to question the progress and look at minutes to see that it is being looked at and hopes the board will look into it further. She also stated that she believed the plan was to include using the ground up asphalt of 6th street to help build up 5th street. Schaefer reported that the Village wanted to tie their one year plan into the county’s resurfacing of south Main Ave., outside city limits, since south Main Ave. was on the plan along with 6th street. However, after he spoke to the county, they reported to him that they are not resurfacing but only doing a patch overlay of the street. Schaefer stated that 6th street is on the One year plan and would hopefully be added to the budget for the next fiscal year. Kropatsch also questioned whether the monthly recaps are on the Village website, as she could not find them last month. Evans stated that they are posted on there every month. Young agreed that they are on there. Kropatsch had trouble finding it. Evans reported that the monthly recaps could be found under finance (Government tab). Kropatsch reported that she would look again to find it under the finance section.

**Unfinished Business:**

**5th Street Nuisance Homes Update** Young stated that she drove by after the initial letter was sent to the property owners. She stated that she thought they were both working on the problem but now it seems that the rental house is back to trash piling up again. Dahlberg stated that Schneider was just moving stuff around. Young stated she felt the old man was out doing something but the rental home residents were not. She has seen the residents of the rental outside smoking when they could be throwing stuff away. She stated that moving a pile of trash by the street doesn’t mean it’s cleaned up. Schaefer suggested that the renters might have thought the garbage company would pick it up. However, Young then reported that she didn’t think they had garbage pick up service. Reves reported that they have had a couple of pickup loads taken away. So it’s not the same pile of trash by the road. Reves stated he spoke to the woman that runs the rental (Jenny) and she had told him the renters were out of state for the last week and that’s why nothing was being done right now. Young asked what the next step is. Schaefer stated that they have had their warning and now would receive a fine. The board was in agreement to send a fine to the rental property. Michelle Oppliger stated that it has been more than long enough to give them a chance to clean up and she is tired of the trash that also blows into her lawn. She stated that she felt the old man is making more of an effort than the other people and the other house has more capable individuals. She also stated that she had driven around the entire town of Duncan and felt that the rental house by her home is the worst in town. Young reported that she read in the Columbus Telegram that Columbus is cracking down on nuisance properties in town. Reves reported that Columbus has a team of approximately 3 people whose only job is to do that. Young stated that we need to do something about it now since the 150th Anniversary is coming up in 2021. She suggested sending the fine to the Schrant property only. The rest of the board agreed. Evans will send a fine to the Schrant rental property owners according to the Village ordinance. Young asked how many days they get to pay. Evans replied they will get 30 days. Young asked if they do not pay then what would the next step be. Evans replied that the board would have to decide whether or not to do an abatement on the property.

**NEW Business: Customer Shut Off Charges (Charge to Customer or Village)**  Schaefer reported that there was a situation with a customer’s water being shut off. The customer was sent a Service of Notice as per ordinance that the water would be shut off on 8-9-17 if the balance was not paid. In order to get to this property’s shut off valve, a backhoe was needed. The backhoe was only available to rent on 8-10-17. The backhoe was rented and Thaine Saunders (Back-up Maintenance) was used to help with the shut off. Evans reported that the balance was not paid and she had not heard anything from the customer. Reves and Saunders were in the process of digging up the shut off valve, when the woman of the house came out and began yelling at Reves. Reves explained that she was given notice and that he had not shut it off yet, so she could go to the office and pay her balance and avoid the reconnect and deposit fees. She called Evans at the office and stated she did not receive a notice and her son had just got the mail a few days ago. Evans explained the notice was sent a week prior and she should have gotten it. She reported to the office after checking her mail. She showed Evans the unopened notice and last month’s bill unopened. She paid the balance and Evans called Reves to say she had paid the balance. Reves reported to Evans that he was already dug down to the valve and to avoid having to rent the backhoe again, he went ahead and replaced the shut off valve that was in need of replacement. He did not shut the water off however. Schaefer reported that according to ordinance, the customer is responsible for any charges due to a shut off process, including the backhoe rental, replacement parts and Saunders hourly pay. The customer is also responsible for their access to the water, from their home to the main. The shut off valve would be considered the customer’s responsibility. Dahlberg stated they also had an extra day to pay since the backhoe could not be rented until the 10th. Evans reported that the customer did state that her husband pays the bills and she never gets the mail. She also reported to Evans that she had a few emergencies this last month with the kids and that is why it wasn’t paid. Evans explained to the customer that she should call the office prior to bills being due, if she has problem with paying to help prevent getting to the shut off process. The board discussed it and decided that the customer should be responsible for all the charges as that is what the ordinance states. Evans will send an invoice and letter to the customer explaining the charges and inviting them to attend the next board meeting if they would like to appeal the decision. A motion was made to charge all equipment fees, parts and labor to the customer as per ordinance by Dahlberg, second—Staroscik. *Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Boruch absent. Voting nay--none. The Chairperson declared the motion carried*.

**NCG Delegate Approval** Schaefer stated that Harry Prososki is our current delegate and that he is reappointed every time. Evans reported Prososki did not present to her office this year yet as he had in the past to make sure he was on the agenda for this. Schaefer reported that could be possible since he just had knee surgery. Dahlberg questioned whether Mark Schacher needed to have a say in the appointing of this position since he does the books for Harry and is the treasurer for him. Dahlberg suggested the Village receive a letter from Prososki requesting to be the NCG delegate as we have people send letters to the board requesting to be on the fire department. Dahlberg stated that Prososki had Schacher acting as the treasurer of pickle cards and takes care of putting money in accounts, all paperwork and the books when audited. He also stated that Harry takes care of handing out the cards and collecting the money. Kropatsch stated there has never been a second person involved that she knew of and she thought Prososki had the right to appoint anyone he wanted without Village approval. However, Kropatsch stated that if there is a second person involved, it should be recorded of who they are and what their responsibilities are. Schaefer nominates Harry Prososki as the Village’s NCG Delegate but will look into the other person/position. Schaefer would like to appoint Prososki now as we have a deadline however, Dahlberg and Kropatsch state that you can do a conditional appointment so that we don’t miss the deadline but still can look into it. A motion was made to do a conditional appointment of NCG delegate of Harry Prososki with the condition to follow up next month on the second person by Young, second—Dahlberg. *Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Boruch absent. Voting nay--none. The Chairperson declared the motion carried*.

**ATV/Golf Car Registration** Schaefer reported that there are one or two 4-wheelers flying around town. He stated that this subject was talked about at a board meeting last year and it was decided not to change the ordinance and to try to stay on top of the enforcing our active ordinance. Schaefer reported that last year we had the same problem and we sent them a letter and it got better. Evans reported that she also put up a posting in AJ’s and Post Office and Office reminding people of the ordinance last year. Schaefer stated he believed it got better. He stated he did not think that forcing people to register their ATV’s/Golf Cars would fix the problem. Schaefer stated that most people know who the problem people are and we could send them a letter and/or a fine if caught. He stated that the only benefits he could see, if forcing registration, are that whomever is in charge of registering them, could inspect them as well to make sure they are legal and have everything they need along with insurance. However, Schaefer asked who would be policing this? Schaefer believed it could potentially be a full time job. Young stated that she disagreed due to the fact that if ATV’s had plate numbers assigned, then we would have proof of who’s ATV was complained about. Young stated that some of the ATV’s are going 80-90mph by her house and she fears for her kids’ and dog’s safety. She reported that they were on a family walk with the dog and that one came flying by that could have easily hit one of her kids or dog. Young stated that her husband had a verbal altercation with a father of one of the drivers of the 4-wheelers that were flying by her house, after he had told the driver to slow down. Schaefer stated that if we force people to register, then you’ll only have another issue of people who refuse to register. Then, who is going to enforce that? Schaefer feels that we need to just enforce our ordinance instead of rewriting it and making new ordinances. Young reported that she spoke to one of the county sheriff’s office deputies and they stated they would help us if we called them. She stated that they may not act upon a complaint if they do not see it however, they would send a letter with their letterhead or help in some way. Schaefer suggested to send a reminder letter at the beginning of every summer to residents on the ordinance. Schaefer suggested that everyone needs to police/enforce the ordinance better in town. He stated it is not Reves’ job to police the town. If we see something, then we can send a letter or stop and let them know they need a flag or whatever is noncompliant. Schaefer went through the ordinance briefly, aloud. He suggested that we stick with what we’ve got and be more proactive and police it more. All board members have a copy of the ordinance in front of them as well as the quote from last June’s minutes where it was discussed. Young reported that Bellwood’s ordinance has a muffler system noise section. Schaefer stated that our nuisance ordinance would cover the loud noises. John Massman stated he believed that tags for the ATV’s were a good idea. Reves suggested that if we are going to tag 4-wheelers then we will need to tag Golf Cars as well. Schaefer suggested notifying the parents of the troublemakers and it would most likely be dealt with. Young stated that she believed if we tagged ATV’s, that it would be known in town that they could get caught now and might deter problems with them. Michelle Oppliger stated that the key to the problem is enforcement. Schaefer suggested leaving the ordinance the way it is and just try to enforce it better. He asked if any board member wanted to make a motion. There were no motions made. Reves stated that the ordinance may need to be amended to add golf cars to it. Schaefer reported that the state law should cover those. Reves stated that the state left it up to the villages and cities to determine what they need. Kropatsch suggested adding that golf cars are ok on the streets of Duncan. Schaefer believed that the state law covered that they are legal and we should leave our ordinance alone. No other objections. The board suggested having Evans send letters when anyone calls about a complaint that someone is in violation of the ATV ordinance. Evans asked if she would need a written complaint, as was decided last year by the board, before any letter was sent on a complaint. Schaefer stated that had to do with nuisances. Kropatsch stated that ATV problems are nuisances. Schaefer stated that it was fine to send a letter or fine without a written complaint. He stated that you don’t need a written complaint if someone’s grass is 2 feet tall to send a letter for them to cut their grass.

Reves reported that he has problems with residents responding to letters or notifications such as when Evans sent notice that the street sweeper was coming and to move vehicles off the road. He stated that we are wasting our money on the street sweeper because he can’t get half the streets with all the vehicles parked on the road. Evans reported that she had even posted signs (AJ’s, Post Office, Office and on Website) notifying people when the street sweeper would be here and to move vehicles off the road. Young asked what our ordinance stated as far as how long something can be parked in one spot. Evans reported it was only 24 hours and that an untagged vehicle is against ordinance anyway. Schaefer reported that he would try to spread the word about the street sweeper coming and to get people to move their vehicles off the road. Evans reported that the Village website sends out alerts via text and/or email to people who are subscribed to it. There just aren’t a lot of subscribers to the website. Young suggested opening a Facebook page for the Village to post notices and alerts. Michelle Oppliger agreed with Young and stated that the Village website is hard to navigate. She stated that Madison’s website was so much easier. Evans asked why it was so hard. Oppliger stated that you have to dive into too much just to find what you want. She stated it took her a while to find the agenda and minutes. Oppliger stated that Madison’s website has everything right in front of you. Evans stated that she did not agree that it was difficult to navigate and that she would look at the website for Madison to see what she is talking about. Schaefer also reiterated to the public that Evans can add anything to our website if suggested. He stated that he felt that the Village website was easy and he is not a computer person. He stated that everyone is different and has different opinions. Schaefer stated that if people are having troubles then we can change it. Jeff Oppliger stated that a Facebook page would get a lot of younger people in town to look at the Village. He agreed that the Facebook page was a great idea. Schaefer stated that the beacon on the Village website was great for notifications and alerts.

**Playground Equipment Purchase** Evans had copied the estimated cost for the replacement of the slides for the used playground piece that was talked about last month. Each board member has a copy of the cost. It is over $11k to replace the slides and that does not include shipping or putting it together. Evans handed around to the board a print out of examples of playsets that are at the 12-15k price range from a certain website. The printout shows what the total cost is, all the specifications of each set, what the financing would be for 60 months and that shipping is free along with assembly and warranty. There is also no interest charged on the financing, according to the printout. Kropatsch asked if the new playset would be ADA approved. Evans stated that one of the three samples are stated to be and that we are aware of that. Schaefer suggested more research into new playsets and not buying used. Dahlberg stated he would find more fundraising and would research more. Young suggested getting something bought and up prior to the 150th Anniversary of Duncan. The board agreed and will continue working on this.

**Budget Workshop (Jill Clay--Countryman)** Laska handed out a working budget to each board member that showed actual and estimated costs. She asked if we would be buying the playground equipment before September. Schaefer and the board stated that would not be purchased before September. Clay asked Reves if he felt his time at work was evenly split between each fund. Reves stated that he though it was pretty even. He stated he spends about the same amount of time on each fund (water/sewer, streets etc). Clay stated to keep his salary the same at 25% of each fund. Clay discussed each item on Reves ‘Wishlist’ for the upcoming budget. She reported to the board that a new SCADA system is requested for 15k. A valave for 4.5k. There is 23k in estimate and in budget. The budget estimate is 103% to get the budget amount. Clay stated that it could be more or less depending on what the board thought was needed. The board agreed that it was fine at 103%. Clay requested an approximate amount of what Parks and Rec. would bring in for fundraising. Dahlberg stated approximately 2.5k. Clay discussed the General expenses with the board. She reported that it was budgeted last year for the billing software and that was not purchased yet. Evans reported that there was a question of whether or not the billing software would be problematic with the use of Quickbooks for financials. Laska was also attempting to get in on a webinar to see if she agreed with using it. Laska reported that she was able to sit in on a webinar and she loved it. She reported it is going to make a lot of stuff easier for the board to read. It was requested to add to the budget for next year then so that we can get it started. Evans reported that this new software is needed in order for us to reach our goal of going to radio read for meter readings. The software must be installed and in use for 6 months before the radio read can be initiated. Radio read equipment is also requested on the budget again for the upcoming year, since it was not purchased as budgeted last year. Clay then discussed the garage doors requested by Reves for the shop garage. He stated the current doors allow snow to blow in during winter and they are needing replaced. He also had requested purchase of a concrete saw which is rented and labor paid for when needed now. A board member asked instead of doing two garage doors, could we do just one big one. Dahlberg, Schaefer and Reves all stated no that is not possible for the needs of the Village. Reves reported that the wood frame is rotten as well and that all needs replaced in order to make the doors fit properly. The board agreed with the budget needs listed so far. Clay asked about the needs of the tractor. Schaefer stated that new tires may be needed for it this year at a cost of approximately $400. He obtained an estimate and gave to Clay. Clay moved on to the Street budget. She stated that our Highway Allocations need to be matched 25% and the transfers were not showing. Laska and she discussed and will correct the problem before submitting the budget. Reves requested 6k on the street budget to fix the road behind the fire station along with a 1.5k boxscraper. Schaefer then discussed the 6th street project with the board and about putting it on the budget. The board decided to add 180k to 200k this year’s budget for the resurfacing of the one year road plan to include 6th street. Schaefer stated that we need to get 6th street done. Schaefer then discussed what the Village could pay upfront and what we would need to borrow. After discussing it for several minutes, Schaefer decided that he would check into the USDA and see how they could help the Village. Young suggested using more funds from the street account than the savings account. Schaefer reported to Clay to add 150k for loan proceeds and a 25k transfer from general to street account for this project. Clay stated that was reasonable. Schaefer stated we could use the old, broken up asphalt on 5th street to build it up and hopefully fix that street for the time being. Schaefer stated that the Village could also sell the blade it has now for approximately $750 and buy the boxscraper for 2.5k and use it for the 5th street project. Reves suggested possibly needing more crack sealer next year but that the street patch was not going to be needed. He stated it is approximately $550/barrel for crack sealer. It is on the budget for $600. Young asked about a load of crushed concrete for Vernon Lane. It was reported that Overland would charge $460 per truckload. That was then added to the budget. Reves reported it would cost approximately 3k for a new manhole behind the fire station as well. Young then asked when the manhole behind her house would be fixed. Reves stated that he was waiting for her husband who said he would bring the equipment to shorten it. Reves requested $500 for the lowering of that manhole be added to the budget. The board agreed. Reves then reported that there is no water shut off at the fire station. He stated it could cause very big problems if that area ever needed to be shut off. He stated that if the Village is fixing the street there and putting a manhole in, they might as well add a shut off. He reported the approximate price for the shut off would be 4.5k. The board discussed and agreed that the fire station should pay for it or at least share the cost. Schaefer stated we could see if the rural board would agree to pay for half of the cost. He stated we can budget for the entire amount but need to see if they will share the cost. Reves suggested 12k for 2 new fire hydrants. He explained that there are 10 in town that need replaced and if we start replacing 2 or 3 each year we could get caught up and avoid any major problems. The board agreed. Clay reported that $1,650 is on the budget for cleaning and inspection of the water tower. The board agreed with this. The board did not have any other questions or concerns for Clay. Clay reported that she will plug all the numbers in and see how we come out and let the board know. We will plan for the public hearing and budget approval meeting next month then as planned. Clay stated she would send the draft prior to the meeting and that the notice will need to be in the paper 5 days prior to the public hearing. She stated that she would also get the audit engagement letter started. No further comments or questions.

**Departmental Reports:**

**Utilities** No report.

**Clerk** No report from Evans. Schaefer reported that he had a letter from the League of Municipalities suggesting board members go to their conferences. It stated that these conferences benefit board members and Villages in many ways. A lot of questions could be answered by going and it could be very helpful to the Village. Schaefer stated he may go to the conference in March this next year and suggested that other board members go to any of the listed conferences. Evans reported that the Village does pay a membership fee every year to this group.

**Parks & Recreation** No report.

**Treasurer** Laska handed out the monthly recap to all board members. Board members reviewed the accounts and bills and a *motion to approve the bills was made by Young, second—Staroscik*. *Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Boruch was absent. Voting nay--none. The Chairperson declared the motion carried*.

All meetings are open to the public and a current agenda for said meetings will be posted and available for public inspection at the office of the village clerk on the Thursday prior to the meeting. The next regular meeting of the Village Board of Trustees will be on **Monday, September 11, 2017 at 7:00 PM along with the Budget Hearing.**  Being no other business, adjournment was made by Schaefer at 9:17p.m.

Minutes recorded and submitted by: Mari Evans (Clerk)