**VILLAGE OF DUNCAN BOARD MEETING**

**& PUBLIC HEARINGS**

**May 8th, 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**:**02 PM by board member Josh Dahlberg, who is filling in for Chairman Dustin Schaefer, due to Schaefer’s absence. Dahlberg 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. Dahlberg assured that everyone present could hear the proceedings. Board members present were Paige Young, Josh Dahlberg and Joe Boruch. Dustin Schaefer and Chris Staroscik were absent. Also in attendance were Village Staff: Don Reves, Stephanie Laska and Mari Evans. Visitors were: Anthony Walsh and Victor Rosas. 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 Joe Boruch, second—Young. Vote was as follows: voting aye-Young, Dahlberg and Boruch. Voting nay--none. The acting Chairperson declared the motion carried*. The acting Chairperson opened the floor to any unscheduled visitors for questions or concerns for the board. Young wanted to know if there were any ordinances on garbage for the Village. She stated that she had a friend who was asking about it due to all the snakes they are finding on their property that appeared to be coming from the neighbor’s garbage filled garage. Young stated that her friend stated they had found approximately 30 snakes last year. She stated that when the old renters moved out of the home and the garbage was gone, that the snakes were less. But now that there are new renters in and the garage is filling up with garbage again, the snakes are bad. Evans stated that it would qualify as a ‘Nuisance’ but didn’t think there was an ordinance on garbage pick up. Reves reported that the snakes are bad all over town. Young stated that her friend said that it seemed to correlate with the garbage in the garage next door. The property spoken of is the rental on 624 5th street. Evans reported that she would send a letter to the renters, giving them a list of their options for garbage pickup. And, if the neighbor would send a complaint letter of the nuisance, Evans would send a letter to the renters advising of their duty to clear the garbage out and keep it cleared. There were no other non-agenda items brought up.

**Unfinished Business:**

**Maintenance Back Up Update** Schaefer apparently did not have time to interview the candidate yet. This subject will be tabled to the next meeting.

**604 5th Street** Boruch stated that he stopped by the house three times but was unable to catch the resident at home to talk to him. Boruch reported that he walked around the residence and noticed that the only door to get in or out of the house was the back door. He stated that the floor to get into the back door was rotted out. Boruch stated that it didn’t look like the resident was doing anything to clean the property up. He stated that he called Betty Kropatsch (former Chairperson) and she reported to him that this property had been a problem in the past. It was presumed that the only way it will get cleaned up is if the Village does it for him. The Village may have to start the Abatement procedure. Reves stated that you can’t do the abatement until you get the property condemned and the owner out of it. He then stated that DHHS, Fire Marshall and Sheriff could not help us in getting the building condemned. Evans stated that she researched and found the Nebraska State Statute stated that in our Village, the board members could make up the Health Committee in which they could act as the Health Dept. of the Village. She stated that the statute did state that a medical professional should serve on the committee as a medical adviser but only if it is possible. Reves suggested that Mark Boenesch (Physician Assistant) would be a possibility. He lives just outside of Duncan. Reves also stated that Columbus had 3 people serving on a committee specifically for the reason of condemning properties. He stated that they might be able to help us. Boruch stated that he would continue to try to talk to the resident and possibly get some more information such as his son’s name and number. Young stated that she would call the resident’s friend and see if she could get any information and explain that the Village is concerned for his safety etc.

**Grass Dump** Reves reported that he had spoken to Travis Stempek, who has allowed the Village to dump grass on his land. Dahlberg stated that he had talked to Kenny Slusarski who might be interested in feeding it to his cattle. Dahlberg said that Slusarski was planning on getting back to either him or Reves to let them know for sure.

**NEW Business:**

**NFPA Life Safety 101 Code Book** Evans reported that this code book is supposed to be on hand in the Village office at all times. She stated that she found in ordinance 95.01 that ‘The Village hereby adopts by reference the National Fire Protection Association 101 Life Safety Code, promulgated February 7, 1985. Said code book shall be kept in the offices of the Village Clerk.’. Evans asked Dahlberg if he knew if there was the code book at the fire hall. Dahlberg stated he did not know but would ask Edwin Schacher (Fire Chief) tomorrow night at the fire meeting. Young asked how often the code book is updated. Evans reported that she thought it was updated every 10 years and the latest version is 2015. She stated that the cost to order one would be $110 which includes shipping. Evans reported that she inquired about a discount since we are a municipality but the company denied any such discount. Young reported that any code book that the fire department would have is most likely outdated. Dahlberg stated he would check with the fire chief and get back to Evans about it. No further discussion on this subject. It will be tabled to the next meeting.

**Approval to Pay for Property Survey at 472 Main Ave. & 554 Main Ave.** Reves explained that this survey is on a property that Victor Rosas just bought (554 Main Ave). The property is right next to Aaron Nisula’s (472 Main Ave). Reves stated that in 2014, the previous owner and Aaron Nisula reported to him that the property line went from the power pole. Based on that information, Reves approved a zoning permit for the owner to build a garage. Now that Rosas has bought the property, he had a stake locate completed in order to put up a fence. The stake locate, completed by Tom Trammel (surveyor), proved that the garage was built 2 feet over the property line, onto Nisula’s property. After speaking with Jeff Ray (engineer at JEO Consulting), Reves and Schaefer found out that in these cases, the Village should be responsible for paying for the new survey and title search to correct the property lines legally. Since it was the Village that approved the zoning permit to build over the property line. Even though it was approved under the presumption that the owners were correct in their information they gave. Schaefer had already approved the title search with Landmark Title Co. for $100-150 to see if the street is plotted. Reves stated that this will be taken as a learning experience and from now on, whenever he receives a zoning permit application to build anything even close to the property line…even a fence, he will require the owner to expose the property stakes. This will assure that this problem does not happen again in the future. Reves also stated that the maps at the Village (provided by Gilmore & Associates in 2003), are incorrect. There are ‘Editions’ labeled on the maps that are not legally subdivided. He said that the maps show plotted lots in subdivisions. When, in fact, there have been no legal surveys and subdivisions completed in certain areas of town. Reves reported that the only survey completed in the town of Duncan was east of Main Avenue back in 1972. These properties have lot lines and stakes, however they have not been subdivided properly. Due to this issue, Reves suggested we take this opportunity to start to clean up property lines, beginning with the property in question. Dahlberg stated that the total cost of the survey and title search for this property would be approximately $950-1200. Young reiterated that this was a learning experience for the Village and moving forward we should get these things completed correctly. A motion to pay for the Survey was made by Young, second—Boruch. *Vote was as follows: voting aye-Young, Dahlberg and Boruch. Voting nay--none.* *The acting Chairperson declared the motion carried.* Victor Rosas presented to the microphone wanting to take the opportunity to thank the board for their approval and agreement to pay for the survey/title search and for working with him on this matter.

**1205 8th Street Sewer Repair** Dahlberg stated that Schaefer told him to table this subject to next month due to the owner not being ready or able to attend this evening.

**Departmental Reports:**

**Utilities** Reves reported that the hose outside the wellhouse is in the process of being installed, as approved previously. He stated that he got an estimate of the electrical work and was told it would cost approximately $280. This would be for electricity to it and to add a pressure switch in the line so it does not turn the power off to the entire building. The switch was an extra $50. No objections from the board were made. Reves also reported that there have been several complaints from residents in the Dahlberg Edition that would like gravel put down on Vernon Lane. Reves reported that it would cost approximately $13.50 per square yard of gravel for a total of $300 for the entire job. He obtained a quote from Sempek Gravel. Dahlberg stated that he thought it’d be a better idea to put down crushed concrete and allow it a month or two to work into the holes and then put gravel over the road. Dahlberg stated he would check on a load of crushed concrete. Young reported that BD’s had a bunch of concrete not being used for anything. She stated she would talk to them and see what they would charge us for it. Boruch interjected to warn that a specific member or the Planning and Zoning Committee would not be very happy about putting gravel on that road since he would like to see it paved. Boruch stated that he agrees with the Planning and Zoning Committee member in that the road should be paved. This subject has been brought up a few times by Planning and Zoning and it was ruled that the road would not be paved at this time due to the cost, the fact that most of the residents there do not want it paved and the Village cannot afford to do it themselves when there are a lot of roads in town that need resurfaced. Young stated she was prepared to talk to the Planning and Zoning Committee member about the subject if needed. Boruch stated that the road should have been paved when the edition was built. No further comment was made on this subject.

**Parks & Recreation** no report.

**Clerk** no report.

**Treasurer** Laska reported the bills to the board. She stated that the big bill this month was paying for the new mower that was purchased as per the budget for $8879. She stated that Reves is working on selling the old mower on Big Iron but she did not know how much it would sell for. She stated that since the meeting date was moved to the second Monday of the month, EMC (insurance co) has had trouble getting paid on time. So to prevent any further problems with paying that bill on time, she and Schaefer had agreed to have them paid per ACH bank transaction monthly instead of by check. This way, the board can approve it before it’s due and it can get paid on time every month. Young asked about the phone bills again. Evans stated that the new contract started mid billing cycle. So, the next bill should be accurate as to what the new price is for the phones and internet and fax for the Village. She stated that if it does not reflect the price she was quoted, she would call them as she wrote all the specifics down as to what was agreed on for the new contract with Frontier Communications. A motion to approve the bills as written was made by Young, second—Boruch. The acting 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, June 12, 2017 at 7:00 PM.**

Being no other business, adjournment was made by Dahlberg at 7:45p.m.

Minutes recorded and submitted by: Mari Evans (Clerk)