**VILLAGE OF DUNCAN BOARD MEETING/PUBLIC HEARING FOR BUDGET**

**September 11th, 2017**

**7:00 PM – VILLAGE HALL**

**906 Eighth Street – Duncan NE**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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, Chris Staroscik, Paige Young, Josh Dahlberg and Joe Boruch. Also in attendance were Village Staff: Don Reves, Stephanie Laska and Mari Evans. The Pledge of Allegiance was recited by the board. Prior meeting minutes were reviewed by the board and a motion to approve the minutes as written was made by Dahlberg, second—Young. Vote was as follows: voting aye-Staroscik, Young, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. The Chairperson opened the floor to any *unscheduled visitors* for questions or concerns for the board. There were no unscheduled visitor questions or concerns.

Schaefer opened the public hearing for the budget proposal at 7:01pm. Laska distributed the copies of the budget to each board member. The board began going over the budget proposal. Schaefer went over the budget expenditures, detailing them with Boruch since he was absent last month when it was discussed. Schaefer also explained the changes made since discussing last month. Jill Clay (Countryman Assoc., Accountant) discovered that the Village cash reserve was too high and would be in violation of the cash reserve limit. She suggested using more cash for the street project and borrowing less. Instead of borrowing $150k, she suggested only borrowing $120k. She also suggested transferring $25-50k from the general account to the street account and using $25-50k from the street account to finance the street project in the budget. Boruch asked why we wouldn’t pull more out of the street account. Schaefer explained that he would like to have some reserve in the street account for use on future street projects. He stated that he and Young have called a few banks in town to get estimates on interest rates for the street loan. Schaefer found that Columbus Bank would give 3.18% fixed for a 5 year term and 3.37% for a 10 year term. However, they wanted the Village to transfer all current accounts from First National Bank to their bank. Laska reported that First National Bank is great with the wire transfers that she has to do monthly and would not want to start that with a new bank. Young stated that she had spoken to Bank of the Valley and was quoted a 3.25-3.5% interest rate. She stated that she was told if we refinanced the current loan in with the new loan then we would get the better rate. Schaefer reported that he would contact other banks including First National Bank with whom we currently have a street loan and all accounts with. Schaefer stated that our current street loan balance is $36,455 at a rate of 3.84%. Schaefer then figured out what our payments would be with certain rates and stated them to the board for an idea of what our payments would be after the new street loan is added. It appeared that the loan payments would be similar in the amount compared to what we are already paying. Depending on term limit and interest rate and of course, amount of the loan. Laska stated that the Village projected Highway Allocations for next year are listed as $51,500. She also stated that an extra $7,500 was added on the budget street loan project in order to cover refinancing costs. Reves stated that the new street project may not be as expensive as the last one due to the fact that it is a fewer number of blocks and JEO Consulting reported that engineering would not be needed on this project. He stated that the engineers and others take a certain percentage of the total cost when working on projects like this. So this will save the Village some money. The board then briefly discussed other expenditures on the budget such as the new billing software that was on last year’s budget but was not purchased, the box scraper, fire hydrants and the new shut off valve at the fire station. Schaefer reported that all the other expenses on the budget are the usual payments that are made every year. The board reported no questions or concerns over the proposed budget.

**UNFINISHED BUSINESS**

**NCG (Nebraska Commission of Gaming) Delegate Appointment Condition** Dahlberg stated that Harry Prososki would only be used if Keno was brought into Duncan again. Harry Prososki should stand as the delegate for Duncan at the NCG, as previously approved and appointed last month.

**NEW BUSINESS**

**Code Enforcement Coop with Platte County Sheriff Office** Schaefer and Dahlberg stated that they had spoken to Sheriff Wemhoff, of the Platte County Sheriff Office. They stated that the sheriff agreed to work with the Village in enforcing our ordinances. They will come if they are called and write tickets when needed. Young reiterated that they had told her they would also send warning letters with their letterhead as well. Dahlberg stated that Wemhoff would offered to come to the meeting however, he requested that our attorney be present. He wanted to be sure we have ordinances that are coded and approved by the Village attorney. Schaefer stated that two board members were invited to meet Wemhoff in order to ask and further questions or discuss anything further. Schaefer stated that he or Dahlberg would contact the Sheriff again to advise him that we do, in fact, have a codified ordinance book that is approved and signed by the Village attorney. That will allow the sheriff deputies to legally write citations for us. Young questioned if it was necessary to have 2 board members meet with Wemhoff at this point. Schaefer stated there may be no need to meet with him unless we have more questions/concerns. The board agreed. Boruch received a packet of information from Chris Anderson (Central City Nuisance) including their ordinances on nuisance properties. They have adopted the International Property Maintenance Code. This is more comprehensive however, they do receive more complaints of nuisances than the Village of Duncan. There was a thumb drive that had even more information on it. This will be kept in the Village office if anyone would like to look at it. The 5th street nuisances were briefly discussed and reported that Don Schneider’s residence is mowed and seems to be slowly cleaning the vehicles out. The Ed Schrant rental has gotten their garbage piles removed and seem to be making progress as well. With regard to fines, Anderson apparently told Boruch and Schaefer that the fines we send could potentially be thrown out by a judge and that we need the Sheriff office to write a ticket for the fine. Anderson conveyed that we cannot fine without a deputy doing it. Dahlberg stated that Wemhoff stated that a deputy would drive through town 2-3 times/day however, if they are getting called frequently, they will have to charge the village a fee. Dahlberg stated that Newman Grove does pay for their village to be patrolled. Reves stated that he believes if we have one person get a citation from a deputy, that it will be made known in town that we are enforcing our ordinances and should deter others from violating them. He believes that it won’t take a lot of deputy hours to accomplish this. Schaefer stated that we can send warning letters but cannot fine villagers. We would have to call a deputy to write a citation, after they have had their warning letter. Vehicles with no tags around town were mentioned in discussion. Dahlberg stated that if we had a deputy come out for that, it would only be a fix it ticket. Schaefer stated that he and Dahlberg would communicate with the Sheriff to let him know we do have codified ordinances and that we would like to be able to call them for help when needed.

**Water Line Repair Cost** Schaefer stated that last week (Thursday) when Reves was mowing, he noticed water bubbling up out of the ground near Judy Dush’s home. He stated they could not tell if it was the Village main or Dush’s line feeding off the main that was leaking. Reves stated that he attempted to notify Dush however she was not home. He stated he notified Merril’s (Dush’s neighbor) as it was possible it was their line as well. Schaefer stated that no one has spoken to Dush yet as he and Reves have been unsuccessful in contacting her. Schaefer stated he would continue to attempt contacting her. Reves notified Obrist to repair the leak/break after notifying Schaefer of the problem. Diggers hotline was made aware of the project and they notified Reves to find the water and sewer mains in that area and mark them prior to digging. Reves was unable to locate the Village main that was nearby. Reves and Schaefer stated that the Village has no way of locating them and there was no map of the lines in that area of town. Obrist began digging to get to the leak/break. While digging, they hit a Village main line and broke it. Due to Digger’s hotline being notified and the Village not identifying the lines prior to digging, Obrist would not be responsible, legally, for the cost of the new break from digging. Schaefer reported that the question to the board is whether or not to charge Dush for the whole thing since they did end up finding that it was her line that was originally leaking. Schaefer stated that he felt they might have left it up to Dush to fix on her own accord however, there was no way to tell whose line it was until getting down there and she was out of contact. According to our water ordinances, the home owner is responsible for their water/sewer line all the way to the main Village line. So, referencing that, it would make Dush responsible for the cost. The main cost of this repair was that of the digging. Reves stated that the lines themselves are not very expensive to replace. It is the digging and labor that cost the most. And, since they had to dig to get to Dush’s line, it would fall under the ordinance that she is responsible for the cost. Both lines were replaced and the Village has not yet received a bill from Obrist. The board discussed and Schaefer, Staroscik and Young felt that Dush should pay for half. The board ultimately decided to wait until the Village received the bill. This subject will be tabled until the bill is received and Dush is notified.

**Budget Approval:** *Motion to close the Budget Public Hearing* was made by Dahlberg, second—Young, at 8:20pm. Schaefer reads R17-219 Budget Statement aloud. *Motion to waive the first and second reading was made by Dahlberg, second—Boruch.* Vote was as follows: voting aye-Staroscik, Young, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. Schaefer then read the entire Resolution R17-219 aloud. The 2017-18 budget included a cash reserve of $136,525 and total expenditures of $689,650. The requested property tax was $39,188. *Motion to adopt the budget and pass R17-219 Budget Statement* was made by Boruch, second—Dahlberg. Vote was as follows: voting aye-Staroscik, Young, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. Schaefer read R17-220 Property Tax Statement aloud. *Motion to waive the first and second reading was made by Young, second—Boruch*. Schaefer read the entire Resolution R17-220 aloud. *Motion to pass R17-220 Property Tax* was made by Young, second—Dahlberg. Vote was as follows: voting aye-Staroscik, Young, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried.

**OTHER DEPARTMENTAL TOPICS:**

*UTILITIES* – no report

*PARKS & REC* – no report

*PLANNING & ZONING—*It was briefly discussed that Jim Pavel is attempting to look into the Village approval of moving property lines at the Victor Rosas property. He stated to Schaefer that he believes the Village violated the law in approving it and is going to continue to fight it. The Village will await a call or letter or presence at a meeting from Pavel or his attorney with regard to this subject. Boruch asked about the Jareske land that was for sale, Schaefer reported that one person bought the whole thing. Boruch asked what the buyer’s intentions are with the use of the land. Schaefer reported that he was told they would build a home. Boruch asked if they were aware of the zoning rules with regard to subdividing. Schaefer stated that the buyer was made aware of a lot of the zoning laws and if they build a home and sell another lot, they would be required to subdivide it first. Boruch stated his understanding. No further report.

*CLERK’S REPORT* – no report

*TREASURER’S REPORT*—Laska reported that the only large bill was the sewer payment which was made on the first of this month. She reported that Frontier (phone bill) was still incorrect and the next bill should reflect the correct amount, according to their refund policy taking 60 days. Laska stated that she has now added US Cellular to ACH transactions so that we could avoid late fees when paying that bill monthly. Evans reported that Galley’s were sent the bill for the backhoe, labor and equipment from the last month board decision. She stated she also sent a letter with the bill advising them of their right to attend the monthly board meeting tonight to appeal the board decision to hold them responsible for that bill. The Galley’s are not present and by not being present to appeal the decision, they assume responsibility for the cost. Motion to pay the August bills was made by Young, second—Dahlberg. Vote was as follows: voting aye-Staroscik, Young, Schaefer, Dahlberg and Boruch. 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, October 9, 2017 at 7:00 PM.**

Being no other business, adjournment was made by Schaefer at 8:40pm.

Minutes recorded and submitted by: Mari Evans (Clerk)