

VILLAGE OF DUNCAN BOARD MEETING

January 10th, 2022 7:00 PM – Village Hall 906 8th Street, Duncan, NE. 68634

The monthly board meeting of the Village of Duncan Board of Trustees was called to order at 7:00 PM by Chairperson Jeff Oppliger. 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 held in the Village Hall. Board members present were Nick Wagoner, Steve Langton, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Also, in attendance were, Village Staff: Don Reves, Marianna Evans and Michelle Schindel. Visitors present were: Travis Stempek, Karen Edmundsen, Steve Lloyd, Clint Arnold (Stealth Broadband). *A motion was made to approve the minutes from last month's meeting on December 13th, 2021 by Wagoner, second--Langton. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.* Visitors were given the opportunity to speak for 5 minutes on any non-agenda items. No items were brought to the Board's attention. Oppliger continued with the meeting.

Unfinished Business: none

New Business:

Proposed Request Stealth Broadband Fiber Install in Town Arnold presented to the microphone and introduced himself as a co-owner of Stealth Broadband. He stated that they would like to install fiber optic lines throughout Duncan. They would start from CSS Farms and will go out to Duncan Lakes. He stated they've already gotten CSS Farms area completed. He reported that they received grant money through the Nebraska Broadband Act. The total cost of the project for Duncan is \$479k and they have received \$143k in grants. He reported that the cost per household would be \$2,240. He stated that most of the lines will be aerial however, if a customer wanted their line buried, they would comply. He stated that they would cover any new subdivisions in the future. He stated that he would need a franchise agreement with the Village. He brought one with him and stated that he would go over that further at the next board meeting. He reported that their base internet price is \$55/mo. for 500Mbps. He stated they have no-contract and contract deals. He referred further questions on services and pricing to their website. He stated that he could provide recommendations if needed. He reported they just finished installing in Neliegh. Their call center is in Norfolk. He stated that any tech issues are usually solved within one hour. He stated that Duncan is first on their list and that they have 18 months to finish, to comply with grant rules. He stated that doorhangers would begin once they are ready to begin services. He reported that Frontier tried to keep them from coming to Duncan however, Frontier didn't follow up and so he believes that they have dropped out of their install in Duncan. He gave a quick history of how his company was started. He asked about the Village ARPA funds and if they had been used yet. Evans reported that our ARPA funds have already been allocated. He stated that they would take any help they could get financially and that there are other towns using their funds for broadband. Arnold stated that he would keep in touch and be back to go over the franchise agreement at the next meeting.

Proposed Lincoln Highway Memorial Edmundsen presented to the microphone and introduced herself. She handed out information and pictures of the project she helped with west of Duncan. She stated that it was a long process to save a bridge that was a historical marker and install a memorial for the Lincoln Highway. She stated that whatever we decided to do, we would need to start with the National Historical Society. She reported that there was no funding available and that all funds for her project were donated. She stated that there is an app on the National Historical Society website that will tell you exactly where all historical markers are. She gave a little history on the highway and how it actually jumped back and forth over the railroad tracks. She stated that the historical marker in Duncan by the pumphouse, was actually where the fire station is now. It was moved to build the fire station. She stated the trees lined by the fire station were where people would stop and camp. She stated that 2013 was the 100th anniversary of the Lincoln Highway. Stempek reported that he was working on finding out the property lines of Union Pacific etc. To see if and what we might be able to do. He would like to see a memorial near the trees in whatever form the town chooses. He suggested the board create a committee to work on this. Oppliger stated that he thought it was a good idea and should move forward with it. Edmundsen stated that she would leave her contact info with Stempek for any questions.

Proposed Request Lloyd Subdivision Tree Pile Burn Reves reported that Lloyd had taken out all the trees for the new home build on his property as well as for the subdivision. It ended up being a lot more than estimated. The trees are lying in a pile on Lloyd's subdivision property. Which is directly across the street from the town tree pile. Reves stated that he is asking if they can burn the pile where it lies, with a temporary permission from the board. Or if they will need to move all the trees across the street to the town tree pile. Oppliger referred to Dahlberg as the Fire Chief. Dahlberg did not like the idea due to the dry ground and lack of snow. The board asked questions on the length of time the trees would burn. Dahlberg suggested that it would take approximately 5 days for them to burn. He would like to let residents have the opportunity to cut firewood from the pile in order to decrease the pile and length of time it would burn. Lloyd stated he did not like that idea much. Liability issues were brought up with allowing residents on Lloyd's property to cut up firewood. Oppliger stated that if approved, he did not believe that this would give permission for others to burn branches. He stated that there are extenuating circumstances in this situation and that this also is for the helping with getting the new subdivision built. Reves stated that originally, he planned on just burning in the town tree pile. However, he did not know it would be this big of a pile and does not have the equipment to push that much up, as needed for controlled burn. A board member asked how long it would take to burn. Reves stated that when he has a large pile, it takes 3 days. However, this pile is bigger and so will take longer. Oppliger reiterated that the decision for the Board at this time was whether or not Lloyd would need to move the tree pile to the town tree pile or leave it be to burn there. He stated that ultimately, the Fire chief would make the decision on the burn permit and deal with the safety issues. Stempek reported that the trees are mostly Chinese Elm and Mulberry trees. Evans offered to post a notice for the firewood. *A motion to allow Lloyd to keep his tree pile on his property to request a burn permit with the stipulation of allowing residents to chop firewood prior, was made by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

Grass/Tree Pile Relocation Reves reported that this has been talked about before and that he and Stempek had been looking for other placement options for the pile. He suggested to move it approximately 2 blocks east of the current grass/tree pile. He stated that the winds are typically from the NW and SW and that should keep most of the smoke away from residents. He stated that the grass pile could stay where it is however, it does smell at times. He stated that the tree pile would need moved for sure and soon due to the subdivision about to be built. Reves and Stempek scouted the area and reported that there will need to be some clearing of current trees to make room. Stempek stated that there will be plenty of room for vehicles to turn around etc. He stated that it will be behind some trees and that should help contain the smoke as well. It will not be as visible to residents as well. Reves stated that this could be temporary until we can find something better, since it is not Village ground. He stated that the church council was asked about using their land on the north side of town and that the council did not agree. Stempek stated that the current location of the grass/tree pile was available as long as we cleaned up the trees near the RR tracks. Union Pacific had agreed to that. They were supposed to continue to move east and clean up as they moved along. However, the pile never moved once placed there. Boruch agreed that it was a good area. Reves stated that he would need to ground to be thawed in order to move the signs easier. So, that may be during spring. *A motion to move the grass/tree pile approximately 2 blocks east of the current one was made by Wagoner, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.* Stempek then made a suggestion to the Board to clean up the volunteer trees etc. in the current grass/tree pile location, once it is moved. He felt that this would just help to clean up the area and look nicer. The board agreed.

Appoint Boad Committees Oppliger stated the current members of each committee. The board discussed and agreed that they would all be agreeable to staying on the same committees this year. *A motion to appoint Langton & Boruch to Water/Sewer; Wagoner & Boruch to Street/Grade; Oppliger & Dahlberg to Parks & Rec and Oppliger & Wagoner to Finance committee was made by Boruch, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

Appoint Northeast Nebraska Solid Waste Coalition (NENeSWC) Representative and Alternate Representative Evans read R22-257 aloud. *A motion to approve R22-257 appointing Dahlberg as the NENeSWC representative and Boruch as the alternate was made by Boruch, second--Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

Appoint Village Attorney *A motion to appoint Neal Vlorz as the Village attorney was made by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

Appoint Board of Health The Chairman is automatically a member and the other two members can be anyone. Evans reported that it is not required but is recommended to have one member with a medical background. She stated that originally, they could not find anyone with a medical background that was interested. *A motion to appoint Oppliger, Dahlberg and Langton to the Village Board of Health was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

Departmental Reports:

Utilities Reves reported that the GIS mapping grant was approved, so they should be out to begin work on that project soon. Reves stated that he is still waiting on bids from vendors for the water line down Bumpy Road. He reported hat Obrist's bid was \$85k and included an 8 inch main with one hydrant and 1-5 taps. Reves stated that JEO is working on funding for our water main looping project. He stated that 100% of funding will be found. To include grants and low interest loans. Reves reported that once Lloyd constructs the new street in his subdivision, he will have the drainage piping installed. Reves reported on a water emergency with a resident who had 4 feet of water in their basement. There was a lot of water pumped out and caused puddling and ice outside. Reves reported that the concrete street on the hill is crumbling away. Boruch contacted the county to see if they would help to get it sealed. Boruch was not happy with the way it looks after only a year and a half. Reves thought it may be due to bad concrete. He stated that they were supposed to use highway grade concrete. He wondered if they did the core testing on the concrete. Boruch suggested calling BD's and asking them if they did the testing. Evans reported that she received a notice from JEO advising that it has been 6 months since resurfacing the streets las summer. She stated they wrote that the warranty is for one year and they wanted us to be sure to report any problems. Reves reported that Boruch masonry finished their concrete job on 8th Street and 10th Ave. He stated he did a great job on that and on the wheelchair ramps.

Parks & Rec. No report.

Planning & Zoning No report.

Clerk Report Evans stated that 1st place winner for the Holiday Lighting Contest was Elissa & Derrin Kula (\$100); 2nd place was Terri Hager (\$75); 3rd place was Dan Paczosa (\$50). She stated that the checks would go out to them this week. Stempek asked if the Board would consider expanding the area included in the Holiday Lighting Contest to 2 miles out of town. Evans stated that the contest is sponsored by Loup Power, whom has services only in town in Duncan. She stated she was not sure on how or if it would be appropriate to expand. She stated possibly moving it to what our ETJ is (1 mile around town). That would be a decision for the Board. Evans reported that she was notified by Greenfiber today and that they will not dump the recycling bin until we have it dumped. She stated that they went to dump it and there were dead geese found in it. Evans stated that she will cal ACE Sanitation to have it dumped. She stated that she would add this subject to the next agenda for the Board to decide whether or not to continue the recycling service. She stated that the Village will have to pay ACE Sanitation make a special trip to dump it and that our normal dumpster and route is at a cost of \$75/mo. So, she is not sure what the price will be. Langton passed his phone around to the Board to show a picture of the dead geese in the dumpster. She advised the Board not to discuss or make any decisions at this point due to it not being on the agenda. She repeated that she will add to the next agenda for them to discuss and vote. No further report.

Treasurer Report & Updates—Approval of Bills Schindel handed each board member the monthly recap. She also handed out copies of her completed figures for the financial recap of the 150th celebration. She reported

that the Village only had to pay approximately \$2,600 for the weekend long celebration. The board reviewed the recap and *a motion to approve the bills was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

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, Post Office, T-Bone 2 and the Village website on the Thursday prior to the meeting. The next meeting will be on **February 14, 2022 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 8:33p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)