

## VILLAGE OF DUNCAN BOARD MEETING

January 13, 2025 7:00 PM – Village Hall, 906 8<sup>th</sup> 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, Gary Schlesinger. 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 Lance Denbo, Nick Wagoner, Gary Schlesinger, Jerusha Ratcliffe and Van Steyn. Also in attendance were Village Staff: Doug Michalak (Utility Superintendent), Marianna Evans (Clerk) and Michelle Schindel (Treasurer). *A motion was made to approve the December 9, 2024 meeting minutes by Denbo, second---Wagoner. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.* Chairman provided opportunity for any non-agenda items to be brought to the Board's attention. He stated a 5-minute limit and that the Board may only listen and add to the next agenda if approved. No discussion or decisions may be made. There were no items brought to their attention.

### **Unfinished Business --none**

### **New Business**

**Pay Application #2/Change Order #2/Certificate of Completion Water Project** Dale Bohac, JEO Engineering was not present at this time. Schlesinger and the Board agreed to come back once Bohac arrived.

**Request to Attend Water Conference** Evans explained that Michalak would need to go in order to receive his continuing education hours for his water license. She stated that it is the annual conference that the prior Utility Superintendent attended. Michalak reported the cost of the conference including the cost of hotel. *A motion to approve the attendance of Michalak at the water conference was made by Wagoner, second—Denbo. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.*

**Proposed New 'Engine Brake Prohibited' Signs Hwy 30/Moving Current Population & Speed Limit Signs Hwy 30** Schlesinger reported that he would like to move the current speed limit and population sign on the north side of the highway, east, out to our current city limits by CVA. He would like to add an 'Engine Brake Prohibited' sign on both ends of the highway as well. He stated the current Engine Brake Prohibited signs are too small and he would like to place larger ones at the population sign spot. Schlesinger stated that he would contact the Nebraska Department of Transportation to discuss. He stated that he would wait for spring to further pursue. He reported that he felt the Village has done everything possible and nothing has stopped the engine brake usage on the highway. Schlesinger stated he spoke with the Sheriff office and was told they would help if we could produce an ordinance. The ordinance was given to them and they said they would give warnings the first offense and then ticket after that. *A motion to approve adding larger 'Engine Brake Prohibited' signs to the east and west ends of city limits on Highway 30 was made by Denbo, second—Schlesinger. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion. A motion to approve moving the speed limit and population signs on the north side of the highway, east, to the city limits was made by Schlesinger, second—Denbo. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.*

**Pay Application #2** Dale Bohac, JEO Engineering arrived at 7:16pm to present. Bohac stated that the project is about completed. He reported there is only some concrete work and residential yard work yet to be completed. He reported that all lines are now online. He stated that Obrist was complete with the water project on Dec. 17, 2024. He presented the Pay Application and went through each page of it and the Change Order for the Board. After some discussion and questions by the Board, *a motion to approve Pay Application #2 for \$382,849.23 was made by Denbo, seconded—Schlesinger.*

**Change Order #2** Bohac went through the change order with the Board. *A motion to approve Change Order #2 was made by Denbo, seconded—Wagoner. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.*

**Certificate of Completion Water Project** Bohac presented the Certificate of Completion for the Water Project. He reported that there is a one-year warranty on the work. If there are any problems noted within that year, the Village can report them and they will be taken care of. Schlesinger verified with Bohac that if affected-residents' grass does not grow, that it will be reseeded in the spring. Michalak reported that he would be sure the final touches are taken care of. *A motion to approve the Certificate of Completion of the Water Project was made by Denbo, seconded—Wagoner. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.*

**Proposed Speed Limit Sign on 6<sup>th</sup> Street** Evans reported that this agenda item was requested by a former Board member that lives on 6<sup>th</sup> Street. Evans stated that the resident reported continuous speeding by vehicles on that street and the resident was worried about pedestrians, kids and animals getting hit. Schlesinger reported that he had attempted to confront a speeder on 6<sup>th</sup> street but was unsuccessful as the speeder turned off to avoid the confrontation. Schlesinger stated that the

law is 25mph in residential and one should know that when they get their license. After some discussion, the Board decided a speed limit sign would not do any good to slow people down. Other ideas were to ask the county Sheriff dept. if they would place their speeder sign on 6<sup>th</sup> street as well as 8<sup>th</sup> street to collect data and hopefully slow speeders. Steyn reported that there is a problem of speeders on 8<sup>th</sup> street as well. Evans reminded the Board all of these streets have been an issue since the roads were resurfaced. She stated she discovered that the active speed sign that the county places on Main Avenue sometimes, is actually collecting data on how many speeders there are within a certain time period. She suggested that getting that data after placing it on all of the problem areas, would give the Board more information to decide how to solve the issue of speeders on these roads. The Board discussed and decided to have Evans contact the Sheriff dept. and request to have the active speed sign rotated between Main Ave., 6<sup>th</sup> Street and 8<sup>th</sup> Street, when it cycles to be placed in Duncan. Evans explained that Sheriff Wemhoff reported to the Board in the past, that the sign was purchased with a grant. And, that they planned to use throughout the county, wherever it is needed.

**Appoint Village Attorney 2025** Evans reported that this must be competed annually according to state statute and Village ordinance. She reported the current attorney is Neal Valorz, whom took over for Stan Emerson (longtime attorney for the Village). She stated that she has had great experiences with Neal and, he is very professional, quick with responses and charges per 15 minutes, rather than by the hour. Evans stated she believed Valorz is very fair with billing. She reported he is also the attorney for the City of Columbus, the Village of Shelby and the Village of Richland. *A motion to reappoint Neal Valorz was made by Schlesinger, seconded—Denbo. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. The Chairman carried the motion.*

**Lloyd Subdivision Progress** Michalak presented the Board with the zoning ordinance stating there is a two-year limit on completion of subdivisions. He stated that the final plat was recorded in November of 2021. He also pointed out that the ordinance stated that there should have been a previously agreed upon time limit. There was not ever a time limit agreed upon. After discussion by the Board, a decision was made to send a formal letter from the Village inviting Lloyd to the next Board meeting to give an update on the subdivision and its progress. Evans stated that Lloyd has not given a formal update since filing the final plat. Evans stated she would send an invitation letter with a copy of the ordinance to Lloyd.

**Water Tower inspection Report** Michalak goes over the printed report with the Board. The inspection was completed in October. It showed some deficiencies that will need to be fixed. Michalak reported that he asked if it could wait until the next inspection and he was advised not to wait. Michalak stated he is still waiting for a cost estimate on the repairs. Schlesinger highly recommended looking into a grant for a new water tower. Michalak stated that a new water tower was in the plans to obtain once the current debt for the treatment plant was paid off. Evans stated that would be 2031 or 2032. Schlesinger stated that the Village could get a grant and could find a grant writer to obtain. No further discussion.

**Recent County Sheriff Activity in Town** Steyn reported that there had been a ‘blacked out’ vehicle parked across the street from his home on 8<sup>th</sup> street (right in front of little park) for a few days. He was told by county Sheriff dept. that it was insurance salesman. After the second day of the vehicle and person inside sitting there all day, he called Sheriff again and was told it was told they were doing surveillance. Schlesinger was called and he presented to the car and asked for name. Gary spoke to the Sheriff office on speaker phone while at the vehicle and was told it was legit and they were doing surveillance. Steyn reported that he and neighbors are wondering if they need to be worried about anything. He stated that with the current sex trafficking arrests, he would like to know if he needs to be worried for his children. Schlesinger stated that they were told by the Sheriff office that the individual was legit and not to worry. No further discussion.

#### **Departmental Reports:**

**Utilities** Michalak reported that the streets, sewer and water are all good at this time.

**Parks & Rec** no report

**Planning & Zoning** no report

**Clerk Report** no report. Schlesinger requested all materials in Board packets be mailed to each member prior to the meetings, in order to have the opportunity to review and understand prior to making decisions. He requested every Village bill be copied and given in the packets to the board members. He requested having the monthly recap prior to the meeting as well. Evans reported that she could email the board packets with the monthly recap when she sends the agenda and minutes on the Thursday before the meeting. Schlesinger requested a hard copy. Evans reported she would make a hard copy for Schlesinger. Evans suggested Schlesinger and Steyn, who are the ‘Finance Committee’, review the bills prior to signing checks to pay them, rather than making several copies of every account bill the Village may have and sending them all over town. Schlesinger agreed that he could review the bills himself prior to signing checks.

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 10, 2025 at 7:00 PM**. Being no other business, adjournment was made by Chairman Schlesinger at 8:15p.m.

*Minutes recorded and submitted by: Marianna Evans (Clerk)*