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

**November 15th, 2018**

**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, Chris Staroscik, Paige Young and Josh Dahlberg. Joe Boruch was absent. Also, in attendance, were Village Staff: Don Reves Mari Evans and Stephanie Laska. Visitors included: Michelle/Jeff Oppliger, David Bell (Loup Power) and Dale Boubac (JEO Engineer). Schaefer publicly asked if there was anything that visitors/staff/board members wanted to talk about that is not on the agenda. No comments were made. Schaefer proceeded with the meeting*. A motion to approve the October 8, 2018 Board Meeting Minutes was made by Dahlberg,* *second—Young*. *Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.*

**Unfinished Business:**

1. **Final Street Payment Approval, Change Order and Approval Certificate of Substantial Completion** Boubac presented to the microphone and reported to the board that the street project is now final and complete. He went over the change orders which are adjustments to dollar amounts due to quantity adjustments as needed for the project. There was 60 extra tons of asphalt due to not needing it to do full depth patching where they previously thought it was needed. Boubac discussed the issue with Pavers not showing up to finish the concrete work as indicated. He stated that the important thing is that it is completed now and they did report to Duncan the day after the threat of the fine per the contract. They completed the 6th street manhole and concrete work as promised. They also smoothed out the driveway entrances off of Main Avenue as requested. Boubac stated that he thinks the 5th street millings turned out very good. Reves reported that he will put some gravel down as well, after the millings are packed down well enough. Boubac stated the work that Pavers did was acceptable and he did not have any problems with them as the project engineer. He stated the final payment will be $15,798.20. Boubac recommended the board approve the pay application, change order and certificate of completion. He reported that the certificate of completion starts now and has a ONE year guarantee of the streets. Dahlberg asked Boubac if Pavers were fined for dragging the project out and not showing up when they said. Boubac stated they were not fined but did respond immediately once the board decided to fine them if the job was not complete by the date specified in the letter sent. Schaefer reported that Pavers did come the next day after receiving the letter and they got everything done in a few days. He stated that he thinks that 5th street turned out better than expected. *A motion to Approve the Final Pay Application was made by Young, second—Staroscik. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried. A motion to Approve the Change Order was made by Young, second—Staroscik.. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried. A motion to Approve the Certificate of Substantial Completion was made by Young, second—Staroscik. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.* Evans stated that once the papers were signed that she would scan and send per email to Boubac per his request.
2. **624 5th Street Abatement Update** Evans reported that Emerson (Village attorney) had reported back to her on the title search. His report stated that Grafton and Fernau are listed on the title of the property subject to a deed of trust in favor of Ed Schrant and Michael Schrant. It does now show that Ed and Lou Jean Schrant are deceased (it did not show that either had died prior). His report also showed that real estate taxes are due on the property as well. His advice in his report was to be sure to give notice letters to all involved including the Platte County Clerk and Platte County Attorney of any meetings that will be held regarding this property. He reported to be specific on what the intentions are of the Village and who will be completing the project and when it will be completed. He also wanted the notice to state who will be responsible for the cost of the abatement. Evans reported that she had sent notices to all involved about the date, time and place of this board meeting since we are discussing it. Emerson suggested at least a 10-day notice however he knew that this notice would not be sufficient in that regard but to send the notices anyway (since there was no ne actions taking place on the property abatement). The next meeting notice will be sent at least 10 days prior to the meeting date. Emerson stated the notice should state the steps that the Village plans to take for example, who and when it will be cleaned up. As well as who will be responsible for reimbursing the Village for all costs surrounding the abatement such as filing another. Evans stated that it appears now that the Hawkins have abandoned the property. Reves drove by approximately 3 weeks ago and talked to Jenni Tilden (caretaker of Ed Schrant/Landlord of property/Family to Hawkins) as she was outside on the property. Tilden stated to Reves that she thought the Hawkins would most likely abandon the property. She was unable to get in touch with them while they had been gone as well. Reves reported to Tilden what the Village is planning to do. It is possible she may have relayed the information to the Hawkins as they had appeared soon after that meeting and then disappeared again. They have not been back since and they contributed to more damage on the house such as the doors are broken off the hinges and just sitting against the doorway. As well as more broken windows. Reves had noted that after they left, their big screen tv that was in the living room was now gone. Reves reported that Tilden had concurred that the Hawkins gave Ed Schrant approximately $15,000 for a payment toward the house when they first moved in. However, she did not think there was any paperwork or receipts showing this payment. Evans then reported that the total cost of this abatement procedure to date was $1,869.97. She stated the current lien on the property for unpaid water/sewer charges is $728.34. The total together is $2,598.34. Evans reported to the board that Emerson suggested using the next meeting to accept bids for the clean up and excavation of the property. Schaefer agreed and stated that he would talk to Chris Hoesing, who was interested and Young stated that she would talk with BD Construction. Evans stated she would post the bidding in the 3 usual places in town as well as put an ad in the Columbus Telegram. The final bid will be accepted at the next board meeting in December. Evans reported that there is an interested party that wants to buy the property with the empty lot next to it in order to build duplexes and rent them out. He would be willing to clean the property up himself. The board discussed briefly and decided that it has been too long of a process to wait any further. They decided to go ahead with the next step and continue regardless of potential buyers. Schaefer stated that there have been interested people before and while we waited, they changed their minds.
3. **NDEQ Violation Update** Schaefer stated that he is intending to speak with Bill and/or Jeff Lehr about them cooperating in getting this completed and up to code with NDEQ. The Village will pay for the manhole that will be needed on 6th street. Schaefer will attempt to discuss and work something out with Lehr and will need to keep NDEQ up to date.
4. **Board Member Compensation Review** Evans reported that she had contacted several other municipalities of similar size to ask what their Board members/Chairman were compensated. The current compensation for Duncan is $45/meeting for board members and $60/meeting for Chairman. The compensation has not been increase in many years according to the current board members. Evans reported that Silver Creek pays their Chairman and board members $50/meeting and the Chairman gets a $400 bonus at the end of every year. Shelby pays their Chairman $125/meeting and board members $83.33/meeting. Bellwood pays their Chairman $150/meeting and the board members $75/meeting. Evans reported that she had called and left messages to Monroe, Clarks, Platte Center and Rising City but had not heard anything back from them in over a week. Schaefer asked the board how they felt about it and they all agreed to increase the compensation. Schaefer suggested Chairman $100 and board members $75 and asked the board what they thought. Young stated that the average between them all would be Chairman approximately $95, board members approximately $65. *A motion to Approve Board Compensation at: Chairman $95/meeting and Board Members $65/meeting was made by Young, second—Staroscik. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.*

**New Business:**

1. **David Bell (Loup Power-courtesy visit)** Bell stated there is a new service center on the north side of town and wind towers added in Creston that are on a 20 year contract. He stated that things have been good for Loup Power this year. He stated that he does not anticipate much increase in energy program this year. He stated they are improving lighting with LED lights. Evans reported that Reves is trying to get our Christmas light bulbs changed to LED. Evans asked why the street lights are not LED. Bell stated that Loup Power could put us on a list to have them changed to LED. Schaefer agreed. Bell stated that Lindsay and Howells are having their street light bulbs changed to LED this fall. Bell stated that he would put Duncan on the list. Schaefer discussed solar companies sending fliers out to farmland owners. Bell did not recommend getting involved with those companies. Bell reported that Schuyler and Central City are adding a Solar farm. Loup Power would be willing to help if Duncan would ever want to do that. No further questions from the board and no further comments by Bell. Bell was thanked for coming. He then dismissed himself from the meeting.
2. **Planning & Zoning Committee Appointments** Schaefer discussed with the board briefly. *A motion to reappoint Abbey Wright was made by Young, second—Dahlberg.* *Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.* They could not think of anyone else to appoint. The board decided to postpone this agenda item until next month’s meeting on December 10th.
3. **Leaves Pushed Into Street** Reves reported that there are people blowing their leaves into the street while cleaning their yards. He stated that there are people who also do that with grass and with snow in the winter. We have an ordinance prohibiting that. The board decided that Evans should send a reminder to customers/residents of our ordinance that states you cannot push leaves, grass or snow into the streets. Evans stated that she would do that.
4. **Christmas Lighting Contest** Evans reported that Loup Power is offering to match up to $100 for a lighting contest. The board discussed and decided to offer $100 for 1st place, $75 for 2nd place and $50 for 3rd place this year. Evans reported that she will send out the notices to last year’s winners that they will have to judge this year and get her the results afterwards. *A motion to Approve the Loup Power Christmas Lighting Contest at the amounts defined (1st=$100; 2nd=$75; 3rd=$50) was made by Young, second—Dahlberg. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.*
5. **Ordinance 131.03 Revision Request (Sexual Predator Residency)** Evans reported the current ordinance restricts sexual predators from living within 500 feet of a school or daycare. She stated that it does not say ‘parks’ in the ordinance anywhere. Evans reported that she researched and found that Nebraska actually had no laws on residency restriction for sex offenders. It just states that each city, town, municipality can make their own ordinance for restrictions. The only law she found was that of the registration of residence. The board discussed and decided that they would like to add ‘parks’ to the restriction of residence. The board wondered why parks would not be included already. Evans stated that we would have to do an amendment to the current ordinance which would include a public hearing etc. *A motion to Ammend Ordinance 131.03 to add ‘Parks’ to the residency restrictions was made by Dahlberg, second—Young. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman declared the motion carried.*

**Departmental Reports:**

1. **Utilities/Maintenance/Streets** Reves reported on the well maintenance and the work that was completed along with cost. He reported the work completed behind the fire station and the cost of that. The board discussed briefly with Reves. No further report.
2. **Parks & Recreation** Young handed out proposals to each board member and Evans/Reeves. She went over the quote in the notebook from the vendor for new park equipment. There were pictures of the new equipment she had picked out along with price. She stated that there would be one big new piece to put in the Main Ave. park and a smaller, matching piece to put in the west park. She stated that the trees would need to be removed to make room for it as well as all other park equipment with exception of the swing-set. Schaefer voiced his concern of removing the trees. Young reported that this lender will do financing and provides free shipping. The price included ground cover (wood fibers/chips) with rubber borders. Young stated that we could do a ‘community build’ where the community would come together and put the equipment together. Evans asked what the cost was with the vendor for assembly. Young reported that the cost was as much as the equipment. Young reported that BD Construction put St. Isadore’s equipment up. She reported that Crouch Recreation bid was double the price. Reves asked about getting grants to help pay for all of it. Young stated that she spoke to someone from the state last year and was told that our mean household income is too high. Young stated that the grant applications are several pages long and you have to write why you should be eligible and what your community is doing to help itself etc. Young reiterated that the grant process is very long and tedious and difficult to get through. Reves stated that there are other places that do grants that are not through the state and maybe aren’t as difficult. The board looked over the bid notebook from the vendor Young provided. Evans reminded the board that we will need bids with the cost as high as it is. Young stated she did have another one.
3. **Planning & Zoning**  no report.
4. **Clerk Report** Evans reported that she is very near having the eBill/ePay set up so that customers can pay online. She reported that the software does not include taking bill amounts out of customers’ checking accounts each month automatically. It will be strictly for online credit card, debit card and paypal payments. Evans reported that she discussed with the software vendor about adding that and they suggested for such a small amount to talk to our bank directly and see if we can set it up through them. Evans stated she will ask Laska to do that when she goes into bank next time. Evans also reported that she and Reves had met with Todd Speth from Municipal Supply last week and have finally ordered the meter attachments that we need to get the radio read started. She stated it’s been on the budget for the last 2 years and we can finally start it. Computerized equipment has changed in the last few years so the equipment we will need costs less now. She stated it will be completed in two parts as originally planned. First, the meter attachments will be installed and Reves will be able to access an application from his smart phone to read meters that way or by touch. On the next budget, we will order the software for the office utility billing system. There will also be equipment that Reves will be able to use to radio read all meters. Once they are in his handheld, he will be able to download it to the billing software where it will automatically enter into each account. Then, the billing software will figure the bill amount based on the reading. Evans stated that this will literally cut out any possibility of human error as far as meter readings go and bill figures.
5. **Treasurer Report** Laska handed out a monthly recap to each board member. She reported that the bills were not unusual. She reported she had to pay the sewer outfall payment that was scheduled. She also reported that she had written a duplicate check last month to Obrist which they caught and sent back to us. That’s why there is an extra income listed. She reported that the old street project is officially paid off. After the board reviewed all the bills, *A motion to approve the bills was made by Young, second—Staroscik. Vote was as follows: voting aye-Staroscik, Young, Schaefer and Dahlberg. Voting nay--none. Boruch absent. The Chairman 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, post office, AJ’s C-Store and the Village website on the Thursday prior to the meeting. The next regular scheduled meeting will be held on **Monday**, **December 10, 2018 at 7:00 PM.** Being no other business, adjournment was made by Schaefer at 8:50p.m.

Minutes recorded and submitted by: Mari Evans (Clerk)