

# SPECIAL MEETING MINUTES

## VILLAGE OF HEMINGFORD BOARD OF TRUSTEES

February 26, 2024-6:00pm

700 Box Butte Ave. Hemingford, NE. 69348

**Zoom Virtual Meeting information**

**Meeting ID 881 9353 6604 Passcode 764214**

Pledge of Allegiance

Opening prayer by – Jake Frost

Public Open Meeting Act poster location was pointed out on the north wall of Council Chambers located at the Village office.

Meeting called to order at 6:00 p.m.

Present: Mahony, Hunter, Frost, Wacker

Absent: Novotny\*

Motion to excuse absent Trustee Novotny from the February 20, 2024 meeting of the Hemingford Board of Trustees by Mahony, Second by Hunter

Voting Aye: Hunter, Frost, Mahony, Wacker

\*Zoom: Novotny\* Note: Novotny appeared virtually by Zoom out of matter of convenience, not pursuant to an emergency declaration as anticipated by Neb.Fev.Stat.81-1411(7)(a), and therefore, Novotny absented from voting throughout the meeting.

This is a special meeting for a Nuisance Abatement Hearing on a nuisance determination of property located at 604 Park Avenue belonging to Mike Blumanthal and Betty June Blood, legally described as Lot 11-13 Sheridan Heights replat of Part of Block D, Pierces Subdivision to the Village of Hemingford.

The Hearing was requested by Sara Blumanthal on November 13, 2023 in response to a 5-day notice of a Nuisance Determination served on the Blumanthals by the Box Butte County Sherriff on November 9, 2023. This hearing was continued at the written request of the Blumanthals until January 16, 2024, and continued again to February 20, 2024 by mutual agreement of the Blumanthals and their then counsel, Larry Miller, at the January meeting. At the February 20, 2024 Village regular meeting, the Village intended to approve an agreement as discussed with the Blumenthal's counsel and Betty June Blood, who indicated willingness. The Village was informed less than 24 hours prior to the February 20, 2024 meeting that Blumanthals no longer wished to enter into the prepared abatement agreement with the Village and there were no longer represented by an attorney. Due to the non-emergent nature of the matter, the agenda could not be amended at that point to include the BLumanthal's previously requested nuisance hearing. At the meeting in the presence of Michael Blumanthal and Betty June Blood, the Village Board set a special meeting for Monday, February 26, 2024 at 6:00 P.M. to allow the Blumanthals to show cause at this time as to why the nuisances identified on their property should not be abated. No objection as to the date and time of the special meeting was made by either Blood or Blumanthal. Notice of the special meeting will be posted in three prominent places around the Village. Michael Blumanthal was present, Betty June Blood contacted the Village and said she was unable to attend. Copies of the 5-day notice and corresponding ordinances were in the Board's hearing packet.

Code Enforcement Officer Kyla Cotant reported that there has been a lot of clean up done on the property and that all unlicensed and inoperable motor vehicles have been removed. Appliances and trash and yard debris has been removed. As of Wednesday February 21, 2024 there is still 3 mobile homes owned by the Blumenthals, that are in disrepair and have missing doors and windows, and no skirting. These are uninhabitable and abandoned by all appearances. It is difficult to determine if the mobile homes are tethered to the ground properly or if they are just sitting on blocks. There is several cinder blocks, tin and other construction materials scattered about the property. There is an area on the property that was supposed to be a compost pile that is overgrown.

Sara Blumenthal reported since the Code Enforcement had been over and taken pictures on 2/21/24 cinder blocks, tin and construction materials have been picked up and stored properly. The compost pile has been cleaned up and all unlicensed and inoperable motor vehicles have been removed from the property. Blumenthal also reported that they have sold three of the mobile homes to Sara Leisy and Jacob Rogers. The mobile home on lot 2 is owned by the occupant.

Members of the Board discussed the ongoing issues of the uninhabitable and abandoned mobile homes on the property, Thanked the Blumenthals for the work on bringing most of the property into compliance, however, the mobile homes on lots 1,3, and 9 remain abandoned and uninhabitable and will be determined as such.

Motion by Mahoney, Second by Frost to approve resolution 2023-14 that Property located at 604 Park Avenue (Lot11-13 Sheridan Heights replat of Part of Block D, Pierces Subdivision) is in a condition that constitutes a nuisance under 92.20 and 92.24 of the Village of Hemingford Code of Ordinances, with amendments made removing portions that no longer apply due to recent maintenance on the property.

**Voting Aye:** Hunter, Frost, Mahony, Wacker

**Absent:** Novotny

Resolution 2023-16 – NO ACTION TAKEN

Motion by Frost Second by Hunter to approve Resolution 2023-17 to obtain abandoned titles to abandoned vehicles left on private property within the corporate limits of the Village of Hemingford, specifically, abandoned titles to motor vehicles at 604 Park Avenue, Hemingford Nebraska, after finding such motor vehicles constituted nuisances pursuant to the Hemingford Code of Ordinances.

**Voting Aye:** Hunter, Frost, Mahony, Wacker

**Absent:** Novotny

**Motion** by Hunter, Second by Mahony to adjourn at 6:41pm.

**Voting Aye:** Hunter, Frost, Mahony, Wacker

**Absent:** Novotny

ATTEST:

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Richard Wacker, Chairman

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Barb Straub, Village Clerk

NOT YET APPROVED