

MEETING MINUTES  
VILLAGE OF HEMINGFORD BOARD OF TRUSTEES  
Regular Meeting  
June 19, 2020 6:00pm  
Held at The Body Shop  
703 Box Butte Ave. Hemingford NE. 69348  
3084875500

Pledge of Allegiance

Opening prayer by Lori Dannar

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

Present: Thomas, Planansky, Wacker, Novotny, and Annen

Public Open Meeting Act poster location was pointed out on the front panel of Chamber Council located at the Village office.

**Consent Calendar** items included the minutes of the May 19, 2020 regular meeting. Claims against the Village of \$53,092.74, Claims against the Utilities of \$68,628.76, Claims against the Hemingford Community Care Center of \$128,675.65. May 2020 Village Financial Statements and bank reconciliation reports. May 2020 Library Report. KL Wood application for payment 2020 #2 for the 2019/2020 Street Project in the amount of \$153,626.40 and MC Schaff Engineering Services invoice for 5/8/20 thru 5/29/20 in the amount of \$12,383.00, and MC Schaff Engineering Services invoice for 6/1/20 thru 6/5/20 in the amount of \$4,146.00

**Motion by** Wacker, Second by Planansky to approve the consent calendar as read.

**Voting Aye:** Planansky, Wacker, Novotny and Annen.

**Abstaining:** Thomas

**Discussion and possible action:** Hemingford Street Project completion schedule. Aaron Wood of KL Wood & Co. LLC told the board that the curbs and gutters have been poured on Fremont street and the main line concrete pour would take place on Fremont later in the week or the first part of the next week. Ord Street demolition has begun and is the last block to be done prior to going back over to Park Ave. and fixing warranty work. It is Aaron's expectation is that the work would be completed in approximately two weeks dependent on weather.

**Discussion and possible action:** Enforcement of the liquidated damages clause in the Hemingford Street Project contact between the Village of Hemingford and KL Wood & Co. LLC. Jeff Wolf of MC Schaff explained that the engineering agreement for the Hemingford Street Project had expired and the company would be charging the Village by the actual hours on site for engineering services. At the May board meeting the village board agreed that they wanted MC Schaff to continue with engineering oversight for the duration of the project. Based on the liquidated damages clause the cost of engineering services may be passed on to the contractor in an amount not to exceed \$1000.00 per day. Aaron Wood explained that he was not aware until early spring that the company was in danger of being charged for liquidated damages, telling the board that last summer was a very wet season and there were several days that crews were unable to work causing delays in completion. Aaron understands that there are charges that will be incurred and asks that the village be as lenient as possible. As the board discussed the project was to be completed by September 30, 2019 and there were several days that weather prohibited work to be done, the village did allow the contractor to start later than originally planned during the bidding process, but also allowed the contractor the ability to work past the September 30, 2019 deadline and complete the project in the spring of 2020. Chairman Annen told Aaron Wood that he was very pleased with the quality of the work being done and that the streets are great, but the fact is that the village is going to be charged for engineering fees that were not expected due to the failure to meet the contracted completion dates. It was the recommendation of the board chairman that the costs be split between the village and the contractor. Engineering oversight charges incurred between June 1, 2020 and June 15, 2020 would be at the cost of the village and charges after the 15<sup>th</sup> of June 2020 would be at the expense of the street contractor, KL Wood & Co. LLC. and would be deducted at the end of the project on the last pay request from KL Wood.

After a short discussion by the board regarding this compromise Trustee Planansky made the motion to share the engineering oversight charges with KL Wood & Co. LLC. with the village responsible for charges incurred from June 1, 2020 through June 15, 2020 and KL Wood & Co. LLC. responsible for charges incurred after June 15, 2020, further the cost of charges from June 16, 2020 will be deducted from the last pay request by the contractor at the end of the project. The motion was seconded by Novotny.

**Voting Aye:** Thomas, Planansky, Wacker, Novotny, and Annen

Discussion regarding a change order for the addition of one block to the project will be held at a later special meeting to be scheduled. The block that would be added to the project if approved would be Crook street between Box Butte Ave. and Shoshone Ave.

**Discussion and possible action:** Due to the Covid-19 health crisis the League of Nebraska Municipalities has suggested that it would be a good idea for communities to have an agreement with baseball associations using village facilities, lining out the expectations and responsibilities in meeting the DHM guidelines for youth sports as well as general management and upkeep of the facilities. Village Attorney M. Dockery prepared an agreement specific to Hemingford and the use of the Baseball fields by the Hemingford Baseball Association. The agreement is really no different than the verbal agreement that all parties have operated under for the past several years but does state that the Baseball Association agrees and shall be responsible and liable for following all federal, state, or local COVID-19 restrictions, guidelines, directed health measures, and other rules related to the health and safety of players, coaches, fans and volunteers.

**Motion by** Wacker, Second by Thomas to approve the prepared Baseball field agreement between the Village of Hemingford and the Hemingford Baseball Association.

**Voting Aye:** Thomas, Planansky, Wacker, Novotny and Annen.

**Administrators Report:** Budget season is here and will be starting the first of July, with budget workshop(s) to be scheduled in August. The deadline for incumbent filing for election is July 15, 2020. There has been a request by Ryan and Katie Dannar for a special use permit, the planning commission will look at the request and make a recommendation to the board, a special meeting and public hearing time will be set for this as well as the change to the Hemingford street project. Barb will be taking time off on Friday June 19, 2020 returning to work on Monday June 22, 2020.

**Utilities Department Report:** Big thanks to all the summer help this year we have a great crew, "I think it might be the best we have had since I started" the cemetery, parks, and islands looked great for the Memorial Day Holiday. The Valves at well 4 have been replaced, electric service for the new clinic and for Dannar's on Shoshone Ave have been installed and completed, Upcoming projects include fixing the fire hydrant in front of the hardware store, that could lead to a potential water outage for all of downtown for a short amount of time. there will be an electric pole replaced near Haig Street behind Robert Gonzales residence that will require an electrical outage for that neighborhood. All residents will be contacted prior to the outage. Chairman Annen added that he had heard several great comments on how great the village looks and would like to thank the utility crew for all that they do, "you are very appreciated"

**Discussion and possible action:** The paint machine that does the strips for parking on the streets is inoperable. We are in need of a new machine, the old one is a 1990 model that is not made any longer and can't get parts for repair. We have one company that carries the machines and would be a cost of \$5850.00. the other option that we do have is a "walk behind" push device that uses aerosol paint, this method is costly and not very efficient. Aerosol paint is expensive and would take up to three times the amount of time to get all the lines painted. A new machine also has attachments that would make it useful for many other projects like painting curbs rather than hand painting with a brush, and painting at the pools. Due to the street project, and other potential needed repairs funds are tight in the street budget, because

it is a machine that would be useful for several of the departments within the village the thought is to use funds from the parks, and pool budgets to purchase the machine.

**Motion by** Novotny, Second by Wacker to purchase a new paint striper machine in an amount not to exceed \$5850.00

**Voting Aye:** Thomas, Planansky, Wacker, Novotny and Annen.

**No Hemingford Police Department report.**

**Hemingford Community Care Center Report:** 12 on Assisted Living and 23 on the nursing home side, lock down continues with 1-3 video meetings weekly with COVID-19 updates, family visitors re starting to be allowed to visit outside with residents as long as a staff person is present. We continue to look for staff and re looking forward to moving closer to a normal life at the care center. We received a coronavirus relief check in the amount of \$140,000.00 as part of the cares act, but until we have a clearer definition of the what are eligible uses the check will remain uncashed or used. We have as Megan to do some research and hopefully get some clarification on it.

**Discussion and possible action:** There are two water softeners at the care center, both are over 20 years old, one is not working and will need extensive repairs. Replacement of one is approximately \$5499.00 from Culligan Water Service of Chadron, Culligan has proposed replacing both for a cost of \$10,000.00 saving the facility \$998.00 in installation and labor costs. We could get by with replacing just one but eventually the second one would need to be replaced due to age and then we would incur double for installation and labor.

**Motion by:** Wacker, Second by Thomas to replace both water softeners, using Culligan Water Service of Chadron in the amount of \$10,000.00.

**Voting Aye:** Thomas, Planansky, Wacker, Novotny and Annen.

**Motion** to adjourn by Planansky, second by Wacker at 7:15pm

**Voting Aye:** Thomas, Planansky, Wacker, Novotny and Annen.

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John Annen, Chairman

ATTEST:

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Barb Straub, Village Clerk