

MEETING MINUTES
VILLAGE OF HMEINGFORD BOARD OF TRUSTEES
Regular Meeting
June 18, 2019 6:00pm

Pledge of Allegiance

Opening prayer by Lori Dannar

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

Present: Novotny, Wacker, Annen

Absent: Hunter, Planansky

Public Open Meeting Act poster location was pointed out on the front panel of Chamber Council

Motion by Novotny, Second by Wacker to excuse both Deb Hunter and Deb Planansky from the June 18, 2019 regular meeting of the Village of Hemingford Board of Trustees meeting.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Motion by Wacker, Second by Novotny to move agenda item 7 Hemingford Community Care Center Report to position 2 on the agenda.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Discussion and possible action: Adam Hoelsing of Simmons Olsen Law Firm told the board that the contracts for the sub-lease of land for the solar project, and the contract between the Village and the Financing partner is nearly ready, there are a few things that the financing partner need to address internally that would not be an effect on the village side of the contract. Adam had two points in the Purchase Power Agreement that he wanted input from the board.

1. Part 2.1(c) the proposed language effectively required the Village to continue to purchase power from the system even after the agreement Term, regardless of whether the rate was preferred or the power was needed, as a way to finance the removal obligations of the developer. Generally, however, after the agreement Term, the developer is solely responsible for system removal. Adam felt that this language would remain in the contract but could possibly have a time limitation of approximately 6-8 months.

1. 9.4 (f) one remedy that the developer can exercise in the event of the Villages default is the election for Termination Value damages. The amounts are substantial and could be financially crippling for the village if it defaults on the project. Thus, the village cannot and should not provide the developer the ability to declare default on a minor issue and then seek a profit simply upon enforcing the termination value damages and walking away. Part 9.4(f) is an attempt to curtail that concern and limit the developer's discretion to take this action. This language is still being negotiated.

Motion by Wacker Second by Novotny to allow Adam Hoelsing to move forward with the Lease, Sublease, and PPA agreements for the Hemingford Solar Project, with the proposed language in sections 2.1(c) and 9.4 (f) as described.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Mike Larson of GenPro Energy was on hand to relate information supplied by NPPD in a weekly phone progress conference. NPPD is concerned that the size of the system could cause the overproduction of power that would need to back feed on to their systems along with PREMA and TRISTATE. Currently there is no contract for NPPD to purchase overproduction, and there is, based on NPPD usage data, a significant amount of the year that a 1MW system would cause overproduction. GenPro will look at the possibility for reducing the size of the project. Chairman Annen explained to Mike Larson that the board was under the impression, based on prior conversations with NPPD, that a 1MW system had been approved and any overproduction would be then purchased by NPPD.

Hemingford Community Care Center Report: Lori Dannar reported that the census at the care center is 11 on the assisted living side and 32 on the nursing home side. Billing and Payment issues are starting to be resolved, we are

working with state to get the correct programs and processes in place. Donations by family members have made it possible to purchase 3 all-in-one computers, a laptop, one office desk, and dishes. Hemingford COOP Telephone donated two office desks. In an effort to reduce costs as well as shopping local department heads are looking to change vendors for supplies, and food service. the morale in the facility continues to improve as applications come in and staff are hired. 3 CAN's have been hired. Planning is in the process for the front entry to get the handicapped accessible door installed, the large number of e-mails that were left have all been sorted and handed off to the appropriate staff members to address, with most issues taken care of. Paperwork for the Administrators Licensing has begun, and will soon have a better idea of further education required. There have been two reportable incidents to state, all paperwork and reports have been filed. Nationwide Insurance did a walk thru survey, and gave examples where there are potential insurance risks.

Consent Calendar items included the minutes of the May 21, 2019 regular meeting. Claims against the Village of \$55636.66, Claims against the Utilities of \$88130.45, Claims against the Hemingford Community Care Center of \$146140.36. May 2019 Village Financial Statements. May 2019 Library Report.

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

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Update on Panhandle Area Development District: Jeff Kelly gave an overview of PADD activities, and services available to member communities. PADD is fully staffed. This year there was \$60,000.00 in membership dues from approximately 35 member communities, as a result there was over \$700,000 in grant funds to panhandle communities, 2 new economic development loans to the economic development loan fund that created 12 jobs in the area. Part of the grant funds went to The Body Shop in Hemingford, \$40,000 for equipment. PADD manages block grants in the area, Sidney has applied for an economic adjust fund grant due to job loss. In the second year of the Brownfield grants. Website update, data dashboard was added to the website, information there is by county and member community. Data included is health, housing, transportation, economic, and demographic.

Discussion and possible action: Resolution 2019-07 for the use of Village Streets and State Highway 2 on August 10, 2019 from 9:30am to 11:30am for the Box Butte County Fair Parade.

Motion by Novotny, Second by Wacker to approve Resolution for the use of Village Streets for the August 10, 2019 Box Butte County Fair Parade.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Discussion and possible action: Box butte county public Transit Funding request. NO ACTION TAKEN

First Reading Ordinance #808 AN ORDINANCE OF THE VILLAGE OF HEMINGFORD, NEBRASKA, AMENDING THE SOLID WASTE RATES; PROVIDING AN EFFECTIVE DATE AND REPEALING ORDINANCE #792 AND ANY ORDINANCES OF OTHER PROVISIONS IN CONFLICT THERE WITH, DIRECTING THE PUBLICATION OF THIS ORDINANCE AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Motion by Wacker Second by Novotny to approve first reading of Ordinance #808, and move to 2nd reading.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Administrators Report: Barb Straub The League of Municipalities Accounting and Finance Conference was held in Lincoln June 12-14. There was lots of good information exchanged, with other municipalities in regards to budget planning and preparation. We also looked at some of the legislative bills that passed that would affect the municipalities. The 2019 Hemingford Street project Block Party was postponed to June 24th due to predicted thunderstorms.

Discussion and possible action: Village Office staff has been asked if they would sell meal vouchers for the Aging Office of Western Nebraska, the nutrition center was close and meals are now served from Treasured Grounds, and require clients to purchase a meal voucher. Aging office staff are able to be in Hemingford only once a month making it difficult for some clients to get vouchers. There is minimal time required to perform this service, and is a huge benefit to both the residents of Hemingford and the Aging Office. Staff is requesting the Village Board allow us to supply this service during Village business hours.

Motion by Wacker, Second by Novotny to allow village office staff to sell meal vouchers for the Aging Office of Western Nebraska.

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Hemingford Police Department Report: Chief Bryner Ryan has been doing some shooting qualifications at the police gun range near the lagoons, because there is more use the range is in need of some renovations that Dusty is willing to do. The tire shops in town have an abundance of tires and he would like to use those to build up the berm walls of the range then cover with dirt. All board members felt that was an excellent idea.

Hemingford Utilities Report: Kyle Huss Farmers Coop Project is well underway with most of the electrical work done, there was a water main break at the park near the pool. Concrete has been poured at the school and on side of the street on Cheyenne where there were main breaks, the other side of the street will be done at a later date, the need was so great that it has to be done in two possibly 3 pours, Laramie street was also repaired where it was cut to connect service to the LUX LLC Salon project. Sprinklers have been serviced and repaired as needed and are ready for the summer. Memorial Day: the parks and cemetery looked great, Whisper and the summer help did a great job getting the cemetery in shape after all the rain that week. We received lots of compliments. The department has tried both mower brands, based on performance and the needs at the cemetery the Walker mower was a better fit, it was purchased for \$10,200.00 that the board approved at the May 21st meeting.

Hemingford Pool Report: Ammie Frost The pool opened on June 3, 2019, everything is up and running smoothly we will be offering 2 sessions again this year for swim lessons. The swim team will be hosting the medal Meet on July 13th.

Discussion and possible action: Pool manager Ammie Frost request she be allowed to give family pool passes to the Village of Hemingford Employees this year.

Motion by Wacker, Second by Novotny to give the Village of Hemingford Employees family pool passes for summer 2019

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

Motion to adjourn at 7:42pm by Wacker, Second by Novotny

Voting Aye: Wacker, Novotny, and Annen

Absent: Hunter and Planansky

John Annen, Chairman

ATTEST:

Barb Straub, Village Clerk