

REGULAR MEETING MINUTES

VILLAGE OF HEMINGFORD BOARD OF TRUSTEES

March 19, 2024 6:00 PM

700 Box Butte Ave. Hemingford, NE. 69348

Zoom Virtual Meeting information

Meeting ID 835 8414 2374, **Passcode** 821951

Pledge of Allegiance

Opening prayer by – Will Mahoney

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 6:01 p.m.

Present: Mahony, Hunter, Wacker

Absent: Novotny*, Frost

Motion to excuse absent Trustee Novotny and Trustee Frost from the March 19, 2024 meeting of the Hemingford Board of Trustees by Mahoney, Second by Hunter

Voting Aye: Mahony, Hunter, 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 abstained from voting throughout the meeting.

Consent Calendar Items included the Minutes of the February 20, 2024 Regular meeting, minutes of the February 26, 2024 special meeting, Claims against the Village of \$45,354.32, Claims against the Utilities of \$151,783.82, claims for 2024 street project phase 1 \$86,820.00, February 2024 Village Financial Statements and Bank Reconciliations reports, February 2024 Library Report, annual Hemingford Housing Authority (Apollo Court) report, and appointment of Marley Pehoviack to the Hemingford Redevelopment Authority (CRA).

Motion by Mahoney, seconded by Hunter to approve the consent calendar as read.

Voting Aye: Mahony, Hunter, Wacker

Absent: Novotny, Frost

Discussion and possible action: Hemingford Community Foundation project ideas, potential grant applications. – Jessica Davies, Joni Jespersen, April Delsing: Jessica informed the board that the Hemingford Community Foundation received a donation of \$60,000 from the Ray family. The Foundation would like to find a matching grant to go with the funds, and use the funds to build either a walking path around the old golf course and Box Butte Ag. Society property or to purchase playground equipment for the Hemingford Baseball Complex. The Foundation members plan on letting the public vote on how the funds should be used during the April 6th, 2024 dinner theater. Joni informed the board that the grants for either project would have to fall under the Village Utilities. The Village board members expressed their enthusiasm for both projects and stated that either would be a great addition to the community.

No Action Taken

Discussion and possible action: Consider deadline extension for removing the mobile homes abated on February 26, 2024 – Jacob Rogers and Sara Leisy: Jacob and Sara recently purchased the mobile homes that are on lots #1 and #9 at the 604 Park Ave. trailer court, the trailers on these lots, along with the one on lot #3, had previously been ordered to be abated by the Village Board. Jacob asked the board for more time than 30 days to fix up the trailers #1 and #9 and remove #3. Jacob asked for a 9-month deadline to make #1 an office and storage building, #9 habitable again, and to tear down and haul off #3, which would bring all properties into compliance with Village code, avoiding abatement. Jacob stated that he had electricians and framers ready to start work on #9 which previously had caught fire. Wacker expressed his concern that this was another attempt to further prolong an abatement process that has been an on again off again process for 7 years now. Mahoney stated that if the mobile homes are going to be brought into compliance, he would rather the owners do it than the village have to spend resources to do it. Village Attorney Stobel stated that there is nothing holding the Village to a time frame other than what the board decided, and that abatement could take place past the prior deadline if need be. The Village board did acknowledge the current progress that has taken place to bring the properties into compliance with Village Code. It was also noted that the mobile home on #3 currently does not have a VIN number or a title, which may cause there to be additional steps needed to remove the trailer from the property. After lengthy discussion on the matter, it was decided that the Board would table action on the matter until next month when all board members will be present. Mahoney stated that if Jacob could show more progress before next meeting it may help sway the board to grant an extension.

No Action Taken

Discussion and possible action: Employee Sick time payout policy at time of retirement or resignation from the Village of Hemingford – Rick Wacker: Wacker discussed the possible implementation of a new employee policy that would pay out all, or a portion of, an employee's accrued sick time after employment with the Village has ended, if that employee has a decade or more of service. Board members were given other municipalities' policies on the subject to review. Currently employees are capped at 630 hours of sick leave. There was discussion amongst the board on the different stipulations and guidelines that should be considered when creating a policy like this, such as, the employee's length of employment, standing with the village when employment ended, and if the payout should be based on a cap, percentage, or total sum of the hours. The goal of the policy is to reward employees for extended years of service, give employees incentive to stay employed with the Village, and to deter employees from abusing sick leave. Rick directed the board to review some of the other municipalities' current policies on the matter and to return next meeting with ideas and suggestions on how to craft the Village's own policy.

No Action Taken

Discussion and possible action: Approval of Resolution 2024-01: A RESOLUTION ESTABLISHING A POLICY FOR THE PAYMENT OF PAYROLL AND OTHER REGULAR OR TIME-SENSITIVE CLAIMS BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HEMINGFORD: Stobel explained the resolution is simply stating that the Village Administrator can pay payroll and Village expenses that fall in line with the budget and resolution before the monthly Village Board meeting. This policy would help protect the Administrator when they are paying essential expenses that need to be paid in a timely fashion.

Motion by Mahony, Second by Hunter to approve Resolution 2024-01 as read.

Voting Aye: Mahony, Hunter, Wacker

Absent: Novotny, Frost

Discussion and Possible action: West side of the 800 Block of Box Butte Ave. Alley paving estimate. - Kyle Huss: Huss stated that he had meeting the business owners that share the alley on the West side of the 800 block of Box Butte Ave. and the business owners expressed concern about the storm drainage in the alley. During rain events the businesses on the East side of the alley are subjected to flooding at times. The flooding is caused impart due to the West side business being build higher than the East side, and the majority of the businesses' roofs drain to alley. Huss stated that this has been an ongoing problem for a quite some time. Efforts have been made to resolve the problem by means of grading and adding rock, but with the heavy truck traffic in that alley the grading doesn't last long. Huss met with Village engineer Don Dye and they came to the conclusion that a long term more permanent solution would be to pave the alley. An estimate of \$60,000 was given to the Village by MC Schaff for paving the alley. The board expressed interest in the project, but decided to table the discussion and any action until the April meeting. This would give Straub and Huss more time to locate funds for the project.

No Action Taken

Discussion and possible action: Search for Bobcat Toolcat utility vehicle with a spending cap of \$50,000. - Kyle Huss: Huss approached the board about the purchase of a Bobcat Toolcat Utility vehicle. Huss was asking for a cap of up to \$50,000 for the purchase of the Toolcat, and stated that the goal was to find an older one that is in decent shape for less than that amount if possible. With the purchase of the Toolcat the utility department would also be getting ride of some equipment; a sander, a 1967 dodge pickup, dodge charger, and a John Deere lawn mower. The Toolcat would replace the sander and could be used across all of the Village Departments.

Motion by Hunter, second by Mahony to allow up to \$50,000 for the purchase of a Bobcat Toolcat.

Voting Aye: Mahony, Hunter, Wacker

Absent: Novotny, Frost

Utilities Department Report: New radar signs at the school arrived and have been installed, alleys have been cleaned up and rock added, the transformers from Sidney have been purchased and are in Hemingford now, and the 1st quarter water tests have been completed. Kyle and Seth attended a water operator training class in Chadron on the 5th, Josh and Austin will attend an electrical training in Sidney on the 26th. – Kyle Huss

No Action Taken

Information Only: Street project phase 1: from Don Dye, MC Schaff 3/11/24 "We are making good progress on the project and still on schedule for a bid letting the May/June frame. You will probably see a crew in town this week doing some coring and testing of the subgrade." Read by Barb Straub

No Action Taken

Administrators report: The new Director, Hannah Robinson, started at Box Butte Development on 3/11/24. Straub is currently at Clerk School 3/18/24-3/22/24. Transfer has been made for payment of MC Schaff invoices. Box Butte County Sheriffs office reported 17 service calls and 6 traffic stops. Straub will be taking some sick leave 4/8/24-4/12/24, during this time Huss will be helping in the office.

No Action Taken

Discussion and Possible action: Discussion regarding the potential creation of an Ordinance for the use of “shipping containers” for storage in residential areas. – Kyla Cotant: Cotant approached the Board about possibly creating an ordinance that would put some regulations on when and where shipping containers could be used within the Village. She gave the Board Members a copy of similar ordinances that other communities have created that deal with the use of shipping containers. Cotant’s concern was that shipping containers used for storage could possibly created a nuisance problem if they become dilapidated. Cotant suggested that the current containers in residential areas could be grandfathered in, but no more containers would be allowed in residential areas. Cotant also stated that shipping containers could still be used in commercial zones if the are properly set on a good base and maintained. Wacker decided to table the matter until next board meeting when the members have had a chance to review other municipalities ordinances, and have had a chance to brainstorm possible stipulations and guidelines for the ordinance. Resident Marley Pehoviack (500 Ogallala Ave.) expressed concern that creating such an ordinance may make Board lose sight of why the community choses to remain a Village.

No Action Taken

Code Enforcement Report: Cotant informed the Board that she has 21 open cases and closed 3 since the last board meeting.

Public Comment: Eric Pehoviack (500 Ogallala Ave.) commented that the sick time payout, if approved, could be a sizeable amount and suggested having specific fund or budget line set aside so that funds are available when a payout occurs. Pehoviack also comment that a lot of county’s treat shipping containers as buildings, and are taxed accordingly.

Motion by Hunter, Second by Mahony to adjourn at 7:22 p.m.

Voting Aye: Mahony, Hunter, Wacker

Absent: Novotny, Frost

ATTEST:

Richard Wacker, Chairman

Barb Straub, Village Clerk