

ARNOLD COMMUNITY CENTER
February 8, 2010

A regular meeting of the Chairperson and the Board of Trustees of the Village of Arnold, Nebraska was held in the Arnold Community Center on Monday, February 8, 2010 at the hour of 7:00 P.M. Notice of this meeting was given in advance by publication and by posting notices at the Arnold Light & Water Office, Arnold Sentinel, Reed's Food Center, Post Office, and the meeting room at the Community Center. The agenda for said meeting was on the posted notices. Notice of this meeting was given to the Board Members and all members present acknowledged receipt of said notice. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Chairperson Karin Moore called the meeting to order and Patricia Lamberty, the Village Clerk, recorded the proceedings. On roll call, the following were present: Connelley Barton, Glen Bowers, Ted Bubak, Karin Moore, and Aaron Olson. Absent: none. A full council being present the following proceedings were had and done.

Chairperson Karin Moore publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for public inspection and is posted on the west wall of the meeting room in the Arnold Community Center.

The minutes of the previous regular meeting on January 11, 2010, the emergency meeting on January 13, 2010 and the special meeting on January 26, 2010 were not read as the Clerk had previously furnished each member with a copy thereof. Moved by Olson and seconded by Bowers that the minutes of the previous regular meeting be approved as presented. Roll call vote: Aye: Barton, Bubak, Bowers, Moore, Olson. Nay: none. Absent: none. Motion carried.

Moved by Barton and seconded by Bubak that the minutes of the emergency meeting on January 13, 2010 be approved as presented. Roll call vote: Aye: Barton, Bubak, Bowers, Moore, Olson. Nay: none. Absent: none. Motion carried.

Moved by Bowers and seconded by Olson that the minutes of the special meeting on January 26, 2010 be approved as presented. Roll call vote: Aye: Barton, Bowers, Moore, Olson. Nay: none. Abstain: Bubak. Absent: none. Motion carried.

The Clerk presented the claims paid in January:

01/04 Blue Cross & Blue Shield	\$ 6,540.80	health insurance
01/11 Total Amount of Claims Approved & Paid	\$ 31,081.00	
01/12 Department of Energy	\$15,380.89	electricity
01/20 Municipal Energy Agency of NE	22,710.07	electricity
01/21 Nebraska Department of Revenue	399.22	Annual Sales Tax
Nebraska Department of Revenue	89.89	Annual Lodging Tax (State Park)
Nebraska Department of Revenue	3,195.11	Sales Tax
01/29 Payroll	11,351.07	
Aflac	285.25	payroll deductions
IRS	3,224.22	payroll taxes/Fed WH
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TOTAL AMOUNT OF CLAIMS – JAN	\$94,257.52	

The Treasurer's Report revealed there is \$116,357.38 in the General Fund; \$1,593.35 in the Community Center Building Fund; \$71,100.92 in the Street Fund; \$229,118.27 in the Electric Fund; \$35,687.26 in the Power Plant Fund; \$60,522.71 in the Water Fund; \$65,301.90 in the Sewer Fund; \$17,312.74 in the Sewer Debt Service Fund; \$52,798.65 in the Solid Waste Fund; \$11,449.10 in the Closure/Post Closure Care Account; \$39,953.89 in the Economic Development Fund; \$5,014.27 in the Community Development Agency Fund; \$9,420.71 in the Trust & Agency Funds as of January 31, 2010. After discussion, moved by Olson and seconded by Bowers that the Treasurer's Report be approved as presented. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

The Clerk presented the following claims on file:

All Points Cooperative	\$ 2,351.45	propane
All Points Cooperative	27.00	scale fees
Alvin P. Alms & Company	4,067.00	auditor fees
Arnold Animal Clinic	61.45	rabies testing
Arnold Volunteer Fire Department	1,000.00	Annual Appropriation
Bailar Power Systems	649.15	contract labor/materials
Blue Cross & Blue Shield of Nebraska	6,540.80	health insurance
Borders Law Office	396.63	attorney fee
Cal's Best Service	61.00	tire repair
Cal's Best Service	28.89	gas
Cash-Wa Distributing	159.15	CC: supplies
Custer Public Power District	38.65	electricity
Department of Energy	17,765.45	electricity
Dutton-Lainson Company	1,741.28	electric supplies
Eakes Office Plus	53.76	office supplies
Eakes Office Plus	217.53	Copier: Service & Supply Agreement

Electrical Engineering & Equipment	79.82	tool
Fastenal	175.47	street supplies
Great Plains Communications	91.18	CC: telephone
Great Plains Communications	413.08	telephone
HSBC Business Solutions	198.29	parts
Holiday Inn	69.00	lodging (Roy – WW Conf)
Keep Nebraska Beautiful	50.00	membership dues
Kelly Supply Company	87.28	pool supplies/parts (trash truck)
Koubek Trucking	313.83	parts/labor/materials
Kriz Davis company	793.02	electric supplies
Lexington Area Solid Waste Agency	1,078.92	tipping fees
Logan County Coop Oil Assn	2,491.07	gas/diesel
Loup Valley Construction	2,131.00	Equipment with Operator/Trucking Fees
Maguire Iron, Inc.	35,110.00	Water Tower Repairs
Mills Hardware	1,299.99	supplies
Municipal Energy Agency of Nebraska	23,646.44	electricity
Municipal Service & Supply Company	912.15	WW Plant Expense
NE Public Health Environmental Lab	16.00	testing (water)
Olsen's Agricultural Laboratory, Inc.	51.50	testing (ww)
Pacific Life & Annuity Company	602.78	pension
Petty Cash Fund	196.84	stamps/postage/misc
RSC Equipment Rental	78.95	parts (air compressor)
Reed's Food Center	124.85	supplies
The Arnold Sentinel	480.73	Publishing Fees
USA Blue Book	205.33	WW: testing equipment
Unitech	382.45	street supplies
Utilities Section	130.00	registration fee (Scott/Roy – WW Conf)
Village of Arnold	3,992.64	utilities
VISA	147.49	meals/gas
VISA	10.04	meal (Roy – WW Conf)
Kim R Wagner-Sage	79.67	Salary
Wenquist Inc.	48.02	street supplies
TOTAL AMOUNT OF CLAIMS	\$110,647.02	

After discussion, moved by Barton and seconded by Bubak that the claims be approved and paid as presented. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Dave & Joan Birnie will attend the meeting to request permission to hold the 17th Annual Blues Festival at the Old Mill Park on July 9 - 10, 2010 was the next item on the agenda. Rick Beshaler informed the Board that Dave & Joan Birnie were unable to attend the meeting. After discussion, moved by Bubak and seconded by Bowers to lease the Old Mill Park to the South Loup River Blues Fest Inc. the week of July 5 – July 11,

2010 for a fee of \$200.00; and that the Chairperson be authorized to sign the lease agreement between the South Loup River Blues Fest Inc. and the Village. Roll call vote: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Rick Beshaler met with the Board regarding the Arnold Golf Association's Application for a Special Designated License. After discussion, moved by Barton and seconded by Olson to approve the Arnold Golf Association's Application for a Special Designated License to sell beer/wine at the Old Mill Park on July 9, 2010 and July 10, 2010 for the Seventeenth Annual Blues Festival. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Kristi Dvorak, Economic Development Director, attended the meeting regarding the Arnold Economic Development Corporation (AEDC). AEDC's update for February:

LB840 Projects

The business needs assessment project has been progressing smoothly and we are nearing completion.

Conversations with WECC regarding wind energy continue.

Applications for low-income households to apply for a loan to make repairs/upgrades to their homes are available at the village and AEDC offices. The loans are being funded from a \$254,000 grant the county received as a result of the housing questionnaires that were completed last summer. Interested applicants will mail their applications directly to Central Nebraska Housing Developers for review.

We are finalizing our 2010 communications plan. One of the projects on the plan that has been launched is an AEDC Facebook account. We encourage everyone to become a "fan."

Web site hits once again increased over our top month of December. We had almost 7,500 hits on the home page in January, with 66% of those hits being new visitors to our site.

Kristi will be attending the 4th Annual MarketPlace small business conference in Kearney on February 24. We received 18 requests for scholarships. Early bird registrations are due February 10.

We are making plans to hold a QuickBooks 101 class in Arnold. Tentative dates are March or April. More info to come as plans are finalized.

Grant Projects

Revolving loan fund. We are seeing a lot of activity and interest in the revolving loan fund. Interested persons may inquire at the AEDC office. Applications are being processed on a first come, first served basis.

The communities of Arnold, Burwell, O'Neill, and Atkinson have been awarded a \$16,000 BECA grant to provide funding for technical assistance with becoming a Nebraska certified community. The amount requested was \$60,000. At this time, we are waiting for a new plan of action from Central Nebraska Economic Development District as to how to proceed.

After discussion, moved by Bowers and seconded by Olson to issue a check from the Economic Development Fund to UNL for \$485.00 for the registration fees (Scholarships) for people to attend the 4th Annual Marketplace small business conference. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Olson and seconded by Barton to issue a check from the Economic Development Fund for \$1,050.00 to Triangle Lanes for a grant to accompany the USDA loan. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Consideration of the Confidentiality Agreement was the next item on the agenda. Mike Borders, Village Attorney, informed the Board that the matter was discussed with Kristi Dvorak, Economic Development Director, and that the AEDC wishes to postpone the matter to a later time.

After discussion, moved by Bowers and seconded by Olson that the following claims be paid from the Economic Development Fund:

AEDC	50.00	Google Adv (reimbursement)
AEDC	3.46	postage (reimbursement)
Borders Law Office	31.25	attorney fee
Great Plains Communications	91.10	telephone
Great Plains Communications	35.00	Domain Registration Renewal Fee
Logan County Coop Oil Assn	420.00	propane
The Arnold Sentinel	45.00	Website Ad
Verizon Wireless	51.83	cell phone
Village of Arnold	62.48	utilities
TOTAL AMOUNT OF CLAIMS	\$ 790.12	

Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none.
Motion carried.

Comments from the floor were the next item on the agenda. Rod Watson asked if this was the only time that comments from the floor were going to be heard. Karin Moore, Chairperson, stated that comments will also be heard on items on the agenda. Brad Forrester asked why the Board could not discuss comments from the floor at the time they are made. Karin Moore, Chairperson, stated that sometimes there are reasons why the Board does not respond to comments from the floor. The Board might need additional information or research done before they respond to a comment.

Patricia Lamberty, Village Clerk, informed the Board that the Arnold Roping Club wishes to renew the Lease Agreement with the Village of Arnold. After discussion, moved by Barton and seconded by Bubak that the Village renew the Lease Agreement with the Village of Arnold. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Bubak and seconded by Bowers that the following Resolution be adopted:

RESOLUTION 2010-4

RESOLUTION directing the sale of the Village Hay at the Arnold Recreation Area. **(FYI: the Village will pay for the cost of the chemicals to spray the area for broadleaf weeds)**. The Village of Arnold will accept sealed bids up to and including March 8, 2010. **THIS IS FOR ONE YEAR (2010) WITH THE OPTION OF TWO ADDITIONAL YEARS (2011/2012) AT THE SAME AMOUNT PER YEAR. PAYMENT FOR THE TWO ADDITIONAL YEARS IS DUE BY FEBRUARY 1ST OF EACH YEAR. IF PAYMENT IS NOT RECEIVED BY FEBRUARY 1ST THE BOARD WILL ADVERTISE THE VILLAGE HAY FOR SALE.** Sealed bids will be opened at the regular meeting on March 8, 2010. A check or money order for the bid must be enclosed. Checks and/or money orders will be returned to the unsuccessful bidders. The Village reserves the right to accept or reject any or all bids. Notice of this sale will be published in the Arnold

Sentinel and a copy of this Resolution will be posted in three prominent places within the Village.

Chairperson Karin Moore put the Resolution to a vote. Those voting FOR PASSAGE: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Patricia Lamberty, Village Clerk, informed the Board that Certificate of Deposit #5000000308 matures on February 10, 2010. After discussion, moved by Bowers and seconded by Barton to withdraw the funds from C.O.D. #5000000308 and deposit it in the Money Market Account #2100125419. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Barton and seconded by Olson that the Village Clerk is authorized to post notices of meetings with the statement that the agenda is kept continuously current and is available for public inspection at the Village office. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Consideration of the comments regarding the cleanliness of the Community Center was the next item on the agenda. Karin Moore, Chairperson, read the following:

The Village Board would like to address the following comments regarding the Community Center:

1) Comment from Barb Varney: When we went to set up the tree that afternoon (December 13) we found the center had not been cleaned. The Community Center was cleaned on Saturday evening but the Community Center was left open to the public on Sunday.

2) Comment from Barb Varney: The front walk had been initially scooped but the wind had covered places that had not been scooped. The front walk had been completely scooped a couple of times that day.

3) Comment from Kendra Veirs: Some of the nice round, plastic tables have developed yellow and black mold that Clorox water would not clean up

Whoever rents the building is responsible for the clean up of the building which includes cleaning the table and chairs. The building is inspected before the renter gets the deposit back. However the Village employees do not remove the tables and chairs to make sure that they were put away clean and dried. It would not be feasible to do so. At big events there are a lot of people putting away chairs and tables. We understand that once in awhile the tables and chairs are not cleaned properly. Also the tables

might have been wiped off but not dried. So when they are put back in the closet and if not used for several months there would be mold. At the Annual Chamber Supper every single table and chair was hauled out of the closet. There were 2 out of 35 Tables that had mold on them. The tables were cleaned with Mold & Stain Remover and are now fine. If someone would have called Scott during the set up of the New Years Event it would have been taken care of then. There were five out of 272 chairs that needed to be cleaned. They had coffee stains on them.

Keep in mind that when you rent the building and if you do have to wipe off some table and chairs before you use it that maybe the person that rents it after you will also have to do the same.

Every night Glen & Cathy Bowers lock up the Community Center. At that time they also pick up trash, flush the toilets, check the bathrooms, sweep up flies and dirt. This is at no cost to the Village.

There were other comments that were made regarding numerous cob webs with dead flies, dirty floors, spills in the kitchen... Anytime that you rent the Community Center and you do not feel that it is cleaned to your expectations call the Village Office. The matter will be addressed then.

Just this week someone called the office and said that apparently the soap dispenser stuck on and there was a mess in the Girl's Restroom. This person was not from Arnold but offered to clean it up. Patty thanked her for calling but said that someone would be over right away to clean it up

The Board and Scott Winfield did not respond to the comments at the January Board Meeting. Comments from the floor are exactly that. Comments! If you want an item discussed with the Board it needs to be put on the agenda.

Karin Moore stated that someone commented that the rental fees need to go to maintaining the building. Karin Moore informed the public that the rental fees do not cover the cost of maintaining the building.

At 7:30 P.M. Chairperson Karin Moore announced that this was the time and place of the Public Hearing on the One and Six Year Street Improvement Plans. Notice of the Public Hearing on the One and Six Year Street Improvement Plans was published in the Arnold Sentinel, the official newspaper for the Village and by posting notices within the Village as follows: Reed's Food Center Bulletin Board, Post Office Bulletin Board, Arnold Light & Water Front Door and on Arnold Sentinel's front door. Notice of the public hearing was given in advance to the Chairperson and the Board of Trustees. All members present acknowledged

receipt of said notice. Brent Burkland from T.C. Engineering presented the plans. The Board heard comments from the floor regarding the One and Six Year Plans. Moved by Bowers and seconded by Barton to close the Public Hearing. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Hearing closed at 7:37 P.M.

After discussion, moved by Bowers and seconded by Bubak that the following Resolution be adopted:

RESOLUTION 2010-3

WHEREAS, according to the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given in the legal newspaper of Arnold Nebraska, and by posting in four public places with the Village of Arnold. Said Hearing on the One & Six Year Plans of Street Improvements to be held at the Meeting Room in the Arnold Community Center on the 8th day of February 2010 at 7:30 P.M. for the purpose of hearing comments and objections to said plans.

WHEREAS, upon said Hearing, the Board of Trustees, find the Plans submitted are adequate for the purpose prescribed by law and that the same should be approved.

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of Arnold, Nebraska that the Six Year and One Year Plan for specific improvements during the current year are hereby approved and adopted.

The Chairperson put the Resolution to a vote. Those voting FOR PASSAGE: Barton, Bowers, Bubak, Olson, Moore. Those voting AGAINST PASSAGE: none. Motion carried.

Consideration of the employment status of Kim Sage was the next item on the agenda. Karin Moore, Chairperson, stated that the Board is going to go into closed session with Kim Sage, Scott Winfield, and Mike Borders, Village Attorney. Kim Sage requested that it remain in open session. Karin Moore asked if she was sure. Kim Sage replied that she was sure. Karin Moore stated that since Kim has requested that it be in open session it will remain open. Karin Moore informed the public that she, Connelley Barton and Scott Winfield met with Kim Sage in September 2009. In September 2009 Kim Sage was

verbally warned that she had to use the time clock and that the insubordination had to stop. Mike Borders, Village Attorney, stated that Kim Sage was issued a written warning approximately ten days ago. There was no termination and no suspension. It was a written warning stating forth the issues discussed at the meeting. The issues were:

1. Failure to use the Village time clock to check in and out of work. Kim has been verbally warned of this matter on September 1, 2009 and again failed to use the time clock on January 16, 2010.
2. Insubordination with supervisor and Village Board members. On September 1, 2009, Kim was verbally warned of her insubordination with Board Members and her supervisor, Scott Winfield. Since that time, Kim has continued to argue with her supervisor and question his authority. Kim has refused to follow his instructions.
3. Misstating the hours that you have worked. As stated in warning No. 1, Kim failed to use the time clock to document her hours worked. It is discovered that on January 16, 2010, that Kim claimed an extra hour of work cleaning the community center by stating that she started work at 12:18 p.m. In reality, she did not start work until approximately 1:16 p.m. Therefore, when she submitted her time card for payment she requested wages that she did not work or earn. This could have been prevented by clocking in and out as she was instructed to do.
4. Spreading negative comments about the Village and employees. It is documented that Kim has continued to spread negative comments and rumors about the Village, the Village Board and other employees. This has created a detrimental effect on the work atmosphere for the Board and employees.

Mike Borders stated that this written warning was given to her at a meeting on January 29, 2010 with Scott Winfield, Aaron Olson and Connelley Barton. The written warning stated that she understood what the issues of her work performance were and that if her performance does not improve that she may be subject to further discipline including termination. Kim Sage was asked to sign the written warning. Kim Sage requested 24 hours to review it. At the end of the 24 hour period she was contacted to see if she was going to sign it. Kim Sage refused to sign the written warning. Karin Moore asked if there were any comments. There were no comments. It was moved by Barton and seconded by Olson that the employment of Kim Sage be terminated. Roll call vote: Aye: Barton, Bowers,

Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Scott Winfield, Village Superintendent, informed the Board that the 1979 GMC truck sold for \$4,250.00 at the auction in Lexington.

Shane Cool commented that there are times the Community Center is a little less clean than other times. Shane said that for the Community Center to always be spotless it would have to be closed to the public. Rod Watson asked if there is a scheduled cleaning of the Community Center. Karin Moore stated that the Community Center is cleaned before and after an event. Glen and Cathy Bowers lock up every night and notify Scott Winfield if the Community Center is in need of cleaning. Betty Yeargain stated that there needs to be a person that checks the Community Center after an event. Alan Dailey stated that Scott Winfield does a good job of inspecting the Community Center after events.

Shane Cool asked why the Board contracted the sandblasting and painting of the swimming pool. Shane Cool stated that the Village employees could have done the work. Connelley Barton said that the pool surface is very soft and can be easily ruined if you do not know what you are doing. Shane Cool encouraged the Board to consider letting the Village employees seal the cracks of the swimming pool instead of contracting that job.

There being nothing further to come before the Board at this time, Chairperson Karin Moore declared the meeting adjourned. Meeting adjourned at 8:00 P.M.

Karin B Moore
Chairperson of the Board

ATTEST:

Patricia Lamberty
Village Clerk