

ARNOLD COMMUNITY CENTER
May 10, 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, May 10, 2010 at the hour of 7:00 P.M. Notice of this meeting was given in advance by publication and by posting notices at Pinnacle Bank, Post Office, Reeds Food Center, and the Village Office. Said notice contained the statement that the agenda kept continuously current was available for public inspection at the office of the Village Clerk during normal business hours. Notice of this meeting and an agenda 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, Ted Bubak, Glen Bowers, 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 April 12, 2010 was not read as the Clerk had previously furnished each member with a copy thereof. Moved by Bowers and seconded by Olson that the minutes of the previous regular meeting on April 12, 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 April:

04/01	Blue Cross & Blue Shield	\$ 6,540.80	health insurance
04/12	TOTAL AMOUNT OF CLAIMS APPROVED & PAID		
		61,071.06	
04/13	KTV Restoration	11,699.34	Pool Contract 2010-3 (Payment #1)
04/21	Nebraska Department of Revenue	2,965.27	Sales/Use Tax
04/22	Municipal Energy Agency of Nebraska	16,280.97	electricity
04/30	Payroll	11,243.66	

AFLAC
IRS

305.95 Payroll Deductions
3,354.92 Payroll Taxes/Fed WH

TOTAL AMOUNT OF CLAIMS APRIL \$113,461.97

The Treasurer's Report revealed there is \$105,725.78 in the General Fund; \$1,593.35 in the Community Center Building Fund; \$64,712.54 in the Street Fund; \$233,887.57 in the Electric Fund; \$33,983.42 in the Power Plant Fund; \$29,523.08 in the Water Fund; \$63,854.25 in the Sewer Fund; \$18,625.02 in the Sewer Debt Service Fund; \$60,550.81 in the Solid Waste Fund; \$11,456.24 in the Closure/Post Closure Care Account; \$36,279.73 in the Economic Development Fund; \$5,285.47 in the Community Development Agency Fund; \$10,172.58 in the Trust & Agency Funds as of April 30, 2010. After discussion, moved by Barton and seconded by Bubak 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	982.50	propane/scale fees
Arnold Insurance Agency	464.00	Bonds
Arnold Rural Fire District	585.00	Workers Comp (Volunteer Fire Dept)
Beshaler Gravel Company	1,078.00	ARA - gravel
Blue Cross & Blue Shield	6,540.80	health insurance
Cal's Best Service	476.85	gas/tires/repairs
Cash-Wa Distributing	195.00	CC: supplies
Custer County Highway Commission	182.00	crushed concrete
Custer Public Power District	31.90	electricity
Dutton-Lainson Company	876.37	electric supplies
Eakes Office Plus	274.99	office supplies Copier Agreement
Farm Plan	8.99	oil filter
Great Plains Communications	91.18	CC: telephone
Great Plains Communications	427.25	telephone
Jack Lederman Company	239.30	steps (Digger Truck)
KTV Restoration	3,256.00	contract labor/materials (Baby Pool)
Kelly Supply Company	153.92	Parks: sprinkler repairs
Kriz Davis Company	277.36	electric supplies
Lane Electric, Inc.	255.00	well repairs
Lexington Area Solid Waste Agency	1,317.24	tipping fees
Logan County Coop Oil Assn	939.77	gas/diesel

Loup Valley Construction	382.50	equipment with operator
Mills Hardware	761.99	supplies/tools
Municipal Supply, Inc.	800.55	supplies
NE Public Health Environmental Lab	16.00	testing (water)
Nebraska Rural Water Association	150.00	membership dues
Olsen's Agricultural Laboratory	122.00	testing (ww)
POWERPLAN	55.71	parts (Bobcat)
Pacific Life & Annuity Company	602.78	pension
Petty Cash Fund	184.62	stamps/postage/misc
Rachelle Preston	40.00	Pool Operator's Clinic (reimbursement)
Stephanie Reed	314.08	Salary
The Arnold Sentinel	70.25	Publishing Fees
Thedford Public Schools	175.00	clock/slide
USA Blue Book	80.24	WW Plant: testing su
Trish Vickers	84.68	CC: Salary
Village of Arnold	2,921.93	utilities
Wildwood Tree Farm & Nursery	825.00	WW Plant: trees
TOTAL AMOUNT OF CLAIMS	\$26,240.75	

After discussion, moved by Bowers and seconded by Olson that the claims be approved and paid as presented. 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 May:

LB840 Projects

Central Nebraska Housing Developers has received several applications from low- to moderate-income Custer County households for low-interest housing loans for home repairs/upgrades. Applications are currently being reviewed for eligibility and then home inspections will begin. It's not too late to submit an application. Income limits start at \$30,050 for a one-person home, \$34,350 for a two-person home, and so on. The loans are being funded from a \$254,000 grant the county received as a result of the housing surveys that were completed last summer. Applications are available at the village and AEDC offices. Interested applicants will mail their applications directly to Central Nebraska Housing Developers for review.

The Custer County Housing Study report for 2010-2015 is complete. The next step is a bus tour of participating communities for potential housing developers/investors.

Ten participants attended the QuickBooks 101 class in April. We are looking into holding another class to build upon the information from the first class.

AEDC is looking into potential investment opportunities for residents in the Arnold School District for the wind energy project.

Kristi is working with Nebraska Enterprise Fund and MEAN's economic development manager for technical assistance.

Grant Projects

Revolving loan fund. To date, we have closed on five loans, three loans have been approved but not closed, and one loan is currently awaiting USDA approval. We also have some outstanding applications which we are expecting back from applicants soon. Loans/grants are processed on a first come, first served basis. Interested applicants should contact Kristi at the AEDC office. We have until August to use the funds.

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 Nebraska certified communities. The amount requested was \$60,000. On April 1, the Central Nebraska Economic Development District (CNEDD) applied for a \$25,000 grant through the Federal Home Loan Bank of Topeka, and CNEDD will provide the remaining \$19,000 through an in-kind donation. If awarded this grant, Arnold will be the lead community handling the grant funds, no matching funds will be required, and the Heartland Center for Leadership Development will be hired to complete much of the work.

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	9.31	postage (reimbursement)
Katie Champaign	15.00	contract labor
Eakes Office Plus	474.11	office supplies
Great Plains Communications	101.19	telephone
Reed's Food Center	21.32	refreshments (Quick Books Class)
The Arnold Sentinel	22.50	Website Ad
The Arnold Sentinel	70.00	Quick Books Class Adv
Verizon Wireless	51.92	cell phone
Village of Arnold	57.57	utilities
TOTAL AMOUNT OF CLAIMS	\$ 872.92	

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

Motion carried.

After discussion, moved by Bubak and seconded by Olson to issue a check from the Economic Development Fund for \$330.00 to First State Insurance (Company G) for a grant to accompany the USDA loan as recommended by the AEDC. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Olson and seconded by Bowers to issue a check from the Economic Development Fund for \$1,250.00 to Michael & Amanda Fletcher, DBA FletcherMaker Boot & Saddle, (Company H) for a grant to accompany the USDA loan as recommended by the AEDC. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Consideration of approval of \$1,500 for a Community Internship Program through Ogallala Commons was the next item on the agenda. Kristi Dvorak explained to the Board that Ogallala Commons is a Nonprofit Corporation based out of Texas. Ogallala Commons received a grant in 2007 to start Community Internships. Arnold would be the first community in Nebraska to pilot the program. The \$1,500 would go towards the intern's salary. Interns will work between 125 to 200 hours. The AEDC has selected Alexis Schwarz as the intern. Alexis Schwarz would serve non profit organizations such as Arnold Chamber, SORC, Rialto Theatre, AEDC... Kristi Dvorak stated that she would be Alexis Schwarz's supervisor. After discussion, moved by Bowers and seconded by Bubak to issue a check from the Economic Development Fund for \$1,500.00 to Ogallala Commons for the Community Internship. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Barton and seconded by Bubak to approve up to \$3,000 for an AEDC audit and that the cost be paid from the Economic Development Fund. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Lloyd German attended the meeting regarding building permits. Lloyd German stated that he has no problem with the zoning regulations but does not understand why someone has to have a building permit to build on their own property. Chairperson Karin Moore stated that building permits are a part of the zoning regulations. Chairperson Karin Moore stated that the Village contracted with Orval Stahr to prepare the Comprehensive

Plan and Zoning Regulations. Karin Moore read the following letter from Orval Stahr, DBA Stahr & Associates:

Village of Arnold:

It has come to my attention that there is some consideration of rescinding the adoption of the Comprehensive Plan and Zoning Regulations for the Village. I have been asked to present the implications of such an action relative to further development in and around the Village.

In my opinion, there are a number of reasons for retaining the adoption of the Comprehensive Plan and Zoning Regulations. The first of these is that rescinding the adoption of the Plan and Zoning Regulations would legally jeopardize the present Tax Increment Financing (TIF) projects currently in place in the Village. The Nebraska Community Development Law, which sets for the requirements for TIF, requires that any municipality have a Comprehensive Plan and Zoning in force. Rescinding the in force Comprehensive Plan and Zoning Regulations would not only affect the existing TIF projects, but would prohibit any further use of TIF for the economic enhancement of the Village.

A second reason for retaining the Comprehensive Plan and Zoning Regulations is that most federal and state grant and loan programs require that a municipality have such plans and regulations in place in order to qualify for these grants and or loans.

A third reason retaining the Comprehensive Plan and Zoning Regulations is that these regulations provide protection of property owners in and around the Village from having land uses and buildings established which would cause conflicts with existing uses or neighborhoods with the result being reduced market values for existing uses. The Arnold Planning Commission worked very hard to formulate a zoning regulation that is minimal in what it regulates, but would provide basic protections for property owners by preventing development of uses in areas where land use or building type conflicts would result. The Zoning Regulations would allow almost any type of use or building to be development provided that such uses be located in areas where land use or building type conflicts can be avoided or minimized.

I hope this provides you with some inputs for your consideration in this matter.

If anyone has further questions, please contact me at your convenience.

Sincerely,

Orval Stahr

Orval Stahr
President

Board Member Connelley Barton introduced
Ordinance No. 395 entitled:

ORDINANCE NO. 395
(See Ordinance Book Page 219)

AN ORDINANCE TO SET THE RATES FOR WATER SERVICE FURNISHED BY THE VILLAGE OF ARNOLD, CUSTER COUNTY, NEBRASKA, PURSUANT TO ARTICLE 1, CHAPTER 3 OF THE MUNICIPAL CODE OF THE VILLAGE OF ARNOLD, CUSTER COUNTY, NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Board Member Aaron Olson seconded the motion to suspend the rules and

upon roll call vote on the motion, the following Board Members voted AYE: Barton, Bowers, Bubak, Moore, Olson. The following voted NAY: none. Absent: none. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was then read by title and thereafter Board Member Ted Bubak moved for final passage of the ordinance, which motion was seconded by Board Member Connelley Barton. The Chairperson then stated the question: "Shall Ordinance No. 395 be passed and adopted?" Upon roll call vote, the following Board Members voted AYE: Barton, Bowers, Bubak, Moore, Olson. The following voted NAY: none. Absent: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted and the Chairperson, in the presence of the Board, signed and approved the ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto and the seal of the Village thereto.

Consideration of Ordinance No. 396 was the next item on the agenda. Chairperson Karin Moore stated that Ordinance No. 396 will allow the Board Members to be paid semi-annual instead of annually. Scott Winfield, Village Superintendent, informed the Board that as of May 31st that Harvey Foran is retiring as full time employee and will be going part time. Harvey Foran will be paid hourly with no benefits and there is a maximum number of hours that he will work. Ordinance No. 396 amends Harvey Foran's salary. All other salaries remain the same. Board Member Connelley Barton introduced Ordinance No. 396 entitled:

O R D I N A N C E N O . 3 9 6
(See Ordinance Book Page 221)

AN ORDINANCE TO AMEND VILLAGE ORDINANCE NO. 393 WITH REGARD TO PROVISIONS RELATING TO THE SALARIES OF EMPLOYEES, ELECTED AND APPOINTED OFFICIALS OF THE VILLAGE OF ARNOLD, CUSTER COUNTY, NEBRASKA; SETTING FORTH THE AMOUNTS TO BE PAID TO EACH EMPLOYEE AND OFFICIAL AND THE METHOD OF PAYMENT THEREOF; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Board Member Ted Bubak seconded the motion to suspend the rules and

upon roll call vote on the motion, the following Board Members voted AYE: Barton, Bowers, Bubak, Moore, Olson. The following voted NAY: none. Absent: none. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was then read by title and thereafter Board Member Ted Bubak moved for final passage of the ordinance, which motion was seconded by Board Member Glen Bowers. The Chairperson then stated the question: "Shall Ordinance No. 396 be passed and adopted?" Upon roll call vote, the following Board Members voted AYE: Barton, Bowers, Bubak, Moore, Olson. The following voted NAY: none. Absent: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted and the Chairperson, in the presence of the Board, signed and approved the ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto and the seal of the Village thereto.

The Board discussed LB 940. LB 940 requires any county, city, or village that collects a licensing fee on dogs and cats to collect an additional \$1 and submit it to the State Treasurer for the Commercial Dog and Cat Cash Fund. The Board discussed the matter. The Board agreed to repeal the existing Ordinance requiring the licensing of dogs in Arnold. An Ordinance to repeal the licensing requirement will be on the agenda for the June 14th meeting.

After discussion, moved by Barton and seconded by Olson to issue a check for \$20,682.55 to KTV Restoration for Project entitled Swimming Pool 2010-5 (Plaster & Wall Tight). Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Consideration of changing the date of the regular board meetings was the next item on the agenda. The matter was discussed. The Board decided that the regular board meetings will remain on the second Monday of each month.

After discussion, moved by Barton and seconded by Olson that the following Resolution be adopted:

RESOLUTION 2010-8

WHEREAS, the Village of Arnold, Nebraska, is the owner of the following said property:

Lot 6 and 7, Block 2, of Gordon's Addition to the Village of Arnold, Nebraska

Whereas, the Village of Arnold, Nebraska is desirous of selling parts of Lots 6 and 7 of the above described real estate.

Whereas, the Village of Arnold, Nebraska is desirous of splitting Lots 6 and 7 in order to retain part and sell part. The lot split would result in the following parcels of land:

1. West 72' of Lot 6 and 7, of Gordon's Addition to the Village of Arnold, Nebraska, and
2. East 40' of Lot 6 and 7, of Gordon's Addition to the Village of Arnold, Nebraska

THEREFORE BE IT RESOLVED BY THE CHAIRPERSON AND THE VILLAGE BOARD OF TRUSTEES that Lot 6 and 7, Block 2, of Gordon's Addition to the Village of Arnold, Nebraska be split accordingly into the remaining parcels as indicated above.

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

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

RESOLUTION 2010-9

RESOLUTION DIRECTING THE SALE OF THE FOLLOWING REAL ESTATE:

West 72' of Lot 6 and 7, of Gordon's Addition to the Village of Arnold, Nebraska

AT A PUBLIC AUCTION. The Public Auction will be held at the Meeting Room in the Arnold Community Center, 205 South Carroll, Arnold, Nebraska on Tuesday, June 1st, 2010 at 5:00 P.M. 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.

Scott Winfield, Village Superintendent, informed the Board the South Loup River Blues Fest Organization donated \$500.00 towards the gravel at the Arnold Recreation Area.

Scott Winfield, Village Superintendent, informed the Board that Cory Wilkie, Utility Employee, is going to be quitting since he is moving. Scott Winfield stated that Cory Wilkie's last day for sure will be July 31st but it possibly could be earlier.

There being nothing further to come before the Board, Chairperson Karin Moore declared the meeting adjourned. Meeting adjourned at 7:55 p.m.

Karin B. Moore
Chairperson of the Board

ATTEST:

Patricia Lamberty
Village Clerk