

ARNOLD COMMUNITY CENTER
May 11, 2009

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 11, 2009 at the hour of 7:00 P.M. Notice of this meeting was given in advance by publication and by a posted notice with the agenda posted on the door to the meeting room at the Community Center. 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, recording the proceedings. On roll call the following were present: Connelley Barton, Ted Bubak, Glen Bowers, Karin Moore, Aaron Olson. Absent: none. A full council being present the following proceedings were had and done.

Chairperson Karin Moore informed the Public that a copy of the Open Meetings Act is on the easel and is available for public inspection.

The National Honor Society (Kali Blevins, Derrick Bowers, Jana Cool, Natasha Dodge, Kelsey Hauser, Danya Larreau, Sarah Magill, Jessie Preston, Ali Rosentrater) accompanied by the sponsor Carlene Lanham presented to the Village Board a check in the amount of \$1,000 to be used for swimming pool repairs. Karin Moore, Chairperson, thanked the National Honor Society for their generous contribution.

Also attending the meeting were Jeff Bowers, Randy Connell, Justin Conner, Carmen Croghan, Becky Dailey, Jason Doty, Kristi Dvorak, Brad Forrester, Travi Franssen, Brian Gebhardt, Mitch Geiser, Merri Jo Halstead, Rich Hornung, Joanie Knight, Brent Kulp, Janet Larreau, William Lohmiller, Dru Magill, Nate Mills, Deb Pittman, Rod Watson, Cheryl Weinman, Amanda Winfield,

Chris Winfield, Scott Winfield, Betty Yeargain.

Kristi Dvorak, Brian Gebhardt and Mitch Geiser attended the meeting regarding the Arnold Economic Development Corporation (AEDC). AEDC's update for May:

LB840 Projects

- The loan committee is nearing completion of the loan procedures and documents. Suggestions from Larry Moran have been incorporated and we are now awaiting review by the village attorney.
- The New Residents Program research presentation is now rescheduled for Tuesday, May 19, at 7 p.m. It will be held in the AEDC conference room. Anyone interested in supporting and growing our community should attend. Find out what draws newcomers to a community and how to keep them here.
- We are finalizing timelines and developing "toolbox" items for our communications plan so we may begin implementation of the plan.
- We continue to research Nebraska companies that would be a possible fit with Arnold so we may reach out to them.
- We're developing a money plan and need to visit with local businesses to determine what their needs and wants are before the plan can be finalized. We are currently developing our business needs assessment questionnaire.

Grant Projects

- The USDA and state architect completed their post-inspection on April 14. Minor changes were recommended and made to accommodate handicap-accessibility. AEDC still needs some items to complete the office and continue to work on finding reasonably priced or donated pieces.
- We are awaiting news from the USDA on our grant application which would be used to establish a revolving loan fund to help local businesses.

501(c)(3) Projects

- We continue to develop our goals for the betterment of Arnold.
- We continue to pay for preschoolers to attend the grade school for lunch on a weekly basis.

Kristi Dvorak informed the Board that Al Bishop and John Reed resigned from the Arnold Economic Development Board.

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

ALLTEL	52.87	cell phone
AEDC	100.00	Google Adv (reimbursement)
Blue Sky Ink, Inc.	2,700.00	Grant Writing Fees
Central Service Company	30.00	filters
Eakes Office Plus	504.48	office supplies
Brian Gebhardt	71.87	reimbursement - AEDC Office (grab bar office décor)
Great Plains Communications	128.78	telephone
Mills Hardware	269.42	Items for the Office
Village of Arnold	8,012.72	Aid to Construction
Village of Arnold	88.92	Utilities
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TOTAL AMOUNT OF CLAIMS	\$11,959.06	

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

Karin Moore, Chairperson, stated that the 1% City Sales Tax (LB 840 funds) can only be used to fund the Economic Development Program. It cannot be used for infrastructure improvements on Village owned facilities.

The minutes of the previous regular meeting on April 13, 2009 were not read as the Clerk had previously furnished each member with a copy thereof. Moved by Bubak and seconded by Barton that the minutes of the previous regular meeting on April 13, 2009 be approved as presented. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

The Clerk presented the claims paid in April:

04/01	Blue Cross & Blue Shield	\$ 5,527.12	health insurance
04/13	TOTAL AMOUNT OF CLAIMS APPROVED & PAID		
		53,004.99	
04/20	Municipal Energy Agency of Nebraska		
		17,690.51	electricity
	Nebraska Department of Revenue		

	3,070.24	Sales Tax
04/30 Payroll	11,004.62	
Aflac	255.09	Payroll Deductions
IRS	3,059.29	Payroll Taxes/Fed WH
TOTAL AMOUNT OF CLAIMS	\$93,611.86	

The Treasurer's Report revealed there is \$108,053.66 in the General Fund; \$1,593.35 in the Community Center Building Fund; \$88,996.79 in the Street Fund; \$269,378.29 in the Electric Fund; \$33,431.80 in the Power Plant Fund; \$57,854.23 in the Water Fund; \$61,037.44 in the Sewer Fund; \$22,744.22 in the Sewer Debt Service Fund; \$34,172.02 in the Solid Waste Fund; \$9,429.22 in the Closure/Post Closure Care Account; \$55,927.62 in the Economic Development Fund; \$1,274.88 in the Community Development Agency Fund; \$8,986.16 in the Trust & Agency Funds as of April 30, 2009. After discussion, moved by Barton 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: Olson. Motion carried.

The Clerk presented the following claims on file:

All Points Cooperative	\$ 1,544.25	propane
Arnold Insurance Agency	680.00	Bonds/Insurance
Arnold Pool Company	4,782.61	Pool: repairs/supplies
Arnold Rural Fire District	585.00	Worker's Comp
Aupperle Plumbing & Heating	905.00	Jet Sewer Mains
Barco Municipal Products	111.17	parts
Cal's Best Service	269.00	gas/hyd hoses/filter
Sean Carson	1,014.97	Police: Salary
Cash-Wa Distributing	253.93	CC: supplies
Custer County Treasurer	351.00	Sales Tax (2001 Dodge)
Custer Public Power District	30.55	electricity
Department of Correctional Services	5,450.00	power cords 2001 Dodge Utility Truck
Department of Energy	10,970.41	electricity
Dutton-Lainson Company	8,525.57	electric supplies
Eakes Office Plus	778.64	office su/bldg maint copier expense
Electric Fixture & Supply	141.18	electric supplies

Emergency Medical Products, Inc.		
	233.90	CC: supplies
Fastenal	230.43	pool repairs
Forrester's Dodge City	98.90	parts
Galls Inc	186.94	police supplies
Great Plains Communications	91.37	CC: telephone
Great Plains Communications	473.68	telephone
HACH Company	58.49	sewer supplies
Melody Jennings	175.46	CC: Salary
Kearney Crete & Block Company		
	162.20	pool repairs
Kelly Supply Company	644.75	pool repairs
Kohler Trailer Sales, Inc.	226.37	parts/labor
Koubek Trucking	47.73	materials
Kriz Davis Company	1,332.15	electric supplies
Kully Pipe & Steel Supply	379.85	steel
Lexington Area Solid Waste Agency		
	1,375.92	tipping fees
Logan County Coop Oil Assn	1,595.32	gas/diesel
Michael Richard Wastewater Microbiology		
	350.00	testing (ww)
Mills Hardware	571.49	supplies
Motion Industries, Inc.	2,187.10	pool repairs (pump)
Municipal Energy Agency of Nebraska		
	14,823.35	electricity
Municipal Supply, Inc.	1,479.90	water supplies
NE Public Health Environmental Lab		
	52.00	testing (water)
Nebraska Rural Water Association		
	150.00	membership dues
Nebraska State Recycling Association		
	125.00	membership dues
Olsen's Agricultural Laboratory, Inc.		
	59.50	testing (ww)
POWERPLAN	64.02	oil/filter
Pacific Life & Annuity Company		
	567.06	pension
Petty Cash Fund	190.47	office su/postage/misc
Platte Valley Communications	161.65	radio expense
Postmaster	172.00	stamps
Rose Equipment Inc.	109.01	labor/misc su
Sennett, Duncan & Jenkins	219.50	attorney fee
State of Nebraska	480.00	Monitors/Computers
The Arnold Sentinel	587.95	Publishing Fees
Titan Access Account	358.96	parts
Translectric	110.35	vehicle warning light
Tri-City Hardware	30.25	CC: keys

Unitech	94.75	street supplies
VISA	443.87	Digital Camera Trailer Hitch Meals/gas lawn mower seat
Village of Arnold	3,146.09	utilities
WESCO Receivables Corp	835.56	electric supplies
Kim R Wagner-Sage	318.76	Salary
Wenquist Inc.	258.70	filters/tool
Total Amount of Claims		\$71,654.03

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

Discussion was held on the swimming pool. Scott Winfield, Village Superintendent, stated that the pool needs to be sandblasted and painted but it was not feasible this year due to the cost of all the repairs. Bids to sandblast and paint the pool vary from \$18,000 to \$24,000.

Karin Moore addressed the Public and asked that people bring comments and concerns directly to the Village Board instead of whatever source of gathering that they have. Karin Moore stated that people need to feel free to attend the meeting with their comments. Karin Moore informed the Public that comments from the floor can be discussed but unless it is listed on the agenda it can not be acted upon. The matter can be placed on the next meetings agenda for the Board to take action on.

Karin Moore mentioned that there has been some discussion on the amount of hours that Scott Winfield is working. Karin informed everyone that Scott Winfield is salaried and receives **NO OVERTIME COMPENSATION**. Karin stated that we are extremely lucky to have Scott Winfield

willing to put in all the extra hours.

Karin Moore read the following letter from Sean Carson, Police Chief:

It is with regret that I, Sean Carson, inform the Village Board of Arnold of my immediate resignation due to conflict with my full time job with the Broken Bow Police Department. Typed this 29th day of April, 2009.

Karin Moore stated that she contacted Officer Hansel with the State Patrol to inquire as to why there has been an increase of State Patrols in the Arnold area. The reason is that due to federal stimulus money the State Patrol was able to hire six additional officers for this district. Karin Moore asked if Arnold citizens have any control over asking the State Patrol to be here or not to be here as part of their regular patrol. Officer Hansel said absolutely not.

Karin Moore read the Letter to the Editor that was published in the Arnold Sentinel on April 30, 2009 from Nate Mills regarding the No Parking Signs. On May 7, 2009 a list of people that agreed with Nate Mill's letter was published in the Arnold Sentinel. Karin Moore stated that the State of Nebraska conducted a traffic study and recommended that the speed zones be amended and that parking be prohibited on East Arnold Avenue (between Carroll and Haskall Streets). Karin Moore informed everyone that speed zones were amended but the Village Board did not agree to the parking prohibitions at first. However, at the March 9, 2009 meeting the Board agreed to allow the State to prohibit parking on the north side of East Arnold Avenue due to liability issues. Karin Moore read the letter from Vic Larson, District Traffic Engineer

addressed to Scott Winfield:

Mr. Winfield,

Our recent Arnold traffic study was stimulated by concerns for school crossing safety. As a result of the study, we noted potential sight restrictions created by parked vehicles. With Village Agreement, the NDOR erected parking prohibition signs on the north side of highway N-92. Thanks go to you, and the Village, for being conscious of the safety of pedestrians and the traveling public, and for bringing your concerns to our attention. The parking restrictions should help reduce the potential for vehicle-pedestrian crashes, by increasing the detection and response distance.

You inquired as to whether signs could be erected below the prohibition signs, or otherwise along the highway, that would indicate the availability of parking around the corner. We do not feel that this is appropriate and offer the following as an alternative. A sign could be posted off the state right of way to indicate where to park. A sign may be placed on the side of a building if the information on the sign applies to the immediate property. If the sign does not overhang or sit on the ROW, no permit is required. In your case, to guide westbound drivers, a "Parking in Rear" sign with an arrow may be placed on the east face of the brick building on the west side of north Carroll Street, if the owner so desires. Alternatively, or additionally, a PARK HERE sign could possibly be placed on the north end of that property, visible to drivers approaching from the south, if the property owner so desired. The cost of such signs would not be borne by the NDOR.

Thanks again for your concern for the traveling public. If you have questions feel free to call me at 308 530-1874, or Permit Officer Jim Morphew, at 308 535-8009.

NDOR

Vic Larson, P.E.

District Traffic Engineer

North Platte

Aaron Olson inquired as to the possibility of widening the shoulder. Scott stated that he has already discussed that with Vic Larsen. Vic Larsen stated that if the shoulder was widened that he would have concerns of people double parking.

The Board heard comments from the Public pro and con regarding the No Parking Signs on East Arnold Avenue. One of the comments was that the Village could refuse to let the Nebraska Department of Roads put up the no parking signs. Glen Bowers stated that there is a paper trail regarding this matter. If the Village does not follow the State's recommendations then the Village could be liable in case of an accident. Some stated that the no parking signs are affecting Mighty Mart's business. The owner of Mighty Mart was not present to express his opinion. The Board instructed Scott Winfield, Village Superintendent, to contact Joe Bob Atkins, Village's Insurance Agent, and Jim Duncan, Village Attorney, regarding the No Parking Signs. The matter will be on the next agenda.

Dru Magill asked if the agenda could be posted at more places and a week in advance. Patricia Lamberty, Village Clerk, stated that the Village publish notices in the Arnold Sentinel of upcoming meetings and that the agenda is kept continuously current and is available for public inspection during normal business hours. Patricia Lamberty stated that she is willing to post the agenda after it is finalized in various places. Patricia Lamberty mentioned that people can also sign up to have the agenda emailed to them.

Discussion was held on Law Enforcement. Karin Moore stated that there has been comments that tickets were issued for no seat belts, rolling stops and such... Karin Moore informed the Public that Sean Carson issued five tickets for speeding and none of them were Arnold residents. Connelley Barton stated

that Sean Carson is a full time police officer in Broken Bow. Sean Carson offered to work part time for the Village. Connelley Barton said that Sean Carson suffered a lot of verbal abuse while he was here and he was concerned that this conflict would cause problems at his full time job so he resigned. Ted Bubak stated that he is not for having a police officer that will not write tickets. The Board listened to comments and concerns from the Public regarding Law Enforcement. The Board decided to get input from the Arnold citizens regarding the matter. The Board directed Patricia Lamberty to send out questionnaires. The matter will be on the June 8th agenda.

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

RESOLUTION 2009-8

BE IT RESOLVED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES that the following rates be established for the Swimming Pool:

DAILY	1:00 P.M. TO 5:00 P.M.	\$ 2.00 per person
	7:00 P.M. TO 9:00 P.M.	\$ 2.00 per person
INDIVIDUAL SEASON PASS		\$35.00
FAMILY SEASON PASS		\$75.00

**CHILDREN UNDER FIVE ARE FREE
WADING POOL IS FREE**

BE IT FURTHER RESOLVED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES that the fee for swimming lessons is \$15.00 per person.

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

Patricia Lamberty, Village Clerk, informed the Board that Certificate of Deposit #5000000766 matures on May 24, 2009. After discussion, moved by Bubak and seconded by Barton to withdraw the funds from C.O.D. #5000000766 and deposit it in the Money Market Account. Roll call vote: Aye: Barton, Bower, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Consideration of the Nebraska Basic Code (NBC) was the next item on the agenda. Patricia Lamberty, Village Clerk, informed the Board that the Nebraska Basic Code (NBC) is a comprehensive code of ordinances designed for use by smaller Nebraska municipalities. The NBC is intended to be adopted as a model code of ordinances that keeps Nebraska municipalities in compliance with state law. The NBC is updated annually with state law changes, so that subscribing municipalities automatically have a code of ordinances that is up-to-date with state law. The NBC contains a section reserved for local ordinances specific and unique to each municipality. The Board discussed the NBC and directed Patricia Lamberty, Village Clerk, to proceed with the project. Patricia Lamberty informed the

Board that the NBC contains a section on peddlers and solicitors.

Consideration of allowing All Terrain Vehicles on city streets was the next item on the agenda. Buzz Lohmiller attended the meeting regarding the matter. The Board directed Patricia Lamberty to put the following on the June 8th Agenda: Consideration of adopting an Ordinance to allow the operation of all terrain vehicles on city streets.

There being nothing further to come before the Board at this time, moved by Barton and seconded by Bowers to adjourn. Meeting adjourned at 9:00 P.M.

Karin B Moore
Chairperson of the Board

ATTEST:

Patricia Lamberty
Village Clerk