

ARNOLD COMMUNITY CENTER
June 8, 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, June 8, 2009 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, 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 publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for public inspection and is located on the easel.

The minutes of the previous regular meeting on May 11, 2009 were not read as the Clerk had previously furnished each member with a copy thereof. Moved by Barton and seconded by Bowers that the minutes of the previous regular meeting on May 11, 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 May:

05/01	Blue Cross & Blue Shield	\$ 5,527.12	health insurance
05/11	TOTAL AMOUNT OF CLAIMS APPROVED & PAID		
		71,654.03	
05/26	Nebraska Department of Revenue		
		\$ 2,870.03	Sales/Use Tax
05/29	Payroll	11,004.62	
	Aflac	255.09	Payroll Deductions
	IRS	3,168.07	Payroll Taxes/Fed WH
TOTAL AMOUNT OF CLAIMS		\$94,478.96	

The Treasurer's Report revealed there is \$103,652.58 in the General Fund; \$1,593.35 in the Community Center Building Fund; \$94,254.32 in the Street Fund; \$269,293.99 in the Electric Fund; \$33,216.90 in the Power Plant Fund; \$55,501.45 in the Water Fund; \$62,028.80 in the Sewer Fund; \$22,785.65 in the Sewer Debt Service Fund; \$36,182.79 in the Solid Waste Fund; \$9,430.34 in the Closure/Post Closure Care Account; \$51,081.02 in the Economic Development Fund; \$1,549.76 in the Community Development Agency Fund; \$9,537.63 in the Trust & Agency Funds as of May 29, 2009. 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	\$ 2,356.65	propane/chemicals
Arnold Insurance Agency	27.00	insurance (State Park)
Arnold Pool Company	852.30	Pool: supplies/repairs
Arnold Public School	44.91	State Park sign
Bailar Power Systems	385.70	contract labor/materials
Rick Beshaler	225.00	trucking fees
Roy Bierman	269.28	Overtime
Blue Cross and Blue Shield of Nebraska	5,527.12	health insurance
Cal's Best Service	289.77	gas/tire repair
Carrot-Top Industries	297.18	flags
Custer County Highway Department		

	320.97	crushed concrete
Custer Public Power District	17.20	electricity
Department of Energy	12,333.37	electricity
Dutton-Lainson Company	5,103.22	NE Upgrade
Eakes Office Plus	182.64	office supplies
Fastenal	29.92	street supplies
Gibson & Son	212.50	contract labor
Great Plains Communications	91.37	CC: telephone
Great Plains Communications	388.35	telephone
J & R Equipment, LLC	46.06	parts
Melody Jennings	247.87	CC: Salary
Kelly Supply Company	348.05	Pool repairs
Kohler Trailer Sales, Inc.	69.95	parts
Koubek Trucking	9.60	iron
Landmark Implement, Inc.	134.49	parts (lawn mower)
Lexington Area Solid Waste Agency		
	1,251.00	tipping fees
Logan County Coop Oil Assn	737.95	gas/diesl/maint
Barb McIntosh	338.00	Pool: Instructor Fees
Mid-Plains Red Cross	54.99	Pool Expense
Mills Hardware	917.92	supplies/tools
Mills Lawn Service	2,725.00	Weed Control
Municipal Energy Agency of Nebraska		
	9,915.52	electricity
Municipal Supply, Inc.	192.39	pool repairs
NDEQ - Fiscal Services	3,685.74	SRF Semi-Annual Payment
NE Public Health Environmental Lab		
	616.00	testing (water)
Olsen's Agricultural Laboratory, Inc.		
	126.50	testing (ww)
Pacific Life & Annuity Company		
	567.06	pension
Petty Cash Fund	177.63	stamps/postage/misc
Platte Valley Communications	330.85	radio repair
Postmaster	172.00	stamps
Sennett, Duncan & Jenkins	124.50	attorney fee
T.C. Engineering Inc.	900.00	engineering fees
The Arnold Sentinel	352.41	publishing fees
Tri-City Sign Company	9,600.00	CC: Sign (Balance Due)
Utilities Section	520.00	reg fee (Cory/Roy- Rubber Gloving School)
VISA	252.99	lodging/meals (Roy/Cory Rubber Gloving School)
VISA	42.77	electric supplies
VISA	14.72	meals (Cory-Rubber Gloving School)
Village of Arnold	2,585.75	utilities

WESCO Receivables Corp	140.86	FR clothing
Kim R Wagner-Sage	646.72	Salary
Cory Wilkie	231.00	mileage (Rubber Gloving School)
Pool Payroll	943.91	
Total Amount of Claims	\$67,974.65	

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

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

LB840 Projects

- The loan committee is nearing completion of the loan procedures and documents. We are still awaiting review by the village attorney.
- The New Residents Program was held on 5/19 with a good turnout. The AEDC would like to thank those that attended and participated in the discussions.
- Web site traffic continues to increase. We had an additional 900 visitors to the home page this month over last month. We plan on taking additional photography over the summer to add to the site, and we welcome photos the public would like to submit for use as well.
- We have developed a timeline for our communications plan detailing specific projects and projected start or completion dates.
- 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.
- Kristi will be attending the 2nd Annual Central Nebraska Housing Conference in Ord on June 17. Registration fee is \$10. This conference will provide information about federal, state, and local funding opportunities that are available to communities to help improve housing for their citizens.

- An extension club from Howard, Greeley, Sherman, and Valley counties will be visiting Arnold on Friday, June 19, from 11:45 a.m. to 2 p.m. They will be having lunch at Grandma's Sweets & Eats and visiting the coffee shop and antique store, and if time allows, other local businesses. There will be approximately 48 women. This lead came in from our web site.

Grant Projects

- The AEDC has received the final bills from the contractors for the remodel of our office and we are in the final stages of completing the grant paperwork. We continue to seek additional furniture to complete our office. We are also working on a sign for the front of the building.
- We are still 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

- The spec house has been sold and the housing committee is wrapping up the final paperwork and distributing funds back to the investors who enabled this project to take place for the betterment of our community.

Consideration of authorizing the AEDC to proceed with the necessary steps to obtain title of 111 West Arnold Avenue was the next item on the agenda. Brian Gebhardt informed the Board that the AEDC is not ready at this time to proceed with obtaining the title to said property.

Kristi Dvorak informed the Board that there will be an online seminar held on July 6-7 in the AEDC conference room given by the Mid Plains Center for Enterprise. The seminar is titled "Level 1: Test Drive Your Idea." The cost is \$50 per person. It is open to the public and local businesses for anyone who would like to take an in depth look at their business concept, learn what being an entrepreneur really

means, and investigate the market and financial feasibility of your business concept. For those that would like to take their idea a step further, there will be a "Level 2: Plan For Success" seminar in the fall, which is a 10-week session where you will build a business plan and delve into various marketing, financial, and legal areas. Kristi Dvorak stated that the AEDC would like to offer \$25.00 scholarships to ten individuals to attend the Level 1 seminar. After discussion, moved by Bubak and seconded by Bowers to approve the request of the AEDC to offer scholarships to attend the online seminar. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Kristi informed the Board that the Central Nebraska Housing Developers, the group conducting the Custer County Housing Study, is requesting two representatives plus the city clerk from each community involved in the county-wide study to be on a steering committee for this project. Steering committee members will meet approximately 3-4 times during the course of the study. First meeting is June 22 from 11:30 a.m. to 1 p.m. in Broken Bow. The study is scheduled to begin within the next couple of weeks and the goal is to have it completed by mid-July. Kim Beshaler, Kristi Dvorak and Patty Lamberty will be on the steering committee. 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	106.49	MS Office (reimbursement)
AEDC	50.00	Google Adv (reimbursement)
AEDC	6.14	postage/office su (reimbursement)
Central Nebraska Housing Developers	534.00	Custer County Housing Study - Arnold's Share
Central Nebraska Housing Developers	10.00	registration fee (Kristi - Housing Conf)
Classic Coyote	4.50	office supplies
Great Plains Communications	90.21	telephone
Sandhills Business Services	105.00	bookkeeping services
Sunbeam Swanson	180.00	vertical blinds
Village of Arnold	50.84	utilities
TOTAL AMOUNT OF CLAIMS	\$1,190.05	

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

Kristi Dvorak informed the Board that the AEDC paid Dave Crow the balance due of \$4,262.70 for the remodeling of the AEDC office. \$3,596.13 of the \$4,262.70 will be reimbursed from the Rural Business Economic Grant (RBEG). The balance of \$666.57 cannot be reimbursed from the RBEG. The AEDC is requesting to be reimbursed from the Economic Development Fund. After discussion, moved by Bowers and seconded by Bubak to issue a check for \$666.57 to reimburse the AEDC. Roll call vote: Aye: Barton, Bowers, Bubak, Moore, Olson. Nay: none. Absent: none. Motion carried.

Questionnaire results was the next item on the agenda. Chairperson Karin Moore stated that 151 questionnaires was returned and the tally was as follows:

Should the Village have a Part Time Police Officer?

Yes	102
No	36

Unsure 12

Should the Village ask Sean Carson to reconsider his resignation?

Yes	38
No	87
Unsure	9

Discussion ensued on hiring a police officer. Karin Moore stated that the comments will be taken under advisement and will be discussed further.

A group of concerned citizens attended the meeting regarding the No Parking Signs that were erected on the north side of Highway 92. Karin Moore, Chairperson, stated that Jim Duncan, Village Attorney, was contacted and asked to provide an opinion with regards to the Village's liability on the issue. Karin read the following from a letter from Jim Duncan, Village Attorney:

I am not sure how much personal liability of the Board Members may expose themselves to by voting to allow parking after the potential problem has been noted by the Department of Roads, however the Village may have some exposure if it is aware of a potential risk to drivers and pedestrians in this area and allows the parking to continue, however if an accident were to occur in this area, whether or not parking is allowed, it would be my estimation that the majority of the fault for any collision would be primarily allocated to the drivers and/or pedestrians involved, but that certainly would not prohibit the parties involved from attempting to bring the Village into a resulting lawsuit.

With the issue having already been brought to light by the Department of Roads regarding the sight restriction caused by vehicles parked on the shoulder of the highway, and how that effects both motorists, children and pedestrians walking across the highway, I would have some concern for the Village's liability in not following the Department of Roads' recommendation to prohibit parking in order to increase the public safety in this area. I sympathize

with the Board's need to balance public safety against the possible effect that it may have on this one particular business. I believe that the best way for the Village to avoid potential liability for injuries which any person may sustain as a result of a motor vehicle accident in this area is to follow the recommendations of the Nebraska Department of Roads by not allowing parking along the North shoulder of East Arnold Avenue/Highway 92 in this area.

Discussion was held on the matter. A letter will be sent to Vic Larson, Nebraska Department of Roads, for clarification on the liability regarding this issue. The Board stated that the matter will be on the July 13th agenda. The Board will decide at that time whether or not to ask the Nebraska Department of Roads to remove the signs.

Shane Cool and Justin Conner attended the meeting to update the Board on the Old Mill Park Project. Discussion was held on the maintenance of the Old Mill Park. The Board stated that the Village will maintain the Old Mill Park.

The next item on the agenda: Rita Workman will attend the meeting to request that the Board pass an Ordinance stating that no work may be before 8:00 A.M. on the weekends. Rita Workman was unable to attend the meeting. After discussion, moved by Barton and seconded by Olson that the request be denied. Roll call vote: Aye: Barton, Bubak, Bowers, Moore, Olson. Nay: none. Absent: none. Motion carried.

Becky Dailey informed the Board that she gave Scott Winfield some information on renting a wood chipper. Scott Winfield will check into the feasibility of renting a wood chipper.

The no smoking ban was discussed. The Board stated that this is a state law and that there is nothing that the Village can do.

After discussion, moved by Bowers and seconded by Barton to transfer \$2,000 from the Solid Waste Fund to the Closure/Post Closure Care Account as per the budget. Roll call vote: Aye: Barton, Bubak, Bowers, Moore, Olson. Nay: none. Absent: none. Motion carried.

Board Member Ted Bubak introduced Ordinance No. 392 entitled:

ORDINANCE NO. 392
(See Ordinance Book Page 213)

AN ORDINANCE RELATING TO ALL-TERRAIN VEHICLES; TO ALLOW THE OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL-TERRAIN VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE AN EFFECTIVE DATE.

and moved that the statutory rule requiring reading on three different days be suspended. Board Member Glen Bowers 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 read by title and thereafter Board Member Aaron Olson 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. 392 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.

Propane was discussed. The Board directed Scott Winfield, Village Superintendent, to get bids on the propane.

Scott Winfield, Village Superintendent, informed the Board that the Kellsy Schneringer from Callaway was hired as the Water Safety Instructor.

Scott Winfield informed the Board that the motor of the submersible well at the Roping Arena had to be replaced.

Scott Winfield told the Board that a list of streets has been compiled for Jack Mullin to armor coat.

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