PENDER, NEBRASKA

VILLAGE PROCEEDINGS

December 12, 2023

A regular meeting of the Village Board of Trustees was held in the Village Board Room in said Village on the 12th day of December, 2023 at 7:00 p.m. Notice of the meeting was given in advance by posting said notice in three public places; which are Pender Post Office, Thruston County Court House and Pender Village Office. Notice to the Chairperson and Board of Trustees was given by email and a copy of the acknowledgement of receipt is attached. The agenda was communicated in advance notice to the Chairman and Board of Trustees and available to the public at the Village Office. An agenda for the meeting was kept continuously current and available for public inspection during regular office hours at least three days prior to meeting. No changes may be made 24 hours prior to meeting.

Present on the roll call: Chairman: Chris Reha, Trustees: Dave Powley, Dr. David Hoelting, Glen Gralheer and Robbie Welsh. Staff present: Chris Brader, Utility Superintendent, Nicole Tyrrell-Feltes & Kylee Riggs, Office personal. Public attendance: Scott Pfeiffer, Ron Klein, Mark Lorensen, Andrea Larson with Northeast Nebraska Economic Development District (NENEDD), Jake Vasa with Iron Horse Development and Amy Volk with Pender Community Development, Inc (PDCI).

Chairman Reha called the meeting to order at 7:00 P.M.

Chairman Reha notified that pursuant to Section 84-1412 (8) of the Nebraska Open Meetings Act, a current copy of the Open Meetings Act is posted in the meeting room and was available to the public.

The board adjourn sine die and a nomination of Chris Reha for Chairperson was made by Gralheer, second by Powley. Voting AYE: Powley, Welsh, Hoelting and Gralheer. Voting NAY: None. Motion carried.

A motion as made by Hoelting, second by Powley to approve the minutes for the November 27th meeting. Reha did ask Tyrrell-Feltes if she had always put as much detail into the department head minutes. Tyrrell-Feltes stated she tries to put as much detail as she can in general. Voting AYE: Powley, Welsh Hoelting and Gralheer. Voting NAY: None. Motion carried.

PUBLIC COMMENTS:  
Scott Pfeiffer asked if any progress had been made on the electric in his neighborhood. Gralheer said he had not heard back from Municipal Energy Agency of Nebraska (MEAN) yet but there is a plan to meet again on January 18th. Pfeiffer expressed his disappointment and plans to call MEAN himself, stating that this has been going on too long and tired of excuses. Brader added he did text Rich with MEAN and was waiting for a response. Rich from MEAN did respond, saying he will get ahold of Brader next Wednesday. Pfeiffer would like to get MEAN’s approval on plan and get Schmader lined up as soon as possible to make sure something gets done in spring.

OLD BUSINESS:  
Jake Vasa with Iron Horse Development inquired if the drainage study was considered good and if his company could move on to the street development. The board said they would have Matthew Smith email Iron Horse once he returned from his trip, but as far as they aware it was good. A discussion was had about the process of the street development and Vasa said developer has them under contract to do street design. The city would approve the plans after presented to them. Moving the light pole was also brought up and the contractor thinks the state will move it but Vasa will get back to them to verify.

A motion was made by Gralheer, second by Hoelting to approve the budget of $40,000.00 to PCDI, eight payments of $5,000.00. A quick discussion of if the money should be used for meals. Some felt it should not while others felt since it was a volunteer board, it was okay to provide lunch during meetings. There is no ordinance that says the committee cannot use the money for meals. Website sharing was also mentioned but PDCI not looking to do that at this time. Voting AYE: Welsh, Hoelting and Gralheer. Voting NAY: Powley. Motion carried.

NEW BUSINESS:  
Mark Jahde was not able to attend the meeting but through Powley he asked if something could be done about the wild animals digging holes at the cemetery. Jahde recently filled two holes around his parent’s graves and wanted to let the village know they keep appearing. Village will keep an eye out and try to relocate the animal(s).

Reha had to leave the meeting due to work and Hoelting stepped in as chairperson.

A motion was made by Powley, second by Welsh to approve the extend of grant 20-EMCV-012, Resolution 2031-15, to January 31, 2024. Voting AYE: Gralheer, Powley and Welsh. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Gralheer, second by Powley to approve amending budget for 20-EMCV-012, Resolution 2013-14. The resolution will amend the current Neighborhood Facilities budget from $450,000.00 to 469,625.14; the Construction Management budget from $10,000.00 to $2,191.25; and the General Administration budget from $25,000.00 to $13,183.61 for this block of funds. Voting AYE: Gralheer, Powley and Welsh. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Powley, second by Welsh to approve Resolution 2023-16. The resolution is to start the process of selling Park Street, a vacated street, by sealed bids. Voting AYE: Gralheer, Powley and Welsh. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Welsh, second by Powley to approve the special liquor license for the Other Side Bar. The SDL is for 1/5/2024 at Community Center. Voting AYE: Powley, Welsh and Gralheer. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Powley, second by Welsh to approve the special liquor license for the Other Side Bar. The SDL is for 2/1/2024 at the Community Center. Voting AYE: Powley, Welsh and Gr Gralheer. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Welsh, second by Gralheer to approve the reimbursement to Steven Schneider to obtain his EMT license. The sum of $555.37 will be reimbursed. Voting AYE: Welsh and Gralheer. Voting NAY: None. ABSTAIN: Powley. ABSENT: Reha. Motion carried.

A motion was made by Powley, second by Welsh to approve the transfer of $30,400.00 from infrastructure to O&M to pay for the transformer at the Family Dollar Site. This money will be reimbursed to the village once Family Dollar is invoiced. Voting AYE: Gralheer, Powley and Welsh. Voting NAY: None. ABSTAIN: Powley. ABSENT: Reha. Motion carried.

The board decided to stay with the same departments as the 2023 year. As well as staying with The Pender Times for the newspaper and Tammy Maul-Bodlak as village attorney.

The decision about Microsoft for the office was postponed till more detail of cost was available.

A short discussion was had about the current fee schedule and if any fees needed to be changed for the new year. It was decided to revisit the fees once pool season was a little closer.

Amy Volk, Derwin Roberts and Mark Lorensen were appointed to a one-time committee to determine if any abutting property owner is entitled to recover as compensation the difference between the value of such property immediately before and immediately after the vacating of Park Street. If the value does not change then the property owner is not entitled to compensation.

DEPARTMENT REPORTS:  
Chris Brader (Utility Superintendent) Advised the board the sanitary survey with NE Dept of Environment and Energy and it went well but no official response yet. Reported a utility worker received concrete burn on their legs so workman compensation claim was started. Brader would like to attend Utility Public Works Section Conference in January in Lincoln.

Dr, Hoelting Reported the cemetery roads will need some work on them next spring, including the new addition. Also, asked how the meter replacements are going and Brader said they are getting to a point they will be able to work on them.

Glen Gralheer Asked if had contract for the electric wiring for Robert’s Addition in office and Tyrrell-Feltes said she may have one or Olsson may as well. Inquired about the excess of electric wire the Lorensen still has and thought maybe Maise would buy it to hold for future wiring in the new addition. Lorensen did ask if there was a way to contract the wiring in for the next phase of addition. Asked if the village had a standard covenant for town or just each neighborhood had own? Lorensen thought maybe it was in the comprehensive plan. Amy Volk asked if he would like to chat outside of meeting since she has been looking into covenants.

Office Tyrrell-Feltes reported that MEAN helped pay for Power Manager in the sum of $3,024.00. Shared the office utility fee will be increasing by roughly $70.00 per month. Let the board know the units for the speed signs the sheriff department was requesting have been approved but location has not as of yet. Did ask who would be paying for the signs and the board felt it would probably be the village. Relayed that the village was awarded a scholarship for the clerk school in March and it was half of the tuition. Auditors plan to be in for audit January 9 – 11, 2024. Asked about storage upgrade for computer and board said to go ahead. Riggs did not have anything.   
Robbie Welsh Asked about the street lights on Industrial Road and Brader answered that Schmader’s will have to look into it because the probability of that many lights going out at once is low and they were newer lights. The flag pole is broke at the fire hall and Brader let her know it needs to have the top piece replace so we can put the flag at half-mast.

Dave Powley Updated some maintenance around town that needed to be done: light at 6th and Valley, faded stop signs and what looks like a sink hole at 6th and Whitney. Powley is concerned about get Pfiefer’s electrical fix and asked why waiting on MEAN. Brader replied waiting on the engineer to okay the plan to give to Schmader. Brader also mentioned Rich got back to him and he will get back in touch next Wednesday. Klein gave Powley a quote for the electric heater contactors for the sewer plant of $600.00 and the motor for the plant is eleven weeks out.

A motion was made by Gralheer, second by Powley to approve the financial report. Voting AYE: Powley, Welsh and Gralheer. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Gralheer, second by Powley to approve the budget, expenditure, claims, transfers and payroll. Voting AYE: Powley, Welsh and Gralheer. Voting NAY: None. ABSENT: Reha. Motion carried.

VILLAGE: Salaries, Se 21647.86, EFTPS, Taxes 4595.22, John Hancock, Retire 1026.25, Ann Bachman, Reimb 85.11, Appeara, Su 379.29, B&B Masonry, Se 6000.00, Burt County Public Power, Se 53.22, Charter West Bank, HSA 100.00, Charter West Bank, CD 4500.00, Anna Dvorak, Refund 325.00, Ell Consulting, Se 69.00, Farabee Mechanical, Se 5045.74, Fastwyre, Se 292.19, Feld Fire, Su 1495.00, Foremost Promotions, Su 851.14, Frazeys, Su 1273.22, Frontier Bank, HSA 105.00, Grainger, Su 184.34, Harlequin Reader, Su 85.88, Hometown Leasing, Su 155.14, Ingram Library, Su 62.14, Joe Strahm, Reimb 104.40, K&C Grain, Su 5737.25, Koons Gas Measurement, Su 828.96, Lamp Auto, Su 377.51, Lorensen Lumber, Su 214.61, Maise Electric, Reimb 3613.50 Mid-American Benefits, Ins 53.63, Midwest Lab, Su 244.65, Municipal Supply, Su 356.35, Mutual of Omaha, Ins 184.75, NE Municipal Clerk Institute, Training 443.00, Newton Diesel, Se 472.92, Northeast Ne Economic Dev, Se 738.68, One Call Concept, Se 19.93, Orkin, Se 86.66, Pender Ace, Su 949.15, Popular Mechanics, Su 59.94, River Valley Underground, Se 9000.00, Ron Klein, Contr 1100.00, S2 Roll Offs, Se 1124.65, Sturek media, Se 126.58, Thurston County Sheriff, Se 18208.32, US Dept of Energy, Se 6760.44, Utility Equipment Co, Su 956.77, VOP, Utilities 13001.68, VOP-Petty Cash, Su 236.85, Wesco Receivables, Su 4031.10

AIRPORT: Northeast Power, Se 259.00, Smith Farm Service, Su 594.58  
RESCUE: NE Dept of Revenue, Taxes .77, EFTPS, Taxes 250.00, Debbie VonSeggern, Training 300.00, EMC Insurance, Ins 351.08, Frazeys, S 140.83, Matheson Tri-Gas, Su 46.60, Pender Thurston Chamber Bucks, Su 1980.00, Quick Claims Med, Se 278.17, Verizon, Se 126.52,

A motion was made by Powley, second by Welsh to go into executive session at 8:49 P.M. to discuss personnel. Voting AYE: Gralheer, Welsh and Powley. Voting NAY: None. ABSENT: Reha. Motion carried. A motion was made by Powley, second by Welsh to come out of executive session at 9:58 P.M. Voting AYE: Welsh, Powley and Gralheer. Voting NAY: None. ABSENT: Reha. Motion carried. No action was taken.

A motion was made by Powley, second by Welsh to adjourn at 9:59 P.M. Voting AYE: Welsh, Gralheer and Powley. Voting NAY: None. ABSENT: Reha. Motion carried.

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Chris Reha, Chairman

Board of Trustees

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Nicole Tyrrell-Feltes

Village Clerk

VILLAGE OF PENDER

THURSTON COUNTY

STATE OF NEBRASKA

CERTIFICATE

I, THE UNDERSIGNED VILLAGE CLERK hereby certifies that the foregoing is a true and current copy of the proceedings had and done by the Chairman and Board of Trustees of this meeting. That all the subjects included in the foregoing proceedings were contained in the said agenda for the meeting and kept continually current and available for public inspection at the office of the Village clerk. Those subjects were contained in said agenda for twenty-four hours and prior to the next convened meeting of the said body. That at least one copy of the reproducible material discussed at the said meeting were available for public inspection at the office of the Village Clerk and within ten working days and prior to the next convened meeting of the said body. That all news media requesting notification of the time and place of said meeting and the subjects to be discussed at the said meeting.

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Nicole Tyrrell-Feltes

Village Clerk