

Palisade Village Board of Trustees  
Regular Session Minutes  
January 8, 2014

The Palisade Village Board of Trustees met in Regular Session Wednesday, January 8, 2014 at the Village Office. Members present: Chairman Jason Hicks; Trustees, Mary Suda, Brian Monnahan, Reid Ott and James Christner. Other staff present: Attorney Phil Lyons, Zoning Administrator/Building Inspector Dennis Wilson and Village Clerk/Treasurer Kerry Miller.

Chairman Hicks called the meeting to order at 6:00 p.m. Roll call was taken.

Chairman Hicks made everyone aware of the Open Meeting Act Notice posted in the Village Board meeting room.

Motion made by Christner and seconded by Suda to accept the December 11, 2013 Regular Session Minutes with the following corrections: Chairman Hicks opened up the public hearing for the One and Six Year Street Improvement Program instead of Street Superintendent Gerard Dicenta; the vote to accept the program was taken after the public hearing was closed. Yea: Monnahan, Hicks, Christner, Ott and Suda. Nay: None. Motion carried.

The Board reviewed their financial statements. Motion made by Monnahan and seconded by Christner to accept the January 8 2014 Balance Sheet. Yea: Hicks, Christner, Monnahan, Ott and Suda. Nay: None. Motion carried.

Motion made by Christner and seconded by Ott to approve the claims with a total of \$21,443.13 Yea: Ott, Monnahan, Hicks, Christner and Suda. Nay: None. Motion carried.

Adams Bank & Trust	Dumpster loan	\$986.90
Barnett's Do It Center	Supplies Back Office	\$20.55
City Of McCook	Trash Service	\$1,047.67
Colonial Life & Accidental Co.	Insurance Premium	\$129.40
Colfer Wood Lyons Wood Lawyers	Attorney Fees	\$120.00
D & S Hardware	Supplies Back Office	\$35.45
DHHS Public Health Environ Labs	Water Tests	\$902.00
Richard Durham	Carpet Labor/Reimbursement Park	\$139.28
Hitchcock County Treasurer	Real Estate Taxes	\$253.00
Great Plains Communication	Fax/Telephone	\$194.91
HomeTown Agency	Insurance Premium	\$36.00
Ideal Linen	Rugs	\$21.86
IRS	Withholding Tax Penalty	\$592.93
IRS	Q4 Withholding Tax	\$4,257.68
MCI Business Premier	Long Distance Telephone	\$38.30
Menard's	Office Supplies Back Room	\$534.36

NE Dept. Of Revenue	941 N Withholding Tax	\$317.33
One-Call Concepts	Digger's Hotline	\$2.85
Petty Cash	Postage/Office Supplies	\$123.80
Pivot Electric	Generator Maintenance	\$725.05
Roonie's Place	McVicker Flower Arrangement	\$35.00
Sargent Irrigation	Efficiency Well Tests	\$675.00
Southwest Public Power	Utilities	\$2,244.49
USPS	Postage	\$96.00
Village Of Trenton	Trash Service	\$1,500.00
Wauneta/Palisade Coop Oil	Fuel/Oil	\$703.98
Wireless INet	Internet Service	\$110.00
Wages	Gross Earnings	\$5,599.34

**Unfinished Business:**

The Village Web site was discussed. Trustee Suda informed the Board that the domain site is palisadenebraska.com and the website is almost complete.

There was much discussion about building permit issues and the wording with the Village's Ordinance 9-103. It was suggested that when a building permit is issued the applicant is given a pamphlet about building permits from the Village Office. Attorney Lyons will work on a resolution for Ordinance 9-103 for the February meeting.

**New Business:**

Kurt Vosburg, District Engineer for District 7, Nebraska Department of Roads informed the board on the planning and construction of the new State of Nebraska Maintenance facility that will be located just north of town. Vosburg had sketches of the facility and informed the Board of what his office is needing from the Village. Shawn and Chrystine Cole expressed their concerns about the noise and traffic coming to and from the facility. They also had concerns on the digging of the water and sewer mains to service the facility. Vosburg assured the Cole's the State would try and be good neighbors and accommodate as much possible. There was discussion about meters for the facility and Hicks gave Vosburg the meter ordinance. Hicks informed Vosburg the Village will work with the State on this new facility as needed.

Randy Hellbush, from Nebraska Rural Water Association addressed the Board with the Water and Sewer Rate Study his office did in September. Hellbush gave comparisons to the Board on other towns on their water/sewer rates. It was discussed that in order to have the Village keep meeting their operation needs and to also continue to stay within USDA guidelines, an increase in both the water and sewer rates needs to take place. Hellbush stated that there hasn't been an increase in rates for several years, and that the Village is meeting day to day operations. There was discussion on having separate rates for commercial and residential, and having an ordinance that had the water/sewer rate increase and every year in January increase it by a percentage. The discussion on

the rate increase was sewer to be increased from \$17.00 to \$24.00 and water rate to be increased from \$27.00 plus \$1.50 for each 1000 gallons of water used to \$33.00 plus \$2.25 per 1000 gallons used. Attorney Lyons will draw up the ordinance and present it at the February meeting for Board approval. Randy Hellbush and Hicks will discuss pricing before the next meeting on rates for larger meters.

Kyle Clapp addressed the Board on the Hitchcock County Local Emergency Operations Plan. Motion was made by Monnahan and seconded by Christner to adopt Resolution 10-2014 as presented. Yea: Monnahan, Christner, Ott, Hicks and Suda. Nay: None. Motion carried

The library budget was discussed. Shirley Ferguson, Library Board Member informed the Board that the questions the Library Board had were already addressed. Ferguson informed the Board that the Library would like to apply for the Hansen Grant in April.

The road grader the Village had purchased from N TEC was discussed. A representative from N TEC was in contact with Hicks and informed him there was a problem with the motor on the grader. Hicks told the rep that the Village would like the money refunded. There was a motion made by Monnahan and seconded by Ott to purchase a 1977 Cat 12-G road grader from Riener Farms in the amount of \$25,000.00. Yea: Ott, Monnahan, Hicks, Christner and Suda. Nay: None. Motion carried.

A conditional use permit for June Nothaus was discussed during the Planning Commission report. Ms. Nothaus at this time is not sure about moving forward with this application. No further discussion or action was taken at this time..

Attorney Lyons reviewed the Application and Permit for Home Occupation his office was directed to compile. The application and permit pertains to home based businesses. There was discussion on this issue. Motion was made by Monnahan and seconded by Christner to accept the application and permit for Home Occupation as presented. Yea: Christner, Ott, Suda, Hicks and Monnahan. Nay: None. Motion carried.

Motion was made by Christner and seconded by Monnahan to approve Resolution 9-2014. Yea: Christner, Suda, Hicks, Monnahan and Ott. Nay: None. Motion carried. The Resolution will be published in the Hitchcock County Newspaper as well as the Palisade Times.

#### **Reports of Staff, Commissioners & Committees:**

Clerk/Treasurer Miller gave her report. Miller informed the Board on several animal complaints. There was discussion and the Board directed Attorney Lyons to send a property owner a letter informing them of the ordinance allowing only three dogs per residence. Miller informed the Board that Cemetery documents had been brought into the office. Hicks stated that the items need to be organized and a to do list needs to be compiled to start with the organizing of Cemetery items. Miller will contact volunteers to help with the process. Meeting agenda items were discussed as well as a survey that needs down for the McCook Daily Gazette.

Library/Cemetery Commissioner Suda gave the library report. Suda informed the Board that the Library usage is at an all time high The Book Club now has 8 members. Suda also told the Board that Sunday, January 26<sup>th</sup> at 2:00 p.m. Tami Vrbas will be doing a poetry reading at the Library. Everyone is welcome to attend. An application for the Library Board was reviewed. Hicks appointed Marilyn Moore as the new Library Board member.

Park, Pool and Housing Commissioner Ott had no report.

Street, Police and Tree Commissioner Christner discussed a complaint he had about street millings that were put down in an alley. There was discussion and it was decided that the millings will be picked up by Miner and disposed of properly. Christner also had complaints about items being on the street in South Palisade. Attorney Lyons stated that if the items are on the street the Village has the right to clean up the street. Christner will talk to Miner about taking care of this. There was discussion on the lack of culverts on the County Avenue and a drainage problem around the elevator.

Water and Sewer Commissioner Monnahan had no report since the Water and Sewer rates had already been discussed.

Health Commissioner Hicks had no report

Starla Ott's resignation letter from the Planning Commission was read. Motion was made Monnahan and seconded by Reid Ott to accept the resignation. Yea: Monnahan, Ott, Suda, and Hicks. Nay: Christner. Motion carried

Motion was made by Monnahan and seconded by Ott to appoint Richard Durham as the new Planning Commission member to replace Starla Ott and to fill the remainder of the term. Yea: Suda, Ott, Christner, Hicks and Monnahan. Nay: None. Motion carried.

Motion was made by Christner and seconded by Monnahan to appoint Patty Post as Planning Commission alternate. Yea: Ott, Monnahan, Christner, Hicks and Suda. Nay: None. Motion carried.

Building Inspector/Zoning Administrator Dennis Wilson gave a report. Building permit #177 – James Simpson's shed was discussed. Wilson informed the Board that the shed had been moved and it was now not in compliance with the codes. Wilson will talk to Simpson about becoming compliant. Motion was made by Monnahan and seconded by Christner to approve Building Permit #179 for Curtis Kayton. Yea: Suda, Ott, Monnahan, Hicks and Christner. Nay: None. Motion carried. Motion was made by Christner and seconded by Ott to approve Building Permit #180 for Don Suda. Yea: Ott, Monnahan, Hicks and Christner. Nay: None. Abstain: Suda. Motion carried.

#### **Executive Session:**

Motion was made by Christner and seconded by Monnahan to go into executive session at 8:30 p.m. to discuss pending litigation or litigation which is imminent as evidenced by communication of a

claim or threat of litigation to or by the public body. Miller's vs. Village of Palisade. Yea: Ott, Christner, Hicks, Monnahan and Suda. Nay: None. Motion carried.

Motion was made by Monnahan and seconded by Christner to come out of executive session at 8:46 p.m. Yea: Monnahan, Suda, Hicks, Ott and Christner. Nay: None. Motion carried.

Motion was made by Christner and seconded by Monnahan to direct Attorney Lyons to move forward with the litigation Miller's vs. Village of Palisade. Yea: Suda, Monnahan, Ott, Hicks and Christner. Nay: None. Motion carried.

**Miscellaneous business:**

Shirley Ferguson informed the Board that there are 2 housing units opened for single occupancy.

Chairman Hicks adjourned the meeting at 8:49 p.m.

Attest:

Kerry A. Miller  
Village Clerk/Treasurer