**Board of Trustees Meeting**

**February 28th ,2024**

**Meeting Minutes**

Chair Wilken called a Regular Meeting of the Greenwood Board of Trustees to order at 7:00 p.m. on Wednesday, February 28th, 2024, at the E.L. McDonald Community Center located at 619 Main Street in Greenwood, Nebraska. Said meeting is open and the public is encouraged to attend. The Board of Trustees reserves the right to adjourn to Executive Session per State Statute 84-1410. Chair Wilken stated the open meetings act is posted in the meeting room for the public to view

**Roll call was taken with the following members present: Wilken, Sobota, Grell, Gerlach and Johnson.**

**Consent Agenda**

Minutes

Approval of time cards and payroll detail report

Financials

* Profit and Loss
* Balance Sheet

Sobota made the motion to approve the minutes, approval of time cards, payroll detail report, the financials including the profit and loss and balance sheet. Grell seconded the motion. Roll call vote: All ayes. Motion carried 5-0.

**Water Report-** Wilken stated the well tests came back and the nitrate levels were at 6 and 8. Wilken stated that they will be in contact with the state to get the well turned back on.

**Sheriff Report**

**Maintenance Report**

**Clerk Report-** Greve stated she has started the application for the Cass County Tourism Grant.

**Planning & Zoning-** Greve stated no minutes have been received.

**Fire/Rescue Report –** Wilken stated everything is dry and there is no burning**.**

**Park and Rec-** Greve stated she has not received any minutes.

**Library**

**Communication of Citizens-** None.

**Public Hearing**

1. Open Public Hearing regarding Amendment to Subdivision Regulations- Wilken opened the public hearing regarding the amendment to subdivision regulations at 7:04PM. Wilken asked for anyone against the amendment to the subdivision regulations to go ahead and speak. No comments were made. Wilken stated anyone for can speak. Freeman- Caddy stated her and Ogden reviewed the current regulations and noticed some changes were needing to be fixed and updated. Freeman- Caddy stated the application needed updated along with the streamlining process to be updated to the current standards. She also stated a lot of the updates were technical like block length changes and number of copies submitted. Freeman- Caddy stated since there were not minutes turned in from the Planning Commission, she believes the board should just recess the public hearing to double check the fact finding and have it added to the next agenda. Wilken made a motion to recess the Public Hearing regarding the Amendment to the Subdivision Regulations until the next meeting at 7:07PM.
2. Open Public Hearing regarding Amendment to Zoning Regulations- Chair Wilken opened the Public Hearing regarding the Amendment to Zoning Regulations at 7:07PM. Chair Wilken anyone who is against the amendment to please speak. No comments were made. Chair Wilken asked for anyone against the amendment to the zoning regulations to please speak. Freeman- Caddy stated after the Planning Commission meeting last week there is still a little bit to go over and work through. Section 8.11 specifically the limit on campers within the Village limits. Freeman- Caddy stated there was discussion about only having two trailers, campers, boats etc. to each property. A combination of only two. Freeman- Caddy stated the Planning Commission was also discussing a special permit for a nonprofit allowing them to have more than two since they are doing good for the community. Jeff Stewart stated he currently has more than two sitting on his property but his property is clean and kept up. Stewart is questioning why he is not allowed to have two when his property is nice and he maintains it. Freeman- Caddy stated currently the regulations only allows to unless you store them in a building on the property. Stewart stated he thought he was not allowed to put up a building on his property because it would not fit the requirements per the regulations. Johnson stated she does not believe the Village should be able to tell a resident how many trailers etc. they are allowed to have. Stewart stated if the Village would like to enforce the nuisance properties to clean up they should be able to build a building to give them a place to put their trailers. Freeman- Caddy stated the regulations allow accessory buildings they just have to adhere to the 30 % of green space in the rear yard. Freeman- Caddy stated the accessory building are not allowed in the front of the yard they must be built in the back. Wright stated the current regulations state two of any. Including trailers, campers, boats etc and not in the yard. Wright stated they are trying to eliminate the town being a camping ground and have campers properly stored. Freeman- Caddy stated they are proposing all campers etc must be on a hard surface, not exceeding two, camper or boat up to two off of paved surface and the structures have to leave 30% greenspace. Wight stated you are allowed to park a camper for 72 hrs. Wright also stated the nonprofit trailers are doing it for the good of the community that is why they are suggesting to have a permit for those. Wright stated the Planning Commission is trying to incorporate Ashland regulations. Wright stated the current zoning states only two and you can’t have three. Campers are allowed October through April in the Village. Wright stated in Ashland you have to have your camper in your backyard parked on a hard surface. Wright stated you have to make it look residential and not an rv parking lot. Freeman- Caddy stated Article 5 setbacks and minimum lot widths are being reviewed. Freeman- Caddy also stated the IBC requires fences with pools. Stewart stated he would like a copy of the proposed changes so he can review for the next hearing. Greve stated she will send that over to him the following day. Wilken made a motion to recess the Public Hearing on the Amendment to the Zoning Regulations at 7:30PM.

**New Business**

1. Discussion possible action Insurance Claim for sewer back up- Leslie Krings spoke on behalf of Estelle Hansen questioning why her insurance claim was denied for the sewer backup in her home. Krings stated the letter from Continental Western Group stated the Village takes reasonable measures and efforts to maintain the sewer lines within the Village. Krings stated Estelle Hansen is wondering why the Village paid for half of the damage done to her property but the rest was not paid for. Krings stated per the minutes from December 13th, 2023 it was decided in the meeting it was tree roots that caused the backup. Krings stated they found cement in the lines. Krings stated 7th Street manhole was open and a cement collar was around the man hole section and there is a section of the cement that is gone. Krings stated she believes that after a month the cement went down the line. Johnson asked if Krings reached out to the insurance company once Hansen received the denial letter. Krings stated she did not but she did not file the claim. Krings stated Hansen would like to see the insurance claim reopened and is still wondering why one portion of the damage was paid for but the other portion was not paid. Sobota made a motion to reopen the claim and to contact Jones Group to review the damage at 530 Walnut Street. Gerlach seconded the motion. Roll call vote: All ayes. Motion carried 5-0.
2. Approve/ Disapprove Claims List A- Gerlach made a motion to approve claims list A. Johnson seconded the motion. Roll call vote: All ayes. Motion carried 5-0. Approved Claims: Brainard Heating and Air Conditioning $3,645.00 (Firehall heater), Cass Co Sheriff $1,600.00 (Services), Emergency Medical products $300.90 (Supplies), Jasmine Mach $580.00 (Cleaning Services), JEO Consulting Group $1,007.50 (Professional Services), NE Dept of Revenue $100.00 (Keno Expense), NE Public Health Environmental Lab $47.00 (Routine Testing), Security Equipment Inc. $231.00 (Services), US Bank $123.84 (Printer Services), Wilmer Welding $312.50 (Hauling Poles), Windstream $1,065.25 (Services), American Funds $367.50 (Payroll Liabilities), Internal Revenue Services $2,659.62 (Payroll Liabilities), Wages $7,122.76. Total $20,182.87.
3. Approve/ Disapprove Yost bid for cleanup in office- Wilken asked if the bill had been corrected since the last meeting. Greve stated the tax was removed and Greve verified with Yost that we could use the monthly contract hours. Sobota made a motion to approve the Yost bid for cleanup in the office not to exceed $2,000.00. Johnson seconded the motion. Roll call vote: All ayes. Motion carried 5-0.
4. Approve/ Disapprove Windstream contract- Gerlach stated on page 7 of the contract the 911 service has to have a battery backup if power is lost and we are responsible for maintaining the lines. Gerlach also asked about the time frame. Greve stated she did not ask. Wilken made a motion to approve the Windstream contract. Sobota seconded the motion. Roll call vote: All ayes. Motion carried 5-0.
5. Discussion possible action sewer fees without water services- Johnson stated she believes if you have access to the sewer you need to pay the fee. Wilken says he does not disagree but is wondering what would be done if snowbirds want to turn it off during the winter. Wilken stated in the past they ask to shut the water off in the Winter since they do not use it and they allowed it. Johnson stated she still believes if you have access you pay for it. Gerlach stated he agrees. Gerlach asked if SW is listed on the bill the sewer charge. Greve stated yes. Wright asked Johnson if the house sits vacant for years and you have access to it or the contractor does if they should accrue the charge? Gerlach stated the books for the Village state based on usage not flat rate so he believes this needs changed. Sobota made a motion to table this until the book is reviewed. Grell seconded the motion. Roll call vote: All ayes. Motion carried 5-0.
6. Discussion possible action Village emails- Gerlach stated he brought this up last meeting but we currently have windstream and the accounts have no security. Gerlach stated he is all for the new emails. Johnson stated Greve will like Microsoft 365 a lot better. Johnson made a motion to approve the village emails from Microsoft 365 business standard for $12.50 a month and 8 basic business emails for $6.00 a month. Gerlach seconded the motion. Roll call vote: All ayes. Motion carried 5-0.
7. Discussion possible action Greenwood Fun Day- Greve stated the park and rec is requesting to keep Greenwood Fund Day free to the community. Greve stated last year she sent out donation requests to businesses and had great feedback and donations received last year. Johnson made a motion to approve to keep Greenwood Fun Day free this year. Grell seconded the motion. Roll call vote: all ayes. Motion carried 5-0.
8. Discussion possible action Village of Greenwood Electrical meter specifications- Gerlach stated he requested for number 8 and 9 to be on the agenda to have books on record for who provides what and who is responsible for what with electrical here in the Village. Gerlach stated he condensed it down for the town and asked for the other board members to review it for errors etc. Gerlach stated there has been a couple situations recently where nobody knows who is responsible or what to do and would like to see this approved at the next board meeting.
9. Discussion possible action Village of Greenwood service regulations- Gerlach stated this book supplements what the Village does for the admin side of the electrical. Wilken made a motion to table numbers 8 and 9 until the next meeting. Sobota seconded the motion. Roll call vote: All ayes. Motion carried 5-0.

Resolution

1. Resolution 24-01 248 Ash Street Nuisance Violation- Sobota made a motion to approve resolution 24-01 for 248 Ash Street Nuisance Violation to have cleanup done by April 1st, 2024. Gerlach seconded the motion. Roll call vote: All ayes. Motion carried 5-0.

Ordinances

1. Ordinance No. 545 Sewer and Water Service Line Responsibility-

Ordinance number 545 of the Village of Greenwood, Nebraska. First Reading: The Clerk read the aforesaid Ordinance No 545 by title. AN ORDINANCE OF THE VILLAGE OF GREENWOOD, CASS COUNTY, NEBRASKA, TO AMEND CHAPTER 7 ARTICLES 2 AND 3 OF THE MUNICIPAL CODE OF THE VILLAGE OF GREENWOOD, NEBRASKA PERTAINING TO RESPONSIBILITY FOR INSTALLATION, MAINTENANCE AND REPAIR OF WATER AND SEWER SERVICE LINES FROM THE MAIN TO THE PRIVATE PROPERTY OF A USER OF THE WATER AND SEWER SYSTEMS; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF GREENWOOD, NEBRASKA, ARE HEREBY AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST 15 DAYS AFTER ITS PASSAGE AND APPROVAL EITHER IN PAMPHLET FORM OR BY POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF GREENWOOD, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF GREENWOOD, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

A motion by Wilken was made to approve the first reading of Ordinance No. 545 Sobota seconded the motion. Roll call vote: All ayes. Motion carried 5-0.

Wilken made a motion to waive the second and third readings of Ordinance No. 545. Seconded by Sobota. Roll call vote: All ayes. Motion carried 5-0.

Wilken made a motion to adopt Ordinance No. 545 Grell seconded the motion. Roll call vote: All ayes. Motion carried 5-0.

**Board Comments**- Grell stated Rein reached out to her about the Community Center Survey and the platform they are using. Grell stated survey monkey only allows for 40 responses on the survey and Rein has already received 30+. Grell stated they can pay a fee for the additional responses. Wilken stated to have Rein just call one of us if she needs to pay for additional. Grell stated there appears to be someone moving into the blue trailer on the end in the trailer court that has sat vacant for a long time and needs condemned. Gerlach stated we need to have an electrical inspection done on the property. Gerlach stated Fergus was handling the light pole that was damaged on Church Road. Gerlach stated he sees the trash cans for main street are here. Gerlach stated he attended the league conference last week and he learned that the epic tax is wanting to charge a flat tax across the board and not have income or property tax. Gerlach stated we could potentially look into an agreement with a lineman from another town or village to work with us or we could look into hiring a community college student to do the lineman work like Exeter does. Sobota stated May 4th Is the clean up day and he is working with u pull it to help pick up vehicles that day as well and reduce the fee for the owners. Sobota also mentioned that Cass Co Beautiful is doing a tires cleanup day in August. Wilken stated water samples came back and the nitrate levels are lower. Wilken stated the state is still requiring us to move forward with the blending station. Wilken is requesting maintenance personnel put vacations on the board so everyone is aware when they will be gone. Wilken stated he also spoke to maintenance and they will begin doing crack sealing.

**Wilken adjourned the meeting at 8:22pm.**

*Respectfully submitted,*

*Jasmine Greve, It’s Clerk Don Wilken, It’s Chair*