

**Village of Bennet, Nebraska**  
**Board of Trustees Minutes; February 12, 2018**

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular meeting and public hearing on Monday, February 12, 2018 at 7:00 p.m., at the regular meeting place of the Board, the Village Hall, 685 Monroe Street in the Village, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, and having set forth (a) the time, date and place of the meeting; (b) that the meeting would be open to the attendance of the public; and (c) that the agenda for the meeting, kept continuously current, was available to public inspection at the office of the Village Clerk.

In the absence of Chairman Don Murray, the Clerk called the meeting to order at 7:07 and conducted roll call. Trustees in attendance were Jerris Nider, Brad Ruzicka and Ryan Cheney. Justin Dorn and Don Murray were absent. A quorum being present and the meeting duly commenced, the following proceedings were recorded by the Clerk while the session remained open to attendance by the public.

Motion by Ruzicka, second by Nider to nominate Ryan Cheney as Chair Pro-Tem. Roll call vote; Cheney, Nider, Ruzicka voted YES. Motion carried.

Cheney announced the location of the Open Meetings Act posted near the entrance of the room for access by the public.

Motion by Nider, second by Ruzicka to approve minutes for the January 8<sup>th</sup>, 2018 regular session. Roll call vote; Cheney, Nider, Ruzicka voted YES. Motion carried.

Motion by Ruzicka, second by Nider to accept the minutes for a special joint session with the Planning Commission, held on January 17<sup>th</sup>, 2018. Roll call vote; Nider, Ruzicka, Cheney voted YES. Motion carried.

A list of claims was considered. Motion by Ruzicka, second by Nider to approve payment of claims. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Rule reported on treasury balances and noted bank fees charged to a damage deposit account. Motion by Cheney, second by Ruzicka to approve closing the damage deposit account. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Village Engineer Ryan Brandt was available to report on current projects. Planning Commission Chairman Ron Maas reported his intention to relocate from the Bennet area. He would no longer be eligible to serve on the commission after April of 2018. The Commission had already voted to reorganize and Dina Rathje would serve as the next Commission Chairperson. Vice – Chair would remain Al Williams and Joshua Buck would serve as secretary.

Utility Superintendent Ken Maahs reported maintenance issues in the Village, and provided cost estimates to repair or replace an eleven year old blower at the waste water treatment plant. A basic repair would be \$2650.00 with additional \$960 to remove the unit and \$960.00 to replace the unit. Cost of a new unit was \$6289.00 with a potential savings in removal and replacement. Motion by Ruzicka, second by Nider to approve cost to replace the blower. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Michael Hoback of AMGL Accountants addressed Trustees to outline the 2016/17 Financial Statement for Bennet. Hoback noted his firm's opinion was clean. The Village maintains good cash reserves, with low property tax levy due to growth in valuations. Hoback recommends Trustees remain diligent with oversight, review rate fees annually, and the office should develop a disaster recovery plan. The audit was placed on file.

Nate Dillion represented the Bennet Ball club. Dillion reported 2 nights of sign up, 202 children signed up for 17 teams including t-ball. Purchase of a new batting cage was discussed. The Club offered to cost share for artificial turf for inside the cage. The Clerk noted the Nebraska Department of Roads approved the relocation of the ball field sign. Repairs to the concession stand, bathrooms and new bleachers were discussed. Dillion suggested the small bleachers from the South Field could be moved to

the T-ball Field and new ordered for the South Field. Practices would begin in March, games scheduled for April.

Myron Dorn, candidate of the 30<sup>th</sup> District Legislative seat introduced himself and described past accomplishments and future goals.

Discussion continued regarding replacing the batting cage and the possible addition of a 12' X 6' pad for inside the cage. Ball Club members would discuss the pad. Motion by Cheney, second by Ruzicka to approve the purchase of a new batting cage for the South Field for \$2,174.00. Roll call vote; Cheney, Ruzicka, Nider voted YES. Motion carried.

Following a recommendation from the Utility Superintendent; Motion by Cheney, second by Nider to approve the purchase of a 2008 GMC Canyon pickup truck from Bennet Motors in the amount of \$9,800.00. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Cheney introduced Resolution 2018-2.1 authorizing the sale of the Village's 2000 S-10 pickup truck. Motion by Ruzicka, second by Cheney to approve Resolution 2018-2.1. Roll call vote; Nider, Cheney, Ruzicka voted YES. Motion carried.

Olsson Engineer Justin Stark provided a change order to a contract with Gana Trucking, outlining an \$11,499.45 savings to the original project price. Motion by Cheney, second Ruzicka to accept a change order to the Park Project contract with Gana Trucking. Roll call vote; Cheney, Ruzicka, Nider voted YES. Motion carried.

Motion by Ruzicka, second by Cheney approving pay estimate #3 to Gana Trucking in the amount of \$36,549.09 for the 2017 Village Park Improvement projects. Roll call vote; Ruzicka, Cheney, Nider voted YES. Motion carried.

A memo from the Village Attorney, regarding cemetery annexation, was discussed. It was noted the Bennet Cemetery is governed by a board of directors, is more like a non-profit than governmental, and does not have the ability to levy taxes. The Village could annex the property, however there is no real advantage until the time development is platted north of the area.

Resolution 2018-2.2 was introduced, placing a lien on 885 Garden Street in the amount of \$46.62. Motion by Nider, second by Ruzicka to approve Resolution 2018-2.2. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

An amendment to a letter agreement with Kirkham Michael, to include construction services for the Apple Street Paving Project was considered. Motion by Cheney, second by Ruzicka to approve the amended agreement with Kirkham Michael. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

A letter agreement with Kirkham Michael for design and construction services for the Adams Street Paving and Drainage Improvement project was discussed. Services included survey, plans and specifications, and bidding services for a lump sum fee of \$27,900.00, and construction phase services at an hourly fee estimated at \$10,100.00.

Motion by Ruzicka, second by Nider to approve the Engineers letter agreement for the Adams Street Paving Project. Roll call vote; Cheney, Ruzicka, Nider voted YES. Motion carried.

Final design for a water main replacement project servicing the South Ballfield and areas south of the railroad tracks was submitted by Olsson and Associates' Engineer Justin Stark. Discussion concerned a permit to bore under the tracks and an easement to allow the pipe to remain in place. Motion by Nider, second by Ruzicka to approve the final design plans for the water main replacement project. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

A public hearing was called to order at 8:50 p.m. to receive comment on a *One and Six Year Street Plan* for the Village. No changes were noted to the proposed plan. Hearing closed at 9:00 p.m.

Resolution 2018-2.3 was introduced by Chair Pro Tem Ryan Cheney, adopting the One and Six Year Street Plan for the Village of Bennet. Motion by Cheney, second Ruzicka to approve Resolution 2018-2.3. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Street names for Cottonwood Street and Bennet Road, and Tyler Street and 162<sup>nd</sup> were discussed. The Clerk noted that while the Village owned the entire road right of ways, portions of the streets retained the county road names that were effective prior to annexation of bordering properties. Joshua Buck commented on issues he faced in platting lots on his property, due to discrepancies in the street names. Trustees agreed that prior to any changes, a public hearing should be conducted to gain opinion of the residents effected by any changes.

The six month probationary review for employee Rose Butts was discussed. Co-workers provided favorable comments regarding MS. Butts suitability for the position. Resolution 2018-2.4 was introduced; ESTABLISHING THE SALARY FOR THE VILLAGE OFFICE ASSISTANT. Motion by Ruzicka, second by Cheney to approve Resolution 2018-2.4. Roll call vote; Ruzicka, Nider, Cheney voted YES. Motion carried.

Discussion and a resolution appointing members to the Farmers Market Committee was tabled pending additional member information.

Motion by Cheney, second by Ruzicka to adjourn at 9:22 pm. Roll call vote; Cheney, Ruzicka, Nider, voted YES. Motion carried.

---

Patricia Rule, Village Clerk