

**Village of Bennet, Nebraska**  
**Board of Trustees Minutes; August 13, 2018**

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular meeting on Monday, August 13, 2018 at 8:00 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 absence of the Chairman Don Murray, Village Clerk Patricia Rule called the meeting to order at 8:00 p.m., conducted roll call and recorded the minutes. Trustees in attendance were Brad Ruzicka, Justin Dorn, Jerris Nider and Ryan Cheney. A quorum being present and the meeting duly commenced, the following proceedings were taken while the session remained open for attendance by the public.

Motion by Cheney, to volunteer as Chair pro-tem. Second on the motion by Dorn. Roll call vote; Nider, Cheney, Dorn, 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 Ruzicka, second by Nider to approve minutes for the July 30<sup>th</sup> budget workshop. Roll call vote; Cheney, Ruzicka, Nider, Dorn voted YES. Motion carried.

A list of claims for payment was considered. Rule reported additions to the claims list as Lancaster County, filing fees \$22.00; Bats-to-Rats, extermination \$1,000.00; Lancaster Sheriff patrol services \$927.38. Motion by Ruzicka, second by Dorn to approve payment of claims with additions. Roll call vote; Cheney, Ruzicka, Dorn, Nider voted YES. Motion carried.

Rule provided details of the monthly Treasury report and provided a quarterly report of Keno operations. Motion by Dorn, second by Nider to approve the Treasurers Report. Roll call vote; Nider, Cheney, Dorn, Ruzicka voted YES. Motion carried.

Village Engineer Ryan Brandt reported on street projects. Written reports were received from the Lancaster County Sheriff's Department, and Utility Superintendent. A report from the Planning Commission was not available. Trustees requested future attendance by a Commissioner at Village Board meetings.

A recommendation for alternate Planning Commissioner was received from Chairman Don Murray. Resolution 2018-8.1 was introduced; A RESOLUTION APPOINTING AN ALTERNATE MEMBER TO THE PLANNING COMMISSION. Motion by Cheney, second by Dorn approving Resolution 2018-8.1. Roll call vote; Ruzicka, Nider, Cheney, Dorn voted YES. Motion carried.

Communications included a letter from the Department of Transportation regarding speed limit changes, a report from Larry Kramer on the Bennet Community Builders annual ice cream social, and a letter from contractors *General Excavating* regarding project timeline for replacing a water line. Trustee Jerris Nider reported that field work at the South Ball Field may no longer be done by the Bennet Ball Club.

Wayne Heyen of Midwest Farmers Cooperative addressed the Board with a proposal for the 700 block of Madison Street. A local contractor offered to grade and crown the road.

Motion by Ruzicka, second by Cheney to approve the maintenance plan upon receipt of correct insurance coverage. Roll call vote; Cheney, Nider, Ruzicka, Dorn voted YES. Motion carried.

A draft agreement to allow water service to continue to vacant property owned by District OR-1 Schools was discussed. (West Bennet, Block 1, Lots 10 – 12) The connection is currently used for a grounds irrigation system. The Village attorney advised that once the agreement was approved by the school, it should return to Village agenda for approval.

Resolution 2018-8.2 was introduced authorizing the submittal of an application for grant funding from the Recreational Trails Program for development of a trail in Whispering Pines Park and authorizing the Chairman to execute grant documents. Motion by Cheney second by Ruzicka approving Resolution

2018-8.2, authorizing the submittal of a grant application for federal assistance from the Recreational Trails Program. Roll call vote; Ruzicka, Cheney, Nider, Dorn voted YES. Motion carried.

Resolution 2018-8.3 was introduced: A RESOLUTION REGARDING APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE TO DEVELOP WHISPERING PINES PARK, AUTHORIZING THE CHAIRMAN TO EXECUTE GRANT DOCUMENTS, AND PROVIDING ASSUANCES. Motion by Cheney, second by Nider approving Resolution 2018-8.3 authorizing the submittal of an application for grant funding from the Land and Water Conservation Fund for development of Whispering Pines Park and authorizing the Chairman to execute grant documents. Roll call vote; Nider, Cheney, Dorn, Ruzicka voted YES. Motion carried.

A request for a Block Party permit to close a portion of the east/west alley in Block 41 for a beer garden and outdoor concert on September 21<sup>st</sup> – 22<sup>nd</sup> was considered. Insurance coverage for the Village and fencing an open ditch area were noted as concerns.

Resolution 2018-8.4 was introduced; A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL DESIGNATED LICENSE FOR AN OUTDOOR CONCERT AND BEER GARDEN TO BE CONDUCTED IN AN AREA INCLUDING THE EAST 110 FOOT OF ALLEY IN BLOCK 41, BENNET AS REQUESTED BY BIG TEN TAVERN, 625 MONROE STREET. Motion by Cheney, second by Ruzicka to approve Resolution 2018-8.4. Roll call vote; Nider, Cheney, Dorn, Ruzicka voted YES. Motion carried.

Motion by Cheney, second by Ruzicka approving the Block Party permit application for Big Ten Tavern, contingent upon the submittal of the insurance naming the Village additionally insured, the application should reflect the correct date, and the ditch area secured from the public. Roll call vote; Ruzicka, Nider, Cheney, Dorn voted YES. Motion carried.

James Waltke addressed the Board regarding driveway access and services to his property, Lot 103, located south of the railroad and Bennet Street Shop, on the east side of highway #43. Waltke stated that he was denied access off the highway by the State Department of Roads and suggested a culvert from the ball park drive to his property. Trustees voiced concerns for commercial use of the park drive. Trustees requested verification of the denial from the NDOT before considering alternative solutions.

In closing, motion by Cheney, second by Dorn approving a letter agreement for accounting services with Almquist, Maltzahn, Galloway & Luth CPA. Roll call vote; Cheney, Nider, Ruzicka, Dorn voted YES. Motion carried.

Motion by Ruzicka, second by Cheney to adjourn at 9:06 pm. Roll call vote; Cheney, Ruzicka, Dorn, Nider voted YES. Motion carried.

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Patricia Rule, Village Clerk