The Bennet Board of Trustees (the “Board”) of the Village of Bennet, Nebraska (the “Village”) held a regular business meeting on Monday February 8, 2021 at 7:00 p.m., at the Bennet American Legion Hall, 970 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 Statures 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.

Chairman Ryan Cheney called the meeting to order at 7:01 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Brad Ruzicka, Don Murray, Justin Dorn, Pete Simmons. A quorum being present and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public.

Murray moved and Dorn seconded a motion to approve minutes for the January 11, 2021 regular meeting and Board of Appeal meeting. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

A list of claims was considered with the addition of late claims received from AGL for $2,800.00 for the Keno audit and to EMC Insurance for an increase due to audit for $168.00. Dorn moved and Ruzicka seconded a motion to approve the claims for payment. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Randy Hellbusch with Nebraska Rural Water Association presented the results of the water and sewer rate studies. Randy reported that the water fund was looking pretty good, but the 2020 depreciation had not been included. This is due to the yearend adjusting journal entries not being received from the accountant yet. The sewer fund shows an average $184,096.55 loss for the last three years and desperately needed a rate increase. He felt the expenses were in line with other communities with similar systems. Randy offered to assist in calculating rate increases for the next three years to minimize the extreme loss. The Clerk will schedule a working session with him after the 2020 yearend adjustments have been made.

Brad Slaughter, the Senior Vice President with PiperJaffray, presented an opportunity for the Village of Bennet to refinance the 2016 General Obligation Refunding Bonds and the NDEE SRF Drinking Water Loan into a 2021 Series General Obligation Refunding Bonds for a total savings of $66,472.52. Chairman Cheney introduced Ordinance 2021-2.1, an ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021 OF THE VILLAGE OF BENNET, NEBRASKA, IN A PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED THIRTY THOUSAND DOLLARS ($1,330,000) TO PROVIDE FOR THE PAYMENT AND REDEMPTION OF THE VILLAGE’S OUTSTANDING LOAN FROM THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY, DATED JULY 2009, AND THE VILLAGE’S OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016, DATED JULY 5, 2016, AND TO PAY COSTS OF ISSUANCE; PRESCRIBING CERTAIN TERMS AND THE FORM OF SUCH BONDS; DELEGATING, AUTHORIZING AND DIRECTING THE CHAIR TO EXERCISE HIS INDEPENDENT JUDGEMENT AND ABSOLUTE DISCRETION IN DETERMINING CERTAIN OTHER TERMS OF THE BONDS, INCLUDING WHETHER TO CALL ALL OR A PORTION OF SUCH LOAN AND SERIES 2016 BONDS; PROVIDING FOR FIXING AND DETERMINING OF THE LEVY OF TAXES TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND RELATED MATTERS. Murray moved and Cheney seconded a motion to waive the three-reading rule for Ordinance 2021-2.1. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried. Cheney moved and Ruzicka seconded a motion to approve Ordinance 2021-2.1. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

The Board of Trustees have been discussing bonding as an avenue for funding street improvements. A Street Improvement Committee composed of Ryan Cheney and Pete Simmons as Board of Trustee representatives, Planning Commission Chair Josh Buck, Village Engineer Brian Schuele, Utility Superintendent Ken Maahs and Village Clerk Michele Lincoln met to discuss street improvement plans and the budgeting aspect. They determined financially bonding for 1 million dollars would allow us to use $60,000 of the highway allocation funds for the bond payments, retaining $25,000 of the highway allocation funds for future bonding while still having funds for general maintenance. Brad Slaughter, the Senior Vice President with PiperJaffray, presented a bond proposal of 1.3 million dollars for 20 years which would give flexibility and would still allow us to only issue the 1 million dollars if needed. The Board requested to see the interest and amortization for a 15-year payback. Chairman Cheney introduced Ordinance #2021-2.2, an ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS , SERIES 2021 OF THE VILLAGE OF BENNET, NEBRASKA, IN A PRINCIPAL AMOUNT NOT TO EXCEED $1,300,000 FOR THE PURPOSE OF PAYING THE COSTS OF CERTAIN STREET IMPROVEMENTS AND RELATED IMPROVEMENTS WITHIN THE VILLAGE OF BENNET, NEBRASKA AND TO PAY COSTS OF ISSUANCE; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE VILLAGE TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE VILLAGE FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY OF PROPERTY TAXES TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS IF NECESSARY; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND RELATED MATTERS. Murray moved and Ruzicka seconded a motion to waive the three-reading rule for Ordinance 2021-2.2. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried. Cheney moved and Ruzicka seconded a motion to approve Ordinance 2021-2.2. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Jake Sittner with Tailored Landscape submitted a proposal to donate and plant three trees at the Bennet Tee-Ball Field. Cheney moved and Ruzicka seconded a motion to accept the proposal from Jake Sittner with Tailored Landscape to plant three trees at the Bennet Tee-Ball Field. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Che Goodenkauf came before the Board to request a speed bump on the 900 block of Garden Street. She is concerned about the children’s safety with the school bus stop, so many children that live on that street and vehicles driving too fast. Chair Cheney and Utility Superintendent Ken Maahs will review for the proper placement of a speed bump.

John Hippen and Owen Ramekers gave the Board of Trustees an update on the plans for the Whispering Pines Park Disc Golf Course. They have collected all of the funds needed and hope to break ground in March. March 17th they will be going to Kansas City to get the baskets and asked if the village had someplace that they could be temporarily stored until installation. The board agreed that the baskets could be stored within the fenced area of the Wastewater Treatment Plant. The boys also requested that the board reconsider the size of the concrete pads and explained that 4’ x 10’ pads would allow for the proper foot placement and follow-through. They stated that they could die the concrete to minimalize the aesthetic impact of the concrete throughout the park. The Board agreed to the 4’ x 10’ pads and asked that they keep trustees Justin Dorn and Brad Ruzicka apprised of their plans.

The Board of Trustees had a discussion regarding Ordinance No. 2017-6.1 which addresses the placement of shipping containers/pods and the noncomplying placement of them within the Central Business District (B-2). This ordinance allows shipping containers/pods within the agg and industrial zoning districts with stipulations; but only by permit for temporary use within the other zoning districts. The majority of the board agreed with the current ordinance and wanted to enforce it. The Code Enforcement Officer was directed to pursue the abatement of the noncomplying containers.

Cheney moved and Murray seconded a motion to approve Resolution 2021-2.1, a resolution authorizing a pay increase for Marlene Sturdy as the Code Enforcement/Administrative Aide. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

The Clerk reported that the Nebraska Environmental Trust had recommended approval of our recycling grant application. She also reported that Nebraska City Utilities had contributed $105.00 towards the installation of the Christmas decorations.

The Treasurer reported that $60,000 from the Sewer Bond MM account and $69,000 from the regular checking account had been transferred to the Union Value Edge MM to cover the sewer bond payment and interest of $129,796.25.

Cheney moved and Simmons seconded a motion to approve the Treasurer’s Report. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Submitted reports included the Engineer’s Report, Sheriff’s Office and Maintenance Report.

Josh Buck, Planning Commission Chair, reported the Planning Commission, Transition Team and some interested local business owners had met with Tom Bliss from SENDD to discuss creating a Strategic Plan for Economic Development and Downtown Revitalization. They will be working on creating a survey to see what kind of developments the constituents are interested in.

Cheney moved and Dorn seconded a motion to adjourn at 8:37 pm. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Michele Lincoln, CMC

Village Clerk