

VILLAGE OF UNION  
MEETING MINUTES  
September 9, 2009

The Union Village Board met in regular session on Sep 9, 2009. The meeting was called to order at 7:06 p.m. at the ALA hall. The Open Meeting Laws are displayed. On roll call: T. McClane, Kahland, Brown & Chipman. J. McClane was absent. Angela Minihan, representing Reinsch, Slattery, Bear & Minihan, PC, LLO, was also present.

Minutes of the previous meeting were reviewed & were approved with the addition of Tony Tellez to Main St Bldg cleanup on a motion made by Kahland & 2nd by Chipman. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to approve special meeting minutes from Aug 18, 2009 with a change to Kahland made the motion to adjourn, was made by Chipman & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Claims & Accounts and financial report were presented separately. A motion to approve the claims & accounts and financial report was made by Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown - Aye & Kahland – Aye. J. McClane was absent. Motion approved. T. McClane made the statement that the rescue squad is paying for itself with the fees collected from rescue calls.

Claims & Accounts  
September 9, 2009

NPPD	FIREBARN*	\$	70.27	
AREA LIGHT RENTAL		\$	17.76	
BALLFIELD**		\$	57.49	
WATER PUMP		\$	431.45	
FIREBARN (TOWN BLDG)		\$	16.32	
NEW TOWER (WATER)		\$	16.32	
TRAFFIC LIGHT		\$	16.32	
AREA LIGHT RENTAL		\$	7.28	
STREETLIGHTS		\$	394.95	
NEW SEWER PUMP		\$	67.65	
ALA HALL		\$	31.47	
REINSCH, SLATTERY & BEAR		\$	447.00	
WACONDA WELDING		\$	105.14	Repaired hydraulic system on Montana tractor
NE PUBLIC HEALTH ENV LAB		\$	10.00	WATER TESTS
ALLIED REFUSE		\$	1,167.17	

WINDSTREAM OFFICE \$ 61.71  
WINDSTREAM FIRE \$ 87.40  
DEB MCWHA \$ 572.95  
JOHNSONS GAS N GO \$ 486.36 \$85.93 rescue squad  
STEVE MCWHA \$ 1,301.03  
COLUMBUS TELEGRAM \$ 147.29 budget, ads, meeting minutes  
MEESKE HARDWARE \$ 18.36 wood & concrete mix  
JOHN'S TRACTOR SHOP \$ 75.72 Parts for Montana tractor  
A&M GREEN POWER \$ 68.80 Parts for mower  
WATKINS TRUE VALUE \$ 353.69  
BROWN GLASS CO \$ 195.00 Replace back window in truck Ins paid \$95.00  
GREAT PLAINS ONE-CALL SVC \$ 2.02  
MURRAY INS AGENCY \$ 5,033.00  
SEND \$ 78.00 Housing dues  
SEND \$ 275.00 2010 Membership Dues

Steve Rishel of Rishel & Pfeifer has completed our FY 09-10 budget. The mil levy was raised .37 to keep pace with rising costs. Motion to approve sample resolution 090909 was made by Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. Motion to approve budget & authorize the clerk to sign was made Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Correspondence includes a letter from US Consensus Bureau in reference to sheltered outdoor locations for the homeless. There are none in the village so T. McClane will sign the form & return it. The state requested information about animal control. The village received a schedule for workshops for NE Dept of Roads. Attendance may be required so a board member or their representative will need to attend. The village also received a questionnaire from NE Games & Parks which was forwarded to Brown.

Village manager's report included the water usage of 1,003,000 gallons, an average of approximately 32,350 gallons per day. All water tests were good & the nitrate test was 7.46% no significant increase from last year. Both of the sewer pumps ran for 99.78 hours. NDEQ sent a letter informing the village that operators need to be certified. The letter was dated Aug 28, 2009 & the certification must be done within 30 days. The cost is \$50.00 for the class & \$150.00 for the test & certificate. Motion to authorize town manager to attend class to include travel, room & board was made by Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. Vanderveen said that Steve should charge mileage of \$ .55 per mile instead of getting gas on the village's account so T. McClane instructed Steve to charge mileage. Received a draft of the new permit for the lagoons but since we don't discharge, the village could change it to total retention. The village can apply for a 4 yr waiver for \$100.00. However, we can't guarantee there will not be a need to discharge if the meat processing plant is built. And if ever the lagoons do overflow, the village will need to apply for a permit & that could take

6 months to get approval. There needs to be a flow study by JEO to make sure the village won't have problems with the new business. The information will then be sent to DEQ for their decision. Meyer will apply for a pretreatment preliminary permit from DEQ for the meat processing plant.

The cable to close the burn pile is up however, Steve was called on Labor Day to inform him that a local resident drove through the ballfield to dump trash. T. McClane instructed Steve to notify the resident to clean it up or the sheriff's office will be contacted to charge him with illegal dumping.

Fire/Rescue report. There were 2 rescue calls. Labor Day pancake feed was well attended. They need new batteries for their pagers. The village was asked to pay 1/3 of the cost which will be approx \$700.00. Motion to authorize payment was tabled until Oct meeting was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Park Board report. Union Daze was a success. The leftover alcohol will be used for another fund raiser planned for Oct 3,09 with a raindate of Oct 10, 2009. The park board requested a temporary liquor permit for that fundraiser. Chipman is concerned about how it looks for the village getting a license to sell alcohol & thought the Brown Bottle should use their license & insurance to sponsor the fundraiser. Brown & Seyler have contacted other communities about this subject & were told most organizations get their own licenses when having fundraisers. The village's insurance will cover special events & participants sign waivers to not hold the village liable. Motion to authorize request for a liquor permit was made by Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

The Park Board asked about moving the sand volleyball court to the lot behind the bank. The Brown Bottle will pay a fee to use the court for a league competition. Per Angie, if the bar does sponsor a league & wants to use a town court, all participants should sign a waiver w/ full name, DOB & social security number on the waiver. T. McClane asked about porta-potties since the bathrooms are not close by. The bar will allow people use their bathrooms. Chipman asked that this be put in writing. T. Brown asked if the village gave permission to the state to dump snow on the ballfield. No one remembered if this ever occurred. Once again, the park board asked about establishing their own bank account. Discussion to be continued at the Oct meeting.

Water/sewer/trash bills were discussed. There were complaints about the proposed rate increases. Chytla complained about being charged late fees for delinquent charges for water & sewer. T. McClane stated he was already forgiven for a year's worth of trash service & late fees but the current late fee will not be forgiven. Also, Chytla did not inform the village attorney in writing as requested about his plans when he deployed as to whether he wanted his water shutoff or if he was going to leave it on. The chairman made the decision to shut it off. Chytla said he informed Brown, she doesn't recall & he once again accused the clerk of charging him whatever she wanted. Clerk will continue to send out notices on delinquent accounts.

The motions to approve the rate increases were not accurate. A motion was not made to waive the three readings of the ordinances & there must be four out of five trustee votes. Chipman was in error when he made a motion to redact the ordinances. The correct procedure is to read

the title, waive the three readings, read the title, read entire ordinance, then request Angie to draft new ordinances. There was more discussion from the public as to the rate increases. Mr. Pepple & Mrs. Hanson felt it wasn't fair that a household of one or two should be charged the same as a household with several people. Mrs. Hanson also voiced concern that the people on fixed incomes like social security will struggle to pay the increased amount. Chipman stated that the flat rate was the only way the village could recover the expenses until the village could apply for assistance to update the water meters & system. T. McClane stated that homes with pools &/or sprinkler systems may be charges for a permit to use them. Motion to amend section 6-102, Waste Water Treatment Rates & waive the three readings was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. Motion to increase the rates from \$17.00 per month to \$31.00 per month effective 1 Nov 09 & direct Angie to draft ordinance change was made by Kahland & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. Motion to amend section 6-301, Water Rates to delete water meter readings & waive the three readings was made by Brown & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. Motion to change the rate to \$27.00 per month flat rate plus tax effective 1 Nov 09 & direct Angie to draft the ordinance change was made by Gaille & 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved. T. McClane wants to discuss delinquent accounts with Kahland.

Update on the proposed live animal processing plant. Motion to appoint Tom Pike, Chris Keene, Elmer Henderson, Barbara Gaughan & Cal Keene to the committee to oversee this project, was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Discussions about forming two new committees, one for grant exploration & one for village improvements. Chipman thinks a board member should oversee these committees. Motion to authorize T. McClane & Chipman to check into forming these committees was made by Kahland & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to exit regular session @ 9:55 p.m. was made by Kahland & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Nay, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to enter executive session to discuss personnel issues @ 9:55 p.m. was made by Kahland & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Nay, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to accept clerk's resignation due to personnel issues was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to exit executive session @ 10:35 p.m. was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown – Aye & Kahland – Aye. J. McClane & was absent. Motion approved.

Motion to adjourn at 10:36 p.m. was made by Chipman & 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Brown - Aye & Kahland – Aye. J. McClane was absent. Motion approved.

Next regular board meeting to be held Oct 14, 2009 at 7:00 pm at the ALA Hall.

Terry McClane  
Chairman