

**VILLAGE OF UNION  
MEETING MINUTES  
April 14, 2010**

The Union Village Board met in regular session on April 14, 2010. The meeting was called to order at 7:07 p.m. at the ALA Hall. The Open Meeting Laws were displayed. On roll call: T. McClane, J. McClane, Chipman, Brown and Kahland absent.

Minutes of previous meeting were reviewed. Chipman motioned to approve previous meeting minutes. 2nd by J. McClane. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

Claims and Accounts were presented with the addition of the loans that are paid by electronic funds transfer each month and sales tax due prior to meeting. Noted accounts were discussed for payment. Chipman made a motion to approve payment of listed accounts redacting \$6000 to IRS pending motion addressed in item C. of Agenda under New Business. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

**CLAIMS & ACCOUNTS  
April 14, 2010**

NPPD	FIREBARN*	\$	58.82	
AREA LIGHT RENTAL	\$	20.76		
BALLFIELD**	\$	40.00		
WATER PUMP	\$	436.90		
FIREBARN (TOWN BLDG)	\$	38.76		
NEW TOWER (WATER)	\$	17.89		
TRAFFIC LIGHT	\$	17.89		
AREA LIGHT RENTAL	\$	9.21		
STREETLIGHTS	\$	435.52		
NEW SEWER PUMP	\$	142.92		
ALA HALL	\$	53.23		
NE PUBLIC HEALTH ENV LAB	\$	202.00	WATER TESTS	
WINDSTREAM OFFICE	\$	59.51		
WINDSTREAM FIRE	\$	86.41		
MELISSA HANSEN	\$	600.27	MAR SALARY	
NE MUNICIPAL CLERK INST	\$	228.43	WATER OP CERT(178.00)	NEWSLETTER
			(50.43)	
UTILITY SERVICE CO		\$	3142.45	MAINTENANCE AD
NE DEPT. OF REVENUE	\$	150.42	SALES TAXES (Pd. Check 9716 MAR)	
DON DOUGLASS	\$	73.88	TRAINING HOURLY PAY	
ALLIED RECYCLING	\$	1248.75	Monthly Trash Service	
LOAN	\$	618.44	LOAN FOR SEWER BOND	
LOAN	\$	265.64	RESCUE SQUAD	
EMS BILLING		\$	71.34	FEE FOR EMT COLLECTIONS

STEVE MCWHA		\$ 653.62	MAR SALARY
STEVE HEYEN	\$	94.20	TRAINING HOURLY PAY
US TREASURY	\$	6000.00	NEGOTIATED TAX PAYMENT
US TREASURY	\$	757.50	2010 QUARTERLY WITHHOLDING TAXES
GP ONE-CALL	\$	1.01	DIGGER'S HOTLINE

Correspondence: Lower Platte natural resources district is moving to phase II of groundwater management for nitrate contamination issues in our area. They are organizing an advisory group and will contact us to provide a representative to serve on this panel. Glenn Wolfe sent a letter. The State Auditor informed us that they haven't received our audit waiver. NEMA is requesting forms to complete emergency grant.

#### The Clerk's Report:

The State Auditor's Office has requested updated information on our IRS situation, auditor waiver and sinking fund. Clerk is providing their office with what they need.

The clerk contacted Ric Ortmeier's office for an update on the village's audit waiver. Tax season was busy this year and they haven't completed it yet. We should hear back sometime the beginning of May.

Terry McClane, Dave Chipman, and Melissa Hansen met with IRS agent Carol Hall to go over documents in order to come up with an offer to pay off IRS debt. The meeting went well and a tentative agreement was reached.

All paperwork for FEMA and the disaster declaration has been completed and filed.

The Village Maintenance report was given by Heyen. He reported that the 7 1/2 horse pump ran for 3 hours per day and the 5 1/2 horse pump ran for 15. The lift station ran for around 2.0 hours per day. Water tests not back yet. Water pumps ran on automatic. Tower overflowed and Heyen adjusted pump settings. Heyen said he had to remove the check valve in order for the pumps to run automatically. Lift station alarm light out. Clerk will order a new one. The light on the water tower is out. Clerk contacted Utility Service Co. about light. They are moving Union up on their schedule to replace light and do their visual inspection scheduled for this year. They assured us that since we are not within 3 miles of an airport we are not in violation of any regulations with the light out. Butch Hardbarger requested a set of keys for the office, water pumphouse and liftstation so he can take care of his responsibilities as Water Operator in Charge. Chairman directed Heyen to duplicate keys for Hardbarger. Heyen reported that he is working on removing the trees growing in the lagoon area. He removed loose bricks from village building on Main St. He will put up a permanent barrier to make recycling area safer. Heyen prepared The John Deere mower for the season.

Fire and Rescue reported 2 fire and rescue calls and 6 rescue calls since last meeting.

Louise submitted her findings on her research into the sinking fund. In February of 1999 a CD

was taken out for \$7,323.82 and cashed in February of 2000 to pay off a municipal loan in the amount of \$5,431.81. The remainder was deposited into the village's general fund. In January of 2000, \$21,000 was invested in a CD. It was cashed out in January of 2001 and the principal of \$21,000 was rolled over into another CD. The interest was deposited into the village's general fund. In June of 2002, the CD was cashed out and turned over to the Union Volunteer Fire Department for their expenses.

The Fire and Rescue wants to sponsor bingo as a fundraiser. We need to look into the amount of fundraisers a non-profit organization can hold per year.

Both emergency sirens are now inoperable. The siren in the circle may have a break in communication lines and the siren in town won't turn. The motor or relays could be corroded and the mounting planks need to be replaced. Phone relays will be checked on Saturday. The Fire and Rescue squad will use fire truck 630 to notify public of emergencies via the P.A. system.

The Union Fire and Rescue will be offering free carbon monoxide detectors in the fall this year.

Parks and Recreation had asked Fire and Rescue to check into a hydrant party this summer. After some research, there is enough water pressure for a party or to clean the streets.

The Parks and Recreation Committee will hold its annual Union Daze the 1st weekend in August this year, according to Trustee Brown; however, no one from the Board Board was present to give the Park Board Report. They want to focus more on the kids this year.

Also, according to Trustee Brown, the committee wants to sell food and hold bingo each week to fundraise for Parks fund. They are holding a pasta feed on May 2nd. Board gave the approval for the committee to use cement slabs in park area for a basketball half court and to install a hoop.

Board requested an update on the grant approved for playground equipment. Committee members with pertinent information were unavailable for board meeting. The board will dissolve existing Park Board and reappoint at next meeting if the current board doesn't get organized and give a full report at May's meeting.

The village is no longer able to appropriate enough funds to support Parks and Recreation. The Park Board will need to be organized and fundraise to support itself.

#### Old Business

Full-retention permit was reported as received in error. We are still waiting on DEQ to approve our request.

NCIP group has chosen a name. Union United is in the process of becoming a non-profit corporation. They have planned a clean-up weekend for April 24 and 25. Ruth and Max Holler are heading up a group to repaint and plant our Main Street planters. John Pfahl is heading up

a group to make and paint new trash barrels for the village. Melissa Hansen is heading up a group for clean up in the village, and Mindy and Dave Chipman are heading up Adopt-a-Highway clean up on Highway 34.

## NEW BUSINESS

According to Union Ordinances the village can use their local newsletter to publish motions and expenses as long as the newsletter is circulated within 30 days of meeting minute approval.

The village is able to support the newsletter within village limits with expenses amounting to \$55 per issue. Rural delivery costs the village an additional \$138 per issue. Chipman made a motion to use the Union Newsletter to publish minutes for local dissemination, but discontinue rural delivery until further funding can be secured. 2nd by J. McClane. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

Complaints have been made about the feral cat situation on B Street. Trapping cats for shots and neutering will be focused in this area for our May appointment. Board discussed drafting letters to people harboring feral cats, changing the ordinances to require cats be licensed, looking into other village's procedures on animal control, all in an effort to come up with an effective way to govern the animal population in the village.

Chipman, Hansen and T. McClane met with Carol Hall on April 9th to work out a payment plan to repay the IRS back withholding taxes. Hansen and Chipman compiled a working budget for 2010 to show the village's ability to make payments. Ms. Hall has agreed to work on waiving failure to file penalties to reduce the principle. She has also agreed to provide the village with a breakdown of principle, penalties and interest so that we can accurately file penalties and interest accrued against the clerk's fidelity bond. The village agreed to consider a lump sum payment of \$6000 by the end of April as well as a \$600 to \$800 monthly payment until the official repayment contract is signed with the IRS. If the village is unable to recoup penalties and interest in this manner, the Board of Trustees will decide whether or not to file a lawsuit against the responsible person or persons for the Village's failure to timely file and pay these taxes . The Board discussed fundraising to help pay off IRS debt. Since the village's expenses have outweighed our income for years the general fund has been depleted so the Board also discussed the necessity of maxing out the mil levy at .045% for fiscal year 2011. J. McClane motioned to adopt a plan to pay the IRS a lump sum of \$6000 and an \$800 per month payment until the official repayment contract is finalized. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

The town truck is in need of repairs. We received an estimate from Larsen Motors for the body and Keckler's for the exhaust repairs. FEMA claim will cover exhaust repairs but the Board is unclear on if FEMA will pay more than the deductibles on the other damage. The insurance company needs to be contacted for information as well as FEMA to answer questions. Chipman motioned to table truck repairs for further research. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye.

Motion approved.

T. McClane spoke with Mike Klein about leasing a half acre of his farmland near the park for a new yard waste site. Klein wants \$400 - \$500 each year. The Board discussed the possible need for liability insurance and oversight. Chipman motioned to table new yard waste site for further research. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

Chipman motioned to increase our charge for emergency service in accordance with EMS rates by 3%. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

Brown made a motion to adjourn at 9:22 pm. 2nd by Chipman. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, J. McClane – Aye, and Brown- Aye. Motion approved.

The next regular board meeting is scheduled for May 12, 2010 at 7:00 pm at the ALA Hall.

Terry McClane  
Chairman

Normal 0 false false false MicrosoftInternetExplorer4



VILLAGE OF UNION

MEETING MINUTES

May 12, 2010

The Union Village Board met in regular session on May 12, 2010. The meeting was called to order at 7:00 p.m. at the ALA Hall. The Open Meeting Laws were displayed. **On roll call:** T. McClane, Chipman, Brown and Kahland. J. McClane absent.

**Minutes** of previous meeting were reviewed. Chipman motioned to approve previous meeting minutes with changes of Hansen and McWha's salary from Jan to Mar and a change under Fire and Rescue in reference to water pressure to read that there is enough pressure to support a hydrant party and street cleaning . 2<sup>nd</sup> by Brown. Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

**Claims and Accounts** were presented with the addition of the loans that are paid by electronic funds transfer each month. Noted accounts were discussed for payment. T. McClane asked that the “new” be taken off claims and accounts report for water and sewer pumps. Chipman made a motion to approve payment of listed accounts 2<sup>nd</sup> by Kahland. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

CLAIMS & ACCOUNTS

May 12, 2010

NPPD      FIREBARN\*

\$      51.05

AREA   LIGHT RENTAL

\$      20.76

BALLFIELD\*\*

\$      40.00

WATER PUMP

\$ 317.50

FIREBARN (TOWN BLDG)

\$ 17.89

WATER TOWER

\$ 17.89

TRAFFIC LIGHT



\$ 17.89

AREA LIGHT RENTAL

\$ 9.21

STREETLIGHTS

\$ 435.52

SEWER PUMP

\$ 85.95

ALA HALL

\$ 46.28

NE PUBLIC HEALTH ENV LAB

\$ 209.00 WATER TESTS

WINDSTREAM OFFICE

\$ 59.51

WINDSTREAM FIRE

\$ 86.41

MELISSA HANSEN

\$ 600.27 APR SALARY

DAVE CHIPMAN

\$ 95.74 NEWSLETTER REIMBURSEMENT

BALL INSURANCE SVCS

\$ 5402.00 UNION WORKERS COMP AND LIABILITY POLICIES

DEFFENBAUGH

\$ 50.00 DROP OFF FEE- 40 YARD DUMPSTER

ALLIED RECYCLING

\$ 1248.75 Monthly Trash Service

LOAN

\$ 618.44 LOAN FOR SEWER BOND

LOAN

\$ 265.64 RESCUE SQUAD

STEVE HEYEN

\$ 808.99 APR PAY

CARRAWAY COMPUTERS

\$ 164.36 BILLING POSTCARDS PD. 9738

SIREN MOTOR

\$ 310.00 MOTOR TO REPAIR EMERGENCY SIREN

JOHNSON'S GAS N GO

\$ 88.45 (FIRE&RES 63.45 TOWN 25.00)

US TREASURY

\$ 800.00 IRS PAYMENT

MEESKE ACE HARDWARE

\$ 1.99 KEYS

COLUMBUS TELEGRAM

\$ 7.29 1 & 6 YR HEARING PUBLICATION

GP ONE-CALL

\$ 1.01 DIGGER'S HOTLINE

EMS BILLING

\$ 53.18 BILLING FEE FOR RESCUE CALLS

**Correspondence:** □ Water operator reimbursement grant approved from DHHS. UVFR received premium audit request from 7/10/09 through 4/26/10. Clerk will forward to Ball Insurance for completion. Water Tower Maintenance Fee Statement received. Union's yearly fee will be \$12569.80 for fiscal year 2010/2011. NE DHHS sent grant information pertaining to Public Water Systems Security. NDOR sent Transportation plan survey. State of NE received a Presidential Disaster Declaration for the State due to Severe Storms, Ice Jams, and Flooding Mar. 6 to April 3, 2010. Clerk attended applicant briefing in Lincoln on May 11. Union received a Mini-Grant application for West Nile Prevention. NE Liquor Control Commission advised that Special Designated License applications must be received no later than 10 working days prior to event to be approved. NDOR sent an update of our city roads map. Union was notified of railroad bridge work 0.5 miles NW of Union.

### **The Clerk's Report:**

□

□ The State Auditor's Office has been provided with requested documentation.

The clerk is working with Ric Ortmeier's office to complete village's audit waiver.

The State Auditor has requested information and scheduled a hearing to show cause. Hansen has contacted Mark Foley and explained that the waiver is still being worked on. He briefed Ms. Hansen that after the hearing date, State Funds will be withheld until audit waiver is received.



941's for Quarters 2 and 3 in 2009 have been processed and added to the lien filed against Union for money owed the IRS.

Our application for public assistance in FEMA disaster 1878 had been approved.

The Full-retention permit is still not approved. It is being reviewed at the State level.

Treasurer's Report handed out at meeting. March ending balance \$ 32,228.88. April ending balance \$ 31,520.23.

**The Village Maintenance report** was given by Heyen. Water Tower was visually inspected by Utility Service Co. No sediment was noted. Bulb on top of tower was replaced but technician thought there may be a problem with the photo-cell sensing unit. Heyen will check bulb at night. Next year water tower is scheduled to be cleaned internally.

443,400 gallons of water were pumped at a rate of about 14,448 per day. The water pump ran for 8.6 hours each day. Lift station ran for 112 hours, a rate of 3.7 hours per day.

Heyen reported the Montana tractor transmission is in bad shape. T. McClane explained that FEMA disaster 1878 funds will assist us in repairing the transmission. Heyen switched lagoon use to the east lagoon.

B. Bescheinen and Heyen repaired emergency siren located behind the post office. Heyen has also been mowing and cleaning out village's storage building at 115 Main St. He says that a lot of the things in storage are trash, old mower blades, empty boxes, packaging etc.

**Fire and Rescue** reported 1 rescue treated on site. Both sirens are now working and will be tested at the next meeting.

The annual Pancake Feed will be held on May 31<sup>st</sup> from 8 – 11 am at the Lake Waconda Community Building.

**The Parks and Recreation Committee** is trying to recruit more volunteers to be on the committee. Amy Seyler reported that she hasn't received any information on the play equipment grant since November. The Board and the committee discussed the need to be more organized and to encourage more public involvement. Union Daze money from 2009 not counted. Seyler was directed by the board to bring expense report from Union Daze to the next board meeting.

Union United wants to assist Parks and Recreation committee since youth activities was a key item identified in the most recent survey.

## **OLD BUSINESS**

Stray cat problem is an ongoing issue being addressed by volunteers in the community. There are 3 traps and 1 cage presently at Union's disposal for trapping and boarding stray cats with the purpose of bringing them to a clinic to be tested for disease, neutering and having vaccinations administered. It was mentioned that Kim Heyen has 2 traps that the village can use for this purpose as well.

The standard animal control ordinance that the village has adopted states that these animals can't be harbored. If a resident does so for 72 hours, the animals are considered property of the residents that care for them.

A second annual Groomathon has been organized for May 23, 2010 at 125 S 2<sup>nd</sup> St from 11- 4. The proceeds raised are used to pay the fees for the stray cats to be vaccinated and neutered.

The Board has directed the clerk to send letters to residents harboring strays asking for their cooperation in spaying or neutering them.

Bill Bescheinen brought to the attention of the Board that Mike Klein may have already planted crops in the area Union was looking at for a new burn pile. The Board has dropped the item of a new burn pile at the Kleins due to lack of funding.

## NEW BUSINESS

The Board chose to hear Corrie Knapp's dangerous dog complaint at this time. Ms. Knapp states that on Saturday, May 9, 2010, she was working in her yard when the Wolfe's white pit bull got loose, came into her yard and attacked her small dog. She fought the Pit Bull off with a screw driver and her feet while her 2 year old watched. Two of the Wolfe's other dogs, one of them a Rottweiler, escaped through their fence and started attacking as well until she and Lily Wolfe got them under control. Then, on Tuesday, May 11, 2010 around 3:00 pm Ms. Knapp was walking her child and her dog when the same Rottweiler started to attack her dog again. She states if it wasn't for the thick amount of fur at her dog's neck, her dog would have been seriously injured. Ms. Knapp feels threatened by the Wolfe's dogs and their inability to control and contain them. She is very worried for her 2 year old child who doesn't know the difference between a nice and a dangerous dog. According to Ms. Knapp, the Wolfe's have 6 or 7 dogs which the clerk informs requires a kennel license within village limits. The clerk also informs the Board that she has not issued a kennel license or dog licenses to the Wolfe's. There has been non-formal complaints from the Pluth's that the same Rottweiler has prevented their grandson from leaving their home for school.

The Board will hold a Public Hearing on May 20, 2010 at 7pm at the ALA for the Wolfe's to show cause. A certified letter will be sent to the Wolfe's notifying them of the charges on Thursday May 13, 2010. The Board is focused on safety of its residents and will determine whether the dogs need to be banned from Union's city limits.

The Board discussed that the poor opinion of Union is mainly because of its poor appearance due to the many nuisance properties within the village limits. The village has ordinances governing zoning and nuisance issues that we need to utilize to help improve the appearance of our community. Union has adopted building codes in the past that can be used to regulate the state of buildings in town. At one point in Union's recent past, the State Fire Marshall and Cass

County Building Inspector Ruhge has stated that most of the commercial buildings on the south side of Main St. should be condemned. The Board wishes to contact these agencies again and get them involved in the identification of unsafe buildings within the city limits as well as reorganizing and/or reappointing a Health Board.

The Board plans to send letters to owners of nuisance properties citing specific ordinances in an attempt to gain cooperation in getting the nuisances cleaned up. The Board wants to help the owners come up with plans, which the village and owners can work together on, to improve their properties.

Kahland motioned to authorize Chipman to draft procedures to use relating to nuisance and zoning ordinances and reconvening the Health Board before the next Board Meeting along with contacting the NE Fire Marshall and Cass County Building Inspector in reference to this issue. 2<sup>nd</sup> by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

There have been complaints filed about unoccupied properties that are not being maintained by their owners. Part of our nuisance ordinance states that lawns and weeds are not to exceed 12 inches. One property mentioned was the lot that the grain elevators are on owned by Hothschilds. If the owners don't have the time to take care of it, Union will maintain it for a fee.

Chipman motioned to send letters to owners of unoccupied properties advising them of the ordinances that refer to yard maintenance. 2<sup>nd</sup> by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

The clerk reported that she registered only 13 dogs so far this year. The Board discussed sending letters to known dog owners with unlicensed animals encouraging them to license their dogs as soon as possible. If there is no response, the Board will hold a public hearing and possibly make a decision to fine these owners \$100.00 per dog for each day they remain unlicensed. Chipman motioned to have the clerk prepare letters for the Chairman to sign and sent to know dog owners with unlicensed dogs. 2<sup>nd</sup> by Kahland. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

The Board also discussed a way to organize the volunteer effort to assist the village in mowing its properties in order to free up time for our part-time Village Maintenance personnel. This way Village Maintenance can concentrate their efforts and limited amount of hours on other things during the summer months. The village should have a list of properties that need mowing throughout the summer and a way for volunteers to choose lots that they will take mowing responsibility for. Volunteers need to sign waivers for themselves and their equipment. Gaille Brown and Amy Seyler volunteered to compile information on lots that need to be mowed for next meeting.

Chairman McClane said that the Floodplain Maps he has been tasked to approve are inaccurate. The current Floodplain maps show Union extending past UP Rail Road tracks which is in discrepancy with residential known boundaries. The village needs to determine if it's UP's responsibility or the village's to survey the area before the Chairman certifies the FEMA Floodplain map. Clerk needs to draft a letter to the Floodplain Organization to find out how the village's boundaries were determined.

Since Union's Fire Department is strictly volunteers they extend a courtesy to their members and their immediate family in the case of personal emergencies. Louise briefed that EMS Billing

Inc. will typically bill a patient's insurance three times and if unable to collect send it back to the organizations to collect. The department does not pursue payment from its volunteers or their immediate family members if their insurance doesn't cover the call as a courtesy, and is willing to extend this courtesy to the Board of Trustees and their families.

Chipman motioned to have Board approve, Chairmain sign, and clerk submit claims to Continental Western and EMC Insurance to be compensated for penalties, interest and trust portion of taxes on non-filed withholding taxes from 2003 - 2009. 2<sup>nd</sup> by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

Chipman made a motion to adjourn at 9:23 pm. 2<sup>nd</sup> by Kahland. By roll, Trustee votes are as follows: T. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

The next regular board meeting is scheduled for June 9, 2010 at 7:00 pm at the ALA Hall.



Terry McClane

Chairman