

## VILLAGE OF UNION

### MEETING MINUTES

June 9, 2010

The Union Village Board met in regular session on June 9, 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, J. McClane, Chipman, Brown and Kahland.

Minutes of May 12, 2010 meeting, May 20, 2010 Hearing and May 26, 2010 Special Meeting were reviewed. Chipman motioned to approve May 12th meeting minutes with corrections on page 4 of Rugge to Ruhge and change rest of sentence to read "stated that most of the...should be condemned. 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved. Chipman motioned to approve May 20th Hearing Minutes. 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. J. McClane motioned to approved May 26th Special Meeting minutes. 2nd by Brown. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye.

Claims and Accounts were presented. Noted accounts were discussed for payment. Chipman made a motion to approve payment of listed accounts. 2nd by Brown. By roll, Trustee votes are as follows: Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye. Motion approved.

### CLAIMS & ACCOUNTS

June 9, 2010

NPPD	FIREBARN*	\$	44.24	
AREA LIGHT RENTAL		\$	20.76	
BALLFIELD**		\$	40.00	
WATER PUMP		\$	222.66	
FIREBARN (TOWN BLDG)		\$	17.89	
WATER TOWER		\$	17.89	
TRAFFIC LIGHT		\$	17.89	
AREA LIGHT RENTAL		\$	9.21	
STREETLIGHTS		\$	435.52	
SEWER PUMP		\$	60.60	
ALA HALL		\$	32.43	
NE PUBLIC HEALTH ENV LAB		\$	22.00	WATER TESTS
WINDSTREAM OFFICE		\$	66.09	
WINDSTREAM FIRE		\$	87.60	
MELISSA HANSEN		\$	600.27	MAY SALARY
MELISSA HANSEN		\$	62.20	REIMBURSEMENT FOR MILEAGE
MURRAY INSURANCE			\$ 1962.00	UVFR WORKERS COMP

RENEWAL

BESCHEINEN EARTHMOVING \$ 460.00 WATER MAIN REPAIR  
ALLIED RECYCLING \$ 1267.53 Monthly Trash Service  
LOAN \$ 618.44 LOAN FOR SEWER BOND  
LOAN \$ 265.64 RESCUE SQUAD  
STEVE HEYEN \$ 1058.02 MAY PAY  
AMERITAS \$ 2090.00 INTEREST DUE ON STREET BONDS  
CHASE MAINHATTAN BANK \$ 10000.00 Principal on Street Bonds  
JOHNSON'S GAS N GO \$ 136.76 MOWER AND RECYCLE TRIP  
US TREASURY \$ 800.00 IRS PAYMENT  
MEESKE ACE HARDWARE \$ 121.72 FUSES AND WATER MAIN REPAIR PARTS  
  
CONCRETE INDUSTRIES \$ 146.25 ROAD REPAIR WATER MAIN  
SWITZER BIN \$ CONSTR. \$ 90.00 SNOW REMOVAL  
EMS BILLING \$ 137.45 BILLING FEE FOR RESCUE CALLS

Correspondence: Union received DED grant information for community centers. Asbestos waiver for water system has been accepted by NHHS. Union received a notice from the State Worker's Comp Division stating they were notified by Travelers Insurance of the cancellation our workman's comp policy for the Union Volunteer Fire and Rescue. Clerk contacted Murray Insurance to see if they were notified of the cancellation and they were not. Murray Insurance agreed to pay the premium until a special meeting could be called to have the policy renewed. Clerk provided the needed information to the State. FEMA sent the final flood hazard determination paperwork for our community.

Miller, Monroe, Farrell requested, on behalf on the bond insurer, information of safeguards in place to prevent problems experienced with the previous clerk from happening again.

The Clerk's Report:

The clerk has provided all documentation needed by Ric Ortmeier's office to complete 08/09 Audit waiver. Still waiting on finalized report.

Clerk briefed the Board on Disaster 1878 claim. The Village has been approved to receive 75% of costs of snow removal 12/26/09 through 12/27/2009. The amount claimed was \$3242.96. The village claimed \$1380.00 for contract labor, \$505.96 temporary labor, \$1018.75 for village equipment use and \$338.25 for administrative costs. FEMA money has not been disbursed on this claim yet. The claim filed under this disaster covering equipment damage has not been approved yet.

All initial paperwork for Disaster Declaration 1902 has been filed with the State. FEMA is due to set up an appointment with the clerk to begin FEMA paperwork.

Two claims have been filed to recoup penalties, interest and trust portion of FICA taxes not paid by previous clerk. The Error and Omissions claim through EMC Insurance has been denied

because claim was required to be filed within 60 days of policy termination.

This policy was cancelled in April of 2009 and errors were not discovered until November of 2009. Continental Western Insurance, the carrier of the public official bond, is requesting financial documentation and records for further investigation.

The village's offer to pay \$800 per month on the withholding taxes, penalties and interest owed the IRS was accepted.

Cat and dog letters were sent out in May. Harboring stray cats for more than 72 hours constitutes ownership and owners are asked to neuter their animals as well as make sure their shots are administered to keep disease down. Dogs need to be registered each April. Proof of rabies shots and a \$5 fee is required to register your dog. Dogs not licensed by the end of April are subject to a fine.

The Harrahs and the Ackleys were present to make a statement upon receipt of their cat letter. The Ackleys argued that the stray cats on their property take care of other wild animals like snakes, rats and skunks and they don't want to see them taken away, but feel they shouldn't have to be responsible for them since they are feral. Bob Harrah asked why the village brings the cats back after we trap them. He stated he will go to jail for non-payment of the fines the village threatens to penalize him with for feeding the strays, before he will watch the cats starve. The Board explained that around half of the cats that the village traps and gives medical attention to, are infected with Feline AIDS and Feline Leukemia. The clinic euthanizes the sick animals and neuters and vaccinates the healthy ones. All cats the village traps are given proper medical attention and then released back into the village in the location where they were caught. Chairman McClane explains that we have received many complaints about the feral cats and that many people find them a nuisance. Trustee Brown shared that her granddaughter got ringworm from petting a diseased cat that ended up dying shortly thereafter which made her granddaughter very sad. Mrs. Vidlak shared that the purpose of our trapping program is to be able to keep the healthy cats to maintain the rodent population as well as keeping the feral cat population healthy and under control.

We are still waiting on final approval of the Full Retention Permit.

Treasurer's Report handed out at meeting. End of May balance in regular checking \$37,178.93.

The Village Maintenance report was given by Steve Heyen. Heyen has found a leak in the well house and is working on a fix. One of the water pumps burnt out its wires. Heyen believes lightning caused a power surge. He rewired it with a heavier gauge and it is running fine. He is concerned about why the breaker didn't trip and is looking into it.

Heyen got the Kabota tractor running with the finishing mower blade. The finish mower deck needed wheels which he swapped from the other mower deck.

Heyen is working on tying the East and West Lagoons together in order to dump into the South

Lagoon.

518,400 gallons of water were pumped. The excess was caused by a water main leak on Union Drive. Lift station ran on an average rate of 4.9 hours per day.

Heyen reported that the pumps in the well house lose about 20 pounds of pressure throughout the cycle. After the pump shuts itself off, it continues the on and off process for about 2 minutes until it regulates. He wants to drain the manifold to get a more accurate reading on the pressure. B. Bescheinen said the pumps used to run on snubbers and delays. Heyen will continue to trouble shoot the automation process of the water pumps.

Fire and Rescue reported 2 rescues and 1 call for storm spotting.

The Pancake Feed on May 31st was a success. Next Pancake Feed is scheduled for July 4th from 8 – 11am at Lake Waconda. This year they will be raffling off ½ hog and many other things.

The Rescue Squad's patient compartment is not cooling properly. Bescheinen is looking for someone knowledgeable to work on it. J. McClane suggested he take it to Keckler's to have the air conditioning system checked. In the event a major mechanical problem is discovered, the Board agreed to hold special meeting to approve the funds to repair the squad as soon as possible.

The Parks and Recreation Committee met on June 8th. NPPD will be checking the lights at the ballfield to see if they can be salvaged. The committee extends its appreciation to all that helped get the ballfield in shape.

The committee needs recipes by the end of June to finish their cook book fundraiser. Recipes can be dropped off at the Brown Bottle or the Village Office.

The Youth Soccer program has stated that if we have soccer goals they will utilize our park.

The committee wants to rent out advertising space on the ball park fences to raise money to maintain the field.

Union Daze will be help August 14th and 15th. They are looking for ideas for bands.

## OLD BUSINESS

Steve Heyen has been mowing the lawn across from the Methodist Church, the Willeford's lot. Chipman asked the clerk to check on a lien that was supposed to be filed against this lot for the removal of a trailer house. In January of 2008 the Willefords agreed to be billed for \$2500

removal fee and there is no record of the bill or payment. The Willefords need to be billed for ground maintenance if they do not arrange for their lot to be mowed in their absence.

The village needs to look at other town's procedures dealing with nuisance properties. In the past, the Village of Union has requested impartial agencies to inspect properties identified by the Health Committee as being a nuisance. The State Fire Marshall and County Building Inspector have given their opinion on the structural integrity of nuisance properties in town. Zoning laws and ordinances have been adopted to deal with this issue in 1998, but not used effectively. The village needs to move forward, by sending letters, and holding public hearings for properties identified as being nuisances, in order to clean up the town. The community wants to attract new businesses, but they don't have anywhere to start with the dilapidated buildings along Main Street. The demolition of unsafe storefronts has been discussed in the past. Empty lots will look better than junky storefronts. The village wants also wants to attract and take in families wanting to move from the city into rural communities. No one will invest in our village if it continues to look as bad as it does. The Trustees are supposed to be helping the village prosper and can't afford to worry about hurting people's feelings. The most recent survey shows that the majority of Union's citizens want Main Street cleaned up. Our ordinances are in place to protect the citizens' rights to live in a nuisance free community. For a start, Trustee Chipman requested that Bill Bescheinen move his equipment off village property and the Rail Road Right of Way. Bescheinen talked about opening businesses on Main Street back in the mid 70's. He had a Laundromat and carwash for years and for years the citizens would cheat the machines so he closed them. Now he collects cast iron and scrap metal and stores it in his "recycle" yard and has little room to store his earthmoving equipment. Mr. Bescheinen did agree to move his equipment and the condemned trailer home off of Rail Road Right of Way. Bescheinen commented that he responds better to discussion than official letters. Chipman commented that the nuisance letters the village sent to various residents this year were effective and the properties eventually were cleaned up.

## NEW BUSINESS

The Brown Bottle requested to run a concession stand and serve alcoholic beverages for softball leagues starting on June 27 and continuing each Sunday in June, July and Aug., including rain dates. J. McClane motioned to approve the Brown Bottle's request. 2nd by Chipman. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- abstained.

The Brown Bottle requested to use a lot in the center of Union's parks behind Nehawka Bank in Union to construct a sand volleyball court. The area will be fenced in with tables and umbrellas. The comment was made that although the area resides in a flood plain, FEMA is OK with non-enclosed structures in flood plain areas. Chipman motioned to table the item to give the Brown Bottle time to better plan their request and provide the Board with a rough drawing of their ideas at a future special meeting. 2nd by J. McClane. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- abstained.

The Brown Bottle requested to change their hours of alcohol sale to 2 am, in light of new legislation starting July 15, 2010. The Board requested public comment in order to modify

existing ordinance. There were no objections but bar neighbors commented that it is already noisy until 2 am on busy nights when the bar is cleaning up and closing and for them there would be no change. Chipman motioned to change ordinance 4-105 Hours of Alcohol Sales to read "all days"..... and waive the 3 readings of the change. 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Abstained.

Chipman motioned to adopt Resolution 2010-3, which states that the Village of Union Board of Trustees will support the Union NCIP and their projects. 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye.

Union United, Inc. requested to have a fireworks stand and sell fireworks to fundraise in the village from June 25 through July 4, 2010. Chipman motioned to approve Union United, Inc. request. 2nd by Kahland. Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye.

The Board discussed the issue of requiring a permit or filling fee for pools in the community. The village could charge \$15 for the first 4000 gallons and \$3 for every thousand gallons thereafter. If the Board considered charging a filling fee, it would not take effect until the next fiscal year since the pool season has already started. The issue would be taken care of with a new meter for each resident with the ability to read them from outside the homes. Nehawka is in the process of installing cost effective fittings that allow meters to be read from outside the houses.

Brown motioned to adjourn at 9:24 pm. 2nd by Kahland. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, and Brown- Aye.

The next regular board meeting is scheduled for July 14, 2010 at 7:00 pm at the ALA Hall.

Terry McClane

Chairman