

VILLAGE OF UNION  
MEETING MINUTES  
DECEMBER 8, 2010

The Union Village Board met in regular session on December 8, 2010. The meeting was called to order at 7:04 p.m. at the ALA Hall. The Open Meeting Laws were displayed. On roll call: T. McClane, J. McClane, Kahland and Brown present. Chipman arrived at 7:07.

Minutes of November 10th Board Meeting were reviewed. Chipman discussed with Louise Stewart, Secretary for the Union Volunteer Fire Department, her understanding if the Village owned and operated the Fire Department as the Village ordinances declared. Ms. Stewart relayed that it was her understanding that the Village did not "own and operate" the Fire Department, rather the Fire Department was a group of volunteers not governed or controlled by the Village of Union. Rather it was Ms. Stewart's understanding that the Village and the Union Rural Fire Board merely shared expenses for the operation of the Union Volunteer Fire Department. The Clerk, Melissa Hansen, stated that the distinction was important because if the Village owned and operated the Fire Department, then the Village would have to be accountable for the Fire Department's monies/operation. Chipman stated that he did not want the Village to be accountable for the Fire Department, so it was his opinion that it was in the best interest of the Village not to "own or operate" the Fire Department but rather for the Village to merely contribute financially to the Fire Department as the Village's budget allowed. Chipman motioned to approve minutes. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

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

CLAIMS & ACCOUNTS  
DECEMBER 2010

NPPD	FIREBARN*	\$	68.43
BALLFIELD**		\$	44.61
WATER PUMP		\$	260.11
FIREBARN (TOWN BLDG)		\$	17.89
TOWER (WATER)		\$	17.89
TRAFFIC LIGHT		\$	17.89
AREA LIGHT RENTAL		\$	9.21

STREETLIGHTS \$ 435.52  
SEWER PUMP \$ 52.31  
ALA HALL \$ 28.86  
CABOOSE \$ 42.89  
WINDSTREAM OFFICE \$ 65.54  
WINDSTREAM FIRE \$ 87.35  
MELISSA HANSEN \$ 600.27 NOV SALARY  
ACE HARDWARE \$ 57.16 HEAT TAPE AND ANTIFREEZE  
ALLIED RECYCLING \$ 1231.55 Monthly Trash Service  
GP ONE CALL \$ 3.03 DIGGERS HOTLINE  
LOAN \$ 265.64 RESCUE SQUAD  
LOAN \$ 618.44 STREET/SEWER  
STEVE HEYEN \$ 874.42 NOV PAY  
JOHNSON'S GAS N GO \$ 184.90 TRUCK  
US TREASURY \$ 800.00 IRS PAYMENT  
NE DEPT OF REVENUE \$ 117.12 OCT SALES TAX  
JP MORGAN CHASE BK \$ 1860.00 STREET BOND INTEREST  
PAYNE LAW OFFICE \$ 1092.07 LEGAL SVCS  
CARAWAY COMP \$ 395.00 SOFTWARE SUPPORT  
CASS COUNTY ELECTION \$ 50.00 ELECTION COSTS  
BALL INSURANCE \$ 21.00 E & O COVERAGE CHANGE  
SENDD \$ 67.27 CONTRACT BALANCE DUE  
EMS BILLING \$ 176.68 Rescue Billing service  
NPHEL \$ 430.00 WATER TESTS  
TERRY MCCLANE \$ 480.00 CHAIRMAN FEE  
JIM MCCLANE \$ 175.00 TRUSTEE FEE  
KAREN KAHLAND \$ 200.00 TRUSTEE FEE  
GAILLE BROWN \$ 250.00 TRUSTEE FEE

Correspondence:

The Village received a banner permit application from the NE Department of Roads. Since Union doesn't hang banners across Highway 34 no action needs to be taken.

Continental Western sent a denial letter for our claim against Error and Omissions policy. The insurance company's stand is that our failure to remit withholding taxes has been ongoing and intentional since 2003, on the clerk's part, and negates the five year rider because the intentional act was happening at the time of the policy start date.

Ball Insurance increased the dishonesty coverage on the village's public officials from \$10,000 to \$22,000 at our request to satisfy USDA requirements.

Cass County Planning Commission sent notice of a public hearing for amendment 59.

The League of Nebraska Municipalities sent model ordinance order information.  
The village received the Cass/Sarpy annual Wellness Report

The US Census Bureau sent a Boundary Annexation Survey to be completed by Dec. 31, 2010.

The Cass County Election Commissioner sent the certification of the Nov. 2, 2010 election.

The Clerk's Report:

The McWha Lawsuit is pending litigation.

Audit Waiver documentation sent to Ric Ortmeier for preparation.

Continental Western sent a safety advisor to inspect the village properties. The playground equipment needs to have some sort of mulch underneath it to cushion falls. The aluminum bleachers need to have a back and side rails at points above 30". The merry-go-round needs to be removed because it no longer meets current safety measures. They will be sending pamphlets that govern these issues to help us correct each of the problems

The Village Maintenance report: was given by Heyen.

The village pumped an estimated 876,000 gallons of water in the month of November. Heyen needed to estimate because the meter was only working intermittently. He removed faulty meter and cleaned it. The lift station ran at a rate of 4.1 hours per day.

Taylor Sewer and Drain contacted Heyen and quoted him \$1200.00 for an annual cleaning of the lift station. Tri-State rates are about \$4000.00. T. McClane said that they have used Taylor in the past. When the alarms tripped the last time, Heyen spent half the day clearing grease and paper. Heyen said that there needs to be some kind of basket installed to prevent the problem items from clogging the system.

Heyen installed heat tape in the farmer's well house to prevent pipes from freezing. He also replaced the stop sign at 1st and B Streets and he's been boarding up broken windows at the village's storage building next to the post office.

The village's outside hydrant near the Harrah's property washed out around it. Heyen added wood chips for easier access.

The Kubota is running OK. It can be used for snow removal.

Wiysel said Heyen could use his propane heater at the auto shop until curb stop can be repaired. Heyen is using heat tape in the mean time.

Heyen priced sprayers for mosquito control. He found an appropriate system for the village that costs \$470.00. The Village has \$306.00 allocated for the purchase. Chipman motioned to approve the \$470.00 to purchase the sprayer Heyen chose. 2nd by Kahland. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

Heyen received his Class IV Water Operator's License. The license expires December of 2011. He needs 15 credit hours of continuing education to renew for next year.

Fire and Rescue reported 1 Rescue and 1 Fire call since last meeting. All sirens are in working order.

Ms. Stewart briefed that on November 20th the department handed out free Carbon monoxide detectors. There is still a limited amount on hand. If anyone would like one, leave a name and number with the clerk and Ms. Stewart will get in touch with them.

Monday's fire on A Street is still under investigation by the State Fire Marshal.

### Union United Report

Deb Vidlak was present to give the Union United report.

The group raised about \$450.00 with their Gold Canyon Candle fundraiser. The next fundraiser will be Dec. 28th through the 31st, selling fireworks left over from the 4th of July fundraiser. The group is taking reservations by email at [unionfireworkssales@gmail.com](mailto:unionfireworkssales@gmail.com). Inventories will be posted at the post office, on the village website and other local businesses.

Union United will meet the first Thursday of each month at 7:00 pm at the ALA. Committees will schedule other meetings as needed.

The Re-Tree Nebraska Initiative has awarded Union \$5000.00 in grant funds for their park project. Work will continue in the spring.

Union United received its first award. On November 19th at the 47th Annual Nebraska Community Improvement Program Awards Banquet, Union was awarded the Environmental Awareness Special Project Award for the village's Clean Up and Green Up events. The plaque is on display behind the counter at "Brown Bottoms".

## Old Business

The board address the issue of financially supporting the Volunteer Fire and Rescue Department's purchase of a reconditioned Jaws-of-Life. Ms. Stewart stated that Volunteer Fire Department is willing to use money they have fundraised to pay 1/3rd of the cost, even though the rescue function is supported by the Union Rural Fire Board and the Village equally. The rescue unit the squad wants to buy is a 2010 Danko model that was used for demonstration. It comes refurbished with a full 3-year warranty. The unit has been greatly discounted giving Union the opportunity to purchase it at \$12,000.00 instead of \$25,000. The board agreed that this purchase is a great proposal, but given the financial state of the village, it is unable to come up with \$4000.00 at this time. The Volunteer Fire Department offered to pay for the village's share up front if the board would agree to pay them back. Chipman motioned to pay the Fire Department \$1000.00 on January 1st of each year, for four years, starting in January of 2011. 2nd by J. McClane. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

Bill Bescheinen told the Board that his unit received a verbal commendation from the State Fire Marshal for their role in December 6th's fire. He was impressed at how much of the structure remained under the circumstances. The Fire Marshall and other firefighter's looked through the ashes for two hours investigating the cause of the fire. The determination is still pending.

Chipman read the title of his proposed modification to Village ordinance 6-301. Then Chipman motioned to waive the three readings of the modification to ordinance 6-301 governing water shut off. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

Chipman then read again the title of his proposed modification to Village ordinance 6-301. Chipman then read the entirety of his proposed changes to Village 6-301 outloud. Chipman then motioned to pass the modified ordinance, 6-501 with changes to include: accounts over \$200.00 will be shut off if full payment of past due charges are not received by the clerk within 14 days of shutoff notification and modifying the reconnect fee from \$40.00 to \$500.00. 2nd by J. McClane. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

The clerk spoke to Olsson Associates about our vacant street superintendent position in the

village. They are willing to provide a Class A certified engineer at a rate of \$500.00 per year to perform the typical functions of a street superintendent. They have also agreed to prepare 2010's year end expense reports for NDOR for an estimated \$200.00

Kahland motioned to appoint Olsson Associates as the agency to provide us with a certified street superintendent for 2011 and to prepare our last report for this year. 2nd by Brown. By roll, Trustee votes are as follows: T. McClane – Aye, J. McClane – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

Clerk will pay Aflac premiums until individuals can get their account set up for self pay.

Chipman filed a claim against the clerk's bond two weeks ago. He has, and will send a letter each week to follow up. They will be notified that we will involve them in our pending lawsuit against the previous clerk.

#### New Business

Newly elected village trustees, Dwain Hardbarger, Jr. and Paul Vidlak took their oath. In accordance with ordinance 1-109 Chipman motioned to appoint Dwain Hardbarger, Jr. as Chairman of the Union Board of Trustees. 2nd by Kahland. By roll, Trustee votes are as follows: Hardbarger– Aye, Vidlak– Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

Chipman motioned to appoint Melissa Hansen as the village clerk/treasurer for 2011 at a rate of \$8.00 per hour, no more than 40 hours per week or 100 hours per month. Also, to pay her a bonus of \$300.00 for her work in 2010. 2nd by Brown. By roll, Trustee votes are as follows: Hardbarger– Aye, Vidlak – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

The Board discussed Santa coming to Union this year. With little time to prepare, Brown agreed to talk to last year's Santa about coming this year. The clerk volunteered to help organize along with some of Union United's members.

Vidlak motioned to adjourn at 8:52 pm. 2nd by Kahland. By roll, Trustee votes are as follows: Hardbarger– Aye, Vidlak – Aye, Chipman – Aye, Kahland – Aye, Brown- Aye. Motion approved.

The next regular meeting is scheduled for January 12, 2010.

Dwain Hardbarger, Jr.

Chairman