

**Village of Dorchester Board of Trustees Minutes
January 3, 2022**

The regular meeting of the Village of Dorchester Board of Trustees was held Monday, January 3, 2022, at the Dorchester Community Hall and was called to order at 7:01 p.m. Chairperson Pracheil advised those present of the Open Meetings Act. Answering Roll Call were board members Sarah Wenz, Kelly Vyhnalek, Roger Miller, Eric Bird, and Chairperson Andrea Pracheil. Also in attendance were Jen Kasl, Clerk-Treasurer; Dawn Zoubek, Deputy Clerk; Brant Pracheil, Fire Chief; Allan Zumpfe, Farmers Cooperative; Craig Bontrager, Code Compliance; Atty. Alison Janecek Borer, Cline Williams; and Atty. Timothy Kubert, Hoffschneider Law, P.C., LLO. Advance notice of the meeting was posted at the Dorchester US Post Office; First State Bank, NE; Village of Dorchester office and in *The Crete News*.

Motion made by Wenz, seconded by Miller, to open the hearing of the Community Development Agency (CDA). Motion carried. Alison Janecek Borer, Cline Williams, presented information on Resolutions 2022-02 and 2022-03.

**COMMUNITY DEVELOPMENT AGENCY OF THE
VILLAGE OF DORCHESTER, NEBRASKA**

RESOLUTION #2022-02

(Amended and Restated Redevelopment Plan Amendment –
Village Infrastructure Redevelopment Project)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE VILLAGE OF DORCHESTER, NEBRASKA, RECOMMENDING APPROVAL AND ADOPTING AN AMENDED AND RESTATED AMENDMENT TO THE REDEVELOPMENT PLAN OF THE VILLAGE OF DORCHESTER, NEBRASKA AND COST BENEFIT ANALYSIS FOR THE REDEVELOPMENT PROJECT IN THE AMENDED PLAN AMENDMENT.

RECITALS

A. The General Redevelopment Plan for the Village of Dorchester, Nebraska (the "Redevelopment Plan") was amended by the Village Board on July 16, 2019 to create the Village Street Resurfacing Redevelopment Project (the "Original Plan Amendment").

B. The Community Development Agency of the Village of Dorchester, Nebraska ("CDA"), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat., §§ 18-2101 to 18-2155, as amended (the "Act") has prepared an Amended and Restated Amendment to the Redevelopment Plan for the project (the "Amended Plan Amendment"), which shall now be known as the "Village Infrastructure Redevelopment Project". A copy of the Amended Plan Amendment is attached as Exhibit "A".

C. The Amended Plan Amendment would replace the Original Plan Amendment to reflect certain substantial modifications to the Project.

D. The Project would use Tax Increment Financing from a specified project site pursuant to Section 18-2147 of the Act to assist in paying for the costs incurred by the Village to construct the eligible public improvements for the Project.

E. The CDA is required under Section 18-2113(2) of the Act to conduct a cost-benefit analysis for a redevelopment project which will use Tax Increment Financing.

F. The CDA has conducted a cost-benefit analysis for the Project and said cost-benefit analysis is attached to the Amended Redevelopment Plan as Exhibit "C" (the "Cost-Benefit Analysis").

G. The CDA submitted the question of whether the Amended Plan Amendment should be recommended to the Village Board to the Planning Commission of the Village of Dorchester, Nebraska (the "Planning Commission").

H. The Planning Commission recommended the approval of the Amended Plan Amendment on January 3, 2022.

I. The CDA has determined that the Project would not occur in the Redevelopment Area and could not be financed or constructed but for the use of Tax Increment Financing.

J. Statements of the proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area and the estimated proceeds or revenue from its disposal to redevelopers, the proposed method of financing the redevelopment project, and a feasible method proposed for the relocation of families to be displaced from the redevelopment project area, if applicable, are set forth in the Amended Plan Amendment and the Cost-Benefit Analysis.

NOW THEREFORE, BE IT RESOLVED, by the Community Development Agency of the Village of Dorchester, Nebraska, as follows:

1. The cost and benefits set forth in the Cost Benefit Analysis have been found to be in the long-term best interest of the Village.

2. The CDA hereby approves the Cost Benefit Analysis as the cost benefit analysis of the Project.

BE IT FURTHER RESOLVED, by the CDA, as follows:

1. The Amended Plan Amendment is in conformance with the general plan for development of the Village of Dorchester as a whole, as set forth in the Village of Dorchester Comprehensive Plan, as amended.

2. The Amended Plan Amendment will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight, in the Village of Dorchester.

3. The Amended Plan Amendment is in conformance with the Act.

4. The Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing.

5. The CDA hereby approves the Amended Plan Amendment and recommends approval and adoption by the Village Board of the Village of Dorchester.

IN WITNESS WHEREOF, the CDA hereby passes and adopts this Resolution as of this 3rd day of January, 2022.

COMMUNITY DEVELOPMENT AGENCY OF
THE VILLAGE OF DORCHESTER, NEBRASKA

Chairperson

ATTEST:

Secretary

Motion made by Wenz, seconded by Miller, to approve Resolution 2022-02. Motion carried.

**COMMUNITY DEVELOPMENT AGENCY OF THE
VILLAGE OF DORCHESTER, NEBRASKA**

RESOLUTION #2022-03
(Redevelopment Agreement –
Village Infrastructure Redevelopment Project)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE VILLAGE OF DORCHESTER, NEBRASKA, AUTHORIZING AND APPROVING A REDEVELOPMENT AGREEMENT FOR THE VILLAGE INFRASTRUCTURE REDEVELOPMENT PROJECT UTILIZING TAX INCREMENT FINANCING; AND TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE COMMUNITY DEVELOPMENT LAW.

RECITALS

- A. The Village of Dorchester, Nebraska ("Village") has adopted a general redevelopment plan for certain portions of the Village (the "Redevelopment Plan").
- B. The Community Development Agency of the Village of Dorchester, Nebraska ("CDA"), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2155, as amended (the "Act") has adopted an Amended and Restated Amendment to the Redevelopment Plan (the "Amended Plan Amendment").
- C. The Planning Commission of the Village of Dorchester, Nebraska has recommended approval of the Amended Plan Amendment.
- D. The CDA shall submit the Amended Plan Amendment to the Board of Trustees of the Village of Dorchester, Nebraska for final approval and adoption pursuant to the Act.
- E. The Amended Plan Amendment authorizes and creates a specific redevelopment project on a portion of the Redevelopment Area identified in the Amended Plan Amendment as the Village Infrastructure Redevelopment Project (the "Project").
- F. The CDA has prepared a redevelopment agreement for the Project, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference (the "Redevelopment Agreement").
- G. The Project would use tax increment financing pursuant to Section 18-2147 of the Act to assist in paying for the cost of certain eligible public improvements authorized by the Act and identified in the Amended Plan Amendment and the Redevelopment Agreement.

NOW THEREFORE BE IT RESOLVED, the CDA hereby approves the Redevelopment Agreement and authorizes the Chairperson of the CDA to execute and enter into the Redevelopment Agreement, with such changes, modifications, additions, and deletions that are necessary or appropriate, for and on behalf of the CDA.

BE IT FURTHER RESOLVED, the CDA hereby authorizes the Chairperson of the CDA to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of TIF Indebtedness as set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CDA or the Village.

BE IT FURTHER RESOLVED, the foregoing resolutions are subject to and contingent upon the Village Board's approval and adoption of the Amended Plan Amendment, and if the Village Board does not approve and adopt the Amended Plan Amendment, the resolutions contained herein shall be void and of no effect.

BE IT FURTHER RESOLVED, the CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

Dated this 3rd day of January, 2022.

COMMUNITY DEVELOPMENT AGENCY OF
THE VILLAGE OF DORCHESTER, NEBRASKA

Chairperson

ATTEST:

Secretary

Motion made by Wenz, seconded by Bird, to approve Resolution 2022-03. Motion carried. Motion made by Miller, seconded by Vyhnaek, to close the meeting of the Community Development Agency. Motion carried.

Motion made by Wenz, seconded by Vyhnaek, to open the Public Hearing for the Redevelopment Plan Agreement for Village Infrastructure Redevelopment Project. Motion carried. Atty. Alison Janecek Borer

presented Resolutions No. 2022-04 and 2022-05 for review. Having no discussion, motion made by Wenz, seconded by Vyhnalek to close the Public Hearing for the Redevelopment Plan Agreement for Village Infrastructure Redevelopment Project. Motion carried.

VILLAGE OF DORCHESTER, NEBRASKA

RESOLUTION #2022-04

(Amended and Restated Redevelopment Plan Amendment –
Village Infrastructure Redevelopment Project)

A RESOLUTION OF THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF DORCHESTER, NEBRASKA, APPROVING AN AMENDED AND RESTATED AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE VILLAGE OF DORCHESTER, NEBRASKA, INCLUDING A SPECIFIC REDEVELOPMENT PROJECT.

RECITALS

- A. The General Redevelopment Plan for the Village of Dorchester, Nebraska (the “Redevelopment Plan”) was amended by the Village Board on July 16, 2019 to create the Village Street Resurfacing Redevelopment Project (the “Original Plan Amendment”).
- B. The Community Development Agency of the Village of Dorchester (“CDA”) has recommended that the Original Plan Amendment be amended and restated to reflect certain substantial modifications to the project (the “Amended Plan Amendment”), which shall now be known as the “Village Infrastructure Redevelopment Project”. A copy of the Amended Plan Amendment is on file and available for public inspection with the Village Clerk.
- C. The Project would use Tax Increment Financing from a specified project site pursuant to Neb. Rev. Stat. § 18-2147 to assist in paying for the costs incurred by the Village to construct the eligible public improvements for the Project.
- D. The CDA submitted the question of whether Amended Plan Amendment should be recommended to the Village Board to the Planning Commission of the Village of Dorchester, Nebraska (the “Planning Commission”).
- E. The Planning Commission recommended the approval of the Amended Plan Amendment.
- F. Notice of public hearing regarding the adoption and approval of the Amended Plan Amendment by the Village Board was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. §§ 18-2115 and 18-2115.01, and Nebraska law.
- G. On January 3, 2022, the Village Board held a public hearing relating to the question of whether the Amended Plan Amendment should be adopted and approved by the Village. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.
- H. The Village Board has reviewed the Amended Plan Amendment, the cost benefit analysis for the Project prepared by the CDA, and the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the Board of Trustees of the Village of Dorchester, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155 (the “Act”), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to Section 18-2109 of the Act.
2. The Amended Plan Amendment will, in accordance with the present and future needs of the Village of Dorchester, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.

3. The Amended Plan Amendment is in conformance with the general plan for development of the Village of Dorchester as a whole, as set forth in the Village of Dorchester Comprehensive Plan, as amended.
4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the Village of Dorchester.
5. The Project would not be economically feasible without the use of tax increment financing.
6. The Project would not occur on the Redevelopment Area without the use of tax increment financing.

BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Amended Plan Amendment is hereby approved and adopted by the Village Board as the governing body for the Village of Dorchester.

Dated this 3rd day of January, 2022.

VILLAGE OF DORCHESTER, NEBRASKA

By: _____

Chairperson

ATTEST: _____

Village Clerk

4865-9857-9464, v. 1

Motion made by Wenz, seconded by Vyhnaek to approve Resolution 2022-04. Motion carried.

VILLAGE OF DORCHESTER, NEBRASKA

RESOLUTION #2022-05

(Redevelopment Agreement –

Village Infrastructure Redevelopment Project)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF DORCHESTER, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT ON BEHALF OF THE VILLAGE AND AUTHORIZING THE COMMUNITY DEVELOPMENT AGENCY OF THE VILLAGE OF DORCHESTER, NEBRASKA TO ENTER INTO SAID AGREEMENT AND ISSUE TAX INCREMENT FINANCING INDEBTEDNESS FOR THE REDEVELOPMENT PROJECT.

RECITALS

A. Pursuant to the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the Village of Dorchester, Nebraska (“Village”), has adopted a general redevelopment plan for certain portions of the Village (the “Redevelopment Plan”).

B. The Redevelopment Plan, as amended, includes a specific redevelopment project identified as the Village Infrastructure Redevelopment Project that will include the use of Tax Increment Financing (the “Project”).

C. On January 3, 2022, the Community Development Agency of the Village of Dorchester, Nebraska (“CDA”) approved the Redevelopment Agreement for the Project (the “Redevelopment Agreement”). A copy of the Redevelopment Agreement is on file and available for public inspection with the Village Clerk.

D. Pursuant to the Redevelopment Agreement, the Village would construct and install the public improvements for the Project and would, subsequently, receive the TIF proceeds to reimburse the Village for the eligible public expenditures.

E. The Village Board has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the General Comprehensive Development Plan of the Village, and in the best interests of the Village.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Dorchester, Nebraska, that the Redevelopment Agreement is hereby approved.

BE IT FURTHER RESOLVED, the Chairperson is hereby authorized to execute and deliver the Redevelopment Agreement on behalf of the Village.

BE IT FURTHER RESOLVED, the CDA is hereby authorized to execute and deliver the Redevelopment Agreement for and on behalf of the CDA.

BE IT FURTHER RESOLVED, the CDA and Village are hereby authorized to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of TIF Indebtedness as set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CDA or the Village.

BE IT FURTHER RESOLVED that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed.

Dated this 3rd day of January, 2022.

VILLAGE OF DORCHESTER, NEBRASKA

By: _____

Chairperson

ATTEST: _____

Village Clerk

Motion made by Wenz, seconded by Bird to approve Resolution 2022-05. Motion carried. Meeting adjourned sine die.

Motion made by Wenz, seconded by Vyhnalek to open the meeting of the Board of Adjustment. Motion carried. Discussion was held on a variance for Zoning Permit #21-675. Motion made by Miller to approve the variance. Motion failed. Election of officers for the Board of Adjustment tabled until future meeting. Motion made by Miller, seconded by Wenz to adjourn the board of adjustment meeting. Motion carried.

Motion made by Pracheil, seconded by Wenz to approve Consent Agenda items #1-#3. Motion carried. Zoom subscription will be cancelled. Motion made by Miller, seconded by Vyhnalek to have the two stones at the cemetery that were damaged by the storm reset the next time there is stonework done out there at a cost not to exceed \$500 per stone. Motion carried. Motion made by Miller, seconded by Bird, to approve Consent Agenda item #4. Motion carried.

Sheriff's report was given. Nothing new to report. Fire/Rescue Report given. The recognition banquet will be March 5th. Fire Department will be doing another drive-thru meal on April 2nd. Code Compliance report in packet.

Unfinished Business: Seven electrical easements for the Bruha addition were presented. Motion made by Wenz, seconded by Miller to approve all seven. Motion carried.

Motion made by Miller, seconded by Wenz, to waive the 3 reading rule for Ordinance 2022-01 regarding utility service deposits. Motion carried.

ORDINANCE NO. 2022-01

AN ORDINANCE REPEALING VILLAGE OF DORCHESTER ORDINANCE NO. 672 DATED AUGUST 4, 2014; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

Motion made by Wenz, seconded by Bird, to adopt Ordinance No. 2022-01. Motion carried.

RESOLUTION NO. 2022-06

UTILITY SERVICE DEPOSIT RESOLUTION

A RESOLUTION BY THE CHAIRPERSON AND VILLAGE BOARD OF THE VILLAGE OF DORCHESTER, NEBRASKA, TO ADOPT PROCEDURES FOR HANDLING SERVICE DEPOSITS FOR ELECTRICAL SERVICE IN THE VILLAGE OF DORCHESTER.

WHEREAS, that Chapter 3, Article 0, Section 3-9002 of the Revised Municipal Code of the Village of Dorchester, Nebraska, allows for the Village Board to set by resolution a service deposit to be paid by every person or persons desiring utility services and making an application therefor to the Village Clerk;

BE IT RESOLVED, The Village Board hereby sets the service deposit fee at Two Hundred and Fifty Dollars (\$250) per person, firm, corporation, or other legal entity desiring electrical utility services from the Village of Dorchester. Said deposit will be returned to the person, firm, corporation, or other legal entity after termination of services and payment of all electrical bills in full. No services shall be provided until the service deposit is received by the Village. Any person, firm, corporation, or other legal entity utilizing Village electricity which shall pay all electrical bills on or before the date said bills are due for a period of twenty-four (24) months shall receive the full value of the service deposit as a credit toward future electrical bills until such time as the deposit has been exhausted.

Passed and approved this ____ day of January, 2022.

Andrea Pracheil, Board Chairperson

ATTEST: _____
Jen Kasl, Village Clerk

(SEAL)

Motion made by Miller, seconded by Vyhnaek to approve Resolution 2022-06 to Return Service Deposits to Homeowners. Motion carried.

RESOLUTION NO. 2022-07

EMPLOYEE HEALTH SAVINGS ACCOUNT CONTRIBUTION RESOLUTION

A RESOLUTION BY THE CHAIRPERSON AND VILLAGE BOARD OF THE VILLAGE OF DORCHESTER, NEBRASKA, AMENDING THE VILLAGE OF DORCHESTER EMPLOYEE HANDBOOK.

WHEREAS, the Village of Dorchester provides all employees with an employee handbook; and

WHEREAS, the most recent copy of that handbook is dated December 2016; and

WHEREAS, the Village of Dorchester wishes to amend its handbook from time to time to reflect changes in employee expectations and compensation.

BE IT RESOLVED, that the section of the Village of Dorchester Employee Handbook titled "Health Insurance" be amended to include the following provision:

In addition to all other health insurance benefits described herein, the Village of Dorchester shall also provide each full-time employee with a contribution of Five Thousand and Four Hundred Dollars (\$5,400) per year into a Health Savings Account established and maintained through First State Bank NE. This annual Health Savings Account shall be distributed as a prorated monthly contribution of Four Hundred Fifty Dollars (\$450) added into each eligible employee's Health Savings Account on the first payday of each month.

Passed and approved this _____ day of January, 2022.

Andrea Pracheil, Board Chairperson

ATTEST: _____
Jen Kasl, Village Clerk

(SEAL)

Motion made by Miller, seconded by Vyhnaek to approve Resolution 2022-07 for Employee Health Savings Account Contributions. Motion carried.

New Business: Discussion was held on the use of Village property for Farmers Cooperative parking. Matter has been tabled for further discussion at the next regular meeting. Consideration was given to lodging for the 2022 LONM Utilities/Public Works Section Annual Conference. Motion made by Miller, seconded by Wenz, to allow mileage for all three days, regardless of lodging status. Motion carried (4-1. Voting no was Vyhnalek). Consideration and discussion of IES Pay Application #4 – 5KV Coop Feeder Upgrade. Motion made by Bird, seconded by Miller, to approve Pay Application #4. Motion carried. Motion made by Miller, seconded by Bird to enter closed session for discussion of Employee Handbook. Motion carried. Entered closed session at 8:15 p.m. Meeting re-opened at 8:27 p.m. No formal action was taken during closed session. Clerk Kasl will put a request out to other clerks for copies of handbooks to review and submit them to the board.

Motion made by Vyhnalek, seconded by Bird, to adjourn the meeting. Motion carried. Meeting adjourned at 8:35 p.m. Next regular meeting will be held on February 7, 2022, at 7 p.m. at the Community Building.

Signed Chairman: Andrew Pacheco

Clerk - Treasurer: Jennifer M. Kasl

I, Jennifer Kasl, Clerk for the Village of Dorchester, hereby certify that the preceding minutes are a true and correct copy of the proceedings had and done by the Chairman and the Board of Trustees of the Village of Dorchester January 3, 2022. The minutes are available at Village Hall and the shortened version was published in The Crete News.

Clerk - Treasurer: Jennifer M. Kasl