

Village of Dorchester Board of Trustees Minutes September 10, 2020

The regular meeting of the Village of Dorchester Board of Trustees was held Thursday, September 10, 2020 at the Dorchester Fire Hall and via Zoom and was called to order at 7:15 p.m. Chairperson Andrea Pracheil advised those present of the Open Meeting Act. Answering Roll Call were board members Matt Scholz, Roger Miller, Sarah Wenz, Kelly Vyhnalek and Chairperson Andrea Pracheil. (All motions carried are unanimous "for" unless otherwise noted) Also in attendance were Gloria Riley, Clerk-Treasurer; Jen Kasl, Deputy Clerk; Atty. Kelly Hoffschneider & Timothy Kubert, Hoffschneider Law; Brad Slaughter, Piper Sandler & Co., Brant Pracheil, Fire Chief and 4th of July Festival Committee; and Ray Sueper. Jeff Buttermore & Emily Bausch, Olsson, Craig Bergmeyer, 4th of July Festival Committee; Andrew Willis, Cline Williams; and Bret Cerny, Assistant Utilities Superintendent were all present via Zoom. Marvin Kasl was on vacation but was in attendance for his employee review. Advance Notice of the meeting was posted at the Dorchester US Post Office; First State Bank, NE; Village of Dorchester office and *The Crete News*.

Motion made by Pracheil, seconded by Scholz to allow items #1 & #3 on the Consent Agenda. Motion carried. Correction made to #2 - claims report to change Kelli Hromek's pay from wages to services and an addition to the claims of payment made to BNSF Railway of \$4,233.00. Regarding #4 - utility report, it was requested that the building permits list the address and add what was approved to the report. Motion made by Miller seconded by Vyhnalek to accept #2 & #4 Consent Agenda items. Motion carried.

No Deputy report. No Fire report. 4th of July Festival Committee members, Brant Pracheil and Craig Bergmeyer, thanked the board for allowing the fireworks to take place this year and indicated that as of right now, they are not planning on having the fireworks stand next year.

Old Business: Cerny reported on the issue with the Splash Pad being slimy. It has been acid washed. There is no 220V to use a hotsy. The Dorchester Community Foundation has inquired about putting in hand dryers in the bathrooms, which would also require a 220V outlet. Cerny and Marvin Kasl will find out how big the current panel is. Discussion of replacement grates was held. Motion made by Scholz, seconded by Vyhnalek to purchase 2 grates from NDS. Motion carried.

Jeff Buttermore reported on the status of the Infrastructure Improvement Project Contracts. Valley has 15 days to sign and return to Olssons. Once verified, the contracts will be forwarded to the village for signature. Motion made by Scholz, seconded by Miller to put the new meters on the village right-of-way next to the transformers and to direct Atty Hoffschneider to create an ordinance stating as such. Motion carried.

New Business: Discussion of Utility Revenue Bond for Electrical, Water and Wastewater was held. According to Brad Slaughter of Piper Sandler & Co, we can include the two electrical projects contracted with Valley, as well as the sewer project on Whitmar. Motion made by Scholz, seconded by Miller to waive the three-reading rule. Motion carried.

Consideration and discussion on Ordinance #2020-702. Motion made by Miller, seconded by Vyhnalek to adopt Ordinance #2020-702. Motion carried.

ORDINANCE NO 2020-702

AN ORDINANCE AUTHORIZING THE ISSUANCE OF COMBINED UTILITIES REVENUE BONDS, SERIES 2020, OF THE VILLAGE OF DORCHESTER, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS (\$300,000) TO PAY THE COSTS OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE COMBINED UTILITIES OF THE VILLAGE; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE COMBINED UTILITIES FOR THE PAYMENT OF SAID BONDS; ENTERING INTO A CONTRACT ON BEHALF OF THE VILLAGE WITH THE HOLDERS OF SAID BONDS; PROVIDING FOR THE SALE OF THE

BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Motion made by Miller seconded by Scholz to approve Resolution 2020-05. Motion carried.

RESOLUTION NO 2020-05

**A RESOLUTION DECLARING INTENT TO INCUR INDEBTEDNESS
FOR ADDITIONS AND IMPROVEMENTS TO THE COMBINED
UTILITIES OF THE VILLAGE.**

**BE IT RESOLVED BY THE CHAIRPERSON AND VILLAGE BOARD OF THE VILLAGE OF DORCHESTER,
IN THE STATE OF NEBRASKA:**

Section 1. The Chairperson and Board hereby find and determine that it is necessary and appropriate to declare an official intent to issue tax-exempt revenue bonds or other tax-exempt bonds or notes of the Village and, in addition, to declare the Village's reasonable expectation to reimburse certain expenditures with the proceeds of such bonds or notes issued by the Village in connection with the completion of improvements to the sanitary sewer system owned and operated by the Village. The bonds to be issued will be payable from the revenues of the waterworks plant and distribution system owned and operated by the Village, and all extensions and additions thereto, the sanitary sewer system owned and operated by the Village, and all extensions and additions thereto, and the electric light and power plant and distribution system owned and operated by the Village, and all extensions and additions thereto, (collectively herein the "Combined Utilities");

Section 2. This resolution is a statement of the official intent of the Village under Treasury Regulation § 1.150-2 and for such purpose the following information is hereby stated:

(a) The project for which expenditures may be made is additions and improvements to the Combined Utilities of the Village as set forth in Section 1 above, including engineering, legal, financing, and other related project costs.

(b) The principal amount of the bonds or notes expected to be issued by the Village for the projects as authorized by Nebraska statutes is estimated to be \$250,000.

PASSED AND APPROVED this 10 day of September 2020.



Chairperson

ATTEST:



Village Clerk

Discussion and Consideration of Tax Increment Financing (TIF) was held. There are some proposed projects around town that would be beneficial to include. Atty. Andrew Willis, of Cline Williams, will prepare a redevelopment plan amendment. It was noted that the Community Development Agency (CDA) and board meeting could be held at the same time, but the meeting will need to be published in the newspaper twice within the required time frame, and public hearings will need to be held at both the planning commission and village board meetings.

Emily Bausch, Olsson, Inc. went over the One-and-Six Year Plan. Motion made by Vyhnaelek, seconded by Scholz to approve Resolution 2020-04 to authorize signing to replace the annual filing of the One-and-Six Year plan. Motion carried.

RESOLUTION 2020-04

**SIGNING OF THE
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM
2020**

Resolution No. 2020-04

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

Be it resolved that the Mayor Village Board Chairperson of Dorchester is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this 10th day of September, 2020 at Dorchester Nebraska.

City Council/Village Board Members

Andrea Prackel, Chair
Matt Scholz
Kyle Vyhnaelek
Boyd Miller
Sarah Wenz

City Council/Village Board Member Vyhnaelek

Moved the adoption of said resolution

Member Scholz Seconded the Motion

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed and billed as adopted.

Attest:

Gloria J. Brey
(Signature of Clerk)

Motion made by Scholz, seconded by Vyhnaelek to approve the annual certification of program compliance to State Board of Public Roads. Motion carried.

Discussion was held on the master agreement of the Olsson Street Superintendent Services contract. Motion made by Miller, seconded by Vyhnalek to approve the Master Agreement Work Order No. 1 and Master Agreement Work Order No. 2. Motion carried.

Bausch explained that the total contract cost on VRBA Change Order #4 was incorrect, although the balance of the approved amount was correct. Discussion was held regarding VRBA Pay Application #5 and VRBA Change Order #5. Motion made by Miller, seconded by Vyhnalek to approve the correction of Change Order #4, and to accept Change Order #5 and Pay Application #5. Motion carried.

Consideration and discussion of bid to remove trees in the Village Right-of-Way. Motion made by Miller, seconded by Wenz to approve the bid. Motion carried.

Discussion was held on the CCCFF proposals. They received 2 bids and would like to go with the lower bid which was submitted by Leo A Daly. Motion made by Wenz, seconded by Vyhnalek to accept the bid. Motion carried.

The Code Compliance Job Description was discussed. Ray Sueper presented a proposal for scope of job duties he is willing to perform. His required compensation amount was a concern for the board. The other candidate had a prior commitment and was unable to attend the meeting. Two board members will meet with him to determine a description of duties and talk about compensation, and the possibility of drawing up a contract. The office has not yet received the prior Code Compliance file from the previous Code Compliance Officer.

Atty Hoffschneider spoke on the recent ruling of the NE Supreme Court in our favor in REO vs Village of Dorchester. The case will go back to District Court sometime in October. All new landlords will be required to sign the consent form. Current landlords will be grandfathered in.

Motion made by Chairperson Pracheil, seconded by Scholz to enter Closed Session at 10:00 p.m. for the purpose of discussing: d) Evaluation of the job performance of the person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; and to allow the Board to attend, along with each of the following village employees individually: Deputy Clerk, Assistant Utilities Superintendent, Utilities Superintendent, Clerk Treasurer. Motion carried. Session was opened at 11:00 p.m. No formal action was taken in closed session. Motion made by Miller, seconded by Scholz to approve the following wage increases: 4% to Assistant Utilities Superintendent, 3% to Utilities Superintendent and Clerk-Treasurer, and Deputy Clerk received an additional increase at the 90 day review. Motion carried.

Having no further discussion, motion was made by Wenz, seconded by Miller, to adjourn. Motion carried at 11:02 p.m. The next regular meeting will be held Monday, October 5, 2020 at 7:00 p.m. at the Fire Hall.

Signed Chairman: Andrea P. Pracheil
Written by Deputy Clerk: Jennifer Kasl
Accepted by Clerk / Treasurer: Gloria J. Riley

I, Gloria Riley, 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 September 10, 2020. The minutes are available at Village Hall and the shortened version was published in The Crete News.

Clerk / Treasurer: Gloria J. Riley