

Village of Dorchester Board of Trustees Minutes

September 8, 2021

The regular meeting of the Village of Dorchester Board of Trustees was held Wednesday, September 8, 2021, at the Dorchester Community Hall and was called to order at 7:08 p.m. Chairperson Pracheil advised those present of the Open Meetings Act. Answering Roll Call were board members Matt Scholz, Sarah Wenz, Kelly Vyhnaelek, and Chairperson Andrea Pracheil. Roger Miller had an excused absence. Also in attendance were Jen Kasl, Clerk-Treasurer; Dawn Zoubek, Deputy Clerk; Marvin Kasl, Utilities Superintendent; Bret Cerny, Assistant Utilities Superintendent; Atty. Kelly Hoffschneider, Hoffschneider Law, P.C., LLO; Mike Blobaum, Blobaum & Busboom, P.C.; and Craig Bontrager, Code Compliance. 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 Scholz, seconded by Vyhnaelek, to approve Consent Agenda Items #1-#4. Motion carried (4-0-1). No Sheriff's Report. Fire Report: Chairperson Pracheil reported the burn permit for the controlled burn at 307 E 9th on September 12th was approved.

Unfinished Business: Discussion and consideration of monthly Covid-19 Review and Splash Pad. If the county moves to the red, the office may be closed to the public, and/or masks may be required. Splash pad will shut down on September 30th, unless temperatures dip to freezing levels, requiring early closure.

Discussion was held regarding the franchise agreement with Zito. Ordinance will be presented next month, as well as numbers for other franchise agreements currently in place.

New business: Motion made by Scholz, seconded by Vyhnaelek to increase the total restricted funds authority by an additional 1%. Motion carried (4-0-1). Motion made by Vyhnaelek, seconded by Wenz to approve the 2021-2022 Budget. Motion carried (4-0-1). Resolution 2021-07 setting the property tax request was read. Motion made by Wenz, seconded by Vyhnaelek to adopt the resolution as presented. Motion carried (4-0-1).

RESOLUTION SETTING THE PROPERTY TAX REQUEST RESOLUTION NO. 2021-07

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Village of Dorchester passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the Village of Dorchester resolves that:

1. The 2021-2022 property tax request be set at:

General Fund:	\$	182,789.00
Bond Fund:	\$	-

2. The total assessed value of property differs from last year's total assessed value by -1.04 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.454713 per \$100 of assessed value.
4. The Village of Dorchester proposes to adopt a property tax request that will cause its tax rate to be 0.470002 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Dorchester will increase or decrease last year's budget by -1.4 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2021.

Motion by Wenz, seconded by Vyhnaelek to adopt Resolution #2021-07.

Voting yes were:

Voting no were:

Andrea Pracheil

Matt Scholz
Kelly Vyhnalek
Sarah Wenz

Dated this 8th day of September, 2021

Consideration and discussion of Resolution 2021-08, to Authorize Signing to Replace the Annual Filing of the One-and-Six Year Plan. Motion made by Scholz, seconded by Vyhnalek, to adopt Resolution 2021-08. Motion carried (4-0-1).

RESOLUTION

**SIGNING OF THE
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
2021**

Resolution No. 08

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 of Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

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

Adopted this 8th day of September, 2021 at Dorchester, Nebraska.

City Council/Village Board Members

Andrea Pracheil, Chairperson
Kelly Vyhnalek

Matthew Scholz
Sarah Wenz

City Council/Village Board Member Scholz
Moved the adoption of said resolution
Member Vyhnalek Seconded the Motion
Roll Call: 4 Yes No Abstained 1 Absent
Resolution adopted, signed and billed as adopted.

Attest:

(Signature of Clerk)

Consideration and discussion for Signing Certification of Program Compliance to State Board of Public Roads. Motion made by Scholz, seconded by Vyhnalek to approve the signing of said Certification. Motion carried (4-0-1).

Atty Hoffschneider presented info on the Electrical Easement for the Bruha Addition. Hoffschneider Law will communicate with Olsson to determine the best course of action. Will be discussed next month.

Consideration and discussion of Olsson Work Order No. 4. Motion made by Scholz, seconded by Vyhnalek, to approve Work Order No. 4. Motion carried (3-1-1). (Voting no was Wenz)

Consideration and discussion of Olsson Work Order No. 5. Motion made by Scholz, seconded by Vyhnalek, to approve Work Order No. 5. Motion carried (3-1-1). (Voting no was Wenz)

Consideration and discussion of Valley Pay Application #1 – North Distribution Extension (Northview Estates). Motion made by Scholz, seconded by Vyhnalek to approve Valley Pay App #1 – North Distribution Extension. Motion carried (4-0-1).

Consideration and discussion of Valley Pay Application #1 – South Distribution Extension (Burkey Farms). Motion made by Scholz, seconded by Vyhnalek to approve Valley Pay App #1 – South Distribution Extension. Motion carried (4-0-1).

Brandon Jisa of Olsson submitted a letter explaining the project updates. The only requirement for ARPA funds at this time is the signing of the Assurances of Compliance with Title VI of the Civil Rights Act of 1964.

Consideration and discussion of code compliance report. A reminder of the zoning permit requirement will be included in next month's newsletter.

Consideration and discussion of a Fall Community Clean-Up Day to be held in October. We will request three dumpsters for a period of one week. Final dates and times TBD after discussing with Waste Connections.

Consideration and discussion of Village Right-of-Way Tree Removal. Motion made by Vyhnalek, seconded by Scholz, to approve the bid from Trauernicht Tree Service. Motion carried (4-0-1).

Discussion was held on the Village Domain Renewal. Motion made by Vyhnalek, seconded by Wenz, to renew the Village Domain for one year.

Consideration and discussion was held on Ordinance 2021-09 regarding Village Electricity for Food Truck use. Motion made by Wenz, seconded by Vyhnalek to waive the 3-reading rule. Motion carried (4-0-1). Motion made by Wenz, seconded by Vyhnalek to approve Ordinance 2021-09. Motion carried (4-0-1).

ORDINANCE NO. 2021-09

AN ORDINANCE TO AMEND CHAPTER 5 ARTICLE NINE OF THE DORCHESTER MUNICIPAL CODE RELATING TO FOOD TRUCKS AND USE OF VILLAGE ELECTRICITY; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

Discussion on Resolution 2021-09 to Set Rate for Abatement Fee was held. Motion made by Wenz, seconded by Vyhnalek to approve Resolution 2021-09. Motion carried (4-0-1).

RESOLUTION NO. 2021-09

NUISANCE ABATEMENT ADMINISTRATIVE FEE RESOLUTION

A RESOLUTION BY THE CHAIRPERSON AND VILLAGE BOARD OF THE VILLAGE OF DORCHESTER, NEBRASKA, TO SET THE ADMINISTRATIVE FEE FOR NUISANCE ABATEMENTS UNDER DORCHESTER MUNICIPAL CODE CHAPTER 4, ARTICLE 3.

BE IT RESOLVED, that Chapter 4, Article 3 of the Revised Municipal Code of the Village of Dorchester, Nebraska, allows for the Village Board of the to set by resolution an administrative fee to be assessed against properties where the Village has effected the abatement of a nuisance, health and/or sanitation violation through either village employees or through contract with a third party, as prescribed by the Revised Municipal Code.

The Village Board hereby sets the administrative fee at \$200 per property where one or more abatements has occurred as part of a single administrative action.



Andrea Pracheil, Board Chairperson

ATTEST:

(SEAL)

Jen Kasl, Village Clerk

Atty Hoffschneider spoke about Board Concerns Relating to Commercial Businesses on Residential Properties – Permitted Use, Conditional Use Permits. More information to come at the next meeting.

Consideration and discussion was held on the quote for PowerManager Accounting Software. Nicole is planning on coming down toward the end of the month to show us the program. Motion made by Wenz, seconded by Scholz to approve J. Kasl and Zoubek to attend the PowerManager training on October 14th-15th. Motion carried (4-0-1).

Motion made by Scholz, seconded by Vyhnalek, to enter closed session for evaluation of the job performance of a 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: Assistant Utilities Superintendent, Utilities Superintendent, and Clerk Treasurer for a period not to exceed 10 minutes each. Motion carried (4-0-1). Entered Closed Session at 8:18 p.m. Meeting reopened at 8:56 p.m. No formal action taken during closed session. Motion made by Wenz, seconded by Scholz to approve the following wage increases: 2.4% to Assistant Utilities Superintendent, 2.35% to Utilities Superintendent, and 3.06% to Clerk-Treasurer beginning the first full pay period of the next fiscal year. Motion carried (4-0-1). Motion made by Wenz, seconded by Scholz, to adjourn the meeting. Motion carried (4-0-1). Meeting adjourned at 8:58 p.m.

Signed Chairman: _____

Clerk - Treasurer: _____

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 September 8, 2021. The minutes are available at Village Hall and the shortened version was published in The Crete News.

Clerk - Treasurer: _____