Village Of Manley
Board of Trustees Regular Meeting
November 10, 2022

The Regular Meeting of the Village of Manley Board of Trustees was called to order on November 10, 2022 by Board Chairman, Denise Swenson at 7:01 PM. The Pledge of Allegiance was recited and roll call was taken. Members present were: Denise Swenson, Tim Glas, Patricia Gruber, Rebecca Goble, and Phillip Tapp along with Village Clerk Jessica Tummons, Maintenance Supervisor, Mickey Dalton and ten (10) guests. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Board Chairman Denise Swenson. Notice of this meeting was posted on the Village website and in the bulletin boards at the Fire House & Post Office.

Agenda – Motion to accept the consent agenda items made by TGlas, Seconded by RGoble. Roll Call Vote: All in favor. Motion carried.
Consent Agenda items approved:
* October 2022 **Meeting Minutes**
* October 2022 **Correspondence** – (none)
* October 2022 **Water Clerk's Report**
* October 2022 **Treasurer's Report**
* October 2022 **Village Clerk's Report**
* October 2022 **Maintenance Supervisor Report** –
* October 2022 **Misc Monthly Reports** –
Water Specialist - Jack Faubion -
October: Total coliform absent, meets bacteriological standards. E. Coli absent
Wastewater Specialist – Ed Blunt
October 16, 2022 – Checked the lagoons. Duck weed turning brown.
October 30, 2022 - Checked lagoons. Lots of duck weed.
* Due to the lack of rain the finishing pond is very low so will not need to discharge this year
811 Digger Calls – MDalton
Five (5) request for October
Community Center Rentals – JTummons
Thursday November 24, 2022
Sunday, January 1, 2023
Friday January 13-15, 2023
Saturday, June 25, 2023

Remaining Reports
***Claims** – *Black Hills Energy* - $77.80; *OPPD* - $153.96; *Windstream* for CommCtr - $105.64 and Fire House - $98.75; *WireBuilt* - $50.00; *Mickey Dalton* for October Maintenance Supervisor-$544.10; *Jessica Tummons* for October Village Clerk - $648.30; *Papillion Sanitation* for November fee - $24.00; *Adam Goble* - $20 (fueled truck & installed plow); *Svoboda & Chebatoris* - $1,614 (Legal fees for Special Use permit); *City of Weeping Water* - $316.68 (Half of firefighters life insurance); *League Association of Risk Management* - $5,277 (Annual Insurance Premium); *DHHS* (water testing) - $15; *Manley Hwy Acct for matching funds trsf* from Water Acct-$174.00; OPPD (water)- $33; *RWD #3* for water-$1,036.50; *Jack Faubion* for November water postage & Fees-$127.70; *Adam Goble* - $30 (meter replacement) *Manley Hwy Acct for matching funds trsf* from Sewer Acct-$174.00; *OPPD* (sewer) - $39.40; *Ed Blunt* for Oct wastewater specialist-$175.00; *City of Louisville* - $1,012.50 (jetting machine & labor); *OPPD* (Highway) - $306.61; *M & N Investments* - $79.49; *Denise Swenson* - $74.25 (Halloween party decorations & prizes); *Nicole Shaffer* - $118.68 (Jack-o-lantern world tickets, Halloween Party prize)
TGlas moved & PGruber seconded to approve the Claims. Roll call vote: DSwenson-abstain, TGlas-yes, PTapp-yes, RGoble-abstain, PGruber-yes. Motion carried.

Unfinished Business
***Nuisance Violations** – *106 Broadway, 103 N Elm, & 105 Locust* – BOH has submitted forms. DSwenson to speak with attorney to proceed.

Report a concern forms are located at the Post Office and can be obtained in the Village office or via email by request.

***Building Permits** – TGlas suggests sending a letter to residents in the spring that have pools to reinforce having fences up for protection.
***Community Center Rentals** – Next rental is November 24. Cleaning date set for Nov 19 at 11AM.
***Insurance Renewal** – Clint Simmons joined the meeting to present the appraisals for all buildings. After doing so Clint presented the insurance cost now compared to actual replacement cost. Difference in cost is $2,250 annually. After discussion

PGruber made a motion to increase insurance cost to actual replacement cost & RGoble seconded. Roll Call Vote: DSwenson – yes. RGoble – yes. TGlas – no. RGruber –yes. PTapp – yes. Motion carried. DSwenson signed paperwork to agree to increase insurance.

***Schmidt Case** – Lawyer has filed for dismissal with prejudice. Hearing set for Nov 21, 2022 at 9AM.

***Snow Removal**- Village of Manley is looking to hire a helper for snow removal. All equipment is supplied. $20/hr. Interested parties must have valid driver's license. Applications can be submitted via email to clerk@manleyne.com

***Open Meetings Act** – It has been brought to the attention of the board that video recording has taken place at previous meetings. Video recording of meetings is allowed by law. However, Village board has a right to make reasonable restrictions via resolution. These restrictions could include notice to Village ahead of time and posting of such to protect anyone that is not on the board and chooses to speak at the meetings. TGlas suggests that the board draw up a resolution for the December meeting.

***Community Center Floors** – Due to the current bid being over $2,000 more bids will be required.

New Business

Dan Henry – Railroad Property – County Commissioner Dan Henry joined the meeting to discuss the possibility of closing down Manley road to the Lofte Theatre. The county is trying to get approval for a road project in Louisville for Hwy 66. Union Pacific requires the county shut down 3 roads with railroad crossings in order to create 1 new one. Union Pacific pays $100k which the county would forward to the Village of Manley if agreed to close the road. Residents were allowed to voice concerns regarding the closing of the road. Concerns included: Ability to move farm equipment as Village streets do not have clearance, growth of town, as well as traffic to the Lofte Theatre. No decisions are to be made.

Public Forum Revisions – Items previously voted on in Public Forum need revote.

Nov. 11, 2021 Motion to approve up to $300 for a new corner toilet in the basement bathroom in the Community Center made by TGlas and seconded by RGoble. Roll Call Vote: All in favor. Motion carried.

March 10, 2022 Motion to transfer of Annexation tax funds from General to Infrastructure Account made by RGoble and seconded by TGlas. Roll Call Vote: All in favor. Motion carried.

April 14, 2022. Motion to approve Ball Insurance increase and pay the amount on the April claims made by PTapp and seconded by PGruber. Roll Call Vote: All in favor. Motion carried.

Motion for building permits to be listed under New Business on the Agenda made by RGoble and seconded by TGlas. Roll Call Vote: All in favor. Motion carried.

May 12, 2022. Motion to accept April audit report of Village books made by DSwenson and seconded by TGlas. Roll Call Vote: All in favor. Motion carried.

July 13, 2022. Motion to purchase of a new mower attachment for the Village tractor at the cost of $2,295 paid out of the Sewer Account made by TGlas and seconded by PGruber. Roll Call Vote: All in favor. Motion carried.

August 15, 2022. Motion to pay the DJ, Nick Markham, for the Pillage the Village celebration in the amount of $200 from the Community Center Account on the day of the event made by DSwenson and seconded by TGlas. Roll Call Vote: All in favor. Motion carried.

Area Garage Sale – PTV committee is considering moving Village garage sale day to match up with surrounding communities. A letter has been composed and will be send to clerks in Cass County to see if any other towns are interested. By moving garage sales that could provide availability to more people to participate in PTV.

Audit Waiver Request – DSwenson moved & TGlas seconded that the Board request to submit an Audit Waiver to the State Auditor for the last fiscal year (2021-22). Roll call vote: All approved. Motion carried.

Year End Certification of Street Superintendent - Following the mandate set by the NE State Legislature. DSwenson read the following resolution required by the NE Dept of Transportation for the Village to receive its yearly Incentive Payments.

Resolution 22-08

SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2022

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met

in order for a municipality to qualify for an annual Incentive Payment; and
Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and
Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the City Street Superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and
Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.
Be it resolved that the Village Board Chairperson of Manley, NE is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.
TGlas moved & RGoble seconded to adopt Resolution 22-08 as read. Roll call vote: All approved. Motion carried.

Community Center small Projects – With the recent and upcoming kid's events it has come to the board's attention that the Community Center is in need of a changing table. Motion to install a Changing table was made by TGlas and seconded by DSwenson. Roll Call Vote: All in favor. Motion carried.

Motion by RGoble to spend up to $500 on changing table project and seconded by TGlas. Roll call vote: All in favor. Motion carried. If cost exceeds this will need to be brought up at next meeting and re-evaluated.

Motion by TGlas for PTapp to install a 3way switch in east room of the upstairs in the Community Center and DSwenson seconded. Roll call vote: All in favor. Motion carried

Pillage the Village Committee – PTV committee is considering opening a checking account for fundraising and payments of bills without involvement of Village funds. Keep on the agenda for December to further discuss questions re: 501C3 and grants.

Public Forum – MDalton as maintenance Supervisor asks to speak regarding a few updates:
-asks if there are any objections to moving all picnic tables under the shelter for winter
-Asphalt on Sunrise Court has been repaired
-Stohlman Water meter has been replaced
-State inspection of the lagoons went well. Need to cut trees off of the fence line. Fence will need to be placed on the west side of the Lagoon.

Adjournment - TGlas moved & RGoble seconded to adjourn the meeting at 9:45 PM. Roll call vote: All approved. Motion carried.

Jessica Tummons
Village Clerk

12-8-22
Date of Approval

*Copies of the minutes and reports are on file at the Manley Village Office and are available for review upon request. Minutes of the meeting can also be viewed at www.manleyne.com.
*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, disability, marital or familiar status. (Not all prohibited bases apply to all programs.)