

ARNOLD COMMUNITY CENTER
April 8, 2024

A regular meeting of the Chairman and the Board of Trustees of the Village of Arnold, Nebraska, was held in the meeting room at the Arnold Community Center on Monday, April 8, 2024, at 7:00 P.M. Notice of this meeting was given in advance by publication and by posting notices at the following places: Facebook, Pinnacle Bank, Post Office, Reed's Food Center, and the Village Office. Said notice contained the statement that the agenda, kept continuously current, was available for public inspection at the office of the Village Clerk during normal business hours. Notice of this meeting and an agenda was given to the Board Members and all members present acknowledged receipt of said notice. All proceedings, hereafter shown, were taken while the convened meeting was open to the public.

Chairman Glen Bowers called the meeting to order and Patricia Lamberty, Village Clerk, recorded the proceedings. On roll call, the following were present: Glen Bowers, Donnell DeLosh, Zach Hagler, Jason Jenkins, Aaron Olson. Absent: none. A full council being present the following proceedings were had and done.

Chairman Glen Bowers publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for public inspection and is posted on the west wall of the meeting room in the Arnold Community Center.

The minutes of the previous regular meeting on March 11, 2024, and the special meeting on March 18, 2024, were not read as the Clerk had previously furnished each member with a copy thereof. Moved by DeLosh and seconded by Olson that the minutes of the previous regular meeting on March 11, 2024, be approved as presented. Roll call vote: Aye: DeLosh, Hagler, Jenkins, Olson. Nay: none. Abstain: Bowers. Absent: none. Motion carried.

Moved by Olson and seconded by Jenkins that the minutes of the special meeting on March 18, 2024, be approved as presented. Roll call vote: Aye: Bowers, Hagler, Jenkins, Olson. Nay: none. Abstain: DeLosh. Absent: none. Motion carried.

The Clerk presented the claims paid in March:

03/11 TOTAL AMOUNT OF CLAIMS APPROVED & PAID
\$ 79,834.65

03/14 Midwest Floor Covering, Inc.

66,235.00 CC: Gym Floor (Deposit
for Material for Demo &
Installation)

03/18	Medica Insurance	11,208.18	Health Insurance
	Nebraska Department of Revenue		
		4,557.01	Sales Tax
03/29	Hanna:Keelan Associates	8,000.00	CDBG: Consultant Fees
	Payroll	11,578.57	
	Aflac	591.36	Payroll Deductions
	IRS	3,647.73	Fed WH/Payroll Taxes
	Nebraska Department of Revenue		
		530.06	State Withholding
TOTAL AMOUNT OF CLAIMS		\$186,182.56	

The Treasurer's Report shows there is

\$122,092.42 in the General Fund
 \$ 38,301.32 in the Edna B. Peterson Estate
 \$231,834.36 in the Street Fund
 \$ 32,219.00 in the Motor Vehicle Sales Tax Fund
 \$820,311.30 in the Electric Fund
 \$(109,327.67) in the Water Fund
 \$ 82,772.38 in the Sewer Fund
 \$ (18,062.95) in the Solid Waste Fund
 \$ 18,339.32 in the Closure/Post Closure Care Account
 \$300,555.41 in the Economic Development Fund
 \$ 1,860.30 in the Community Development Agency Fund
 \$ 11,464.00 in the Trust & Agency Funds

as of March 31, 2024. After discussion, moved by DeLosh and seconded by Hagler that the Treasurer's Report be approved as presented. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

The Clerk presented the following claims on file:

American Agricultural Lab	\$	386.40	Testing (WW)
Aristotle Funds		747.74	Pension
Arnold Insurance Agency	21,302.84		Insurance - Quarterly Premium
Arnold Pool Company	1,077.96		Pool Expense
Bailar Power Systems	375.00		Contract Labor/Materials
Mary Becker	152.54		Salary
Borders Law Office	713.62		Attorney Fee
Borders Law Office	482.13		Attorney Fee
City of North Platte	258.33		Tipping Fees
CNA Surety Direct Bill	164.00		Bond
Country Partners Cooperative		4,339.08	Diesel/Gas/Propane/Scale Fees

Custer Public Power District

	62.83	Electricity
Ralph DeLaune	50.00	Cell Phone Reimbursement
Dutton-Lainson Company	815.06	Electric Supplies
Eakes Office Solutions	13.17	Office Supplies
Tory Edwards	50.00	Cell Phone Reimbursement
Harvey Foran	782.03	Salary
Marshia Grant	300.00	CC: Contract Labor
Great Plains Communications		
	611.02	Telephone/Internet
Johnny on the Spot	980.00	Portable Toilet
Patricia Lamberty	50.00	Cell Phone Reimbursement
Lexington Area Solid Waste Agency		
	1,164.39	Tipping Fees
Medica Insurance	11,208.18	Health Insurance
Maricela Melendez	60.00	Contract Labor (Janitorial)
Menards	129.98	Tools
Mills Hardware	245.75	Street Expense
Mills Hardware	73.94	Office/CC/Park Expense
Municipal Energy Agency of Nebraska		
	19,202.45	Electricity
Municipal Supply, Inc.	2,064.76	Water/Sewer Supplies
NE Public Health Environmental Lab		
	1,395.00	Testing (Water)
Nansel's Best Service	2,167.97	Diesel/Gas/Equipment Repairs & Maintenance
Nebraska Department of Labor		
	85.88	1 st Quarter Unemployment
Nebraska Rural Water Association		
	445.00	NeRWA Annual Conf (Rusty)
Nebraska Truck Center	149.79	Parts
One Call Concepts, Inc.	233.14	One Call Fees
Petty Cash Fund	138.17	Postage/Cleaning Supplies
Pinnacle Bank	286.65	Lodging/Meals (Rusty - NeRWA Annual Conf)
Pinnacle Bank	596.98	Gas/Steel Toe Boots Littlefuse (Water Station)
Russell Title & Escrow	250.00	Title Research
T.C. Engineering Inc.	7,954.00	Engineering Fees
The Arnold Sentinel	888.42	Printing & Publishing Fees
Uline	406.28	Building Maint (Carpet Mat)
Village of Arnold	6,491.32	Utilities
Norma Walker	300.00	CC: Contract Labor
Rusty Wyckoff	50.00	Cell Phone Reimbursement

Total Amount of Claims \$89,701.80

After discussion, moved by Olson and seconded by Hagler that the claims be approved and paid as presented except for the claims payable to Country Partners Cooperative. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

Moved by Hagler and seconded by Jenkins to pay the claims payable to Country Partners Cooperative. Roll call vote: Aye: Bowers, Hagler, Jenkins, Olson. Nay: none. Abstain: DeLosh. Absent: none. Motion carried.

AEDC Update:

Cheryl Carson, Economic Development Director, stated there was not an update this month.

After discussion, moved by Hagler and seconded by Olson that the following claims be approved and paid as presented from the Economic Development Fund:

AEDC	\$2,598.00	Salary(C Carson-Reimbursement)
AEDC	198.75	Payroll Taxes - Reimbursement
AEDC	72.43	Security Lights - Reimbursement
Cheryl Carson	50.00	Cell Phone (Reimbursement)
Cheryl Carson	175.54	Mileage to CNEDD Meeting
Kristi Dvorak	888.75	Website/Social Media Updates
Kristi Dvorak	150.00	Website Hosting & Security
Marshia Grant	50.00	Contract Labor (Janitorial)
Great Plains Communications	163.37	Telephone/Internet
KIIT	144.00	TV Commercial Advertising
KNPL	162.00	TV Commercial Advertising
Village of Arnold	128.36	Utilities
TOTAL AMOUNT OF CLAIMS		\$4,781.20

Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

Mary Becker, representing Arnold Rotary, attended the meeting regarding trees. Arnold Rotary would like to collaborate with the Village in getting trees planted at the Arnold Recreation Area. Mary Becker stated she is going to apply for a grant that is available from Nebraska Forest Service for ten trees. The grant is due by May 15th. Another upcoming grant will be available from Nebraska Arboretum. This would be for trees, drip system and stump removal. Mary Becker would like the Board to consider reactivating the Tree Board. The goal of the Tree Board would be to collaborate with the Village to make a long term plan for trees at the Arnold Recreation Area as well as in town. After discussion, moved by Olson and seconded by DeLosh to reactivate the Tree Board. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried. Chairman Glen Bowers

appointed Mary Becker, Kenneth Goodenow Jr. and Peg Scott to the Tree Board. Moved by Hagler and seconded by Jenkins that the appointments of Mary Becker, Kenneth Goodenow Jr. and Peg Scott to the Tree Board be approved. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

Chairman Glen Bowers stated that this was the time and place of the Public Hearings on the Proposed Comprehensive Plan and Housing Study. Notice of the Public Hearings were published in the Arnold Sentinel, the official newspaper for the Village and by posting notices in prominent places within the Village, namely, at the Village Office, Reed's Food Center, Pinnacle Bank and Post Office. Notice of the Public Hearings was given in advance to the Village Board. Chairman Glen Bowers opened the Public Hearing on the Proposed Comprehensive Plan. Patricia Lamberty, Village Clerk, stated that the Arnold, Nebraska Comprehensive Plan was prepared as a tool to assist in the future development and stability of Arnold, Nebraska and the Village's respective One-Mile Planning Jurisdiction. The Comprehensive Plan includes information on existing social and economic conditions within the Village of Arnold, including population, land use, public facilities, utilities and transportation.

The Arnold Planning process included the development of a general plan, which establishes specific and practical guidelines for improving existing conditions and controlling future growth. The Plan presents a planning program with "Community Planning Initiatives" with a variety of focus areas aimed to create and maintain a healthy, sustainable and resilient Community.

The Comprehensive Plan was prepared under the direction of the Arnold Planning Commission/Planning Steering Committee, with the assistance of Village Staff, the AEDC, and Planning Consultants Hanna:Keelan Associates of Lincoln, Nebraska. Funding for this Comprehensive Plan was provided by a Community Development Block Grant (CDBG).

Patricia Lamberty, Village Clerk, informed the Board that the Planning Commission held a Public Hearing on March 28, 2024, (Rescheduled from March 25, 2024, due to the weather). The Planning Commission voted unanimously to recommend the adoption of the 2023 Comprehensive Plan by the Village Board. Patricia Lamberty informed the Village Board that she did not receive any written testimony regarding the proposed Comprehensive Plan. There were no comments from the floor regarding the proposed 2023 Comprehensive Plan.

Moved by Olson and seconded by DeLosh to close the Public Hearing on the proposed Comprehensive Plan. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried. Hearing closed at 7:20 P.M.

Chairman Glen Bowers opened the hearing on the Housing Study. Patricia Lamberty, Village Clerk, stated that the Housing Study was conducted for the Village of Arnold by Hanna:Keelan Associates. Funding for this Study was provided by a CDBG. The purpose of the Housing Study is to continue a "housing vision" and provide a vehicle to implement housing development programs with appropriate public and private funding sources for Arnold, Nebraska. Patricia Lamberty informed the Board that the Planning Commission held a public hearing on March 28, 2024, (Rescheduled from March 25, 2024, due to the weather) on the Housing Study. The Planning Commission voted unanimously to recommend the adoption of the Housing Study by the Village Board. Patricia Lamberty informed the Village Board that she did not receive any written testimony regarding the Housing Study. There were no comments from the floor regarding the Housing Study. Moved by Hagler and seconded by Olson to close the Public Hearing on the Housing Study. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

Board Member Donnell DeLosh introduced Ordinance No. 480 entitled:

ORDINANCE NO. 480
(See Ordinance Book Page 175)

AN ORDINANCE OF THE VILLAGE OF ARNOLD, NEBRASKA TO ADOPT THE 2023 COMPREHENSIVE PLAN AND THE HOUSING STUDY FOR THE VILLAGE OF ARNOLD, NEBRASKA, AND FOR THAT AREA WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF ITS CORPORATE LIMITS AS PREPARED BY HANNA:KEELAN ASSOCIATES, P.C. FOR THE VILLAGE OF ARNOLD, NEBRASKA; TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Board Member Donnell DeLosh moved that the statutory rule requiring reading on three different days be suspended. Board Member Aaron Olson seconded the motion to suspend the rules and upon roll call vote on the motion the following Board Members voted AYE: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was read by title and thereafter Board Member Aaron Olson moved for final passage of the ordinance, which motion was seconded by Board Member Jason Jenkins. The Chairman then stated the question: "Shall Ordinance No. 480 be

passed and adopted?" Upon roll call vote, the following Board Members voted AYE: Bowers, DeLosh, Hagler, Jenkins, Olson. The following voted NAY: none. Absent: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairman declared the ordinance adopted and the Chairman, in the presence of the Board, signed and approved the ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto and the seal of the Village thereto.

RT Green attended the meeting regarding the trash billing at his property. RT Green questioned being billed the trash fee for the house and the shop since it is all on one property. After a lengthy discussion, moved by DeLosh and seconded by Olson that since the house and the shop is all on one property (one address) that RT Green be billed one trash fee. Roll call vote: Aye: DeLosh, Hagler, Jenkins, Olson. Nay: Bowers. Absent: none. Motion carried.

Heather Hagler, representing the Devil's Den Motorcycle Organization, attended the meeting to request permission to hold the Devil's Den Motorcycle Rally on Friday, July 12th, and Saturday, July 13th, at the Arnold Recreation Area. The Devil's Den Motorcycle Rally would be held on the north side of the Arnold Recreation Area (West of the Picnic Shelter). They would like to block off the road at the Arnold Recreation Area beginning on Thursday, July 11th. After discussion, moved by DeLosh and seconded by Olson that permission be granted to hold the Devil's Den Motorcycle Rally on July 12th and July 13th at the Arnold Recreation Area for a fee of \$150.00 and that permission be granted to block off the road July 11th – July 14th. Roll call vote: Aye: Bowers, DeLosh, Jenkins, Olson. Nay: none. Abstain: Hagler. Absent: none. Motion carried.

After discussion, moved by DeLosh and seconded by Olson to approve the Arnold Golf Association's Application for a Special Designated Liquor License for the Devil's Den Motorcycle Rally at the Arnold Recreation Area for Friday, July 12th, from 4:00 P.M. to 1:00 A.M. and for Saturday, July 13th, from 10:00 A.M. to 1:00 A.M. Roll call vote: Aye: Bowers, DeLosh, Jenkins, Olson. Nay: none. Abstain: Hagler. Absent: none. Motion carried.

Amanda Wehnes attended the meeting to discuss the nuisance regarding the fires in burn barrels at 500 South Carroll. Amanda Wehnes stated that on February 13th the Custer County Sheriff was called regarding the matter but found it was not in violation of the Ordinance. According to Nebraska Department of Environment and Energy fires set to destroy household refuse on residential premises containing ten or less dwelling units, by individuals living on the

premises are permitted provided they do not cause a public nuisance or traffic hazard. On March 8th and April 5th there were again fires in the burn barrels at 500 South Carroll. Amanda Wehnes stated that it is an acrid burning smell. Several people in the neighborhood have health issues. Amanda Wehnes stated that there needs to be something done to remedy this nuisance. Mike Olson attended the meeting regarding the matter. Mike Olson said he has been burning wet bark and papers. Mike Olson agreed to take the wet bark to the tree pile and put the papers in the dumpster. Amanda Wehnes asked who does she call if he burns again and it causes an acrid burning smell. The Board said to call Custer County Sheriff.

Consideration of the Professional Services Proposal from Central Nebraska Economic Development District to assist the Village of Arnold in completing the updating of the Zoning Ordinances was the next item on the agenda. The Village of Arnold has been involved with the updating of their Comprehensive Plan, the completion of the Housing Study and the updating of their Zoning Ordinances, through a partnership with the Nebraska Department of Economic Development (DED), who awarded \$37,500 to the Village of Arnold to partially fund the project (CDBG Grant #21-PP-002). Arnold procured for community planning services, and ultimately hired Hanna:Keelan to complete the Comprehensive Plan, the Housing Study and the Zoning Regulations. Hanna:Keelan Associates completed the Comprehensive Plan and the Housing Study. On February 23, 2024, Tim Keelan sent an email stating that the email serves as official notice to the Village of Arnold that Hanna:Keelan Associates is no longer a consultant, doing work on the Arnold Planning Program. This includes, no longer working on the Zoning Regulations. \$2,000 remains in the Planning Program budget that the Village can use to hire a third party to complete all the changes to the Zoning Regulations. After discussion, moved by Hagler and seconded by DeLosh to approve the Professional Services Proposal from Central Nebraska Economic Development District (CNEDD) to complete the updating of the Zoning Ordinances pending the approval of DED for "Sole Source" Approval. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none.

Patricia Lamberty, Village Clerk, informed the Board that a request to DED to extend the Contract Deadline for the CDBG Planning Grant #21-00-002 will need to be submitted. This is due to hiring another entity to complete the Zoning Ordinances update, which will take some time, and therefore the Village will not be able to meet the original May 2024 deadline. After discussion, moved by DeLosh and seconded by Olson to submit a request to DED to extend the

Contract Deadline for the CDBG Planning Grant to November 30, 2024. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none.

Consideration of the quote from Red Willow County for the disposal of Household Hazardous Waste was the next item on the agenda.

Cardboard or Plastic Box (Paint & Aerosol Paint Cans)	\$150.00
Plastic Box (Pesticides)	150.00
Plastic Tote (Anti-Freeze)	100.00
Plastic Box (Household Chemicals)	150.00
50 Gallon Plastic Bucket (Batteries)	50.00
50 Gallon Plastic Bucket – (Cell Phones)	100.00
50 Gallon Plastic Bucket – (Printer Ink Cartridges)	50.00

After discussion, moved by Hagler and seconded by Olson to accept the quote from Red Willow County for the disposal of Household Hazardous Waste. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

After discussion, moved by Hagler and seconded by Olson to accept the quote from Rose Equipment for a Sewer Camera with a 400' Reel for \$10,800.00. Roll call vote: Aye: Bowers, DeLosh, Hagler, Jenkins, Olson. Nay: none. Absent: none. Motion carried.

Consideration of Code Enforcement was the next item on the agenda. Patricia Lamberty, Village Clerk, informed the Board that Logan County is not interested in contracting with the Village for Code Enforcement. Discussion was held on code enforcement. The Board agreed to proceed with the process of contracting for a Code Enforcement Officer. The Board will discuss job duties at the May meeting.

Patricia Lamberty informed the Board that the 2024 Pool Personnel is as follows:

2024 Pool Personnel

Manager/WSI Instructor
Shavonne Schacher

Assistant Managers
Haley Reed
Taylor Hanna

Lifeguards: (Provided all the qualifications are met)
Brook Bierman
Serenity Borah
Aliyah Carlson
Amaiya Carlson

Adelena Hampton
Wacey Schultz

Comments from the Floor:

A resident expressed concerns about various lots in town that need to be cleaned up. Chairman Glen Bowers stated that the Village needs a specific complaint before the Village can proceed.

Comments from the Village Superintendent

I have been in contact with Shawn Boyd, Custer County Surveyor, on the ownership of the Right of Way @ NE Corner of Highway 92 and Highway 40. At one point, this was deeded to the Village however; the Register of Deeds does not have record of the deed. Mike Harvey and Don Olson are going to attend the Custer County Board of Supervisors on April 9th regarding the matter.

Comments from the Village Clerk

Community Clean Up Day is April 22nd – Storm Date is April 29th

Village received a check for \$1,496.00 from the Big Iron Equipment Auction held on March 13th for the 1992 Elgin Street Sweeper

There being nothing further to come before the Board at this time, Chairman Glen Bowers declared the meeting adjourned. Meeting adjourned at 8:45 p.m.