

Village of Bancroft  
Regular Meeting  
December 6, 2021

The regular meeting of the Village Board of Bancroft was convened in open and public session on Monday, December 6, 2021, at 7:00 p.m. Present: Trustees: Peirce, Rief, Soll, Bargmann and Hermelbracht. Also present, Chief of Police Davis and other interested persons.

Advance notice of the meeting was published in the Wisner News Chronicle on December 1, 2021. Proof of publication is being attached to these minutes.

Chairperson Hermelbracht called the meeting to order and stated that a copy of the "Open Meetings Act" was on display in the meeting room.

Motion was made by Peirce, seconded by Rief to approve meeting minutes from the November 1, 2021, meeting. RCV: Ayes; Bargmann, Rief, Peirce, Soll and Hermelbracht

Motion was made by Rief, seconded by Soll to approve Bancroft Bucks for holiday bonuses 2021 for full time and part time employees. Chief of Police Davis, Clerk Novak and maintenance superintendent Redding will receive \$300.00; \$150.00 for head librarian Bargmann, \$20.00 for part time library employees Flock and Siebrandt, and \$100.00 for back up water operator Sorensen. RCV: Ayes; Rief, Bargmann, Soll, Peirce and Hermelbracht.

Motion was made by Rief, seconded by Peirce to approve hourly wage for back up water operator Steve Sorensen of \$25.00 per hour with no vacation or sick pay and no HSA benefit. Sorensen is filling in for maintenance superintendent Redding during his surgery recovery. RCV: Ayes; Peirce, Soll, Bargmann, Rief and Hermelbracht.

Maintenance superintendent Redding present to ask for 2.5 days of vacation time back from the week he went in for surgery. Redding couldn't be present at the November meeting to discuss this, so the board decided to allow Redding to use a half vacation day for a day he put 2 hours in. So, with that decision Redding had to use 2.5 of vacation days for the half day and two full days the week of his surgery. Redding had enough over time hours from the weeks prior to cover the 2.5 days of vacation that was used. He asked if he could get those 2.5 days back. In his defense he had to work overtime hours to get things prepared for when he was going to be gone for surgery. There were a couple days he was going to leave early because he had his hours in for the week but then he would need to stay because of a well problem or water leak repairs happening. He also asked about the paid holiday days that are coming up that he will have to use vacation days for because he isn't working. Redding is asking for the Thanksgiving Holiday, Christmas, and New Years to not be used for vacation plus the 2.5 days or overtime hours worked prior to surgery. Redding was fine with not getting the half day and asked for five days and if any are left December 31 to be able to use those in 2022. Board said those days must be used up in 2022 and no more rolling days over. Redding agreed and said he would use up days in 2022. Motion was made by Bargmann, seconded by Peirce to give back 2 vacation days and 3 holiday days to maintenance superintendent Redding and allow to roll over any unused days into 2022 to use. RCV: ayes; Peirce, Soll, Rief, Bargmann and Hermelbracht.

Motion was made by Soll, seconded by Rief to pay November bills: RCV: Ayes; Bargmann, Peirce, Soll, Rief and Hermelbracht.

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Motion to adjourn Seine-die made by Bargmann, seconded by Rief. RCV: Ayes; Soll, Bargmann, Peirce, Rief and Hermelbracht.

Motion was made by Peirce, seconded by Hermelbracht to nominate Soll for chairperson pro-tem. RCV: Ayes; Rief, Bargmann, Peirce and Hermelbracht. Abstain: Soll.

Chairperson pro-tem Soll call the meeting to order at 7:42 PM. Present: Peirce, Rif, Bargmann, Hermelbracht and Soll.

Motion was made by Peirce, seconded by Bargmann to nominate Hermelbracht as village board chairperson. RCV: Ayes; Rief, Soll, Bargmann and Peirce. Abstain: Hermelbracht.

Chairperson Hermelbracht appointed the following committees:

Streets, Water and Sewer: Rief and Peirce; Park, Cemetery and Lights: Soll and Bargmann; Board of Health: Chairman Hermelbracht, Chief of Police G. Davis and D. Storm.

Motion was made by Rief, seconded by Soll to rehire Gary Davis as Chief of Police; Doug Redding as utilities superintendent; Megan Novak as Village Clerk/Treasurer; Scott Cowles as our street superintendent; and Matthew Munderloh as the village attorney. RCV: Ayes; Bargmann, Soll, Peirce, Rief and Hermelbracht.

Motion was made by Bargmann, seconded by Peirce to rehire Engineering Firm JEO Consulting Group and Village accountant Porter and Company from Sioux City, IA. RCV: Ayes; Peirce, Rief, Bargmann, Soll and Hermelbracht.

Motion to approve Resolution No. 2021-12: Signing of Year-End Certification of City Street Superintendent 2021 made by Peirce, seconded by Soll. RCV: Ayes; Bargmann, Soll, Rief, Peirce and Hermelbracht.

*Resolution No. 2021-12*

**Whereas:** State of NE Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that muse be met in order for a municipality to qualify for annual incentive payment; and

**Whereas:** The State of NE Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> or each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form; and

**Whereas:** The NDOT requires that each 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, their license number and class of license, and type of appointment, i.e., employed, contract (consult, or interlocal agreement with authority 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 form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of resolution of the governing boy authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor of Village Board Chairperson.

Motion was made by Soll, seconded by Rief to approve Resolution No. 2021-12-1. RCV: Ayes; Peirce, Rief, Soll, Bargmann and Hermelbracht.

***Resolution Authorizing Participation in the Northeast Nebraska Economic Development District***

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*A resolution of the Village of Bancroft, Nebraska providing for full participation by the Village of Bancroft Nebraska, in the Northeast Nebraska Economic Development District through the execution of an Intergovernmental agreement.*

*It is hereby resolved as follows by the Village Board of the Village of Bancroft.*

*SECTION 1. That the Village of Bancroft is hereby authorized to join and cooperate with other counties, incorporated villages, and cities that are eligible and may wish to participate in the creation of the NENEDD through the execution of an intergovernmental agreement. Said agreement is attached hereto and made a part of hereof.*

*SECTION 2. That all Resolutions and parts of Resolutions in conflict herewith are hereby repealed.*

*SECTION 3. This resolution shall take effect and be in full force and effect from and after its passage, approval and publication as provided by law.*

Discussion held on stray cat problem around town. A couple residents have complained about Elm Street and Vine Street. No one knows if the cats belong to a resident or just stray with no home. One resident has several cats that are in a cage so could possibly belong to them. Clerk Novak said there is no record of those cats being licensed. The town ordinance reads for cats and dogs that residents must show proof of rabies vaccination and license each pet yearly and pay the \$5.00 license fee. Officer Davis was asked to investigate the situation a little more and find out if the resident with the cats owns all of them and talk about licensing them.

No quotes have been gathered from local contractors for a bid on new park bathrooms. Trustees Rief, Soll and Bargmann will each contact a contractor and see if bids can be in by the January 2022 meeting.

The south well had an eight-hour nitrate test done on Monday, November 29. Tom Christoffersen with Ground Water Solutions Group came up and ran the well for eight hours straight taking a nitrate test every hour. The tests sent into the lab have not come back with results yet. The nitrate levels bounced anywhere from 6 to 10 during the eight-hour period. Tom thought that was a good sign but will know more with the lab results. If the lab results come back with numbers lower than 10, the village can get the well back online after state approval. Tom will keep in touch with the results and the next steps.

Village Attorney Munderloh was asked about the next options on the department store building located at 321 Main Street in Bancroft. The 60 days the property owner was given to make the repairs needed to the building after the building inspection last year was up the first weekend of November. Since none of the repairs have been done the village has some options to discuss. Those options from the attorney are listed below:

1. Do nothing.
2. Take bids for the recommended repairs, do the repairs, assess the repair costs as a lien on the property, and eventually foreclose on the lien when she doesn't pay us for the repair expense we incurred. The downside here is we have repairs costs; I have no idea what those costs might be.
3. Take bids for the demolition of the building, demolish it, assess the costs of demolition against the property as a lien, and foreclose on the lien. The downside here is we have demolition costs, which could be substantial, possibly exceeding \$75,000 based on the expense some other communities have

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incurred for similar demolition projects. There may or may not be grant funding available for the demolition. That is something we would need to explore.

4. Foreclose on the special assessment previously placed on the property in January 2020, in the amount of \$2,900. This will require filing an action in district court (much like a bank would foreclose on a mortgage). If the matter proceeds to entry of a decree, the property would then be sold at a sheriff's sale. At the sheriff's sale, members of the public could bid on the property. We could bid, as well, and presumably would submit a bid in the amount of our special assessment, plus interest. (Incidentally, this is also how the foreclosures of liens for repair and demolition, referenced above, would work). But Thaemert could also bid on the property—or she could just pay the delinquent assessment at any point in the proceedings. We would receive the outstanding amount due on our assessment, plus interest, and we wouldn't be able to do anything else. The way the assessment certificate is written, it looks like only a small portion of it is delinquent right now, because it provides for a payment schedule that spans several years; it looks like just 20%, or about \$580, is delinquent to date. I'm not really a betting man, but I'm reasonably confident she would just pay the delinquent assessment, and this wouldn't solve the problem with the building.

The board discussed the options and don't want to demolish the property. They want to know what the minimal repairs that could be done if the village hires a contractor for those repairs. Clerk Novak thought anything that was given to her as notice of repair would need done which included removing half of the items in the building that pose as a fire hazard. The board would like to discuss this matter further with the attorney in person so see how this property can be dealt with in a timely manner. Clerk Novak will reach out to attorney Munderloh and see if can line up a time to meet with a couple board members.

Reviewed council reports.

Reviewed delinquent utility accounts.

A motion to adjourn was made Soll, seconded by Peirce. RCV: Ayes; Bargmann, Rief, Peirce, Soll and Hermelbracht. Meeting adjourned at 8:45 PM.

*Michael Hermelbracht, Chairperson*

*Megan Novak, Village Clerk*

Previous Month Wage (November)		8,139.05
ASC Lockers	general	303.00
AWS Well Co.	water repairs	3,195.63
AWS Well Co.	engineering fee	9,350.00
BHE	natural gas	298.00

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C&J Auto	tractor maint	903.75
Capital one Card	supplies/utilities/books	4,580.08
Carrier Container Co	rental fee	500.00
CVA	fuel	130.32
D. Redding	reimbursement	40.00
Hugo Plumbing	water repairs	5,216.08
JEO Conuslting	engineering fee	600.00
Johnson and Mock	legal fee	1,345.50
Kings Disposal	trash fee	11,546.00
Lyle Soenksen	cemetery utilities	139.76
M. Hermelbracht	street reimbursement	64.04
NDEE	license fee	115.00
NE Public Health Lab	test fee	218.00
Office Net	library	160.00
Peters Lawn	mowing	1,230.75
Puckett Florist	supplies	63.85
Quality Printing	police supplies	400.90
Renz Electric	maintenance	100.10
Ru-Des Mart	fuel	243.91
S. Sorensen	license fee	115.00
Wisner News	publishing	61.73
<b><u>Total</u></b>		<b><u>\$49,060.45</u></b>