

VILLAGE OF DUNCAN BOARD MEETING
April 14, 2025 7:00 PM – Village Hall, 906 8th Street, Duncan, NE 68634

The monthly board meeting of the Village of Duncan Board of Trustees was called to order at 7:02 PM by Chairperson, Gary Schlesinger. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was held in the Village Hall. Board members present were Lance Denbo, Nick Wagoner, Gary Schlesinger, Jerusha Ratcliffe and Van Steyn. Also in attendance were Village Staff: Marianna Evans (Clerk), Michelle Schindel (Treasurer) and Doug Michalak (Utility Superintendent). *A motion was made to approve the March 10, 2025 meeting minutes by Ratcliffe, second---Wagoner. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger and Ratcliffe. Steyn abstained due to being absent at that meeting. Voting nay—none. The Chairman carried the motion.* The Chairman provided an opportunity for public comments. Each individual is allowed to have a 5-minute time limit. The Board may only listen and add to the next agenda if approved. Clarence Zywiec presented to the microphone stating his name and address for the Board. He reported that the sidewalk on the south side of the railroad tracks was covered with gravel, rock and dirt from the rock/gravel drive of Frontier business. He stated that it is a safety hazard for anyone walking or pushing a stroller or riding a bicycle. As there is a risk they could slip on the gravel or trip on a larger rock and fall. He asked the Board to have that sidewalk from the south side of the railroad tracks down to the highway be cleaned off to avoid injuries. He also asked for the potholes on the road near the railroad tracks be filled in since it is Duncan residents having to drive over them. Schlesinger thanked Zywiec for presenting and stated that he would talk to Frontier and that the ground needed to be warmer to fill the potholes in order for the material to be effective.

Unfinished Business

Back-up Utility Superintendent Applicants Schlesinger reported that he, Ratcliffe and Michalak (Interview Committee) would get together and discuss which to interview and then proceed to schedule the interviews and report back at the next monthly meeting. He reported there were 10 or so applicants.

R25-295 Revised Electronic Message Sign Guidelines & Policy As discussed and agreed upon at the last meeting, this resolution is the Board preferred version. Evans read the entire resolution aloud. *A motion to approve R25-295 Revised Electronic Message Sig Guidelines & Policy was made by Wagoner, second—Denbo. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none.*

Proposed Population & Speed Limit Sign Move Evans reported on her communication with NDOT (Ne. Dept. of Transportation). She reported that the highway and railroad right of way south of CVA was not part of the annexation when Tasty Toppings and CVA were annexed. Due to this, the Village cannot move the signs past the furthest point of city limits which is the east side of Uncle Shaky's. This is where the signs start at currently. Schlesinger stated that the Village will need to annex that area then. He stated he would work on the annexation. Evans commented that it may be difficult to annex only ROW (right of way).

New Business

Water Rate Study (Randy Hellbush NRWA) Hellbush reviewed the 3-fiscal year average of income and expenses on the water account with the Board. He recommended a new rate that would include a 15% cushion for incidentals. He stated that with the last two studies, the Board chose the rate that did not include the 15% and the Village is still in the red with the water department. Schlesinger stated that he had hoped not to have to increase the rate so much. Hellbush explained that costs of everything have gone up over the last three years when the last study was completed due to inflation. He pointed out the chart showing several other small towns with treatment plants and what their increase has been since 2021. They have all doubled or tripled due to inflation mostly. Hellbush stated that the water project just completed requires at least \$13,000/year for that loan payment. Which is in addition to normal operations/costs and current debt service. He pointed out that the treatment plant is over 20 years old and will require replacement of media and other electronics/equipment soon. Those items are very expensive to replace. Hellbush reported that some towns will do a 3-year gradual increase to get to the rate needed. He explained that the monthly meter amount is what is used for debt etc. The per thousand gallons rate is used to pay for example, the new media (>\$100,000) at the treatment plant that will be needed. Hellbush reported that the average yearly income for water dept. was \$90,000 and the average yearly expense was \$109,000. This does not include the \$13,000/yr for the new debt. He stated that the Village would need \$122,000/yr just to break even. He stated that a rate of \$36.50 + \$3.00/1,000 gallons would break even. He recommended a rate of \$42.50/mo + \$3.25/1,000 gallons to allow for the 15% reserve with future treatment plant costs considered. Schlesinger stated that he felt the sewer rate was set way too high and the Village should be able to take from the sewer account to help the water account and not raise rates so high. Hellbush stated that the Village could do that if they have the money to take from sewer. Evans asked Schlesinger if he remembered what the sewer account looked like or made last year. However, he did not know. Schlesinger asked Evans and Hellbush if they would work on looking into that. Hellbush stated he would work with Evans to see if this would be a possibility. Michalak reminded the Board of the two sewer linings that were done in the last few years. Evans also reminded them there was no loan for that and the money from the General account was used to pay for that (>\$180,000 together). Schlesinger reported that the Village will be needing a new water tower soon as well. Hellbush stated that it would never be a good idea to lower the sewer rate. *A motion to review sewer account revenue to lessen the water rate increase*

was made by Denbo, second—Schlesinger. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none.

Proposed LARM Insurance Quote Review Isaac from LARM presented to the Board and introduced himself. He reviewed the proposed policy with the Board and answered questions. He reported that LARM is not a for-profit insurance company. However, they are an insurance pool that consists of over 250 towns across Nebraska. They only take Nebraskans. He stated that looking at previous policy, the deductibles were very high. As was the workman's comp policy premium. He offered a \$5,000 deductible per event as opposed to the current \$10,000 deductible per event per building. He gave the example that if the village had damage to all 7 buildings from a tornado or the like, the current deductible would cost \$70,000 for that one event. Whereas with LARM, the total deductible cost would be \$5,000 for all 7 buildings for that event. The yearly premium is lower by \$2,000 as well. After discussion by the Board a *motion to approve cancelling EMC Insurance and approving the new LARM policy effective 4-15-25 with R25-296 LARM Interlocal Agreement* was made by Ratcliffe, second—Steyn. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none.

Proposed Mowing Fee increase for Union Pacific Property Michalak brought the fact that the rate had not been increased in many years. Evans reported Reves used to charge \$50/hr for mower use and \$75/hr for tractor usage to mow the railroad right of way. It was asked whose responsibility it was to mow. Michalak reported that it should be the Union Pacific however, they pay us to do it. He stated that it was noted previously by Evans that there was no actual contract that could be found with regards to the mowing or the rate. Evans stated that it may have gotten to the point where it was impossible to get ahold of anyone at UP to mow and in order for it to look nice and not be in violation of our ordinance, the Village mowed it and charged them as if we were to mow a resident's lawn for violating that ordinance and not mowing themselves. After discussion by the Board, no motion was made to increase the mowing fee rate to Union Pacific.

Snow Removal Incident Complaint Steyn reported that on March 19th, Michalak was plowing snow on the roads and as passing by his van (parked on the road), the snow or the plow clipped the van side mirror and broke it off. He reported that he took the van to be fixed at Thaine's Garage since he could not drive it without a side mirror. He asked the Board for the Village (insurance) to pay for the repair. He stated he realizes it was an accident but believes the Village should pay for the repair. Schlesinger asked Steyn if he called to make a report to the Sheriff. Steyn stated he did not but that he called Michalak. Schlesinger stated that if there is no police record, we cannot give it to insurance. And that, before fixing, Steyn should have gotten a few estimates from different shops. Denbo stated that is how it works for vehicle insurance during any accident as well. Michalak reported that he watched the snow rolling off the plow blade and it was the thick, heavy snow that took the mirror off. The blade never touched the vehicle/mirror. He stated he called Schlesinger right away to report what had happened. Schlesinger stated that vehicles are supposed to be off the street when snowplowing is needed per resolution. Denbo agreed that the way Steyn went about this was just not right. Steyn stated he would just pay for it and that he did not call the police because he was trying to be considerate to the Village due to being a Trustee. Steyn recommended a notice or alert be sent out to residents prior to snowplowing. Schlesinger stated that the snow is the notice to remove vehicles from the streets for snow plowing. He stated there is a resolution that requires all vehicles be off the street for snow plowing. Michalak gave a few recommendations to Steyn on where to park his vehicles in order to keep them off the street during snow plowing (since he does not have a driveway). Schlesinger stated that the Village will send out a letter to everyone in town in November or so that if vehicles are on the streets during snowplowing, they will be towed. No further discussion.

Proposed Parking Stripes for Downtown Area Schlesinger recommended painting parking stripes on 8th street downtown due to the way parking is occurring presently. Schlesinger stated that he and Michalak could paint the lines. *A motion to approve painting parking stripes downtown* was made by Schlesinger, second—Wagoner. Vote was as follows: Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none.

Departmental Reports:

Utilities Michalak reported on normal monthly activities.

Parks & Rec no report

Planning & Zoning Michalak reported Lloyd subdivision is beginning to build one home. Evans stated that the P&Z Committee will have their next meeting tomorrow night.

Clerk Report none

Treasurer Report After the Treasurer reported on the bills for the month and the Board reviewed the monthly recap, *a motion to pay the bills* was made by Ratcliffe, second—Denbo. Voting aye—Denbo, Wagoner, Schlesinger, Ratcliffe and Steyn. Voting nay—none. *The Chairman carried the motion.*

All meetings are open to the public and a current agenda for said meetings will be posted and available for public inspection at the office of the Village Clerk, Post Office, T-Bone 2 and the Village website on the Thursday prior to the meeting. The next meeting will be on **May 12, 2025 at 7:00 PM**. Being no other business, adjournment was made by Chairman Schlesinger at 9:04p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)