



**Board of Trustees  
February 13, 2019  
Meeting Minutes**

A Regular Meeting of the Greenwood Board of Trustees will be held at 7:00 p.m. on Wednesday, February 13, 2019 at the E.L. McDonald Community Center, 619 Main Street, Greenwood, Nebraska.

**Call to order**

Mack, Starr, Piehl, Gerlach are present                      Wilken is absent

**Consent Agenda**

**Minutes**

**Claims**

**Approval of time cards**

**Financials**

Piehl asked Cadwell what the 100.00 check for Sobota was for. Cadwell explained that the card reader at Midwest Co-op was down and he was unable to get fuel. Sobota brought up the receipt for reimbursement. Piehl made a motion to approve the consent agenda. Starr seconded the motion.

Aye- Mack, Starr, Piehl, Gerlach                      Nay-None                      Motion carried

**Sheriff's Report**

**Water Report**

**Communication of Citizens**

Ahlman said that 211 North Street is being as used as commercial. They don't live there. He stores his business stuff there and they run a daycare from there. Piehl said that it was approved by the board. Ahlman commented again but they don't live there. That is commercial use. Sabin is over her term limit on the Planning Commission. Ahlman said that he was told by Sabin that she was told she could stay on as long as she wanted to as long as they were short of help. Six years is six years he pointed out. She seconded something at the meeting and she has no authority to do anything. He told Gerlach that she is past her term limit, she started the same time as your dad. Gerlach asked if she was appointed when he was gone. Piehl said she had been appointed. Gerlach said that they will look into it. Ahlman said that he brought it to the clerk's attention on the 8<sup>th</sup> of this month. He said if he is not mistaken, minutes are supposed to be out ten days or before the next regular meeting. He was told he could not have them until the board approves them. They are supposed to be available for the public to look at. Cadwell said that it was her understanding that they had to be approved at the meeting, before they were posted. She explained that the minutes are always two weeks behind. Ahlman said that the public has the right to look at them after ten days. Piehl said that you have the right to come in and look at them, but they are not posted until after the meeting. She said that anytime, anyone is able to come in and see the minutes. Cadwell explained that she had told his wife, not him that she had not completed them yet. She explained that since these meetings have been lasting so long, it takes days to type them up. Ahlman said that he just wanted to point this out, incase Cadwell was unaware. Elliott said this should be in the book. Gerlach said they will look into this. Piehl said that at anytime you can come in and look at the agenda and the minutes. The agenda is constantly running and available to read.

**Old Business**

Discussion approve disapprove deductible options for insurance through Miller Monroe & Farrell Cadwell said that Farrell stopped by on Monday with the new insurance book of coverage. The revised edition will be sent with the requested changes. The money for the changes will be sent back after they make the changes. Gerlach said that we were talking about higher deductibles. Piehl said yes and that she

spoke with Farrell over the phone about these changes. She said that he will be sending us a new form after we pay and then they will send the money back for the changes that were made.

Mack made a motion to approve the lower deductible and any changes with it. Starr seconded the motion.

Aye- Mack, Starr, Piehl, Gerlach                      Nay-None                      Motion carried

### **New Business**

#### **Discussion approve/disapprove Unite Fiber Services**

Ryan Kramer came to speak to the board regarding the services they offer. Gerlach asked if they were going to install fiber to all the homes in town? Kramer said no, actually they don't offer their services to residential homes. Unite currently has fiber on the south side of town and going up the east side of town. He said that they have a cell tower built and are currently trying to build more. He said they haven't gotten to the permitting yet, because it is a little way off at this point. He said that he has already met with a couple of businesses that might be interested in their services. What Unite does is cell phone towers and we also provide fiber services to schools, banks, cities, governments, hospitals, etc. We have coverage throughout southeast Nebraska and twenty other states with fiber optics. We are constantly upgrading our network. We service businesses but no residential properties. He said that they do point to point installations as well. They discussed the map that was provided and their thoughts. It was determined that the GIS maps could be wrong. He said that he will double check. He just wanted to make everyone aware of their business and the services that they provide. That way business are aware of the option of high speed bandwidth with in the village. Gerlach asked about the proposed path for the new fiber and if they had spoke with the railroad regarding this? Kramer said he had no idea, but they deal with the railroad all the time. He provided a list of current customers in the area. He said there are a lot down highway 6, Smart Chicken, Millard Lumber, Garner Industries, etc. Gerlach asked if there was a flat rate for governments? Kramer said that it was based on the construction costs. The farther you are from the fiber the more it will cost. Starr said basically you are right here at this corner and you will go right by our shop. Piehl asked what a rough estimate would be? He thought that the cost would be around \$650.00 a month. Starr asked if more businesses get involved does the price go down? He said that he doubted it because the price is based on construction costs. Kramer said they typically don't go under \$500 a month. Gerlach asked would that be a flat rate for everything or would the cost be based per node? Starr said that there is three different locations. Kramer said that would be per location. He said that there are some locations that are limping along with the current providers and they have to take the next steps. Otherwise, it is hard for a business to function without internet. Gerlach said that right now there are three fiber providers that go through town. He said that Allo is in the process of getting nodes here right now. He said that they have nodes in Waverly and Ashland too. He pointed that they do residential too. Gerlach said that he likes what they are doing though. Kramer said that typically they will hit a bigger sized town. Piehl said with Windstream they currently pay a little over \$400.00 for all locations. That is the total bill. That includes the phones and the internet. Kramer said that is probably over cooper solution right now and not fiber. Gerlach said that there is fiber to our back door which is where the hub is at. If we need to upgrade, it is only half a block away. Kramer said that sometimes they will not break in to there fiber in certain areas. Kramer said that he just wanted to make everyone aware and for future business to be aware that there are options. He said that there are a lot of businesses that came to us from Windstream. Piehl said that this is good information to know. Kramer said that he has been working on business for years and they finally make the switch because they can't handle it anymore.

#### **Discussion approve/disapprove policy and procedures for utility disconnection**

Piehl said that she and Mack met this week. They came up with a new agreement. We are going to stick with kind of what we have been doing. The bills will go out the first and they will be due on the 15<sup>th</sup>. From the 16<sup>th</sup>, the late notices will go out. In total, you will have 45 days to pay your bill. Piehl said that like she has stated before, we are not in the business of shutting off people. She said they came up with these new forms. They will have to come into the office to fill the agreement. A board member will need to sign off on it. It will state how the past due will be broken out into payments. That way they are paid up before the next bill comes out. She said that they are willing to work with everyone. Mack said that they will be given two months. He said that the first bill will have to be paid when it is received. Otherwise, the shut off notice will go into

effect. If they receive a notice they will need to come to the office and sit down with the clerk. They will need to work out the payment schedule. IF they miss a payment or they are late, they will be disconnected until it is completely paid. Mack said he has talked to a couple different cities and the 45 days is it. There is no grace period. He said that if this had been done on a particular case, they wouldn't owe the town for three months of electrical bills. Fergus said on that particular case, he thinks they have probably been gone for a while. Mack said that he would have probably guessed that they have been gone for three months. Piehl said her kids said that they seen the kids from the residence a few weeks ago riding the bus. Cadwell thinks that they just left because the electrical use was rising over the last couple of months. Fergus thought maybe they had left their heat on. Mack said that the people that have been residing there don't actually own the property. He said that he called the county. He said the property was bought in 2010 and then transferred to another for a quick claim dead for \$1. Cadwell said that she looked it up on GIS and it said something completely different. She thought they must not update their website. Piehl said that she thinks that the agreements need to be put where people can see them. She thinks that something needs to be typed up so people are aware. Gerlach said that he would like the form updated to match the current forms.

Piehl made a motion to approve the new policy and procedure for utility disconnection. Starr seconded that.

Aye-Mack, Starr, Piehl, Gerlach                      Nay-None                      Motion carried

**Discussion approve/disapprove Layne's bid for well repair**

Gerlach asked if anyone has spoken to Vandeman. Piehl said that she had tried getting ahold of him and forgot to call him back. Piehl said the only issue is that they said they have done this procedure several times in the past and it only worked once. Starr said that he wondered about the same thing. Piehl said she said she was worried; however, the estimate is cheaper than the alternatives. She was trying to get his input to find out if this was a big waste of money. Piehl said this is something that needs to be tabled for next agenda so they can get Vandeman to a meeting and have a further discussion regarding this. Piehl said that 12,000 is a lot of money to spend, not knowing if this will work or not.

Gerlach made a motion to table Layne's bid for the next meeting. Mack seconded the motion.

Aye-Starr, Piehl, Gerlach, Mack                      Nay-None                      Motion carried

**Discussion approve/disapprove purchase of ordinance books**

Cadwell said that she hadn't gotten a chance to call and find out how much the books cost. Mack said he called and they are \$50.00 apiece. Gerlach said that there is PDF version on the website. Mack said they only have two copies. Mack said that there were ten to start with. Gerlach thought there were fourteen. Elliott commented that when you leave the board you should return the books. Starr asked if Meyer had returned his? Cadwell said yes. Piehl asked how much it will cost the town to print this off because we rent the copier. Starr asked how many copies they give us a month? Cadwell said that they charge us per copy. Mack said that for \$50.00 we might as well buy 5 new books. Gerlach said that there are quite a few errors in this book that need to be adjusted. We need to get the typos and errors resolved before we start ordering more books. Cadwell asked if she should send out an email to previous board members seeing if she can retrieve the missing copies? Piehl agreed with Cadwell, but said if we need to order a book or two that should be a problem. If people don't respond to the email, then order two books. Mack said that if we could find the errors and ask them to fix the issues, they could probably fix them cheaper than we could. Gerlach said he hasn't had time to pursue it. Piehl said that if we are going to change the books there is no point in ordering them. Piehl said we just need to send out an email to the previous board members and try to get them to return the books. Piehl said that the books should be returned when board members return their keys. Gerlach made a motion to table the purchase of ordinance books. Piehl seconded the motion.

Aye-Mack, Starr, Piehl, Gerlach                      Nay-None                      Motion carried

**Discussion approve/disapprove payment to Data Tech for licensing for 6 months**

Cadwell said that Data Tech is holding the village's files hostage. Data Tech said they would charge us \$600.00 per month to access our files for the next 6 months. She said that she didn't get this in an email. This was a conversation she had over the phone. She said basically it would be a \$100.00 per month. Gerlach asked who Data Tech was? Cadwell said that it was the company that was used previous for utility billing. Starr asked if there was anyway to export that information out? Cadwell said that the person she spoke with didn't make it sound as if she had that option. He told her that she was stealing. Piehl said stealing what, our own information? Cadwell said sarcastically that he seemed pleasant, and said she told him she didn't think she was stealing the villages files. Cadwell said that he explained to her that she was accessing the files without a license and that was stealing. Elliott asked if as soon as we pay for it are, we able to get the files and then shut the book on them? Cadwell said unfortunately she doesn't know enough about Data Tech to get the files from it. She told her that she could save to the computer what she needs, but there is always the chance that we might need other files again. Piehl asked Cadwell if we can pull the information from Data Tech? Cadwell was unsure. Gerlach asked her if she had spoken with the attorney of the legal ramifications of withholding our files? Cadwell said no. Gerlach said that it sounds like they are withholding files that we own. Cadwell agreed with him, but technically we would be accessing software that we don't hold a license for that holds our files, so maybe it is as he said stealing. She is not sure how all that works. Elliott asked if we were behind on payments with this company? Cadwell said no, we just don't use that software anymore. We currently use Power Manager. It was just the previous company we used. There is still old utility billings and other information on that software. Starr asked if it was cloud based? Cadwell said no, it is installed on the computer. Piehl said that she doesn't understand, because that doesn't make sense to her. We bought the program when we originally purchased it. We never paid them a fee every year. Starr said that should have a way of shutting it off if they care about us accessing it. Cadwell said that they did shut it off, that is the problem. Piehl said that she can understand them shutting off the program, but we should still be able to access our old records. Cadwell said that a lot of it she does have saved. She had saved utility billing reports for each month. Piehl ask what about the bills? Gerlach asked if the state auditor could request all the old records? That way it would cost us a thing. Cadwell said that she could ask her to. Elliott said she would ask the attorney and the state auditor. Fergus said having the attorney do it is going to cost more money. Cadwell agreed, saying just me talking to the attorney regarding this will cost us more. Gerlach said just to ask. Mack asked if there was a copy of the original agreement we signed somewhere? Cadwell said she doesn't know if there is. Cadwell said possibly there is. Mack said that this could be written in the agreement exactly what they are doing. Cadwell said she gets what they were saying, but they are just trying to access old records, not make new ones. She explained this in detail to the Data Tech representative. Piehl said that it just doesn't make sense to her. Piehl said at her job they switched software systems, but they still have access to all their old ones. Cadwell pointed out that the records she works with are medical and so there might make a difference. Gerlach asked about the original contract and the length of time we used the software. Piehl said that she knew Criswell was here at the time because she is the one who signed the contract. Cadwell thought they switched to Data Tech in June or June of 2017 and then switched back to Power Manager in April of 2018. Gerlach asked if they had let us fly for a little while then? Cadwell said that the license was up as of October 2018. They did give us a grace period. Mack asked if there was any way we could download the information. Cadwell said she can't even get into it. Mack asked if we are going to get able to download it after we get in. Piehl said it would not make any sense to keep paying for it over and over again. Cadwell said that it would make more sense to wait until the state auditor starts their process with the village. She didn't think that she would need the records after that. Piehl said we should ask Cindy Love from HBE what she thinks. Mack asked what the price would be? Cadwell said that he gave her the price of \$600.00 for six months. Mack said he doesn't feel that \$600.00 is unreasonable considering that there is information in there that we have to have. Cadwell commented that the whole conversation with the Data Tech representative was weird. Piehl said if we got to keep

paying it every six months, that will add up. Cadwell reassure her that the audit will be completed in the next six months. The records are in shape now. She said the accountant is giving the State Auditor the files this Friday. She feels that this audit will flow a little smoother. Piehl said who is to say we won't need that information for anything. Someone could come in and say we were overcharging me. We will need those records to prove we weren't. Starr said he thinks we need to make a motion to approve if this. Gerlach told Cadwell that she needs to find out if we can do a data dump for the information that Data Tech has of ours.

Starr made a motion to approve the license fee for 6 months at \$600.00 pending what the auditor and Cindy Love says. Piehl seconded the motion.

Aye-Starr, Mack, Piehl, Gerlach                      Nay-None                      Motion carried

**Discussion approve/disapprove purchase of sign poles**

Fergus said that when he spoke with Piehl and Starr it was brought up that we needed sign posts. We have none in the event that a sign would go down. He provided a quote for the round sign posts and the square sign posts. The state has gone to the square type posts because if they get hit, you do not have to replace the whole thing. They cost a little more, but it is something to think about. Barco will charge \$140.00 for shipping. That will be whether we get one or one hundred. Starr asked how many we will go through a year? Fergus said it all depends how many trucks run over our signs. Fergus said that we did fifteen this last year. Fergus said that it is something that sitting on our shelves, will not hurt. They are galvanized. He said that getting round ones this time won't hurt and then next time getting the square ones. It is whatever you guys want to do. He said that he thinks the square ones will save money in the long run. He said the square ones are more money up front, but the round ones cost more in the long run because if they get hit you have to replace the whole thing. Fergus said that if you order 25-37 you will get a price break. Pricewise, it makes sense to go with the round. They continued to discuss the benefits of the square posts. Gerlach asked what he needed to get by? Fergus thought 5 or 10 would get them by. Gerlach asked which ones he would like? Fergus thought the round ones for right now and then eventually then could go to the square ones. Fergus said that he still has brackets that he needs to get rid of for the round ones. Starr made a motion to approve the five 2 in round posts at \$34.20 each. Piehl seconded the motion.

Aye-Mack, Piehl, Gerlach, Starr                      Nay-None                      Motion carried

**Discussion approve/disapprove personnel review for Cadwell**

Cadwell decided to have her review in open session. Starr said that him and Piehl met with Cadwell and did her review. They don't have any complaints. Cadwell was originally hired on in June, but didn't get hired on permanently until September. This is basically your six-month review. The recommendation was to give her a raise to where the old clerk was paid, which was \$18.00 an hour. Piehl said that she came in at a bad time, during the middle of an audit, while trying to figure the job out. Along with figuring out the job, she figured out the audit and we think she is doing an amazing job. She calls here and there with questions, but for the most part Cadwell just went in and handled it. Gerlach said he agreed with that and she hasn't pulled her hair out yet. Mack said that she couldn't have come in at a worse time, so he would have no problem with giving her a raise.

Mack made a motion to accept the review. Starr seconded the motion.

Aye-Starr, Mack, Piehl, Gerlach                      Nay-None                      Motion carried

**Ordinances**

**Discussion approve/disapprove Ordinance 482 for Occupancy and Inspection Program for Rental Property**

Cadwell wanted to point out that after reviewing this further, this is quite a complicated. Starr said that he felt the same way. Cadwell said that we need to figure out who the inspector is going to be. She said she should have pointed all this out before adding this to the agenda. There is a lot that goes into this. Gerlach said that he knows Bergen had said that there will be leg work getting this installed. He said that most landlords have complied and those that don't will get fined. Gerlach said he was skimming over this today too. He asked to Cadwell what flags are being thrown out for you? Cadwell said that she would like to get all the ducks in a row before it is

approved. She also would like to see a system that works for everyone, that way if something needs to be revised, people can have a say so in that matter. Cadwell would like to have the paperwork and everything mapped out before this gets approved. Cadwell wondered how we would notify landlords of this proposed ordinance? Elliott said she thinks that all the landlords should have a copy of the ordinance. Gerlach said that once we start letting people know that this is out there and we could send out letters. Piehl explained to Gerlach that Cadwell was asking how do we know who the landlords are. Piehl said that she knows some of the rental properties, but not all of them. Cadwell asked if this is something that should be published in the paper. She also said that a reported from the Gazette calls her from time to time with question so maybe she could reach out to her for an article. Piehl said that she feels that everything and everyone need to be in place before that happens. Gerlach said that he thinks that we need to get Bargaen at the next meeting to discuss this. Starr agreed with Gerlach on having Bargaen her to guide us on what steps need to be taken. Elliott commented that this is a good time to do this because the surrounding cities are looking at doing the same thing. It's bad out there with landlords. She said that she thinks renters and landlords should be able to provide input for this. Gerlach said that he knows there are properties here in town that are nuisance properties, but he also knows that there are properties that have children in them with unsafe living conditions. We have tried to get welfare checks done, that goes nowhere. There has got to be something in place. He is hoping that with here we can get some stuff going. He said he knows there are a few good landlords in town, but there are still a couple in town that are causing problems. Fergus mentioned that if we do have disconnects, we will at least have a way of getting a hold of the landlord. This will help protect the rental property. Gerlach mentioned the form he created for the utility application that had the renter and landlords name on it. That way if there is an issue, then we are able to contact them. He said that he would like on sent to every address. Renters should know their landlords or at least where they are sending the checks to.

Gerlach made a motion to table this until discussed further with town attorney. Starr seconded the motion.

Aye-Piehl, Gerlach, Starr, Mack                      Nay-None                      Motion tabled

**Discuss approve/disapprove Ordinance 483 for City Clerk raise**

Mack made a motion to wave the three reading of Ordinance 483. Gerlach seconded the motion.

Aye-Mack, Piehl, Gerlach, Starr                      Nay-None                      Motion tabled

Gerlach made a motion to approve Ordinance 483. Piehl seconded the motion.

Aye- Piehl, Starr, Mack, Gerlach                      Nay-None                      Motion tabled

**Board Questions or Comments**

Mack said that there are no provisions to secure money, valuables, etc. He thinks this is something worth looking into. They discussed looking into a different option.

Gerlach brought up tires at the service station. There is also cars that don't run that have been sitting up there for months. It was determined that a letter needs to be sent to get them up to compliance.

Cadwell said that she needs to get all the bank accounts reconciled through Quick Books by Friday when the state auditor is to get our files.

Fergus said he started mapping on GIS today. He said the electrical is way off. He said that he is set up for training with GIS. Stewart has been going out mapping poles and signs.

Gerlach said that we need to get the map updated.

Motion to adjourn at 8:13pm. Starr seconded the motion.

Aye-Mack, Starr, Gerlach, Piehl                      Nay-None                      Motion carried

**Adjournment**