

**Board of Trustees  
December 12, 2018  
Meeting Minutes**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the Greenwood Board of Trustees will be held at 7:00 p.m. on Wednesday, December 12, 2018 at the E.L. McDonald Community Center, 619 Main Street, Greenwood, Nebraska. Said meeting is open and the public is encouraged to attend. The Board of Trustees reserves the right to adjourn to Executive Session per State Statute 84-1410. The open meetings act is posted in the meeting room for the public to view.

**Call to order**

**Present-Meyer, Piehl, Gerlach, Wilkens, Starr**

**Consent Agenda**

**Minutes**

**Claims**

**Approval of time cards**

**Financials**

Wilken said the bill for Tinius Plumbing is over the \$300 limit and the purchase did not have prior approval by three board members. Gerlach said there were typos in the minutes that he already pointed out to Cadwell. Starr said there was an issue with Cadwell's timecard where she missed some clock ins. Cadwell said that she had taken work home last week to get caught up and some of the clock in did not work. Starr said that he will add it to next week's payroll. Starr asked Cadwell how many hours were missed. Cadwell thought close to ten hours. Starr just wanted it to be noted in the minutes that she was short ten hours. Wilken asked if that would be regular hours or overtime hours? Starr said it would have been overtime hours. Gerlach asked if there had ever been a contract through Midwest for bulk fuel. Wilken said they had in years past. He is unsure if they still do that kind of contracts though because they are not running the station anymore. He thought it is worth a try. Gerlach mentioned that we should check to see if the contracts with ADP and Ricoh. We need to know when the contracts expire and if they automatically roll over. Wilken mentioned that the loan payment for Pinnacle Bank is for the building. He said it will come out of TIF funding. He said that it had been set up that way because fixing the building is community betterment. He said that payment is made twice a year.

Wilkens made a motion to approve the consent agenda, minutes with some documentation that was misspelled, time cards, financials, and the claims with the exception of Tinius Plumbing invoice at this time.

Aye-Starr, Meyer, Piehl, Gerlach, Wilken

Nay-None

Motion carried

**Communication of Citizens**

Consider requests from individuals present. Each speaker will be allowed two minutes and no action will be taken on these topics until the next Board Meeting. The Village Board will review the matters and take action as they deem appropriate. Notice: There is to be no comments or disruption to the **meeting** in progress. You will be asked to leave if the above is not adhered to. We ask for your cooperation and courtesy. Thank You.

Ahlman said that he has a concern and it needs to be fixed. When they made the comprehensive map, they changed the zoning. He said that the yellow house behind Yoder's is now zoned commercial. If he has a fire tomorrow, there will be no coverage. Gerlach said he has checked into that, along with other properties that have been rezoned. He said the map needs to be amended to reflect that.

Ahlman said the property behind Tweton's, the way it stands now it is zoned industrial. He said that you have it zoned industrial and the cabinet shop should be zoned commercial. Gerlach said he will check in to that. Ahlman said he was bringing it up because it is a blemish and he wanted to make the board aware. Gerlach said after the first of the year, he will be getting the map amended.

Vandeman said he knows that he is not on the agenda, but he will not be here later on in the month.

Wilken mentioned that going forward, he will need approval from three board members for anything over \$700.00. Vandeman said that he did not know what it would cost, he just wanted to get the issue scoped. He said to have Tinius bill People's Service for it and he will have it taken out of the maintenance

contract then. Vandeman thought he had gone through the proper channels. Vandeman said that next time he will go through Cadwell and have her email everyone to make sure they are aware. Gerlach asked if Vandeman if he has tags in his truck to say that he has been at a residence? Vandeman said no but he and Wilken had discussed that the other day. Gerlach just wanted to make sure that they didn't have something along that line before he looked into other options. Wilkens said he thinks that Greenwood should have something of their own for utilities. Meyer asked Vandeman how the south water tank is doing? Meyer said they were going to have it fixed years ago. He asked Vandeman if it still needs to be repaired. Vandeman explained that the gear was bent and we tried running it but it kept dropping the chain off. He said he had gotten some bids for repair parts, but at that time he was told no. Vandeman said that he can run on the one side fine. He said what he is doing right now the north side which is actually the one that needs repair, he is using it as a holding digester. He then pumps out the lagoon cell later on. He said during the winter he needs to keep water in that tank to keep from floating up and stuff. He said that when they painted it one time it floated up. Wilken asked if he could get us some prices again for that. Vandeman said he should have them in his computer, but they will probably need to be rebid. He explained that at the time it was around \$30,000 for parts for the shaft and gear. He said he wasn't sure what the labor would be to do that because that is above what they do at People's Service. He said he thinks that if he has enough time and with the right help, he could probably do it though. He said it is a major repair.

Ahlman mentioned that he is concerned about a tree on 1<sup>st</sup> and Pleasant Streets. He is afraid that it might take out the electrical pole and electricity. He said the tree is hollow and in bad shape.

## **Old Business**

### **Discussion approval/disapproval of employee overpayment**

Wilken said they found some ordinances that need to be put into the letter that the attorney was going to send to the state. He said he doesn't think that anything was done intentionally to take money from the town. He said they are moving forward to not pursue any payment from Fiala at this time. Wilken explained that it basically came down to miswording on the ordinances. They didn't mention retroactive to this date. The ordinances were actually copy and pasted from old ordinances, trying to save the town money. Wilken said that the mistake cost a lot of headache and heartache. Wilken said that is his opinion on the matter. Meyer said he thinks that not pursuing this would be a wise thing to do. Gerlach asked Cadwell if she ever found the audio recording. Cadwell said she found the minutes from the meeting, but they went into closed session and she never found the other half of the minutes. Cadwell explained that Fiala's raise was approved on May 31, 2017. Then on July 26, 2017 the ordinance was passed. Fiala did not receive a raise and back pay until August 4, 2017. Cadwell said that her raise was given like it was a retroactive payment. Cadwell said if she could find that portion of the audio recording, she thinks that a retroactive payment would be mentioned. It just was not typed out in the minutes. Barga said there is no reason an ordinance can't say this. Barga said when he drafts an ordinance for a raise, he inserts an effective date for the raise. He said that he is preparing a response to the auditor's office to say just that. Gerlach asked if any of the existing ordinances need to be changed to state that? Barga said that all the ordinances he has drafted say that. Barga explained that he thinks that this ordinance was from a previous attorney and they copy and pasted. The intent was obviously to give her the raise. That would be consistent with what you are supposed to do. He said he thinks it makes sense to let the auditor know that and do as Wilken's suggest. Barga said they will proceed that way. He said that he will provide the village with a draft before it is sent to the auditor. Wilken made a motion to not pursue Marcia Fiala for overpayment from the village and have the attorney to draft a letter to explain our position with the state auditor. Starr seconded the motion.

Aye-Meyer, Gerlach, Wilken, Starr      Nay-None      Abstain-Piehl      Motion carried

### **Discussion approve/disapprove Dutch door bids and deadbolt for chamber door**

Wilken said there are two bids. He said one is from Classic Wood and one is from Gordon Sovereign. Classic Wood is 489.91 and Sovereign's is \$300.00 plus materials which he estimated at around \$60.00. Gerlach stated that he doesn't like that Sovereign gave an estimate without providing an address or phone number on the estimate. He said that he believes this happened last time when they were trying to hunt down stuff from the state auditor. Wilken said this is just a quote so, I think that when we receive a bid from Sovereign, we need it to be a little more professional. Gerlach asked if Sovereign gave an estimate on time to complete the project. Starr said he wondered the same thing. Starr asked if he was behind in

work and that is why it took so long to get the bid. Wilken said that he gave us a bid before, but it was not written out. Cadwell said that she seen him today and asked for a written estimate. Fergus said that as of right now he knows that he is working next door to the office. Fergus said maybe he can swing by one day and get it done. Fergus said that Sovereign had mentioned removing the door on a Friday and taking a door from somewhere else in the building to keep the office secure. Piehl said that she feels he is very reasonable on time. Wilken said they can put a time limit on the project. Starr felt like he did good work on the remodel of the building. Piehl agreed saying that he is very efficient. Gerlach said that Classic Wood is usually a week to ten days out. Wilken made a motion to approve the bid from Gordon Sovereign for \$360.00 with a 10% contingency and to be completed by the end of January. Starr seconded the motion.

Aye-Piehl, Gerlach, Wilken, Starr, Meyer                      Nay-None                      Motion carried

### **Retiring board adjourns Sine Die**

Wilken thanked Meyer for his service and time on the village board. Piehl said she feels that Meyer has done a lot for the community. She said she knows that he has taught her a thing or two. Starr asked Meyer how long he has served on the board? Meyer said sixteen years. Meyer said he appreciated it and thinks the board is on the right track on somethings. He said that this is just going to take time and a lot of people don't realize that. Meyer said just like the Fiala ordinance. We did that the wrong way. Wilken said you live and you learn. You guys were trying to do the right thing, but there was miswording in the ordinance.

### **New Business**

#### **Administration of Oath of Office for new board members**

Bargen swore George Mack and Don Wilken into office.

#### **Motion to appoint Village Clerk/Treasurer as temporary Chair Pro Tem**

Gerlach made a motion to appoint the Cadwell as temporary Chair Pro Tem. Wilken seconded the motion.

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

Cadwell calls for nominations of candidates for Chair of the Village Board. Starr nominated Wilkens. Piehl seconded the motion.

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

#### **Election of Chair Pro Tem of the Village Board**

Starr nominated Gerlach for Chair Pro Tem for the Village Board. Piehl seconded the motion.

Aye-Mack, Starr, Wilken, Piehl                      Nay-None                      Abstain-None                      Motion carried

#### **Board Chair makes municipal appointments with approval of Village Board**

Wilken nominated Cadwell for clerk/treasurer. Wilken nominated David Bargen or Rembolt Luedtke as the village attorney. Wilken nominated Mark Sobota as the Fire Chief. Wilken nominated JEO as the engineer. Wilken nominated Julie Ogden from JEO as the street superintendent. Wilken said the zoning and building official would be Cass County. He said that the board of health would be the Cass County Sheriff. He said that Lori Sobota said she would be on it and then the chairman. The newspaper will be the Ashland Gazette. Piehl said she heard that the Gazette is going to close. Wilken said we can use it for now and then when the time comes switch. The nuisance officer will be the Cass County Sheriff. Gerlach seconded all the appointments.

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

#### **Designation of Board Members to committees**

Cadwell said that the committees are Fire and Rescue, Building and Grounds, Streets, Electrical, Finance, Water and Sewer, Planning, Personnel, Park, Equipment, and Library. They discussed who was on the board previously. The appointments to board were as follows

Fire/Rescue	Gerlach and Mack
Building/Grounds	Gerlach and Piehl
Streets	Starr and Wilken
Electrical	Piehl and Mack
Water/Sewer	Wilken and Mack
Planning	Starr and Gerlach

Personnel	Starr and Piehl
Park	Piehl and Wilken
Equipment	Gerlach and Wilken
Library	Starr and Piehl
Finance	Wilken and Starr

Wilken made a motion to approve the appointments. Starr seconded the motion.

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

**Approval/disapprove method of reasonable advanced published meeting notice of Trustee Meetings**

Wilken motioned to keep three spots we post our meetings which would be inside the community center, inside the post office, and outside of the office on the board. Gerlach seconded the motion.

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

**Approve/ disapprove authorization for village equipment to go outside corporate boundaries for emergency calls**

Gerlach made a motion to approve authorization for village equipment to go outside corporate boundaries for emergency calls. Piehl seconded the motion.

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

**Approve/disapprove designation of depository banks**

Wilken made a motion to approve Great Western, Pinnacle, Horizon, and Farmers and Merchants as the depository banks. Starr seconded the motion.

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

**Discussion approve/disapprove gWorks contract**

Joe Heick introduced himself as the CEO of the company gWorks, formerly known as GIS Workshop. He said that what brings him to the meeting is the renewal of the three or five years for the SimpleCity, the asset management software that the village of Greenwood has had since 2014.

Heick said when the village first started in 2014, you had the 1.0 version of SimpleCity. We are now on 4.1 version. It has grown a lot since you guys first had it. When you guys first had it, it was more of a web viewer, more of taking your maps and being able to view them on line. It has really grown into an asset management software. You can now do activity management, editing your data, uploading multimedia, etc. It also creates an audit trail of everything that is done in the system for mismanagement purposes. He said that early next quarter they will be releasing job costing. So, now you will be able to track time, materials, and associated costs which each individual activity that is tied to locations or specific assets. He said this data would be beneficial for your financial software. Heick said that is where it has come over the last 4 years since you have had the product. He said that Greenwood has grown right along with it. He said that Greenwood did subscribe to the editor tool in 2017, which is something you did not have before. He said prior to that Greenwood had a time and materials contract with GIS for maintenance. That is where when you need to change your GIS data or asset data you would come to us. We would charge you an hourly rate to do the updates. He said that between 2014 and 2015, Greenwood spent \$2700 total for us to help you with the updates. Greenwood then switched to the editor tool, which is just a \$600.00 a year subscription so now you can enter stuff yourself. Heick said that if you ever get new GIS information from JEO or someone else, you would just send it to us and we would upload it to the site. Although, in the next future integrations, you will able to do that yourself. The good thing to think of when you think of asset management, you think of your balance sheet. You probably already have applications in place where you manage your cash. He said that one thing that is often overlooked in the 115 cities that GIS works with, is your long-term assets. SimpleCity is asset management software to help you manage your long-term assets. It captures all the activity that goes on around the assets as well as capturing the location and the inventory of your assets, so you can manage your infrastructure. He said it also creates a history like you have in your financial software. You have history around your assets. You build that history around that individual asset. That way if something were to happen, you have a history of that so you will be protected. He said he has seen it time and again for cities that are not protected they ended up paying twice to deal with an issue. He said usually if you have sewers, you will need to have sewer back up coverage. You have to have an asset management program in place because you will need

to provide maintenance records to prove that you are not the cause of the issue. If you ever need FEMA funds or apply for assistance you will be required to show evidence of an asset management program and maintenance records because they have to disprove negligence on your part as well as maintenance. If those things are absent you will be denied. He mentioned Marshalltown in Iowa that was hit by a tornado last year was denied 3 million dollars in public assistance funds from FEMA because they could not prove any sort of asset management or maintenance activities for what was in their town.

SimpleCity is built for cities of this size. It focuses on small cities under 30,000 in population. It will help you manage your assets. Starr asked if the village would have to enter into a three-year contract. Heick said that Wilken asked for bids on the three- and five-year contracts. Wilken said he was unaware of a contract smaller than that. Heick said a year is available, but the good thing about a three- or five-year contract will lock you in at that price. Wilken asked if we are able to enter data at the computer at the maintenance shop? Wilken also inquired about the having a training session at the gWorks office. Heick said that he could make that work. Gerlach said that Fergus and him are using the program more. Heick said there is an administrative page and you can manage who has rights to what and what rights they have. A couple good things to keep in mind with that that would help you, one of the things that we did when we did data collection for you in 2014, we collected over 4100 assets for you for your inventory, included your insured property. So, in the future, when you go out to bid for your insured property, you can give those insurers who are providing bids a read only access to SimpleCity, they can look at all your insured property a crossed the village and that will shorten their time. It is also good for if you have to submit a claim, some of what is baked into your premiums is loss adjusting expense. If you shorten that for them, you can turn around and argue much like if you have a fire alarm for your building or air bags in your car, you are taking the steps to mitigate the risk to your assets so they should give you a break in your premium, because again you are giving them read only access to the system when you file a claim. They will be able to see the history in the audit and you have just shortened their time to approve that claim. You are saving them money so in turn they should pass that down on to you. Piehl asked if we signed a 3- or 5-year contract, how much will we be paying you every year? Heick said it states the fees in the contract. Piehl asked Heick if we would be paying any more than what is stated in the contract? Piehl said that it seems that we get a lot of bills from GIS. She feels like every time she turns around there is another bill from you guys. Starr said he was told that you will no longer offer training to the village. Starr said that rubbed him the wrong way last time. Heick asked who they were? Starr said Hueston. Fergus said that Hueston told him that they would be able to come to their office for training. Heick said that it was probably misunderstood what Hueston had said because we provide training all the time. Heick said anytime you want, call and they will get it set up. He said they can do training at their office or via the web. He said they are not able to come to the village for training, because they have over 400 clients. Heick said that back in April they did conduct onsite training for the village, which he found out about after the fact because it was done for free.

Heick went on to discuss the issue with the bills. He said that you have annual payments that you get billed twice a year on. October 1<sup>st</sup> for SimpleCity and your editor tool and July 1 for SimpleSigns and SimpleCulverts which is the inventory management desktop apps you use that help you stay in compliance with FHA. Those of the two periods of the year that you will receive bills. Other times that you have been billed was in 2017, when we did data collection. The way that contract was structured was to work within your budget, because that was done late in the year due to that culvert project that you had and needed the data collection done, we broke up the bill into two different payments. The first payment was due right away and the second payment was when we billed you out on Oct 1 for the rest of the project. Those where all the bills from us except for when you implemented SimpleSigns and SimpleCulverts in 2017. Those all get done at different times, so when they get done with the exception of data collection which is a strict payment schedule to work within your budget needs. Those would have been the bills for the last two years. Before that the village was on time and materials and that was billed monthly. You might have been getting a bill for one month and then you didn't need us for two months and then got a bill again. It was based on your needs not ours. Wilken asked if the contract that was in front of them was for all the programs. Heick said that what was in front of the board members was for SimpleCity and the editor tool because those where the programs that were up for renewal. Wilken just

wanted everyone to be aware that there would be another bill for the SimpleSigns and SimpleCulverts. Heick said that the price of those two programs would be \$600 each. Those desktop apps can be synchronized with SimpleCity. Fergus brought up switching the editor tool to the maintenance shop computer. Heick said that is an option. He said to call the software team and that can be switched. Wilken explained that he thinks this cleared up the issue with the bills they were getting. Heick said that they could prorate the July bill so it would synchronize with the October bill, that way the village is only receiving bills once a year.

Vandeman said that he didn't realize the program had these functions. He said he already keeps records on sewer maintenance. He said know he can input it into this as well. He said it will be another source of information for liability issues. Gerlach said that he gave access to the account to Grashorn from People's Service. Fergus asked if you can edit SimpleCity in more than one place? Heick said yes because it is a web-based program. Gerlach told Fergus just the signs and culverts are the ones you can't do. Heick said a cool new feature that just had been released helps with routine activities. You can set up routine activities as a reoccurring activity. Every month there will be a new activity created without having to manually add it. He mentioned that they just added a project piece to activity management. Wilkens asked the board members if they had any further questions. Gerlach asked Piehl if she went to training class if she would use this. Piehl said it doesn't make a difference if she uses it. It makes a difference if the people doing the work are using it. She explained that she is not the one digging holes and that's the problem. Wilkens said that we will implement it. Piehl asked we have owned this for how long and had how many logins? She said that is where she is frustrated with it because no one uses it. Wilken said he agrees with her on that. Piehl said we keep getting bills and keep paying. She thinks that we could have paved half of Main Street with the money we have spent that no one uses. She said if it was being used, she would be all for it. Starr said he feels the same way. He thinks it is a valuable tool if it is used. Gerlach said his biggest concern is having something like what happened in Marshalltown happen to us. He said that is one of the reasons he kept voting on it. He knows the tools are there. It is just a matter of getting them implemented. Piehl said last year we sat hear and said they are going to use it and they didn't. Fergus said that when the culvert thing got put in, he didn't know anything about it until then. Then we did not get trained until a month or two after. Piehl said they sat there during several meetings asking if anyone was using the program. She said that at every meeting they have said they will start using it and don't. Fergus said that he wasn't trained on it until a couple months later. Heick pointed out that Piehl is talking about a management issue and not a software issue. Heick asked how you use it to your benefit, the benefit of the board, and also help to make sure it is being used? Heick said that SimpleCity has a function called the reports builder. You can build your query and pull reports on certain types of information you want. You can save those reports and view them whenever you want. There might be things related to asset management or activities that you want to pull reports on. You can create those reports and then say at the first meeting of every month, we need to see those reports. You manage what you measure. You can do those kinds of things from a manager's perspective to get it implemented. Both parties are making sure the program is getting used. Piehl said that it is a valid point. Starr said he would like to see it used more. Fergus pointed out that Gerlach has put in work orders and he has finished them. Gerlach said he would like to get everyone on the board login information that way if they see an issue, they can enter a work order. Piehl said that this is something that they were using google docs for. Gerlach said that google docs is not secure. Cadwell suggested maybe time each day be set aside to work on the program. Wilken made a motion to approve the three-year contract for gWorks as presented. Gerlach seconded the motion.

Aye-Mack, Wilken, Gerlach

Nay-Starr, Piehl

Motion carried

**Discussion approve/disapprove payment to Watts**

Wilken made a motion to reorder Watt's to the end of the agenda. Gerlach seconded the motion.

Aye-Mack, Starr, Wilken, Gerlach, Piehl

Nay-None

Motion carried

**Discussion approve/disapprove of maintenance projects**

Starr and Piehl met with Fergus and Stewart this week. Piehl said as she was looking at the report and we were all in agreement that it is winter so of course it is going to be slower. Piehl said that they need to come up with indoor projects for the maintenance men to work on when it is cold outside. There is no

enough work at this time of year to have two men for eighty hours a week. Piehl said it is not that they are not finding stuff to do but we do need to come up with some additional things for them to work on. Fergus said they have been working really hard on getting all the trees trimmed. Wilken said once the trees are done there will be nothing to do. Fergus said that they will be doing trees most of the winter. Elliott pointed out that farmers work on their equipment in the winter time. She also mentioned it would be a good time to take their vacations. Wilken asked Stewart if he would be willing to take some time off. Stewart said he could take some time off. Piehl asked how much vacation time Stewart had? Starr thought probably around 80 hours. Stewart said that the vacation time has to last him until this May though. Wilken said he isn't going to make him use it. He was just wondering if it was something, he would be willing to entertain. Piehl said we can not tell you what to do because it is your vacation time. Gerlach asked if there are any projects at the fire station that need to be worked on? Starr said when he was a maintenance man, they did work on the fire station during the winter. Fergus said they fixed the tile last winter. Starr asked what about redoing the tile? Cadwell asked about the ADA compliance for the bathrooms at the firehall. Wilken said the radio room needs shelving built. Piehl said she just wanted to bring it to the board to explore some of these ideas. Wilken said there are also wires hanging down from the ceiling in the radio room. He said that he will get the maintenance men and Sobota together so that Sobota can show them what needs to be done. Starr said if we are going to use gWorks, if anyone thinks of anything put it in there so the jobs get completed.

Gerlach made a motion to implement SimpleCity for maintenance projects. Wilkens seconded the motion.

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

## **Resolutions**

### **Discussion approval/disapproval of Resolution 18-8 for selling of 1990 GMC dump truck**

Gerlach made a motion to approve Resolution 18-8 for selling of 1990 GMC Dump truck. Piehl seconded the motion.

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

## **Ordinances**

### **Discussion approval/disapproval of Ordinance 481 for employee Patsy Mandery's raise.**

Wilken made a motion to approve Ordinance 481 an ordinance to grant Mandery's raise on November 28,2018. Wilken made a motion to waive the three meetings.

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

### **Discussion approve/disapprove payment to Watts**

Wilken made a motion to go into executive session at 8:28pm for the purpose of protecting the public interest subject matter being pending litigation. Wilken said that Baker, Cadwell, Bargaen and board members will stay in the room.

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

Wilken said we are going into executive session at 8:29pm to discuss pending litigation.

Wilken made a motion to come out of executive session at 8:55pm. Gerlach seconded the motion.

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

Wilken made a motion to have legal council settle with Watts electric for the invoices for the Village of Greenwood and Baker's Candies subject to the attorney's approval. Starr seconded the motion.

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

## **Board Questions or Comments**

Gerlach mentioned the rental property agreement. He said he knows that this was discussed before and he thinks that the board had previously approved it. He thinks they need to get a draft copy of the agreement. Gerlach asked Bargaen when Fairbury approved this did you throw out a letter stating that the rental inspection would start to be in effect in sixty or ninety days or something like that? Bargaen said that they did and they are currently in the first round of legal enforcement of that. This has taken a few years to get this in place. Bargaen there were around 100 letters sent out to landlords in Fairbury and they have received about a 50% response so far. Bargaen said they had received a letter after they had received two notices. Bargaen said the idea is because rental properties are of the nature of a business where people are renting out their property, that is one hook that the village would have in to regulate a business like that.

All this does it has a requirement that before anyone can rent a property out, they will have to have it inspected, pay a fee, and get a certificate. The certificate can be good for a year. The checklist for the properties contains fifteen things. He said that if landlords don't comply, you will be able to take them to court and get an injunction and keep them from using the property as a rental. If they don't comply with that, then the court gets to deal with them. They could receive fines or possibly receive jail time. Bargaen said that if the village would like him to draft one for Greenwood. There are a series of forms that go along with that. It would be Greenwood's choice on how they would like to notify people. He said the Fairbury had a couple of town hall meetings to inform the public that this was taking place. Bargaen said that the real challenge of this is the enforcement piece of this. He said you will need to find an inspector to inspect all the properties. The person will need to be qualified to do that. He said that there will need to be a contract and amount of money that will be paid to them for inspecting the property. The idea is that the fee that they pay for the certificate will reimburse the cost of inspections. Bargaen said if the village would like him to move forward, he will send the draft over. Mack said that there is a definite need for this. Bargaen said that he often gives presentations at the league of municipalities regarding nuisance properties. He said this is the most common issue that towns face in Nebraska. The rental inspection is a way of trying to get ahead of nuisance properties.

Gerlach mentioned back up camera for the fire and rescue vehicles. Wilken said he will bring it to the fire chief's attention.

Wilken discussed the skid steer lease. He said that he received a quote from Bobcat. It is a little cheaper and we won't have to pay for the insurance. That is all done in house. It is covered by a 100% warranty for three years. This will be added to next meeting's agenda.

Cadwell said she met with the accountant the other day. Cadwell said she had entered all the payroll as the accountant had requested. The accountant was unaware of the ask Marcia account that Tejral had set up. Cadwell said the accountant said she will have to fix that. She said she found a bunch of large sums of money sitting in these accounts and no explanation of how they got there. Cadwell said she found a transaction for \$80,000 coming through on a bank statement. She said she called the Nebraska Treasurer to find out what the amount was for and it was a grant for the playground. She said this was upsetting because she filled out paperwork for the DED regarding grant money. Cadwell said she had asked all the board members about any other grant money the village received and no one was aware of this. Cadwell said she filled out the paperwork like the only money that was received was for the comprehensive plan. She said now she will have to call and have the paperwork corrected. She said she is stressed regarding the books. Last audit, she was not required to fix the books. She said she will be able to this, but it takes researching the deposits. Cadwell said she received an email from the state auditor about getting this done or they will be start withholding highway allocation funds again in March. Bargaen asked what the basis would they be withholding funds? Wilkens said that the audit for this year has not been done. Wilken said the audit will need to be done in March. Bargaen said when you say audit, we are talking about what we hired a company to do? Wilken said right now, we have HBE helping us to correct our books. Cadwell said at this time HBE is not fixing the books they are having me fix the books. Cadwell said that HBE is not fixing the books, they are having me fix the books with their oversight. They are not submitting invoices. They are volunteering their time. Cadwell said which is great because she has learned a lot. Cadwell said she is trying to run the office and correct the books which is a lot of work. Piehl said the problem with HBE is if they had done the audit correctly in years past, we would not have been in this mess. Piehl asked about the \$80,000 transaction and when that occurred? She said that was for the park, but that wasn't since we have been on the board. Cadwell said it was since they have been on the board. Starr said we received the funds since they have been on the board, but it was actually approved before they were on the board. Cadwell said she has been having to call the treasurer's offices regarding different amounts and it is embarrassing because she doesn't know. It looks as if she lied on documentation that was sent to the state of Nebraska, and even though it wasn't intentional it looks like I don't know what I am doing. Cadwell said how was she supposed to know if there was \$80,000 that came in if she wasn't here. Cadwell doesn't know what she will need to get this completed. She is wondering if she could have an extra day a week to close the doors. She said it is a lot to figure out. She said there are lump sums of \$150,000 sitting in these accounts and she doesn't know where they came from. She said



this is a hard task because the deposit tickets don't say what they were for. Cadwell said that it is a lot of research and leg work. Wilken said he says that Cadwell can have all the overtime and if she needs to close the office for an extra day then she can. Cadwell said the overtime is great, but she has two other jobs. Wilken asked if there is some of the work that can be taken home. Cadwell said there is work that can be taken home. She said that she just wanted everyone to understand that when she is working on this and gets interrupted it makes it difficult to finish the tasks. She doesn't want to make mistakes. Wilken asked if there is a day that works better to have the office closed until like February? Piehl asked what day you would prefer Thursday or Friday? Cadwell just wanted everyone to know that she is not purposely forgetting about other things, but she is just trying to get through this. She also explained that she thought this was all handled because they accepted the ask Marcia account before. She said she should have known though because last year they did an attestation and not an actual audit. She said she wanted to make the board aware of what was going on and the office doesn't have to be closed for another day. Piehl said she thinks moving forward we need to close it for another day. Starr said just to put a note up and say the office will be closed for administrative work. Wilken asked if Thursday would work and if so, start closing it. Gerlach asked if an assistant would work. Barga said at this time you have the clerk and treasurer positions combined. You have the option to split that into two jobs. Wilken asked if they could go to a temp agency and find someone to work the office. Cadwell said then she would have to train someone and that would probably take longer. Piehl said here is an idea, what if Fergus came in to help? Cadwell said there is only one computer. Piehl said he can answer the phones, make copies, etc. Mack said he recommends closing the office for another day. Cadwell said that she just wants to get the books correct. She also explained that since HBE is volunteering her time she has limited time that she can meet with Cadwell. Cadwell said often times it is two to three weeks before she can meet with her. Then when she comes out, she finds other issues. Cadwell said during that two to three weeks she could have fixed those. Cadwell said she doesn't think they understand the importance of the time restraint she is on. Wilken wanted to clarify too that the ask Marcia account wasn't Fiala's mistake. Whenever Tejral didn't know something she dumped it into this account without trying to research what this was. Piehl said she thinks Tuesday and Thursday we will close the office. Fergus can help answer phones, etc.

### **Adjournments**

Wilken made a motion to adjourn at 9:21pm. Starr seconded the motion.

Aye-Starr, Mack, Piehl, Gerlach, Wilken

Nay-None

Motion carried