

Village of Cortland
December 11, 2024, Minutes

The meeting of the Village of Cortland, Nebraska was held on the 11th day of December 2024 at 100 S. Sherman Ave at 7:00 p.m.

Present at the meeting: Kohout, Goforth, German, Douglass, Birkett, Clerk Moormeier, Utility Superintendent Briggs, newly elected Board members Chase Meints and Taylor Burkey and members of the public.

Motion by Goforth and seconded by Birkett to receive and place on file all notices and material having any bearing on the meeting. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Douglass and seconded by Birkett to approve the minutes of the November 13, 2024, regular Board meeting. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Birkett and seconded by Douglass to approve the Treasurer's report. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

The following bills were presented for approval. Barco Municipal Products, Inc. \$47.90, Black Hills Energy \$412.41, BOK Financial \$800.00, Christopher Briggs \$480.00, Donald R. Prentice \$188.00, Lincoln Winwater Works \$381.00, Michelle German \$198.00, NE Dept of Revenue \$227.68, Nebraska Public Health Environmental Lab \$231.00, Nebraska Rural Water Assoc. \$250.00, Nebraska Rural Water Assoc. \$500.00, NGage \$100.00, Norris Public Power \$2,353.63, One Call Concepts, Inc \$1.60, Salaries \$10,317.75, Schoneweis & Sons \$1,807.30, Schuerman Welding \$77.76, Solheim Law Firm \$750.00, U.S. Bank \$508.57, Verla Busboom \$40.00, Waste Connections \$4,646.88, Westlake Hardware \$25.93. Additional bill not on the list The Voice New \$36.93. Motion by Douglass and seconded by Birkett to pay the bills. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Douglass and seconded by Birkett to accept the Certificate of Election for the November 5, 2024, General Election, as certified by the County Clerk, be received and placed on file. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

The Oath of Office was stated and signed by newly elected board members, Chase Meints and Taylor Burkey. Kohout thanked Birkett and Douglass for their many contributions to the Village as Board members.

Reorganization of Board – Motion by Goforth and seconded by German to assign Kohout as Chairperson. Roll Call Yes: German, Goforth, Meints, Burkey No: None, abstain: Kohout Motion carried. Motion by Goforth seconded by Burkey to appoint David Solheim as Village Attorney. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried. Motion by German seconded by Goforth to contract with Reed Miller of Miller and Associates, License Number S-514 as Class A Street Superintendent for January 1, 2025, to December 31, 2025. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried. Motion by Goforth and seconded by German to appoint Donelle Moormeier as the Village Clerk/Treasurer for 2024. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Planning & Zoning Committee Appointments – Motion by Goforth and seconded by German to reappoint Barb Tegley to the P&Z Committee for a three-year term through December 31, 2027. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Chairperson Kohout read Resolution 2024-04

Resolution 2024-04 SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2024.

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment(s) of the City Street Superintendent(s) 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 (if applicable), their License Number (if applicable), AND Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another 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 a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Village Board Chairperson of Village of Cortland is hereby authorized to sign the attached Year-End Certification of City Street Superintendent completed form(s).

Adopted this 11th day of December 2024, at Cortland Nebraska.

Motion by German and seconded by Meints to approve Resolution 2024-04 as presented. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Chairperson Kohout read Ordinance 2024-09 entitled: AN ORDINANCE OF THE VILLAGE OF CORTLAND, GAGE COUNTY, NEBRASKA, TO AMEND C-2 HIGHWAY COMMERCIAL DISTRICT ZONING REGULATIONS; TO REPEAL ANY CONFLICTING ORDINANCES; TO PROVIDE FOR PUBLICATION; AND TO PROVIDE FOR AN EFFECTIVE DATE

Motion by Goforth and seconded by German to suspend the three readings of Ordinance 2024-09. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried. Motion by German and seconded by Goforth to approve Ordinance 2024-09. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Motion by Burkey and seconded by Meints to open public hearing at 7:14 p.m. regarding change in zoning from Agricultura One (AG-1) to Commercial Hwy (C2) for Real Property SEC 11-6-6 S ½ SE EX RTY & 5.12 AC RD & EX TR containing 11.82 AC to Village of Cortland & EX 19.63 AC TR 40.40 AC filed by PK Management LLC. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried. Barb Tegley, chairperson of Planning and Zoning Committee indicated a hearing/meeting had been held by the P&Z committee earlier in the evening and being no public concerns the committee recommended the AG-1 to C2 zoning change for the property. Being no public comments a motion by Goforth and seconded by Burkey to close the hearing at 7:16 p.m. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Chairperson Kohout read Ordinance 2024-10 entitled: AN ORDINANCE OF THE VILLAGE OF CORTLAND, GAGE COUNTY, NEBRASKA, TO AMEND MINIMUM RATES FOR SEWER RATES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR PUBLICATION; AND TO PROVIDE AN EFFECTIVE DATE

Motion by Burkey and seconded by Meints to suspend the three readings of Ordinance 2024-10. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried. Motion by Burkey and seconded by Meints to approve Ordinance 2024-10. Roll Call Yes: German, Goforth, Kohout, Meints, Burkey No: None Motion carried.

Panama Energy Solar Farm – The maps showed that the Solar Energy Farm was within the Extraterritorial boundary of Cortland as presented by Barb Tegley from the P&Z Committee and Bobbi Pettit Village Zoning consultant. Just prior to the meeting Attorney, David Solheim, sent a letter to the Clerk indicated he reviewed the project and had been in contact with Matthew Jones, project lead for Panama Energy and David Levy from Baird Holm. They represented to Solheim that Panama Energy would amend the project area to “exclude” any area within Cortland's ETJ. They also said they would certify this change in writing, which will be forwarded to the Village when Solheim receives it. Solheim advised against any action taken by the board at the December 2024 meeting. If Panama Energy fails to take corrective action, the Board can take up the issue at their next meeting in January 2025.

Speaking on Solar Farm: Doug Rief, 2260 West Pella Road spoke that he lives adjacent to one of the solar fields that are proposed. He is concerned about the fire hazard of the batteries of these farms, the fire departments that are not trained to fight these fires, and the soil erosion. The change in the topography could put mud into two house sights. As a builder, Doug is focused on historic preservation, green energy, and how this might destroy the land for a century. It affects migratory birds and reduces the value of the real estate around the 2400 acres of planned solar field. Eldon Kohl from 28805 SW 29th Street, Hallam, Nebraska was concerned about the fire department and whether or not the Cortland Volunteer Fire Department would be available for mutual aid. Chris Briggs who is the Fire Chief for the Cortland Volunteer Fire Department and the Utility Superintendent for the Village of Cortland expressed that he was not familiar with the lay out of the solar panels and how they can fight these fires. Cortland has two grass rigs and a 3000 gallon tanker and gives mutual aid to Hallam, Clatonia, Firth, and Hickman. Their first goal would be to protect the surrounding residents and structures. Dan Pomajzl, 26805 SW 29th, Hallam, Nebraska had consulted with Lincoln Fire and Rescue and they area aware of the project. Concern that the panels being on both sides of Highway 77 and possibly producing glare on the road which may produce more accidents. The Village was informed of a community open house regarding the Panama Energy Center in Hallam on Thursday, December 12, from 6:00-7:30 p.m.

No building permits, no written complaints.

Reed Miller from Miller and Associates introduced himself to the new board members as the our new Engineer and also Street Superintendent. Asked the board to call any time had questions or needed anything.

Board member Chase Meints left to attend Fire Fighter One class at 8:11 p.m.

Tim Young reported that the cement stops for vehicles, at the Community Center, are broken and sunk into the ground and need to be replaced. He proposed a vertical post so that people would not trip over them. There could be 9 in front of the Community Center and 2 posts on the south side. Since we need to replace the doors with ADA doors and locks this would be a good time to also replace the posts. Briggs will look into the cost. Kohout and Goforth will also be looking into the sign for the Community Center this week, the Cortland Improvement Association has obtained a \$2500 grant from NPPD for part of the cost of the sign.

No report on nuisance property.

The museum reported they sent out a plea for donations early in December. Continue to be open the first Saturday of each month. A new gas line was installed so that they can get a new furnace. Goforth reported CIA will have their Christmas Lighting Contest on December 18th so everyone should have their lights on at 6:00 p.m. Douglass reported that Paper Moon that same evening will have Santa, a people judged light contest, and Homestead will have their gifts from their giving tree at Paper Moon for children to pick up. The ball park has had everything taken out of the concession stand and is locked up for the season. Briggs will be getting decon to put in the building. Kohout will check regarding dates for tournaments in the spring so they do not conflict with the clean up day on the first weekend of May.

Briggs reported that he had tried to use the jetter and found that the hoses were leaking, when those were replaced and tried to use the pump blew up. Found that the pump had been cracked and most likely was not winterized correctly. To replace the pump, it will cost anywhere between \$10,000 to \$12,000. The clerk was asked to see if insurance covers this type of thing. The truck has been moved to the fire hall where it is heated. Briggs reported the lock on the Community Center doors is not working properly, he will get a locksmith to look at it. The lights by the tornado shelter and the new LED bulbs for the maintenance shed will be \$1300-\$1400. Electrical Enterprises has been asked to order and install. The check valve on the well behind fire station is not working. Briggs has been quoted \$3800 to replace. Briggs feels like he could probably do it himself. December 18th Briggs will be in Wahoo at a Waste Water training. There will be a street sweeper up for silent bids in Bruning in March. This would help with keeping streets clean and drainage. Douglass suggested that the new engineers, Miller & Associates, be given a tour of the Village.

Motion by German and seconded by Goforth to approve the \$1833 Highway Allocation Match for December 2024. Roll Call Yes: German, Goforth, Kohout, Burkey No: None Absent: Meints Motion carried.

Correspondence – Panama Energy Center Notice of Community Open House Thursday, December 12, 2024, 6:00-7:30pm in Hallam Auditorium, 315 Main Street, Hallam, Nebraska; Town Board Training to be held in Lyons, Nebraska on January 20, 2025 5:00-9:00 p.m.; email from Nebraska Broadband Office with link:

<https://broadband.nebraska.gov/media/oynhldli/nbo-bead-initial-proposal-volume-2-ntia-approved-11182024.pdf>.

Motion by Goforth and seconded by Taylor to adjourn the meeting at 8:21 p.m. Roll Call Yes: German, Goforth, Kohout, Burkey No: None Absent: Meints Motion carried.

I, Donelle Moormeier, Village Clerk do hereby certify that the forgoing is a true and correct copy of the proceedings of the Village Board of Cortland, NE to the best of my knowledge.