

**VILLAGE OF ALVO**  
**May 3, 2022 at 7:30 P.M.**  
**135 Main Street, Alvo, Nebraska**  
**Meeting Minutes**

The Meeting was called to order by Chris Juilfs at 7:30. Said meeting is open to the public to attend. The Board of Trustees reserves the right to adjourn to Executive Session per State Statute 84-1410. Notice of this regular meeting was printed in the Plattsmouth Journal at least ten days prior to this meeting and was posted at the village hall three days prior. Chris stated that he would like to call your attention to the Open Meeting Act posted on the wall behind us and acknowledged that the agenda is on the table in front here.

Roger Paul and Devon Sullivan took the oath and were sworn in as Alvo Village Trustees.

Board Members in attendance were Chris Juilfs, Roger Paul, Gary Marcoe, Larry Langer and Devon Sullivan.

Gary motioned to approve the minutes of the meeting of April 5th 2022? Gary motioned Devon seconded.

The following members voted “YEA”: Juilfs, Paul, Marcoe, Langer and Sullivan.  
The following members voted “NAY”: None. 5-0. Motion carried.

Larry motioned to approve the payments, claims, payroll taxes including the necessary transfer funds to and or from the water sewer and general fund accounts of the meeting of April 5th, 2022. Gary seconded.

The following members voted “YEA”: Juilfs, Paul, Marcoe, Langer and Sullivan.  
The following members voted “NAY”: None. 5-0. Motion carried.

<b>Intuit Quickbooks</b>	<b>Accounting</b>	<b>\$10.70</b>
<b>Lee Enterprises</b>	<b>Advertising</b>	<b>\$270.18</b>
<b>OPPD</b>	<b>Electric</b>	<b>\$497.31</b>
<b>Nebraska Public Health Lab</b>	<b>Testing</b>	<b>\$88.00</b>
<b>Peopleservice</b>	<b>Contract Labor</b>	<b>\$850.00</b>
<b>Payroll</b>	<b>April</b>	<b>\$1611.29</b>
<b>Maguire Iron</b>	<b>(Water Tower)</b>	<b>\$1000.00</b>
<b>Great Plains Service, Inc.</b>	<b>Propane</b>	<b>\$344.63</b>
<b>Windstream</b>	<b>Phone</b>	<b>\$117.82</b>
<b>Domina Law</b>	<b>Law Fees</b>	<b>\$2919.51</b>
<b>Security First Bank</b>	<b>Loan Payments</b>	<b>\$13,205.04</b>
<b>USPS</b>	<b>Postage</b>	<b>\$116.00</b>
		<b>\$20,930.48</b>

## **Communication of Citizens:**

Citizen Tempelmeyer stated that my name is Dennis Tempelmeyer. I live on East 1st St. I was wondering when you get to line item 12, are you going to let people speak on that, if not, I would like to comment on that now. I don't understand what the illegal part is there, so I would like the board to explain what is illegal about that. But I've spoken with numerous entities, attorneys from other small towns, board members from other small towns, numerous other places and their comments are along the lines of, "What are they nuts? Are they looking for a lawsuit?" So, we just need explained as to what is illegal about it? And if it happens, what are the consequences to our community? Where we I think these guys want to be able to speak on what consequences did this do Fire Rescue which is also we wouldn't have anybody to file a FEMA paperwork unless you hire someone to do the FEMA paperwork and FEMA already does that flawlessly, we don't pay them for that. The entity you're talking about files that, and they don't charge us for that we don't get charged for any of this, so you would have to pay someone a lot of paperwork that doesn't really know how to fill out paperwork yet. They can learn, but it could cost a lot of money, if we have a natural disaster comes through it could cost the town of fortune and these other people that the attorneys and the other small town board members that I've talked to think this a nutso idea. So, I'm just hoping y'all did your homework. Gary replied, well nobody's doing it except for the fact that when we did our budget somebody put in there that we were going to pay them \$3500. We don't need to pay them nothing. Tempelmeyer interrupts saying I just haven't seen that anywhere. Gary continued, we're getting rid of that. Tempelmeyer said well you get rid of that, but not the entity. Gary continued whether you want them to come in or not, they come in. They're federal. Tempelmeyer stated that talking about eliminating this and they said if we're eliminated from it, they're not coming to our community. Gary continued saying there's a deal on our on our budget that says we will pay that. Tempelmeyer said that we have not seen that so, we, if we can show that that would be nice. Gary said that it says it on the budget if you look at it. Tempelmeyer said I don't have the budget, it's not on this week's budget. Or this month's budget here. Gary said that it was done earlier in the year. They got us on there donating money to a bunch of people and there ain't no way in hell we can donate money- Tempelmeyer said well if we could see that, (intelligible) I don't recall that, if somebody redid the budget after we talked about doing the budget, so, they might have turned it down. It's just it's something I would really want you to pay attention to and do your homework on before you just- Gary said nobody's getting rid of it but, you can't, they come whether you want them or not. That's the deal. Tempelmeyer said yeah, you can call them off. You can say no. Like when Larry's truck broke down right here and we wanted them, and they wouldn't come. But what you're saying is we can't have them, but they can. Roger Paul asked you wanted them to come then, for what? Gary said that emergency medical, if you have a catastrophe, they're gonna show up anyway regardless. But the other thing is on the budget it says they can haul you off and they can't, they don't even have a way to do it and it ain't legal to do it anyway. That would have to be a rescue squad. Tempelmeyer said that I think you're twisting something here. 'Cause this says remove Cass County Emergency Management Agency. Citizen Badberg stated that it is a totally different entity from EMS. Gary said it is. Badberg said but they're also intertwined and

last meeting you guys said that that's illegal activity and it's not there's a state statute that says and I can actually pull up 'cause I have it just for this reason. That two public entities within the state of Nebraska can intertwine or join forces. So, you saying that the Emergency Management Agency and that Emergency Management Services for Cass County are illegally operating together that is a false statement, and I would like to know who is advising on this, because at the last meeting it said that you, Mr. Langer, said that there was legal advice. Roger said I think he's saying that we don't want to pay \$3500 if they're gonna come anyway. Badberg asked but where is this at? Where's it on the budget? Raider? Raider said that they're talking about the line items allocated towards the EMA in the budget for services rendered towards Alvo. So, it's a line-item budget that is allocated to the EMA by the county on behalf of the Alvo interlocal agreement. Tempelmeyer states so we're not actually paying it. Raider said no. Nathan Jordan asked why is not worded this way on the agenda? Badberg asked Why are we so vague with the way we have it worded? Who put this on here? Gary said that you'd have to ask the person who did the budget. Raider said Larry asked for it to be on the agenda. Badberg asked so Larry why is it on the agenda? Why is it so vague? Why would you refuse to let us know? Larry said I told you last month what's going on. Tempelmeyer said no you didn't. Badberg said that Larry didn't, your exact words were 'it's not our business'. Larry said why would I talk if you're gonna keep talking over me, just shut up then. I'll just shut up. Badberg continued no, what I'm trying to say is exactly what you said last month when we were here it's none of your business. Larry said you're wrong and you're wrong. Tempelmeyer said no I got the recording. Larry said that you're talking about gossip. Tempelmeyer said no I'm not. Larry said well I'm talking about what people have told you about this you know this is what we're doing is legal and right for the town. Tempelmeyer said you're telling me that they attorneys and small town board members from other towns have told me is gossip? Larry said everybody ought to listen to small town board members, they know the law so well. Badberg said so you're telling me the individual- Larry said like you said last week we couldn't get FEMA money if there's a disaster, or last month, that's a lie that's not true. And you said that too and that's not true. Badberg said it is to, a fact. Larry said it's not true. Badberg said because you, I actually talked to the director at NEMA today, Kyle Winchell. Larry states 'cause you're so well informed. Badberg said that I am, 'cause I take the time to look this stuff up. Citizen Hinkle said this public information you can get out there as a regular person out here through the laws and everything out here, this is what the country's built for Larry. Larry said so let me tell you something- Citizen Hinkle said you ain't telling me anything, anything out of your mouth is BS anyway. Larry said -an attorney but you'll find a little later on- Hinkle said oh yeah, you'll find out- find out when my family member down here gets hurt or something and you shut the EMA stuff off and everything else you wanna do. Go ahead. You- just like he said, set yourself up with a lawsuit. 'Cause I guarantee it. One of my grandkids get hit or hurt in this town and there's no EMA and I'm gonna have him listen to me right now, any of my grandkids or any my part my family get hurt in this town and they can't get medical treatment because your crap, I'm coming after you and everything you own buddy. Badberg asks so, who's the legal advisor? Hinkle said you want to step outside call me what? Chris said that's enough you gotta go. Hinkle said he ain't leaving. Chris said you're leaving. You're interrupting. You're over- Hinkle said he ain't interrupting. Chris said that yes, you are. You don't need to be threatening people.

Okay, we'll stop the meeting. Yeah, you're gone. Roger said that was was getting too loud. You're causing problems. Hinkle said yeah, whatever. Roger told him to keep his voice down man. Hinkle said oh yeah, and Larry can sit here and call everybody a dirty name in the book. Larry said that he didn't call Hinkle a dirty name, he said Hinkle was ignorant. Hinkle said Larry called him a jackass. Larry said that no, he didn't call Hinkle that. Roger said that he did. Larry said you're ignorant to the facts. Hinkle said I'm a lot smarter than you will ever be. Larry said well, you may be, but you're ignorant to these facts. Templemeyer asked what legal advice are you using since we don't know about it? Larry said and I told you last month that's not up for discussion. Badberg said but it is, because if you're hiring a personal attorney to deal with legal advice for the village that's a conflict of interest and when we're not paying for that and it's coming out of your own budget, something doesn't match up there. Larry said and you don't have all the facts, you're making decisions based on less amount of facts. Templemeyer said the board has to authorize this. Badberg said no, I'm not. Larry said yes, you are. Badberg said that's because some of us aren't invited to your private meetings down there. Citizen Jordan said I think that all he's asking for are the facts. What are the facts? Larry said you'll get the facts in due time. Badberg said but that's not how this works, Larry. Larry said we waited three years, Gary and I waited three years to get the facts about this lawsuit about the town three years they didn't tell us a damn thing about it. I'm telling you the same thing now; this is under litigate- this will be under litigation, and this is not for us- if we do this we have to go into executive session. Badberg said so what you're telling me is, that- I wants you guys that are new to the board listen to this and you Gary and you Chris to listen because as I don't know the gentleman that was there was saying, if this potentially would get passed, and we lose those services you realize that we have one paramedic with Eagle particularly two now, you have two paramedics that are coming out of Weeping Water those people have a ALS or ACLS training, advanced cardiac life support training, those individuals are who administer the medications, they are overseen by a mid-level, whether it's a registered APRN, a PA, a doctor, they're overseen by them so that they can administer narcotics they can administer nitro if you're having a heart attack. what does nitroglycerin do? It opens up your coronary arteries that supply blood flow to your heart which is a muscle that pumps blood, and if we don't have those services and you were to have a heart attack and they can't give you those medications, but the chance that you survive from here to Lincoln or Omaha before you get in and you're on a table to have a heart cath and a stint placed Roger said you ain't scaring me none. Badberg said I'm glad I'm not scaring you none Roger. Gary said We're talking about two different things here. Badberg said but they're intertwined. Gary said we're not about the rescue squad we're talking about emergency people that come in here if you have a tornado or something. Badberg said but according to last month we are- Gary said the medical people, we aren't talking about them. Templemeyer said it's all intertwined. Badberg said that's not what his friends down- Gary said that's what we're trying to talk to you about. But you keep coming up with the paramedics. It's not. Badberg said your friends. Larry said who? Badberg said the people with the ambulance rigs that let it slip a month ago when I went down to talk to him after the meeting that you're pushing to get them out of here to get them in those rigs back in service here. Gary said no. They are they're already back in service. If they wanna do it the town of Alvo doesn't have anything to do with it. Badberg asked if they're back in service? Larry said by law, they were never out

of service. Gary said they can go in service if they want to, we can't to stop them. We're not involved with that, we don't have a rescue squad. Badberg said that's not what they said. Gary said the rescue squad is the people that come in here from outside. Larry said you'll get the same service, the same exact medical service, rescue service, if this is off there as you are right now, the exact same, this won't change any damn thing, it just says we're not participating in illegal operation. Tempelmeyer asked does it change- Larry said by being by having this on here we subject this town to a lawsuit, and we subject each one of us guys sitting up here for a lawsuit. Tempelmeyer shakes head side to side. Larry said you don't know Dennis. Tempelmeyer said you better do your research. Larry said you're ignorant to this. We did this in a two-year study. Tempelmeyer said I know you've had a lot of secret meetings to discuss it, but, and those are illegal too because you can't put three board members in a room at the same time. Larry said we didn't have three board members in a room. Never did.

Chris said do we keep our services? Luke Renken stated that the way it's set up and I don't exactly know what you guys are canceling, Larry. Larry said we have an interlocal agreement with Eagle, so you'll serve us, no matter what. Luke said yes, right, so I'm just trying to get- are you guys trying to cancel like Cass County Emergency Management out of Alvo? Larry said yes. Luke asked is that what you're trying to do? Gary said well, were trying to change what they got on there, they got us donating \$3500. Luke said I don't know anything about that. So you're just trying to get out of that part of- Gary said that's right because they can't haul anybody or nothing. If we have an emergency and a tornado or something they're going to be there whether we want them or not. This is a whole different deal. Luke said okay, so if you still have Eagle. Gary said yeah. Larry said we're not changing that. Luke said yeah if you would keep your interlocal with Eagle, like it is right now. Larry said we are. Luke said then you would still have the EMS service because they are gonna roll with Eagle because- Gary said somebody should have never signed us up for this. Badberg asked but how come you couldn't tell us that? how come you could only- Luke said guys, guys just a conversation- Badberg said I'm not angry, so my question is and this is presented to the board as a what if scenario. So say you guys are called here for an emergency medical service and they get rid of these two paramedics that are coming over. Luke said they're coming with us. Arron Hofeling said they're coming with us. Luke said no matter what. Aaron said because we have. Luke said they have interlocal with so- Gary said they can drive here but they can't do anything. Luke said hey- Gary said those guys can't do anything. Luke said they're great guys. Gary said yeah, I know that but they gotta be with you or- Luke said they're great people. Larry said nobody is arguing that. Luke said here I guess the jest if it is guys, I don't think to me personally, and don't take this factual, you know I mean, I don't know if that interlocal with them does anything for you guys since you have no rescue service. if you guys had a rescue service then that's where you get trouble. So, what would throw you guys really in the red flag part would be if you guys decide to cancel the interlocal with Eagle, then you start your own rescue service, then you would be just relying on your people that you have. The Village of Eagle has the interlocal with Cass County EMS. well that intertwines then with the interlocal we have with you guys. So, they will be coming. Gary well then, we're not saying that they won't come, we're saying that were not giving any money to them. Raider asked if you have an EMS, if you are an EMS, why do you have to have an agreement with Cass County EMS? Luke said so, it's just because I think is there two

maybe two counties in the state that actually offer it. I'm for the program, there's a lot of people that are against it. I'm for the program because I see the day-to-day effects of it. So, it helps out the volunteers because everybody understanding Cass County is one of the biggest bedroom communities in the state either you work in Lincoln you work in Omaha there's not many people around. Greenwood, talk to their chief they're down to two EMTs on their whole fire department so this gives a daytime help a couple extra hands in case you have a patient that you gotta get out of a tight spot where it takes six people to get him out. Badberg said what you're saying is, and I've experienced this 'cause I've been on a rescue squad in Johnson County in the past. So, when we're sitting there and I'm there to drive the rig and I'm waiting on one of my other EMTs or paramedics to come and there's nobody there so I can't go and load the person up myself and transport them to the hospital if you guys were short and they had those two individuals that could come over and help out- Aaron said they would jump on our rig, yes, they jump on our rig so now we got a driver for an ambulance- Badberg said and so that's gonna help your response time. Aaron said to Gary's point, they do not transport, right, they do not have transport services. Badberg said but they have the medical training- knowledge Aaron said they have every single piece of equipment that we would carry in the back of an ambulance plus more because they're all ALS right which means they can deliver narcotics do a whole bunch of different things that a basic EMT like myself is not certified to do right, so they come they jump in the ambulance and they would administer those drugs in route to the hospital and then we would drop them back off. Badberg said so say you guys are at the station waiting for somebody else to come to bring the rig out. They are already here and on the scene. They can start services; they just can't transport. Luke said they'll wait for an ambulance and there's some fire departments, guys, that are really short during the day that, like Weeping Water they may actually only supply actually a driver in Cass County EMS just hops in their ambulance at the scene it takes a patient in so but there's always a paramedic and EMT on board. You guys will still have that service as long as you have that interlocal with Eagle which you guys aren't trying to cancel or nothing. So, I don't know the other facts that's behind the other part and I can't and the other thing I can't say exactly is the FEMA part. Badberg said and that's what I called Kyle about today. Luke said because by rights I think if you're a village board member and you guys may have to look into it you should be in 100 200 to 700 800 300 400 classes because the federal governments it's always tricky if someone doesn't sign the right X on a piece of paper you may not get money I don't know how that effects Cass County Emergency Management. I have no clue you know what I mean if that's what you guys are doing. Badberg said so what I got from Nebraska Emergency Management Agency today. Kyle Winchell told me that if you guys vote this through and break that agreement that's part of the EMA, then one of you will have to go through the formal training and become the liaison for the village to then submit FEMA documents if there were ever be a natural disaster to come through you have to submit that then to Cass County 'cause it's a whole county that gets the funds and then- Gary said let's make this real easy. We are not doing that. What we're doing is correcting this mistake because it has them on here that we're going to give them \$3500 and they're going to transport, and they're not legally- they can't transport so this thing we're just trying to take this off of here, but we don't end up in a lawsuit. Badberg said and that's understandable but when you have a vague thing like this that says illegal interlocal agreement that doesn't specify that- Larry asks are you clear now? Badberg

said I am, but it's still not clear on here though- Gary Let's not waste anymore time talking about this. Gary said there'll be more stuff coming, but this, we're trying to cover our own butt, because, number one, whoever did this put us in here to donate \$13,000 to rescue squad, where we couldn't donate 13 dollars- Luke said 13,000, where'd you get that? Gary said I don't know where it comes from. That guy that did our budget- Luke said some of that, to be honest, with that some of that budget work guys there is, if you have interlocals, not necessarily. It actually helps you out not that you have to pay I think there's probably, I think in that line item, I remember that meeting there was like \$10,000 for like the rural fire district. Gary said but the one for the other outfit- Luke said for the rural fire district, you will get charged nothing, like we don't charge nothing. Gary said They're federally funded. Why would we have to give them anything? Luke asked who's that? Gary said the EMA people. Luke said they're county funded. that's two different things, they're county funded so that- Gary said I'm talking about the disaster people. Luke said oh that is federal. I'll tell you what, that's a pretty tricky slope so we just went- Badberg asked if is this what you're talking about 10 grand 10 grand fire and rescue, Village of Alvo. Luke said yeah that's basically, that was in their budget and here it is so you guys I think you guys were so behind on getting money for taxes that you had to bring them up to a certain point so with interlocals you could. You're not gonna get a \$10,000 bill from the rural fire district. You're not gonna get- I don't know about the 3500 if you're even gonna get a bill for there I think- Gary said I don't get it- I don't even know why it's on there. That's my deal, but the thing about it is, you know, if it's on there we could be stuck. Luke said it's just on your budget you guys had to vote to pass that money it doesn't mean like to spend the money on your budget don't ever think that guys you don't have to spend the money on your budget. Gary said I'm not really sure anybody voted to even pass the budget. Luke said so- but you know what I'm saying? It could be on your budget, but you have to vote, when you just get bills there you have to vote to pay that line item if you want. Tempelmeyer said Gary you said somebody else pays that, we don't. Luke said I think we're talking about three different things here guys. Gary said well, if it was in the budget that we had to pay it, and somebody voted on it. We could be liable for it. Luke said I don't care if you guys handle the Cass County thing. I could care less. It doesn't do anything to Eagle. It doesn't do anything to the rescue service. Whatever, it doesn't do anything- maybe guys maybe someone reach out to who did your your budget and ask what the reason is on it, and they'll be able to tell you straight up, no this is it this is it you don't have to pay it's on your budget but this was so you could collect the taxes more taxes for the interlocal part. Larry said I asked him the night that they passed the budget, I didn't vote to pass it and he said he just had to fill them boxes in with numbers that's what he said. Luke said so I don't I think you guys are liable personally because the rule fire district is not coming after you for ten grand. Tempelmeyer said it put some buffer to makes it look good. Luke said well, there's nothing to charge like we wouldn't charge you guys we don't charge the Village of Eagle for fire service. the rural fire district doesn't. So, I think it's kind of an overstep. I don't know, you know what I mean but anyway I mean you guys do what you gotta do I got nothing to say. Badberg said so where that \$10,000 is, it says amount used as lid exemption. Luke said you see, and I think you guys need enough billing out, to collect, so you could pay your regular bills that you needed that in there so you can collect the tax dollars for it you necessarily don't have to spend it on that. that's the reason why it's in there. Larry said that's basically what he said. Luke that's the reason

why it's in there. So, it doesn't mean like if it's in your budget doesn't mean you have to spend it you guys get the choice of whether you're spending the earlier you guys say that we've spent \$3500. Larry said according to this line here it says provide emergency medical transport services. EMA does not transport. How can they provide us transport service with no ambulances? Luke said I don't know who wrote that- Larry said this is all wrong. Luke said this is just on the budget line item. Larry said yeah. Luke said maybe it's just wrote the wrong way maybe it's you know what I mean. Larry said well, it's not something we should be a part of. Luke said I and I don't know what guys that's up to you guys. I know and sometimes I think you guys probably need to- Larry the state told us we shouldn't have this on there. The state and an attorney. So I believe I wanna go with them before I go with a bunch of gossip. Badberg said you're telling me that the state of Nebraska that's that that is the directors of this program that oversees this from a state level and oversees every single county so you're telling me Larry about what information I got is a bunch of gossip. Larry said I'm not telling you anymore. Badberg said that's what you told me, that's what you just said- Larry said Dennis is talking about some other board, big gossip at the coffee shops, that's what he's talking about. Tempelmeyer said I also talked to EMA. I talked to the state. I've talked to several people and you come in here and spew this stuff frequently at the meetings. That later gets- Larry said No, you spew Dennis. Your facts are never right. And you're not right this time either. Tempelmeyer said yeah, well. Gary said we need to move on.

## **Fire Report**

Chris asks for the Fire Report. Luke said okay, I got this will be quick easy. We had two 10-45, basically car accidents since the last meeting, we had two fires, we had ten rescue calls, we averaged 14 people a call- volunteers showing up per call. We got a lot of guys just sitting at the fire station, that's good. it's great. I did have two people reach out and they were asking about the billing how with your interlocal with Eagle Rescue how the billing works on that, so I just explained it a little two-minute thing so say John over here whatever in Alvo or Pete or whoever say they have rescue call. They broke their leg or something like that. Eagle responds to it if we transport you will get it they will get a bill for it okay so if it is whatever it is here on any I don't know. the Village of Eagle will send that bill out three different times if he doesn't get paid the first time it does get paid second does get paid third don't get paid the third, they drop it. They don't care. It doesn't go to collections it doesn't go to that sometimes you can even call, say your insurance covers 80% of the bill but not the 20% send the insurance check in and call the village and say hey we can't yeah I don't have the money for it that's fine right now on average the past five years the Village of Eagle has lost \$60,000 on their rescue squads per year. 60 grand they- just you don't make money off of them it's just not and they don't intend to make money off of that stuff that's the whole thing but at the end of the day they spend a lot of money too on an ambulance brand new ambulances stuff that's \$270,000 but they want people in a safe condition volunteers let alone patients in the same thing when Cass County EMS shows up and they show up with us or whatever and say they administer Joe or Pete broke his leg and he's scale of 10 and pain is just, and they'd administrate a drug that may be on the bill but Cass County EMS does not collect anything on that. So don't think Cass County EMS or whatever that's funded



through your tax your county tax money but that'll be on the bill for that drug or whatever and then it just basically pays Eagle back. Aaron said if we get paid. Luke said if we get even paid so. Gary said that's probably the reason you don't, a lot of them. A lot of people will say well hell were already paying taxes for it, why are we paying- Luke said to a certain point, but you know what I mean you know- Aaron said there's insurance too. Turn it over to insurance and when we get, we what, in the first three or four months of the year we've collected what fifteen. Luke said \$14,000 on probably 40 rescue calls. Aaron said yeah, so it ain't much. Luke said it yeah, we're not there's- Aaron said it's not a for profit business. Luke said yeah, it's not that. So don't ever think that, I just don't want people to think that but the Village of Eagle doesn't want people to go bankrupt to try to pay a stupid ambulance bill. that is not what they're trying to do but at the end of the day you gotta understand you paid the Village of Eagle for the service \$0.00 it costs you guys \$0.00 in this village that's pretty fortunate. Gary said I don't think anybody's arguing about that. Luke said no, I mean the Village of Eagle right now with all their bills and everything they're \$95,000 into it this year. 95 grand. So far they've collected 14,000 back. They'll be lucky to collect another 14 grand- Gary said there's something wrong with that picture. Luke said what do you do? So, any other questions, I guess. Burn permits should be going. It should, with all the rain, a little bit more tomorrow and Thursday. It should be- windy days, don't try and burn anything. Roger asks am I supposed to call you guys for a burn permit? Luke said call the Village of Eagle and they'll email it over to you guys. It works so much easier that way you can swing by the village office there it's just so much easier that way. Roger said where is the village office there? Luke said its right behind Casey's there kind of back in there. Yep, so swing in there. I don't think they're there Wednesdays. I think it's open Mondays- Chris said it's just easier to call them. They send you an email right on your phone and verifies that you have a burn permit. Luke said yeah, you don't even have to go in there or nothing. it's just simple we tried streamlining it so especially since out of town for you guys you don't have to drive six miles. great so yeah thank you guys have a great evening.

### **Planning Committee**

Nathan Jordan said we didn't have a meeting. Nothing to add.

### **Water Report**

Chris said we're in a 30-day chlorination period. The water is still safe to drink and there is no need for boil water notice according to Mike at Peopleservice. We will conduct additional tests and let the village know if anything needs to be done. So, they said no big deal.

### **Sewer Report**

Chris said everything is good

## **Consideration of the lean on property at 102 east 2<sup>nd</sup> St. in Alvo**

Chris said now I understand the utilities were hooked up without village permission and the water connection fee of \$500 and the sewer connection fee of \$500 has not been paid man. May I have a motion to put a lien on the property at 102 E 2nd St. in Alvo for 1000 plus costs. Larry asked if Raider sent the letters? Raider said yes, I sent a bill, letter, the day the ordinance was passed and the date of his building permit which was three months after the ordinance was passed. Chris said he's saying that it isn't a new hook up, he hooked up to what was already there. The worst part about the deal is that he sold the house to these people and then these people are the ones gonna end up with the problem, and not the guy that caused the problem' cause you're turn the water on without Peopleswater never turned it on. Tempelmeyer said but if he sold the house, he would get his deposits back and you go after them for new deposit. Roger said but he didn't pay any deposit. Tempelmeyer said yeah, he didn't pay initial deposit and then he's gone it all stays with the house like if you sold your place you would be- Gary said yeah but he can't legally turn water on. Tempelmeyer said no that was wrong. Gary said that's what he did with I need to be shut back off and if they move in, they'll have to make payments. Raider said yeah, I don't know that the house is closed completely yet, so it still might be open for discussion I would have to go down to the Cass County register of deeds and see if the house is closed. Devon said I believe it is. I believe they're moved in. the new- Tempelmeyer said you can still turn them off for non-payment. Raider said it's not their non-payment. Gary said how much do- Tempelmeyer said when they move in, they have to put down their deposits. Raider said they did. Tempelmeyer said oh, okay. Raider said but not the- the connection fee was never paid for water and sewer. Gary said besides that, he hooked up it up himself. Chris said he said he couldn't get Peopleswater to do it. he said he called Peopleswater to do it and they wouldn't do it. Gary asked how do we know? Chris said and that's what I said. Roger said why didn't he call Rosenow's, they're licensed plumbers. All he needs is a licensed plumber right, he doesn't need the water place, does it? I mean any licensed plumber should be able to do the job. Gary said I say we just shut it off. Larry said we put the lien on and let them go after him. Roger said take him to court. Larry said let them go after him. He should have to pay it. Chris said yeah, not them. I don't want to throw it their laps when they didn't do anything wrong. Roger said they probably spent all their money getting in the house. Larry said I wonder if we have any legal recourse to go after him at all. Probably not. Roger said I think we should get something. He built a new house in town, and you know he's making a big chunk of change off that place, and I think Alvo should make it a little bit off it too. that's just how it works. Devon said he's selling that that other lot next door to it he's got down for sale now is there any way to leverage that property until he pays his bill? Raider said you can't lean one property based on the- another property. Citizen Cathina Reeves asked how much does he owe? Devon said 1000. Reeves asked so would it be in our benefit to do that? I don't know what attorney's fees are or any of that. Raider asked our benefit as to what? Reeves asks like is it going to cost more verses what he owes. Attorney's fees and all that. That's what I'm asking. Raider said If the properties already changed hands there's no legal- no legal way we can make them pay it. Tempelmeyer asked what the cost to put a lien on the property? Raider said 30 bucks. Jordan asked doesn't he have to pay the connection fee for this other property he's got going? Raider said no because if he sells

it to somebody else, they'll have to pay the property connection fee when they- Badberg said no, he's selling it solely as a lot for \$35,000. Gary said the guy's coming out like a bandit because there was already a pit there. Otherwise, he would have had to put the pit in too and I brought that up to him last week and he kind of ignored it like well, that's our job, that not our job. Chris said yeah, we had to tap into the main that's right there's five hundred bucks to have them come and tap it. So, he saved money on the deal and then he still don't wanna pay the hookup fee that's my only. Gary said you know what I would get a letter to those people that are coming in and say listen if he doesn't pay it, you're gonna be stuck with it. Raider said not legal- that's not legal. Gary said okay, let's shut him off. Raider said that's not legal. Gary asked we can't shut his water off? Raider said no because they paid a water deposit, they are going to get turned on. Gary said no I'm talking about the guy that built the house. Raider said he doesn't own it anymore Gary, it's too late, it's gone. Gary asked he already sold it? Devon said and they're already moved in, I saw them there. Gary said well, he's in the wrong to turn it on to start with. He never had permission. Roger said yeah but what we're gonna do now? Badberg said that's what you guys should have, not already signed off on the water like you did last time- last meeting until you got this straightened out. Reeves asks well can't you just continue to send him a bill as an individual for that service and then take him to small claims court? I mean. Raider said that's possible. Reeves said you can represent yourself and you can do it up to a certain amount I think a judge would agree that what he did was wrong and like you guys said he came out like a thief in it so he's the one benefiting. Raider said that's a good idea. Reeves said and it doesn't stick anyone with the bill except for the person that deserves to be stuck with it. Roger said but who's going to take it to court and who's going to- Reeves said the board members. it's nothing, you just gotta pay like \$25. Gary said and then you got to collect it too. Badberg said and then you probably would also want to- I mean you're gonna get stuck with it for the time being unless you- Roger said maybe we should go ahead we should just call it a lesson and lock the rest of them up that aren't being used and figure were lucky we're getting some new income from his taxes and their water bill and all that. We'll know better the next time, you know what I mean, what are we gonna do besides hire a lawyer and will lose the money we wanna gain but- Badberg said so my question for the board is do you guys need to have Peopleservices, or some other licensed plumber, come out and take a look at that to ensure that there's nothing wrong with it. Gary said we need to find out from Peopleservice if they actually hooked it up. Badberg said but I mean you know who knows if it was done, not saying like but I don't know how do you know it was done correct. Gary said he's saying that he had them do it, so but they never told us that they looked it up. Raider said no, he said he had his own plumber do it. Devon said his personal plumber. Badberg said so if you do take him to small claims court you probably will then need to hire a plumber to come out, you probably get stuck paying that bill for him to read to review the work that was done and then put that on top of everything. Gary said yeah, small you know small claims court is good, but you still gotta collect the money. Chris said he don't have to pay it, and you still have to chase him around and beg him for it and he still won't pay it so that's good idea but I, he's not gonna pay it. I know he's not. He called me the other day and complained for an hour so- Gary said well he owns all the other lots down there so he's gonna be doing other stuff so- Roger said right. Chris said yeah that's kind of the way I'm looking at it. Badberg said but even though he does not own the property now-

Gary said well he's doing something else we need to look at because he's he's trying to sell the property just to the West of that actually those lots run this way busy covered two lots with each one or what but he's got the other one up for sale. Devon said but were those the blueprints he brought in and he cut the lots into, I mean 'cause it was just, you know, three lots across that block there but now. Gary said they have lots of the run this way and now Devon said and now he cut those in half. Roger asked if that house was on two lots then? Devon said 'cause he's planning on four houses over there. Gary said but I I don't know how, how much there is they put it on there because most of those lots are not very long going this direction. Devon said no they're going to be smaller. Badberg said so how is he able to finish closing on that house when last month he brought that stuff in and it wasn't on the agenda, and he was asking you guys to sign off on those lots. Chris said he didn't ask to sign off on the lots, he asked to sign off on his original staking on his new house. He misrepresented bad, 'cause we did vote in what he represented he brought to the table. I was just stupid enough to sign. He, misrepresented what he brought we already had voted on the house and him getting the staking for it. he represented it as it was two okay and finalized that staking is. but no that's when he jumped into changing the lots. Badberg said so even though you guys signed off on that and it wasn't on the table at that time for that specific matter then does that fall back on you guys? Larry said that's the planning committee job to make sure that they're in compliance with all the zoning. Badberg said but you guys made the final decision though. Larry said we didn't. But the board did. The board at the time did. Badberg said you are the board. Larry said and he wasn't- I wasn't on the board back then. Badberg said right, but you made the final decision here when he pulled the rug over your head and you guys signed off on it. Larry said can we table this time, we can maybe talk to an attorney. Chris said I would say let's table it. Larry said I make a motion to table this. Reeves said I had a question though. Did the planning and zoning committee need to review anything on it then 'cause you mentioned that we need to that that falls under us which I do agree but I mean- Jordan said I think it was done before we even had established the planning committee. Larry said it was a shady deal. Reeves said I know but I what was approved then- Gary said the whole thing was asinine. Larry said he come to Beth Ann when she was chairman of the board of the planning board and he had a drawn on a bar napkin and she said I'm declining this, you can't do this, you're not allowed to do this. He went to Robin and got passed. I don't know how that worked but that's what happened. Reeves said but so when he came in last time, he had the other lots on there and they hadn't been reviewed by the planning committee so couldn't you just like veto it and say that you did not go through the proper proof, the steps of proper procedures and entities of the village. Larry said if he comes in again and first, you're the first line of defense there, so you need to make sure that he's got all the setbacks right which they weren't right on this and then you bring it to us and then we're supposed to make sure that you got that right. Jordan said so the likelihood of him contacting us to have this checked is pretty slim. Larry said I can't understand. What did you say? Jordan said so, the likelihood of him coming to us with these plans is probably pretty slim, he's going to come to the board first. Larry said he ain't going to get it passed if he don't do it right. Not this time. Jordan asks so are you guys going to refer him to the planning committee at that point? Larry said absolutely, that's the process. It cost the town \$30,000 to get that that zoning that book. And we

need to use it. It's to protect the rest of the town. Chris said so we're tabling now, we're going to vote on it. Larry said I make a motion to table it. Chris said I second it. Raider said okay, we have a motion to table a consideration on the lien on property on 102 E 2nd St in Alvo.

The following members voted "YEA" said Juilfs, Paul, Marcoe, Langer and Sullivan. The following members voted "NAY" said None. 5-0. Motion carried.

### **Removal of Cass County Emergency Management Agency from illegal interlocal agreement with the Village of Alvo.**

Chris asked for a motion to remove the Cass County Emergency Management Agency from illegal interlocal agreement with the Village of Alvo. Larry said I'll make that motion. Gary said I'll second it. Raider said that we have a motion on the table for the removal of Cass County Emergency Management Agency from illegal interlocal agreement with the Village of Alvo. Chris how do you vote? Chris asks since the wording of this it is vague do we need to reword this to fit it better rather than the way we have a worded right now? I'm just asking a question. Gary said if it comes up on next budget, I say yeah. It shouldn't come up again.

The following members voted "YEA" said Juilfs, Paul, Marcoe, Langer and Sullivan. The following members voted "NAY" said None. 5-0. Motion carried.

### **The Discussion of Ben Glanz lawsuit.**

Chris states I need a motion to go into executive session in order to protect the public when discussing this matter. Do I have a motion? Larry said I'll make that motion. Chris said I'll second it. Raider said alright we have a motion to go into executive session for discussion of Ben Glanz lawsuit

The following members voted "YEA" said Juilfs, Paul, Marcoe, Langer and Sullivan. The following members voted "NAY" said None. 5-0. Motion carried.

The Board of Trustees goes into executive session at 8:25  
The Board of Trustees comes out of executive session 8:41

Larry motioned to adjourn. Devon seconded.

Meeting adjourned at 8:41

Village Clerk, Raider Rhotenacher

\*\*\* These meeting minutes are condensed for publication purposes.