

VILLAGE OF ALVO
135 Main Street
Alvo, Ne
Meeting Minutes
May 4TH, 2021

Village Chairwoman LaPage called the Regular Meeting of the Alvo Board of Trustees to order at 7:30PM on Tuesday, May 4th, 2021, at the Alvo Village Office located at 135 Main Street in Alvo, Nebraska. Said meeting is open and the public is encouraged to attend.

Roll Call

Village Chairwoman Robin LaPage and Village Trustees Mike Lancot, Chris Julifs, Larry Langer, and Gary Marcoe were in attendance. Other Village Officials in attendance were Village Attorney, Roger Johnson.

Open Meetings Act and documents to be discussed at the meeting

Village Chairwoman LaPage acknowledged the Open Meetings Act Poster hanging on south wall along with amendments to the open meeting act.

Discussion of installation of Solar Panels

Pat Hallauer from Sun Solar presented the board with a presentation of what it would cost to put solar panels on the City/Fire Building.

Citizens wishing to address the Village Board of Trustees who are not otherwise on the agenda

Citizen Neil Wilhelm addressed an issue with a tree located on 2nd Street that should be cut down due to the condition that it is in. It was discussed that due to the tree's location it is more than likely the property owner's responsibility. Trustee Julifs offered to cut it in pieces if the property owner would have it cut down.

Citizen Templemeyer asked if the Village could send out letters to the property owners that have not mowed. Chairwoman Lapage said that she would rather not at this time.

Consideration and Approval of Rick Koutecky as Zoning Administrator

Chairwoman LaPage moved to approve Rick Koutecky as Zoning Administrator. Village Trustee Lancot seconded the motion.

The following Trustees voted "YEA": Lancot, Julifs, Langer, Marcoe, and LaPage. The following Trustees voted "NAY": None. Motion carried 5-0.

Consideration and Approval of Nathan Jordan, Tina Hoffman, Dusting Hoffman, and Cathina Reeves to the Planning Committee

Chairperson Lapage explained that they have one person, Karen Morgan that is left on the Planning Committee. That leaves four other seats vacant.

Village Trustee Lancot moved to approve agenda line items 7, 8, 9, & 10. Village Trustee Langer seconded the motion.

The following Village Trustees voted "YEA": Juilfs, Langer, Marcoe, LaPage, and Lancot. The following Village Trustees voted "NAY": None. Motion carried. 5-0

Discussion of issues with B-Rose Tire Recycling LLC requested by Citizens Neil Wilhelm and Brandon Badberg

Citizen Wilhelm asked Trustee Langer if he did not receive any more tires, how long it would take him to clean up the recycling center one hundred percent. Trustee Langer stated that he would not discuss this with Wilhelm. He stated that he did not care if they are in a village meeting or not. Come talk to me like a man. Citizen Badberg stated Sir, it is in the Village rules, and I will read them to you since it pertains to your business. All places used or maintained as dumping grounds or for the recking, disassembling automobiles, trucks, tractors, or machinery of any kind or for the storing or leaving of worn out wrecked or abandoned automobiles, trucks, tractors, or machinery of for the storing or leaving of any machinery or equipment used by contractors or builders or persons where said places are kept or maintained essentially to interfere with the comfortable enjoyment of life or property by others, which who are so unsightly that they depreciate the value of property of the vicinities thereof. Citizen Badberg stated that he has in lived this town for 5 years. When I first moved in 2016 to my house, the recycling center was not bad. There was not anything parked out on the street or sitting outside the fence. Trustee Langer asked Citizen Badberg if he should change the world for him. Trustee Langer told Citizen Badberg that he is done with this conversation. Citizen Templemeyer brought up that the Recycling Center is in violation. Village Clerk Cadwell reminded everyone that we are not going to get anywhere arguing. She requested that Trustee Langer them to listen to what the citizens are requesting be done. Citizen Wilhelm agreed and asked Trustee Langer how long it would take for him to get the recycling center cleaned up. Trustee Langer stated that he is not going to obligated to talk to Citizen Wilhem about this matter. He can come talk to me like a man but instead he calls the state and the fire marshals. Citizen Wilhelm stated that he should not accuse him of calling anyone. Trustee Langer commented that Citizen Wilhelm was up at the office before he arrived at the meeting. You could have come talk to me like a man. Citizen Wilhelm stated that he should clean up the junk on his property like a man. Explain to me why you don't get rid of the stuff down there. Trustee Langer stated he will not talk to him about this. Citizen Wilhelm suggested that the town board pass something stating there should not be more tires brought in until 80 percent of the mess is cleaned up. Citizen Templemeyer asked if there was a special use permit issued allowing him to bring in tires to the town. Citizen Wilhelm asked Trustee Langer if he holds a special use permit. Trustee Langer stated that he would not have this conversation.

Citizen Badberg stated that he had other issues to bring up. He is the father of two little girls that are one and three years old. Every morning Trustee Langer's wife or girlfriend speeds down the street at 6:45AM. Trustee Langer picked up his mail today and sped down the road. Citizen Badberg addressed Trustee Langer asking, "What are you going to do when one of you hits a kid?" Citizen Badberg continued to report that Trustee Langer leaves his semis running out there for hours at a time and sometimes all night long. I have two little girls that are trying to sleep. The semis are not locked. Citizen Badberg asked Trustee Langer what he was going to do when one of the kids in town steals one of his trucks or gets hurt. Citizen Wilhelm added or starts a fire? If someone starts a fire down there, with all the tires, this town will not be a town anymore.

Citizen Badberg addressed Chairwomen LaPage asking how Trustee Langer is even allowed to be on the board? Chairwomen Lapage responded that he has been elected to the board. She explained that due to noise complaints about the recycling center they tried to address operating hours with Trustee Langer at a previous board meeting. It was just a discussion, not an action item. Trustee Langer came with a letter threatening to sue the town. Trustee Langer is aware that we cannot afford another lawsuit. Citizen Templemeyer pointed out that Alvo does have a noise ordinance stating that after 10:00 PM other neighbors cannot bother other neighbors with noise. Trustee Marcoe reminded everyone that the board set those hours. Trustee Langer did not set the hours. Citizen Templemeyer explained to Trustee Marcoe that there is a general ordinance in town where one neighbor cannot disturb another neighbor after 10:00PM. The recycling center should fall under that rule also. Citizen Templemeyer gave the example that Trustee Juilfs at midnight and 2am blaring his music. It is annoying. Chairwomen Lapage stated that the recycling center is in violation with the Alvo zoning ordinance. Citizen Templemeyer agreed saying that the fences need to be so high as to the recycling materials are not seen and the fences need to be in good repair, which they are not. The vehicles need to be parked inside the fence. There are a lot of violations down there. Citizen Badberg pointed out that there has been a semi-trailer parked on the street for a week. Citizen Badberg played an audio recording of the noise that the semis make. He explained that this noise is what I must deal with. He explained that sometimes that goes on until 9:30PM to 10:00PM at night. Citizen Badberg addressed Trustee Langer asking him how he would feel if he came to his house and did the same thing? Citizen Templemeyer commented that Trustee Langer thinks he can do what he wants.

Citizen Badberg questioned how Trustee Langer was even elected on to the board. It states in the rules, that in order to be elected for the board, you must be a resident of the Village of Alvo. Trustee Langer responded that we have already went down that road. Citizen Badberg commented that he must have missed that meeting and requested him to explain. Trustee Langer told Citizen Badberg to ask Chairwomen Lapage, stated that she had turned him in to the election committee. Chairwomen Lapage responded that she did not know anything about him getting turned into the election commission but stated that Trustee Langer is in violation. She explained that where you state that you reside is an industrial zoned property. That does not have anything to do with me. It is the rules. Trustee Langer accused Chairwoman Lapage of lying to the election commission. Chairwomen Lapage stated that she never spoke with the Election Commission. Citizen Templemeyer commented that Trustee Langer lies and blames everyone else for his problems. Citizen Badberg questioned Trustee Langer if he resides over at the recycling center, why do you and your partner leave every night? Trustee Langer asked who said that. Citizen Badberg pointed out that he lives right next door to the recycling center. Trustee Langer stated that Citizen Badberg is a liar too. Citizen Badberg reported that his partner leaves and then Trustee Langer leaves the recycling center. His partner leaves before you every night. Trustee Langer suggested that Citizen Badberg speak with the Sheriff because they have already investigated this. Talk to the Sheriff and find out what their investigation turned up. Chairwomen Lapage pointed out that they did not mention the zoning violation issue with Trustee Langer. They were there investigating other issues. Trustee Langer responded that he just received a call from Cass County Zoning. They stated he is legal at the recycling center. He requested that they have their facts straight before they bring issues up. Trustee Langer stated, "Don't bring up bullshit that doesn't mean anything." Citizen Badberg responded to him, "Don't bullshit me. I am not afraid of you. If you would like to sue me, sue me. You will not get shit." Chairwomen Lapage explained that Cass County Zoning does not partake in the enforcement of the Village

of Alvo ordinances. Alvo's zoning map shows that Trustee Langer's property is zoned industrial. Citizen Wilhelm stated if that is the case, Trustee Langer should be removed from the board as of tonight. Trustee Langer questioned how this disqualifies him from being elected to Alvo's Board of Trustees. Citizen Badberg commented that Trustee Langer ran for office knowing he was running illegally. Trustee Langer told them to call the Sheriff. Citizen Badberg asked Trustee Langer to provide his residential mailing address, not his business address. Trustee Langer responded saying he was legal to run for this board, I did, and I was elected. That puts me on this board. If you would like to call on me, take a chance. Citizen Wilhelm commented that Trustee Langer's chance is over. Trustee Langer stated he really does not care. When he moved to this town it was a dump. I spent months cleaning. Citizen Templemeyer commented that Trustee Langer had made it the dump. Citizen Badberg pointed out that there is a young couple that just moved in down by the recycling center. They are fixing up a house and trying to make the place look nice. When looking out there backdoor all they can see is chain-link fences and a huge pile of tires. Trustee Langer explained that the recycling center had been out there long before they bought that house. They made a choice.

Citizen Wilhelm asked where the town wells are located at. Citizen Templemeyer explained basically underneath of everything. Citizen Wilhelm questioned if the wells ran underneath his tires. Citizen Wilhelm suggested that Trustee Langer rethink this situation. The runoff from your tires goes right into our wells. Citizen Templemeyer agreed stating that is in the report from the NDEE. Trustee Langer responded that they could speak to the NDEQ and the Fire Marshall about this. You can talk to all the state officials about this, none of them have shut us down. Chairwomen Lapage pointed out that there are violations listed. Trustee Langer responded saying he is not in violation of anything. Chairwomen LaPage explained that according to the state, the tires are supposed to be in piles that have enough space to be driven in between in case of a fire. That is a violation listed in the letter that we received from them. Trustee Langer said the Fire Marshall just came out and investigated. Chairwomen LaPage stated that she is just telling him what was told to her. Trustee Langer told Chairwoman LaPage if she was so smart, she would get her facts straight. Citizen Wilhelm asked Eagle Fire Captain Recken what he thinks of the situation. Citizen Badberg questioned if the Recycling Center caught on fire, how difficult would it be to put the fire out. Captain Recken stated that they would not be able to put the fire out. They would evacuate the town. That would be our first concern. If that area went up in flames, you would not want to be around here. That would burn for days. Trustee Langer would have to bring in someone from out of state and pay for it. Citizen Wilhelm pointed out that the recycling center does not carry enough insurance to cover the whole town. Citizen Templemeyer stated that the EPA would come in and clean up the tires. That has nothing to do with the houses in the town. The EPA has issued a list of violations at the Recycling Center, and they are working on it. It is a slow process. The violations listed have to do with the number of tires and the danger to the water supply. Everyone can view this information. It is public information on the EPA's website. Citizen Wilhelm stated that the EPA was working on the ethanol plant in Mead, and they finally got it shut down. Citizen Templemeyer said that the EPA said the conditions could pose a danger to the community. Citizen Wilhelm commented if it catches on fire, this town is gone. Citizen Templemeyer referring to the Recycling Center said it is worthless and an eye sore. It is a disgrace. Citizen Badberg pointed out that the village can fine him \$100.00 for every violation, every 24 hours according to ordinance. Trustee Langer being on the board is a conflict of interest. If he threatens to sue the village, fine. He is still in violation of those laws and regulations within the village. Chairwomen LaPage

pointed out that he is in violation according to the zoning ordinance too. As soon as the planning committee meets, that will be brought to their attention as well.

Discussion of mowing village property

Koutecky is not mowing for the village any longer. Chairperson LaPage and Trustee Lancot have volunteered their time unless someone else would like to do it. Citizen Templemeyer agreed to help with a portion. Trustee Lancot is going to grab the riding mower and get it taken care of Saturday. Citizen Templemeyer suggested they coordinate to get the mowing done. Citizen Templemeyer mentioned assisting Trustee Lancot in removing of some trees by stop sign.

Discussion of repair of road back to the lagoon

Chairwomen LaPage explained that they will need to get some rock on the road going out to the lagoon. She was told that there is water running across the road from the recycling center and washing it out. They need to fill it in with rock, so the water guys can get back to the lagoon to do the samples for testing. Trustee Juilfs explained that there are two low spots. It needs to be graded off and then put the rock down. Chairwoman LaPage asked Trustee Langer or Trustee Marcoe if they had any suggestions on who to call to fix the road. Trustee Juilfs thought one dump truck with three-inch rock would fix the issue. Trustee Marcoe offered to let Trustee Juilfs use his skid loader to grade the area and dump truck to pick up the rock.

Discussion of failure to submit the audit waiver letter

Chairwomen LaPage explained that the previous clerk did not get the audit waiver submitted. We could end up with an audit which the town does not have money to pay for. Village Clerk Cadwell has spoken to Mary Avery at the auditor's office and an extension was given. There is no guarantee that it will be accepted though. Village Clerk Cadwell explained that she is having issues with the computer in the office. Chairwoman LaPage explained that she just wanted to make everyone aware of the situation.

Discussion of Fire Hall to be rented for Mytch Ahlers for rehearsal dinner on 5/28/2021

Chairwoman LaPage explained that there has never been an ordinance passed for a set a fee to rent the fire hall. Citizen Ahler will be doing an open donation for renting the fire hall. Chairwomen LaPage just wanted everyone to know that was going on. She did not know the board would like to discuss setting up an ordinance for rental of a fire hall. Village Attorney Johnson suggested setting up a comprehensive fee schedule to cover the fees of building permits, plat applications, hall rental, etc. It is easier to keep track of. Trustee Marcoe asked if they are having alcohol because if so, they will need a permit for that. Chairwoman LaPage did not think so. She will talk to discuss with them that there is to be no alcohol without a permit.

Discussion and possible termination of Village Attorney.

Trustee Marcoe said that he would like to make a motion not to have the village attorney at every meeting. In prior years, the village paid the attorney a retainer. He thinks due to the financial shape that Alvo is in, we cannot afford to have him at every meeting. Chairwoman LaPage stated that she thinks that since Cadwell has been the Village Clerk and knows how the meetings are supposed to be ran, that Attorney Johnson does not need to attend every meeting. When we first started, during the beginning of the lawsuits, we found things that were done with prior boards, and they were not always done right. With the way people where on us and the records requests, Attorney Johnson has been an asset, but she agrees

that it is expensive as any attorney will be. At that point of time, it was warranted. Trustee Marcoe pointed out that we cannot even pay the bills. Trustee Marcoe asked Attorney Johnson if Alvo had him on retainer. Attorney Johnson asked for permission to speak. Trustee Marcoe agreed.

Attorney Johnson stated that number one, the clerk is not in the position to give legal advice even if she knows the answer. she is not supposed. Number two, when he received the call from Chairwoman LaPage and was asked to represent the village, he was asked to handle the village the way attorneys had always had, to call if there was a question. Attorney Johnson explained to Chairwoman LaPage at the time he was not interested in doing it because he does not play the hokey pokey. He does not have one foot in and one foot out. If he does not know what is going on, he does not have a chance of keeping you out of trouble. Then if something goes wrong, there will be blame come his way when he had no control. Trustee Juilfs explained that when you are in a hole, you must practice process of elimination. I don't dislike you, but the biggest thing that we need is get out of the hole. In order to do that we will need to eliminate certain things. Trustee Juilfs stated that he is not saying that you are number one or even last but somewhere along the line we are going to eliminate certain things to get back on top to where we can afford to have someone at every meeting. Village Attorney Johnson stated that he does not take this personal. Chairwoman LaPage pointed out that no matter who it is whether it is Johnson or not, we will still need to pay an attorney. We are in the middle of a lawsuit. We have records requests. When those things happen, we need an attorney, especially with this lawsuit going on. That is her biggest concern. Trustee Marcoe stated when he was on the previous board, they had an attorney on retainer for \$200.00. If they needed him, they called him. We are paying him to sit here all the time. Attorney Johnson stated that he would like Trustee Marcoe to include in the motion whether termination is effective this minute or at the end of the meeting or whatever. Right now, or when it passes, he will leave and submit a final bill. Citizen Templemeyer commented that we still need an attorney. Village Clerk Cadwell requested the board to clarify if they were firing the attorney. Chairwoman LaPage explained that Attorney Johnson has stated that he will not work on a retainer. Attorney Johnson explained that he will not play the hokey pokey because it will be his neck hanging in the noose when something goes wrong. Village Clerk Cadwell asked Attorney Johnson if he would be willing to reduce his fees for a little while. She stated that she knows that he has already done this already, but maybe a little more. Attorney Johnson stated that this month alone he wrote off \$800.00. The bills have gotten two and three times higher over the past few months. This is because people on the board do not believe my advice. Then I talk with Chairwoman LaPage and I end up doing an expensive memo to show people that I know what the hell I am talking about. He said that he does not take any of this personal. Citizen Badberg questioned why anyone would not believe someone that holds a law degree. This is just costing the village more money. Whose bright idea was that? Was it you two, he stated referring to Trustee Marcoe and Trustee Langer? Attorney Johnson stated that they are just concerned about the cost. Citizen Badberg asked if someone is questioning Attorney Johnson and causing him to do more work, should not that board member come up the money to front the cost. Trustee Marcoe explained that number one, I don't think we should be in this situation. Citizen Templemeyer pointed out that the village needs an attorney and if you get rid of Attorney Johnson, the village will not have one. Trustee Marcoe explained that the bottom line is we are suffering from the cost because we cannot pay our bills. We have different things to look at. We are not just blaming him. If you look at the bottom dollar of what comes in and what goes out, we are not catching up. It is not like we are ahead. Village Clerk Cadwell explained that we did not pay his full bill for this month. The

amount on the claims list is for half of last month's bill and half of this month's bill. We are so behind. I am not sure how to get caught up. Attorney Johnson stated that he does not take it personally. Village Clerk Cadwell asked Johnson if he foresees the bills going down. He said the bills had been down to what a third of this last couple of months bills. The bills have skyrocketed over the last couple of months. Chairperson Lapage explained that the rise in bills were due to explaining the zoning, losing the clerk, and state ordinances. Attorney Johnson stated he volunteered time to go to the bank. He knows about the financial issues that is why he discounts the bills every month. He donated his time to help look at budget issues. He gets it and doesn't take anything personal. Citizen Templemeyer pointed out that if you are to fire Johnson you will still need to hire attorney. Trustee Marcoe explained that they will get one on a retainer. Citizen Templemeyer asked if Attorney Johnson is to leave now, who will fill in until we get someone else. Trustee Juilfs stated that they will find someone. Citizen Templemeyer suggested keeping the attorney until the village finds another attorney. Trustee Marcoe explained that Attorney Johnson did not want to do that. Attorney Johnson agreed stating that it is too risky. Citizen Templemeyer asked what if he keeps coming to meetings until you find someone else. Trustee Marcoe stated that he does not think that we need an attorney here. Citizen Badberg questioned how much it will cost to get a new attorney informed about what is going on within the village. Trustee Marcoe asked what we will need to inform the new attorney about. We are supposed to know the ordinances. We know how to look up state statutes. Why do we have to have a lawyer sitting at every meeting. I am not questioning what our attorney does. Citizen Badberg asked Trustee Marcoe if he holds a law degree. Trustee Marcoe asked Citizen Badberg if he does? Do you hire a lawyer every day or at least every week to do your stuff? Citizen Badberg responded no, but I am not in the shape that this village is in due to the leadership that is in office. It sure seems like a good idea to have an attorney present. Trustee Marcoe suggested that Citizen Badberg step forward and pay the bills for the attorney because the village is broke. Citizen Badberg suggested that Trustee Marcoe give up his salary. Trustee Marcoe responded that he does not get a salary. He receives \$25.00 for every meeting he attends. Trustee Juilfs stated that he has already offered to donate his and so has other board members. Citizen Badberg questioned if there were any grants out there to assist the village. Village Clerk Cadwell explained that the problem with that is that she only is in the office for 4 hours a week on Saturdays. Researching and finding grants take time and grant writing is also time consuming. Attorney Johnson explained that the number of grants that are available are very limited.

Trustee Marcoe made a motion to terminate Village Attorney Johnson immediately. Trustee Langer seconded the motion. The following board members voted "YEA": Langer, Marcoe, Juilfs. The following board members voted "NAY": LaPage and Lancot. Motion carried. 3-2

Discussion of Alvo Fire & Rescue Department

Trustee Langer made a motion to start the process to reinstate the Village Fire & Rescue Department. Chairwomen LaPage stated that we no longer have a Fire & Rescue Department. Trustee Langer argued that we do have a Fire & Rescue. Trustee Langer pulled out documentation and referred to it as a court order stating that Alvo does have Fire & Rescue. He responded to Chairwomen LaPage stating that what she has done is illegal and against the judge's orders. A judge would like to know about this. Why weren't we informed of this? Chairwomen LaPage asked what he is referencing. Trustee Langer referenced a document he was holding stating this is a court order that is saying what you did was illegal. Chairwoman LaPage stated that she has never received any court order stating what she has done is illegal. Trustee

Langer explained that the documentation that he was holding was from Cass County Court. Trustee LaPage asked if this has to do with the lawsuit. Trustee Langer replied stating that everything that was done on August 22nd was illegal. Chairwoman LaPage stated that we ratified that in February. Trustee Langer stated that was illegal also. Chairwomen LaPage stated that it was not. She asked Trustee Langer if he is even aware of what the lawsuit is about with the Morgan's. Trustee Langer stated that he does know what it is about. Chairwoman LaPage reported that currently the Morgan's are saying they own the Rescue Squad. If that is the case, why would the Village of Alvo pay their insurance, workman's comp, house their vehicles, and plate the ambulances with county money. They did not pay any employees. When you have a private ambulance service, you have to pay your employees, they cannot volunteer. So, explain to me how all this is, if the Morgans owned the Rescue Squad. Trustee Langer stated that his motion stands. Trustee Marcoe asked why we paid anything? Chairwoman LaPage stated that was her point. If they were a private entity, then why was everything listed under the village? Trustee Marcoe referenced the document in his possession stating if you read this document, they voided every motion that you guys made in those meetings regarding the termination of the Fire & Rescue. Trustee Marcoe feels that if a judge voided those motions the Morgans are still on the Rescue Squad. Trustee LaPage explained that they are not, because it was ratified in February with our attorneys and their attorneys were present. They are currently still fighting to say that they own the Rescue Squad, but it no longer exists. There is not a license for the Rescue Squad. The Fire Department bought one of the ambulances. How do the Morgan's own them? Trustee Langer referenced the document stating, "talk all you want, this was a court order stating what you did was wrong." Chairwoman LaPage explained we are currently still going to trial. There has not been a resolution yet. We are going to trial because now they are suing the town for money. Where is the village going to produce the money? Citizen Badberg asked where the attorney was. Then commented, oh that's right, you guys just fired him." Trustee Marcoe explained that they have a different lawyer on the lawsuit. Chairwoman LaPage explained that there is not currently a medical director. Trustee Langer continued that the document he was holding was an order from a judge. Chairwoman LaPage stated that nothing has been approved and the Village is going to trial in November. Trustee Langer stated that this has nothing to do with going to trial and this has to do with what the prior board did was illegal. Citizen Wilhelm asked who the judge was that signed the document Trustee Langer is holding. Trustee Langer responded Judge Schmidt.

Eagle Fire Captain Recken asked what apparatuses Alvo Fire & Rescue would be using if reinstated. Trustee Langer responded that if they have to use a pickup and a 50-gallon barrel and 5-gallon buckets, that is what they will be doing. You guys will not be taking over this building. There are a lot of guys who worked hard to build this. This is Alvo Fire & Rescue. Eagle Fire Captain Recken said that he is not understanding what he is referring to when you talk about taking over. Trustee Langer told Eagle Fire Captain Recken that he is not going to allow him to put his fire trucks in Alvo's building. Eagle Fire Captain Recken explained Alvo Fire is gone so you can stop there. You run your trucks and we can pull our trucks out of your building. Alvo will have no coverage because the Rural Fire Board owns the fire trucks. You can start your fire and rescue service like you want, but who is going to pay for this. There is not any money. You just said that you the village does not have money to pay a lawyer. It costs \$7000 to \$8000 a year to pay for insurance and the medical director. The Rural Fire District will not allow you to take the ambulances out of town. So, you will start your service for two calls a year out of this town. They will be all those ambulances can do because they will not be allowed to leave this town. They can't respond to calls out in the country. They will not be allowed to bill out for those calls. The Rural Fire District controls

that. Trustee Marcoe asked how Alvo got in this position. There was nothing wrong with our Fire & Rescue Squad to begin with. Eagle Fire Captain Recken stated that he had nothing to do with that. Trustee Marcoe explained that he feels Eagle Fire Captain Recken is arguing against trying to bring it back. Eagle Fire Captain Recken stated that you do not need to bring it back. What do you need to bring them back for? Trustee Langer commented that if we would have had them here, Trustee Marcoe's house would not have been burnt down. Trustee Marcoe stated that if Alvo Fire & Rescue had been there that day he would still have a house. Eagle Fire Captain Recken stated that his house wasn't going to be able to be saved. Eagle Fire Captain Recken asked why Trustee Langer is not on the Fire Department then, because his house would still be here if you were on the Fire Department because you live in town. How many other people that live in Alvo are on the Fire Department? Trustee Langer stated that Chairwomen LaPage would not allow a fire truck to be brought to the fire. Chairwomen LaPage said that is not true and that she immediately went to the office and opened the bays. Eagle Fire Captain Recken agreed with Chairwomen LaPage and stated that she immediately called him. Trustee Marcoe referred to Hoefling asking him if he was here. Trustee Marcoe stated I am not trying to get on you, but you were there. You could have run one of the trucks, right? Hoefling responded which truck. The one with the engine that we are not sure if the engine works or the grass truck? Trustee Marcoe stated all he is saying that if a fire truck had been there, you would have been able to run it right? Hoefling responded that is what we are trying to do. Trustee Marcoe stated that he is talking about that day. You were here that day. You were the first one here. Hoefling responded that he is not sure what the question is. There was not anything here to run. Trustee Marcoe asked if the trucks were already gone. Eagle Fire Captain Recken responded no, the trucks are still there. There are two trucks. One is a grass truck, and one is an old engine, and we are not for sure if it runs. Trustee Marcoe said that he did not know that we did not have a decent fire truck. Fire Captain Recken explained that the reason why they do not have fire trucks stationed in Alvo is because there are two ambulances sitting in the bays that are wrapped up in lawsuits. No one wanted to come to this station to grab anything so they can get drug into some stupid lawsuit. Trustee Marcoe explained that he is not talking about that right now. Eagle Fire Captain Recken stated that he is trying to explain that if you guys stand a chance at having a Fire Department you guys need to pay your bills, get the stuff you need for this town, and fix your streets. Don't waste \$7000 on rescue service for two calls a year. Guess what, if you don't pay your bills the town will go unincorporated, this building goes for sale, the county will take over your building, and the Rural Fire Board will pay to use it. The village currently pays nothing for fire or rescue services. If you start your own Fire Department you will spend money on services, you currently pay nothing to get. Trustee Marcoe asked if the equipment in this building was in good shape. He said that he heard that Fire Captain Recken only paid \$2600.00 to get the Alvo equipment. Fire Captain Recken explained that he did not know what he was talking about. Trustee Marcoe stated that someone said that Eagle paid \$2600.00 for our equipment. Eagle Fire Captain Recken stated that you are talking about the equipment in the ambulances, and he has nothing to do with that. The fire equipment and suits are owned by the Rural Fire District. The village does not own them. If you understand the way the old contract worked, the Rural Fire District supplied the trucks, the gear, and the hoses. The Village of Alvo supplied the rescue services. There was an interlocal agreement between us. Guess what, you can leave the fire trucks stored here and we will provide rescue services to the rural fire district for you. It was set up the same way for the village of Eagle. Trustee Marcoe questioned so the town of Alvo, never owned any fire suits or equipment then? Eagle Fire Captain Recken responded no. Trustee Marcoe said that he did not believe it. Trustee Langer said a lot of people donated their time.

Trustee Marcoe stated that Eagle Fire Captain Recken might be right, but he is not sure. Fire Captain Recken explained that it really does not matter. He has donated a lot of time of his time and the Village of Eagle does not own any suits. It all comes from the Rural Fire District. They pay for it. Trustee Juilfs stated that the Village of Alvo can't get a medical director. Eagle Fire Captain Recken agreed, stating that a medical director would not set foot in this place. Trustee Juilfs stated that they want nothing to do with this. Hoefling commented that before you run an EMT service, you will need to find a medical director. The medical director oversees everything. Trustee Marcoe explained that all this irritates the shit out of him that we don't have our own Fire & Rescue. Hoefling stated that he doesn't disagree with him. Trustee Marcoe stated that none of this had to happen. Hoefling stated that it almost feels like you are blaming us. Trustee Marcoe explained that he is not blaming them at all. He is just asking how we got here. Eagle Fire Captain Recken explained that the old Fire Chief and the Old Rescue Captain, you know the one that is suing you, that is where it started. The Rural Fire District wants nothing to do with Alvo Rescue. They will never sign an interlocal agreement with them. They do not want their service. Trustee Marcoe acknowledge that the old fire chief was a crook, but we got rid of him. We do not have to get rid of everybody just because we got rid of him. Hoefling stated after that there was not anyone around. Citizen Templemeyer commented that all the volunteers quit. Hoefling and one other person were the only ones left in the village. Hoefling asked what we were supposed to do with two people on a fire department. Trustee Marcoe asked if anyone had tried to talk with the members to stop them from walking out. Hoefling stated that Chairwoman LaPage contacted him. Chairwoman LaPage stated that she had a meeting with the members, and they would not stay due to the issue with former Fire Chief Glantz and the lawsuit with the Former Rescue Captain Morgan. We held a meeting up here at the office. Eagle Fire Captain Recken pointed out again that the Village of Alvo pays nothing for rescue services now. Citizen Wilhelm explained that he was in a house explosion. He called 911 for assistance. Eagle pulled up at the same time Alvo pulled up. He said that he made a mistake of getting loaded up in the Alvo Ambulance. The ambulance would not go any faster than 40-45mph. Former Rescue member Roberson asked Rescue Member K. Morgan if the ambulance could go any faster and she stated that anything over 45mph would cause the ambulance to shake too bad. Citizen Wilhelm said that he asked for another ambulance to transfer him to the hospital. Hoefling explained that there was a new ordinance that was put into law in July, and I don't know if you even could put the ambulances certified to run as ambulances. He explained that is not newer than last July it must go through a certification process. You are required to have five-point safety harnesses, or it will not be allowed to be in service. Citizen Wilhelm stated that his point is that the ambulance he rode in should not have been in service anyway. Eagle Fire Captain Recken stated that Eagle just got a new ambulance that will go into service next week. The guys are training on it this week. It cost the town \$280,000. The backup ambulance is seven years old. The other ambulance that is a 2006, Eagle can't even sell as an ambulance. The ambulances that Alvo has are older than that. He questioned why they would even want to start up a rescue squad when you can't even afford a lawyer. Citizen Badberg stated that he works in the medical profession and a case of 10 boxes of surgical gloves costs around \$300.00. The village can't afford that. Eagle Fire Captain Recken reiterated and starting a rescue squad to go on two calls a year because you can't leave the village, or you will have to send the ambulance to a racetrack to make money. Eagle will still have to respond to the same calls. He doesn't even understand why this is a conversation. The Village of Eagle extended their hand out to help your village out for free. It costs the Village of Alvo nothing to have coverage, but over here you have people that worked hard. There is a lot of people that work hard every day in Eagle's Fire Station. The volunteers

you have here are not the volunteers you had here ten to fifteen years ago. Trustee Marcoe asked Eagle Fire Captain Recken, if you guys put some people in the Fire Station, who are going to be the people that run it? Eagle Fire Captain Recken stated that they would not be running rescue squads out of the building. Trustee Marcoe stated that he was referring to the Fire Department. Eagle Fire Captain Recken stated that they would put fire trucks in the Alvo Fire Station. Trustee Marcoe asked where they would be getting the people from? Are they going to be from Alvo? Eagle Fire Captain Recken stated that if you get rid of this lawsuit for me, we will put fire trucks in here and make this thing run. I am trying to save these trucks from selling because we do have two new trucks coming to serve the district. What scares me is the town will go bankrupt, you will run unincorporated, and the rural fire district will not want to buy this building. The county will take it over. You have a bond on it. It will get sold. The Village of Alvo will be out of all of its money and there will not be a fire department. Trustee Marcoe replied if we don't do something we will not have a town either. Fire Captain Recken agreed that it scares him too. That is why he is trying to tell him not to waste the village's money trying to start this back up. He told Trustee Marcoe you are a respectable person and I like you. I can reason with you. Trustee Langer I will never try to reason with. The problem is you are trying to be here, and you need to start here. Hoefling explained that another problem when you were two separate entities there was not any training. You had a hodgepodge of people that would come together on scenes that don't work well together, because they don't train together. They don't know each other. You are each trying to do separate things. If we have a substation in Alvo with equipment, and train together, you will have unification of everyone involved in our district. They will know all the apparatus and they will know what we should be doing. Beforehand, it was a nightmare for people to respond to calls. Then there was a bunch of people trying to get there the fastest so they could run incident command. It was a dick measuring contest between the two chiefs quite frankly and it is not that way anymore. Everything works so much better as one. Citizen Templemeyer stated that we had a guy on the squad here that didn't even have a license that took a truck out one time. He was excited because he was the first one there. Eagle Fire Captain Recken stated that five years ago, he couldn't get anyone from Alvo to respond to calls. Rick Koutecky was the Chief and I like him, but he didn't show up to calls. That's the thing. You don't have the people here. You don't have the population here. I have just as many people here as I do to protect an Eagle Lake residence as I do in Alvo. I have just as many people on 226th and Holdredge. We have people all the way to Havelock. We cover over 75 square miles. I can't help that I can't put a rescue station every five square miles, but what I can do to help is give you some top-quality volunteers. He said that he can get it filled up, but you must give him some time. You will need to get the ambulances out of this station and let him do some work. I will get you some good volunteers. He said that we will probably never roll a squad out of here because the Village of Eagle keep those in town. What he could do is roll a couple of EMT's with jump bags that would be on scene over here that live closer to Alvo. That way when the ambulance rolls over, the EMT's are on the scene already. Hoefling is a licensed EMT. He lives three miles away. Citizen Badberg asked Trustee Marcoe what he is going to do if he has a stroke. Time is money there. The faster that they can get you to the hospital, the better your chance is. Eagle Fire Captain Recken stated that he just does not feel that Alvo has the money to support a Fire & Rescue Department. Your heart is in the right place trying to get it back up, but the problem is the four people that are suing you in that lawsuit, one of them lives in Greenwood, the other one lives in Elmwood, they were not ever going to show up to anything anyway. That is the problem with your old department. You guys had a lot of people that you were paying workman's compensation for. That is \$250.00 per person per year. If you have 8 people that are going

to be on the squad you are trying to start, will cost you \$2000.00. The medical director will cost you around \$4000.00. Insurance on the squad will cost around another \$6000.00. There is money to this. So instead of spending the money on that, let's get your streets fixed, let's keep this building, and I will get fire trucks in this building. He said that he is done talking about this. I don't want to push it anymore. The Board knows where he stands. He will give his fire report.

Eagle had 15 medical calls. They were responded to by an average of 8 people per call. We had two fire calls. Those calls averaged 12 people per call. We had 2 tenfourtyfive car accident calls that averaged nine people a call. So, the volunteers are here. They are showing up. I don't want to hear about we need to start this and that. He is tired of the Eagle versus Alvo bullshit. You guys need to drop it. It seems to be the older guys that have the problem. The young guys don't. Good luck. Citizen Baberg pointed out that members of the board would like to put the citizens of Alvo at risk, than to have Eagle and the Rural Fire Department run the service. Is that what I am understanding. Citizen Templemeyer pointed out a service that doesn't cost the Village. Trustee Marcoe questioned, a service that doesn't cost you. You call the rescue squad and see what it costs. Citizen Templemeyer stated that it is not costing the Village anything for these guys to come in and do their job. Trustee Marcoe stated that they are still billing for their services. Citizen Wilhelm stated when the Alvo rescue squad hauled him from Alvo to 148th Street it cost him \$480.00 for an ambulance that couldn't go over 45mph. They still sent him the bill. Then Lincoln turned around and billed me for three hundred and something dollars. Marcoe stated that you are not going to get away from the bills. Citizen Wilhelm stated that he didn't pay either one of them. Citizen Badberg explained that he grew up near Humbolt and the ambulance rides out there were all based on donation. Trustee Marcoe agreed with him, stating that was the way that things used to be. Citizen Badberg asked how the village plans to come up with the money that it would cost to start to get things back up because I don't think we can. Trustee Juilfs stated that he is not going to agree with it. Citizen Wilhelm noted that the next time they come in here to give the fire report, ambulance reinstatement should not be brought up. All you are doing is pissing them off. The next thing they are going to do is tell you to stick the whole works up your ass. I can see it coming. He just about did that tonight. Citizen Badberg asked Trustee Langer what he was going to do if he has a massive coronary down there his junk yard. Trustee Marcoe stated he will be waiting on Eagle. Chairwoman LaPage stated that Eagle was usually the first to get here anyway, because Alvo was never manned 24-7 the way Eagle is.

Discussion of New Developments in Lawsuit against Village of Alvo

Chairwoman LaPage explained she can't discuss a lot of it because it is in the lawsuit. The lawsuit is about the plaintiffs saying they own the rescue squad. If they owned it, why did Alvo pay all that money out. Alvo will be in a whole lot of trouble paying for a private rescue service with taxpayer's funds. There is so much that I can't discuss but the whole thing is a mess. The services for Fire and Rescue are currently not costing the Village anything. When we had our own Fire and Rescue, we paid out thousands of dollars in insurance, upkeep, etc. The plaintiffs are saying they own it and the Village of Alvo is saying they own it. That is what the lawsuit is about. Alvo does not have the money to run a Fire and Rescue Department. Like Trustee Marcoe said, we don't even have money to pay all the bills. We are paying pieces here and pieces there because of embezzlements and the lawsuits. This lawsuit is costing the Village lots of money. The meeting that Langer referenced in October, the one thing that isn't being said is the board wanted to talk to the four rescue members because of complaints that they were receiving. They refused to come meet with us. Two different times we told them to please come and talk with us. We want to talk about

these issues. They said no and that they were not doing it. That is when the board suspended them. Trustee Langer stated for that pissing contest it has cost the village over \$50,000 in attorney fees. Chairwoman LaPage stated that Attorney Johnson is not the one who is representing us in this lawsuit. We have paid him over \$50,000 due to this foolishness. Chairwoman LaPage stated that Trustee Langer has costed the Village thousands with all his foolishness over the state statutes. Trustee Langer argued not thousands. Chairwoman LaPage stated that it really doesn't matter because the attorney is gone. Trustee Langer stated that \$50,000 dollars would have paid our bank note. Chairwoman LaPage replied if they would have came and met with us there would be no lawsuit. Trustee Langer stated that kind of thinking is what got us in that lawsuit. Citizen Templemeyer commented that you cannot talk to a rock. Trustee Marcoe stated that he thought that Johnson isn't even the one representing us in the lawsuit. Chairwoman Lapage stated that he is not the one representing the Village in the lawsuit over the rescue squad. Village Clerk Cadwell explained that Attorney Johnson does all the record requests for the village. We do not have a clerk on staff Monday through Friday so there is not anyone to answer this stuff. He had all the knowledge of what was going on with the village. Now, we need to hire a new attorney to represent the village which will cost the village more. Citizen Wilhelm feels the board should vote the attorney back in. Village Clerk Cadwell explained that she should not even be talking, but she feels like this village is going down the wrong path. She is not trying to tell the board what to do but the trustees need to start communicating with one another and get on the same page on how you are going to fix things in the village. If you keep working against each other and fighting, you are ultimately not going to have a town. Trustee Marcoe asked what do you think we are trying to do? Village Clerk Cadwell pointed out that the board members are not getting along. You need to work on figuring out resolutions and compromising with one another. Compromising might not get you everything you want but you are working together to resolve these issues. This situation is frustrating. Trustee Langer stated that nothing has changed in the last three, four, or five years. Village Clerk Cadwell asked Trustee Langer how do we get everyone to get along. Trustee Langer stated that we are trying to change things. Village Clerk Cadwell stated to Trustee Langer that you are not changing things. You are digging us into the hole further. We need to figure out a way for the five of you guys to communicate and figure out how we are really going to fix these issues. Trustee Marcoe stated that he does not understand why we need the attorney here to fix things. Village Clerk Cadwell stated that she is not saying that you do need the attorney here, but now the village is now an open target for more lawsuits. Trustee Marcoe commented that he is sure we can find a new attorney. Village Clerk Cadwell stated that she does not feel anyone will want anything to do with Alvo. Instead of firing him, you should have investigated the situation further. You should have found an attorney that was willing to represent Alvo and then fired him. Village Clerk Cadwell explained that she knew about the situation in Alvo, and has no ties to Alvo. She agreed to come help the village because she knew that it was in bad shape and thought she could help. Trustee Marcoe asked what are all the problems that we need the attorney. The board members are not getting along. Trustee Langer doesn't listen to statues. Then we need to pay an attorney to provide memos explaining the statutes. Trustee Marcoe stated that he was just here to charge us more. Village Clerk Cadwell pointed out that he was here to protect you from stepping in another hole. Citizen Templemeyer stated that the attorney would have saved the village money in the long run. Village Clerk Cadwell said again, you need to figure out how to get along. Trustee Marcoe stated that he is open to that but wants to know why it has taken until now to figure out how to get out of this mess. Village Clerk Cadwell commented that she will do what she can to help the village get out of this mess but asked who was going to respond to record requests

now. Trustee Marcoe asked Village Clerk Cadwell, you are telling me that Attorney Johnson was going to help us get out of this mess? Village Clerk Cadwell said that she is not saying that. What she is saying that before you make an impulsive decision you should have seen if there was another attorney that wanted to represent the village. Trustee Langer argued that there was nothing irrational about this decision. Trustee Marcoe said well that is why we need to need to find an attorney. Village Clerk Cadwell replied that she will let Trustee Marcoe and Trustee Langer that she will let them handle that matter. Citizen Templemeyer requested that Trustee Juilfs redact his last vote. He thinks he is being bulldogged into things. Citizen Wilhelm agreed that he thinks they need Attorney Johnson back here. He doesn't think you will find an attorney cheaper or one that won't want to be at every meeting every time. Trustee Marcoe stated that if we don't raise taxes and other things, we are not going to make it. Citizen Badberg replied to Trustee Marcoe referring to the recycling center if you keep letting that go on down there you won't have anyone in this town to tax. Trustee Marcoe stated that it has been there for a lot of years. Citizen Wilhelm stated that he thought they were had done something with business tax. Citizen Templemeyer stated that was in 2016 they were working on it. It was going to be a 1.5% local sales tax. It vanished. A former chairperson was going to investigate the matter and we never heard anything about it again. Chairwoman LaPage stated that it is something that she has looked into. Citizen Templemeyer stated that there is a guy sitting on the end referring to Trustee Langer that is bullying people and getting them to vote in his favor. It is screwing the town over. Juilfs stated that he has wanted to get rid of Johnson since he got on the board because he realized how much money was going out to him. Citizen Templemeyer asked you could see how much money the attorney was saving the town. He feels as if this was worked badly by firing the attorney and not having anyone to take his place. Trustee Juilfs asked Citizen Templemeyer if all town boards have attorneys present at every meeting. You are wrong. Citizen Templemeyer stated that Juilfs is not listening. The way the board handled this was wrong. Citizen Badberg replied have you asked the people that were on the board before. Did you vote for those people? The people that were here that embezzled that took the towns money. Marcoe stated that he didn't think that those people where elected. He thought that they got put in those positions. Langer stated that the embezzlements are not what hurt the town. The frivolous lawsuits are. The embezzlement was only \$17,000. Wilhelm reminded him that a different embezzlement with a prior clerk cost the town way more than that. Langer stated that the village survived that too. There was still money in the bank. Cadwell asked Langer where the money is at now because it is not in the bank. We don't have any money. Chairwoman LaPage stated that Neuhart took \$230,000, how did we have money in the bank. Langer stated that when Marcoe and him got off the board there was still money in the bank. Citizen Templemeyer stated that was a long time ago. Chairwoman LaPage said that the loss of the \$230,000 happened in 2017 when Neuhart was caught. There was no money in the bank. Marcoe stated that is beside the point. He feels that we have never done anything to heal that up. Langer stated that he feels that there have been a bunch of bad decisions that have been made since then that have cost the town a barrel of money. We have to change that. We just saved the village \$1000 a week. There are more things that are going to happen to save on things too. Citizen Badberg commented until you need that attorney, and he is going to have to bill you for hours to get caught up. Langer stated that Marcoe and him were on the board for years. We never had an attorney ever. If you don't do stupid things, you do not need an attorney. Lapage stated that she cleaned up a lot of stuff from things not being done correctly on other boards. Marcoe stated that he is not saying that we don't need an attorney he is just saying we don't need one setting here at every meeting. Chairwoman LaPage agreed with him. Cadwell explained that

she thought what Johnson was trying to convey to you was that because of all the lawsuits that you guys have been in recently that people aren't going to be willing to come in and put their foot in and listen from afar. I think that if you had spoken with another attorney before making this decision you would realize that you are going to have a hard time finding one. Citizen Badberg feels that the village will be in the same boat hiring a different attorney. Trustee Marcoe stated that he was just trying to ask him to not attend every meeting to cut cost. I had no problem paying him a retainer and calling him if we needed him. He was not willing to do that. He either wanted to be here all the time for all the money or he didn't want to be here. Citizen Templemeyer explained you have fired him and now you don't have one at all. Now you will have to go look for another one. You should have looked for someone and then fired him. Marcoe stated that is not what I asked him. he is the one who didn't want to stay. Citizen Templemeyer exclaimed no, that is not the way you handled it. It was fire him and then look for another attorney. Trustee Marcoe stated that he never said anything about firing Johnson. How do you know? Citizen Templemeyer stated that it was listing on the agenda as discussion and possible termination of village attorney. Trustee Marcoe stated that I said that I didn't think he needed to be at every meeting. Citizen Templemeyer reminded Trustee Marcoe; the vote was to terminate immediately. You didn't need to terminate immediately. You could have looked around to see what you could find. Marcoe stated he never said that. Johnson stated that he is the one that requested immediately. Chairwoman LaPage stated that Trustee Marcoe never said that. Citizen Templemeyer stated that no Trustee Marcoe did not say that at first. Trustee Marcoe responded, then don't blame me for that. Citizen Templemeyer replied I think you should have looked around before you brought this up. Citizen Langer stated maybe we did. How do you know. Chairwoman LaPage commented that no one is communicating any of this to anyone on the board. No one else on the board knows this. Citizen Badberg asked how Trustee Langer can legally do this without communicating with the rest of the board members. Chairwoman LaPage stated that this has been going on since Langer got on the board. He does things without communicating to Chairwoman LaPage or Trustee Lancot. He probably communicates with Trustee Marcoe and Trustee Juilfs, but not us two. Village Clerk Cadwell asked how we can figure out how we are going to be able to communicate better? Citizen Templemeyer pointed out that you need to do what is in the best interest of the town, not follow the leader, not follow the bulldog. Trustee Juilfs said that saving money is in the best interest of the town. Trustee Langer stated that he sees problems that needs to be fixed. Chairwoman LaPage stated that the board sees things that need to be fixed and then Trustee Langer comes in with a piece of paper stating he will sue us if the village because the people of the town who elected you, which you sat right her at your second meeting stating we need to listen to the people of your town. People of the town are complaining about your operation hours, the noise, the garbage, and you are saying you will sue the village. Citizen Badberg questioned Trustee Langer, we need to save money, yet you want to sue the village, you want to cost the village more money? Citizen Templemeyer interjected stating because you don't want to follow the rules. Trustee Langer stated that you have tried to get me put out of business already. These guys did. They have all been out there. We are in compliance. Citizen Templemeyer stated no you are not. Citizen Badberg commented you don't have to live next to that place. Chairwoman LaPage pointed out that the State of Nebraska from the letter we received says that Trustee Langer is in violation of some things. Citizen Templemeyer said that he is in violation of many things. Trustee Marcoe asked then why don't they shut him down? Citizen Templemeyer stated that they are giving him time to get back into compliance. Chairwoman LaPage stated that they have told him that he will need to make smaller piles of tires to ensure that if one caught on fire the whole place would not burn. Citizen

Templemeyer said that he will also need to reduce the number of tires that he has. Chairwoman LaPage agreed saying that she is not going to sit here and bash him. He knows that they are in violation. Citizen Badberg stated that he just brought in another truck with tires in it. How come the village hasn't enforced any of this. Since the planning committee has members now this issue will be discussed, because he is in violation of the zoning ordinances. That will need to be addressed by them and then it will be brought to the board. Badberg asked if that happens will then Trustee Langer won't be able to vote on it. Chairwoman Lapage stated that is correct. Citizen Badberg questioned when it is a two to two tie who votes then. Who will be the tie breaker? Chairwoman LaPage thinks with this being a State and EPA issue it might not even be a tie. Citizen Badberg asked Trustee Juilfs if he knows where he lives. Would you be bothered if you lived there? Trustee Juilfs responded that he doesn't live far, just around the corner. He says that he can hear the noise coming from the recycling center, but he can also hear dogs barking. Chairwoman LaPage redirected the meeting to get back to the issue. Trustee Langer stated that there is a motion on the table. Chairwoman LaPage explained that they are unable to take action because on the agenda it does not say approve. The motion is void. Chairwoman Lapage explained that she is not trying to tell anyone what to do. She thinks that we really need to consider the money aspect of this. We are also in the middle of a lawsuit to say who owns Alvo rescue. You are going to reinstate the rescue with them saying they own it. Trustee Marcoe stated that he does not think they have paperwork. I don't think we ever had paperwork saying that the village owned it. Chairwoman LaPage stated that there are meeting minutes and all kinds of stuff from when it was formed by the village. Trustee Marcoe thinks the village might have donated money to them. He does think we have our own rigs. Chairwoman LaPage stated that the fire department purchased one of the ambulances. Koutecky told her that. Chairwoman Lapage countered and if it is private than Alvo is in a whole bunch of trouble because you used Alvo public money to fund a private service. Let's just say they go to court, and they win, they say that it has been a private entity this whole time, Alvo will lose their rear. They would have illegally spent public funds to insure it, to house the ambulances, and had volunteers. When you have a private service, you can't have volunteers. You must pay the people that are on the squad, which it was our volunteers that did the job. That means Alvo is going to get sued to the max because they would have used public money to pay for a private entity. Trustee Marcoe said that he didn't know if anyone is buying that. He does not know if we own it either. Chairwoman Lapage stated that we do own it. It was our licenses; it was the county money. You cannot get county money if you are a private entity, but you guys want to try and reinstate something that we do not know who owns it. Alvo had the license for it. The county had their plates on it. How did this happen if it is a private entity? They should have licensed it their selves but instead they put Alvo on it. Citizen Wilhelm said that should prove who owns it. Trustee Juilfs asked how long this issue has been in court? Chairwoman LaPage stated that we have been going to court for this for a year now. We are not going back to court now, because now they want money from the village. If they win, the village will have to pay more money. This town will go unincorporated and go back to the county. That is what is going to happen. If that is to happen, let's just say they win, Alvo will get sued bad because they used public money to take care of a private entity. Trustee Langer replied that if Chairwoman LaPage and Glantz hadn't done what they did to those people, they would not be suing the village. Chairwoman Lapage countered let's understand the core problem here. She stated if they could have come up here and discussed the complaints. Trustee Langer stated that Chairwoman LaPage could have come to the meeting. Chairwoman LaPage said that she was not invited. We didn't even know about that meeting. We found out back handedly. Trustee Langer tried to interrupt but Chairwoman LaPage requested that

he let her finish. When we found out about the meeting, after they went behind our back, when we said that we do not want to belong to the Cass County Emergency ALS. We did that because Alvo is not manned 24 hours a day seven days a week. It did not cost the village any money to be covered. Trustee Langer asked if there was a better way that could have been handled? Chairwoman LaPage replied we tried to talk with them. He would not come talk with us. It was just about that issue. We wanted to talk about the complaints we had. The billing where he billed people for services they did not provide. We asked him to please come talk with us and he refused two times. If he would have come and talked with us, we would probably not even be in this situation. Trustee Langer asked if you had talked with him what would it have yielded, what would it have changed. Chairwoman LaPage stated that it would have changed a lot of things. Trustee Langer asked what you would have said to each other that would have changed things. Chairwoman LaPage stated how about include the village when you bill out. How about giving us a report? How about letting us see the bank statements. Let us see that because it is under the Alvo's name. Trustee Langer stated that had to be done at a village board meeting? Chairwoman LaPage stated that is what she asked him to do, and he refused. She responded to Trustee Langer you are only hearing one side of the story. You have never come to the meetings and caught up with what is going on. The only person that you are listening to are the Morgans. Trustee Langer stated that he was here several times, and you would tell us because it was under litigation. How are we supposed to know? Chairwoman LaPage responded that you sit and talk to them. Trustee Langer said he came to three meetings, and you would not tell us what is going on. Chairwoman LaPage stated that she has been instructed to not talk about it. Trustee Langer asked where is the transparency? Tell us the damn truth. Chairwoman LaPage stated you tell the truth. You are down there helping the people that are suing the village and coming after us for money. You are helping them. Trustee Langer stated that this has nothing to do with him whatsoever. Trustee Marcoe feels that there should have never been a lawsuit to start with. Chairwoman LaPage agreed with Trustee Marcoe. If he just would have come discussed it. We had bills sitting at the office where he billed out for services that he did not do. We wanted to talk to him about it. Why did you bill these people? We had one guy go to collections over it and Recken and I had to call up there to try and get the collection lifted because services were never rendered from Alvo. Those are issues, they are still issues. They are still handing out there. There have been several complaints. All we wanted to do was sit down and talk and find out why and have them explain it. They refused. Trustee Marcoe stated he did not know, but it seems like we went from being okay to nothing. Chairwoman LaPage responded that no one asked them to sue the town and now they keep adding more and more. They will bury the town. If we have to pay them money, this town is done. It will be unincorporated and go back to the county. Trustee Marcoe stated that the scary thing is that they haven't lost the battle. They have won every one of them. They are going up against for the third time for money and I am pretty sure they are going to win that also. Chairwoman LaPage responded with nothing has been won yet. We have to go to trial in November. They keep adding things. Trustee Marcoe stated that the town doesn't have a good record of winning. I am just saying that somewhere along the lines this should have been resolved. Wasn't there a better way of doing it? Chairwoman LaPage agreed stating but we are where we are right now. Then the other person that was in on it was Glantz the worst crook in the world, so it doesn't look like a good deal to me. I am only worried about the town. I could give a shit less about anything else. Chairwoman LaPage stated that they brought forth a settlement and we agreed to settle. Then they agreed not to settle. They said they wanted the ambulances, both of them, even though Koutecky said that one was purchased by the Fire Department, we said take them. We will settle. We will be done.

Nope, now they want money, now they want this, now they want that. Trustee Marcoe asked Chairwoman LaPage if she has testified. Chairwoman LaPage explained that they have not been to court yet. Trustee Marcoe stated that he did not know, all he knows is that we are in a hell of a mess, and I don't know how we are going to get out of it. He asked if anyone had any ideas down there referring to City Clerk Cadwell. Citizen Badberg reminded Trustee Marcoe don't forget she can't give you legal advice. Trustee Marcoe stated that he is not looking for legal advice. I am asking for ways to get this town money to get us out of this mess. Chairwoman LaPage stated that we just raised the water and sewer rates and that is helping but because we are so far in the hole, and this does go back to Neuhart we are climbing out. We have the bank working with us. Marcoe asked if we are reading meters now. Cadwell said yes, except for a few that do not read.

Discussion and Approval of Ordinance 21-1 Clerk's Wages

Lancot made a motion to suspend the rules and waive the three readings. Trustee Langer seconded the motion.

The following Trustees voted "YEA": LaPage, Lancot, Juilfs, and Marcoe. The following Trustees voted "NAY": None. Motion carried. 5-0

Reports

a. Water and Sewer

Chairwoman Lapage reported that old water meters that need to be replaced. Trustee Juilfs and Trustee Marcoe volunteered to assist with installing of new water meters.

b. Roads Report

Chairwoman LaPage reported that there was a letter that was drafted and sent in.

Consent Agenda

a. Approval of minutes of meeting from April 6th, 2021

b. Approve the payment of the claims, wages, payroll, taxes, including necessary transfers of funds to and or from water/sewer and general fund accounts

c. Payment of Claims

- 1. Payroll \$850.00 before taxes**
- 2. Intuit Payroll \$12.66**
- 3. Lee Enterprises \$42.40**
- 4. Nebraska Department of Labor \$22.07**
- 5. Nebraska Department of Revenue \$537.60**
- 6. Nebraska Public Health Environmental Lab \$15.00**
- 7. Maguire Iron \$1000.00**
- 8. OPPD \$725.02**
- 9. PeopleService \$825.00**
- 10. Roger Johnson \$2078.15**
- 11. Security First Bank \$1425.00**
- 12. US Treasury \$535.54**
- 13. Windstream \$70.03**
- 14. Windstream \$49.68**

Village Clerk Cadwell noted that she was having issues with Quickbooks updates prior to posting agenda and that is why payroll is listed before taxes.

Chairwomen LaPage made a motion to approve a, b, and c of consent agenda. Trustee Lancot seconded the motion.

The following Trustees voted "YEA": Lancot, Juilfs, Marcoe, and LaPage. The following Trustees voted "NAY": Langer. Motion carried. 4-0

Members communications regarding issues to include on the next meeting agenda

Chairwomen Lapage communicated that a letter needs to be send to the Wright regarding connections fees. Appointment of Officers was tabled and added to next agenda for discussion and possible action.

Adjournment

Chairwoman LaPage moved to adjourn at 9:22pm. Trustee Lancot seconded the motion. The following Trustees voted "YEA": Juilfs, Marcoe, Langer, Lapage, and Lancot.