

October 18, 2017

Chairperson Wray and members of the Village Board of Elmwood,

Effective immediately I hereby tender my resignation from the Village Board of Elmwood, Nebraska.

I ran for the board because I wanted to effect some needed changes to the way things have been run in the Village of Elmwood. It has become clear that even though the votes were what they were that for any change to occur there will have to be significant changes in the makeup of the board.

The climate and culture of the Board is toxic. From the very beginning there has been a grade school atmosphere on the part of the chairperson. If an issue does not go her way let the brow beating begin. This approach may work with children (though I sincerely doubt that parents would condone) it is unacceptable to me as an adult. This climate did not exist in the previous board make-up and I attribute it to the difference in chair. To be completely honest, I did nominate and vote for the current chairperson and it is probably the biggest mistake I have ever made.

I will never compromise on whether an action is right or wrong. Procedures are to be followed to keep the honest, honest and to make the dishonest think twice. It has been proven that there are no procedures that will be followed in the Village of Elmwood, at this time. There have been multiple recent actions that have not been done properly. Money has been appropriated without going before the board and then the board is expected to just approve them after the fact.

One was rocking of "C" Street. The Board voted it down specifically, but it was still ordered and placed on "C" Street. Then the clerk proceeded to state at a meeting that the rock went on "B" Street. I wish I could say that was a mistake...but knowing what was said at the meeting where the "C" motion failed tells me otherwise.

Another issue was a pump for the wastewater treatment plant. The chair "approved" the order of a nearly \$5,000 pump with no consultation with the board based on a suggestion of an emergent nature. The pump was ordered on 8-8-2017 and the installation was reported as final on 9-20-2017, obviously not emergent! And, oh by the way, the final wire-up of said pump was done by way of the exchange of a 30 pack of beer, probably a great deal, but clearly a violation of State of Nebraska Electrical Division rules requiring that an electrical contractor be licensed by the state.

Overtime is routinely approved for both employees by, "I don't really know who", then we on a twice a month basis are asked to approve it as a board with zero knowledge of what or why the overtime occurred and are questioned for why we even ask. I guess we are just supposed to vote "yes" blindly. Funny thing is we had a 32 hour a week clerk before the current one and now 40 hours is not enough. I do realize that there are a

couple more houses in town now, although a very small number, so I just can't see what the additional workload is.

Then we have the park. I understand that this project was approved by a prior board as far as concept and I support it getting to a conclusion, however, we cannot commit Village resources to the project without going through the Board, following normal project statements of work, approval of plans, letting and bidding of contracts to perform work and the appropriate board approval of said contract, and then appropriation of funds. A special meeting was ordered for 9-27-2017 but yet ground was broken on 9-21-2017, clearly going to be another approval after the fact. It is fundamental that government actions be done in a transparent and correct sequence to ensure that the public good is accomplished. It is clear that this is not the case at this time with the Village of Elmwood. Maybe we will just be lucky and everything will turn out fine.

As a board we vote on permits that have already been approved by Planning and Zoning, every aspect of spending from pennies to thousands of dollars. But all of the sudden we get a "\$27K" expenditure that may or may not be part of the \$128K park project budget and we do not need to discuss or vote to appropriate funds, as the Chairperson had already approved on her own. We did approve \$4,000 to get a plan that I have not yet seen. This does not pass any kind of common sense test!

The Nebraska Open Meetings Act is posted and acknowledged at all meetings but I really wonder who, other than me and Mr. Baer, has either read it or sought training on it. It is routinely violated in just about any manner and method ranging from improper meeting notice, poorly prepared agendas, poorly prepared and/or inaccurate minutes and up to and including not allowing the public to have the opportunity to speak on subjects being discussed. All of these issues could result in criminal charges as covered in the Act (see attached excerpt).

If all of the above was not enough, on 8-30-2017 I received a text from the Village Clerk, telling me to turn in my keys to the Village office. There was no reason stated, and actually initially I could not see the message as it stated "download". I followed up with "what is the message". Reply was, "please turn any keys u have for office ASAP. Drop in box". I followed up in person at the office and was informed that there were files missing from the office and the Chairperson Wray had ordered that all keys be turned in. I complied, but feel completely violated! I used my key to the office 2 times, one was to check if it worked when I received it and the second was to make sure I was turning in the right key. I was later informed by the clerk that at least one of the files was found in another file. I do realize that Elmwood is really large, but how long could it possibly take to look in each file to ensure the other 2 are not missing. Like everything else that goes on around here this is dismissed as just an "ok" event...it is not ok with me! Then it gets taken a step further at the meeting on 9-20-2017, now they want to lock the office to a point that board members do not have access to records, just what is going to be hidden from the board?

Another issue that I've observed is how written complaints are being addressed, or not, depending on how the Chair wants to deal with them. This is just another example of how the Chair takes actions into her own hands. Board members are not given the opportunity to weigh in on any of the complaints. Each complaint should be given the same consideration with an appropriate response to the citizen on what action has been taken.

I have attended training for water, waste water, open meeting act and League of Nebraska Municipalities conference all at my own expense to ensure that my actions as a board member are proper and allowed me to have sound legal and logical basis from which to operate as a board member. Some on this board do not have this level of interest and I flat do not have the energy or patience to be lonely in the effort to do the right things consistently.

Bearing all of the above in mind, I find myself in a place where I will no longer be able to follow the guidelines laid out in the "Elected Officials Code of Decorum Village of Elmwood, Nebraska" (see attachment) and therefore tender my resignation effective immediately.

Respectfully,
Jack L. Hovick