

July 10, 2024

The Trustees of the Village of Malcolm met on Wednesday, July 10, 2024, at 6:00 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the June 2024 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, July 8<sup>th</sup>, 2024.

#### ROLL CALL

Little, Benes, Tarr, Faubion, Lemkau

Absent: none

OPEN MEETINGS LAW is posted and located on the west wall of the Village Hall.

6:00 p.m. Board meet with Ryan Terwilliger, Superintendent – Malcolm Public Schools and Matt Thieman, Chairman of Malcolm Youth Sports Association (MYSA) to discuss a revised Agreement as to who is responsible for what and who does what at the new ball field complex here in Malcolm. A revised agreement was reviewed by all three entities with changes made. The Village Attorney will put into a legal agreement for all three entities to further review before approving at the September 4, 2024, meeting.

Regular Board meeting started at 7:00 p.m.

VISITORS PRESENT: Ryan Terwilliger, Matt Thieman, Doug Alms, John Reimer and Brandon Vandermey with Viking.

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the June 5, 2024, meeting, seconded by Tarr. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5– 0

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of June 2024, with disbursements of \$106,877.46 and deposits of \$78,299.09. Motion seconded by Benes. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

John Reimer and Brandon Vandermey with Viking Industrial Painting were present to discuss and answer questions regarding a possible Water Tank Maintenance Contract for the water tower in Malcolm.

After further discussion, Little made a motion to hire Viking Industrial Painting for the water tower cleaning; visual inspections; interior renovation & repairs; exterior overcoat and on-going maintenance. Lemkau seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Tarr, Benes, Faubion, Lemkau, Little; NAY: None; Motion carried 5-0; Members absent: None.

Jon Mohr with LRE Water was present to update the Board on the Malcolm Aquifer Grant: the 48-hour Aquifer pumping test analysis and results report; as well as the well siting assessment results report were submitted to the Board. LRE is still working on the well head protection and well decommissioning part of the grant. As part another part of the grant, to educate the public about water conservation, rain barrels, rain gauges and low-pressure shower heads were offered to the residents of Malcolm. Those will be distributed this month, to the residents that requested them.

Doug Alms was present to discuss with the Board dust control for the gravel roads; the Welcome to Malcolm sign: and the selling of the Village Tractor: the board is currently trying to get a quote for the possibility of chip sealing the downtown gravel roads in Malcolm, waiting to see what the cost will be. The tractor was sold to purchase a skid steer for the Village which the Board feels will give the maintenance department way more opportunities for a lot more user-friendly things that we can do around town. The Board is in the process of getting different attachments for the skid steer to be able to handle more jobs around town, rather than hiring them out. As far as the "Welcome to Malcolm" sign goes, Mr. Alms suggested that the Board put the money towards something else in the town that would make them money rather than spending that amount of money on a Welcome to Malcolm sign. Doug also suggested that the board start a round-up program on the water/sewer bills. The board will take Mr. Alm's suggestions under advisement.

Legion Parents were present to discuss the renovation of the old ball field: Several Legion parents were present to discuss the renovation of the old ball field. Board will work with the legion parents to renovate the old field, just like they worked with MYSA/Field of Dreams when they built the two new fields.

Shelby Sidel and Quade Swanson were present to discuss the upcoming car show: the show is on August 18, 2024, in the big park. Since this is their first year running the show, they came in to give the Board an update and to ask the Board members if they would like to work the concession stand again. All proceeds from the show will be donated back to the Village.

A resident of the Village attended the meeting, with concerns regarding the kids on electric scooters, golf carts, go carts, and other electric devices not stopping at stop signs, flying through intersections without looking for traffic, and driving on Malcolm Road. The Board informed them that "Malcolm Residential Letters" have been sent out many times addressing this situation and citing the Village Codes that pertains to golf carts and UTV's.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.

Village Clerk will visit with other clerks about booster pumps and see what they have in their codes for booster pumps and report at the next meeting.

Tarr made a motion to purchase a grader and smooth bucket for the skid steer for around \$5,000.00. Benes seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: Review Water Meter bids/Plumbing bids/Solus bids: After further review of the bids for the installation of the water meters, Little made a motion to hire Codr Plumbing and Excavating to install the new radio read meters once the Village receives the approval from EPA. Benes seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Revise MYSA/MPS/Village agreement for Ballfield: the agreement will be revised and sent to the Attorney to be put into final draft for review at the next meeting.

BACKGROUND: Water Study from Miller & Associations – any changes: Will be tabled to give the board more time to review study.

BACKGROUND: 140 N. Lincoln Street – SENDD Grant – Deed of Reconveyance: after further discussion, Little made a motion to forgive the grant given through the Owner-Occupied Rehabilitation grant to the owner of 140 N. Lincoln Street due to a move for a job offer outside of the Village limits. Faubion seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau; Benes, Faubion' NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Agreement for Legal Services upgrade – Solheim Law Office: After further discussion, Tarr made a motion to approve Solheim Law Office re-vised Agreement to provide legal advice and representation with respect to various civil matters and enforcement of village ordinances. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Ordinance 2024-04 for compensation for Village Employees, Officials, and Members of the Board of Trustees: Changes will be made to the Ordinance and will be on the August agenda.

BACKGROUND: Resolution 2024-03 LARM Renewal Resolution for Village Insurance: Lemkau made a motion to approve Resolution 2024-03 to renew LARM Insurance for the Village of Malcolm insurance for 2024-2025. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5- 0; Members absent: none.

BACKGROUND: First Amendment to Interlocal Agreement with the County of Lancaster, Nebraska for the stripping of Malcolm Road when the County strips Northwest 112. Due to the increase in price from the stripping Company, a First Amendment to the Interlocal Agreement was needed to reflect the increase in price. After further discussion, Little made a motion to approve the First Amendment to the existing Interlocal Agreement dated April 12, 2022. Faubion

seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau; Benes, Faubion' NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Resolution 2024-04 To Exceed the Budget Limit for Restricted Funds by 1%: Little made a motion to approve Resolution 2024-04 to exceed the budget limit for restricted funds for the 2024-2025 fiscal year by an additional 1%. Benes seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau; Benes, Faubion' NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Nebraska Rural Water/Sewer Rate Study: Will be tabled until the August Meeting

BACKGROUND: Building Permit – Mark Porath – deck: after further review of the building permit application and plans for a deck to be added to an existing home at 11707 West Bluff Road, Little made a motion to approve the building permit, Faubion seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau; Benes, Faubion' NAY: None; Motion carried 5-0; Members absent: None.

PLANNING COMMISSION: No meeting was held – no quorum.

With no further business to discuss, Little moved to adjourn at 10:48 p.m. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NYE: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk