

## **June 4, 2025 at 7:00 PM - Board of Trustees Meeting Agenda**

The Trustees of the Village of Malcolm met on Wednesday, June 4, at 7:00 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 "Clipper" and posted at the Village Hall, Malcolm Post office, Malcolm Fire Department, and on the Malcolm Website on Tuesday June 3, 2024.

### **CALL TO ORDER AND ROLL CALL**

Nick Benes: Present, Mike Faubion: Present, Jason Lemkau: Present, Jerad Little: Present, Jack Tarr: Present.

### **OPEN MEETINGS ACT REQUIREMENT**

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

### **CONSENT AGENDA**

Jerad Little made a motion to approve the Consent Agenda as presented, which includes the minutes of the May 7 and May 20, 2025 Board meetings, claims, and the Treasurer's Report showing checks of \$56,944.01 and deposits of \$87016.93. Jack Tarr seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

### **VISITOR PERIOD**

### **BUSINESS**

#### **The Funnel Cake Guy Mobile Food Vendor License Application**

Jerad Little made a motion to approve the mobile food truck application submitted by The Funnel Cake Guy. Jason Lemkau seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Abstain (With Conflict)*
- Mike Faubion: *Yea*

#### **Special Designated License**

Following further discussion, the Board agreed to table consideration of this license application until the next regular meeting, requesting that additional information be provided prior to making a final determination.

#### **David Schaefer - Use Permit**

At this time, action on the Use Permit application has been tabled, pending a final decision regarding the future use of the property. David Schaefer will issue a 30-day notice to TH Construction to vacate the property unless the company provides documentation demonstrating that the use of federally funded grant money for the project requires continued access and use of the property.

**Building Permit - Kim Vanderkolk**

This item was not discussed as the individual scheduled to present or speak on the matter did not attend the meeting. No action was taken.

**Malcolm Fire Department Building Permit**

A building permit application for the construction of the new Fire Department will be submitted to the Planning Commission for review and recommendation at its meeting on June 25, 2025. Following the Planning Commission's review, the application will be presented to the Village Board at its meeting on July 2, 2025. The selected contractor will be added to the building permit upon formal award of the project.

**250 W 1st Street - Dissolving Covenants**

This item was not discussed as the individual scheduled to present or speak on the matter did not attend the meeting. No action was taken.

**550 Malcolm Road Culvert Permit**

Jerad Little made a motion to approve the building permit for the replacement of culverts at 550 Malcolm Road. Mike Faubion seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

**Allegations of Misconduct and Potentially Fraudulent Activity**

Lacy Smith raised concerns regarding village employees, building inspections and permits, and the certificate of occupancy at 550 Malcolm Road.

**310 Elk Creek Road Storm Drain Repair**

Following further discussion, the Board determined that the most effective solution to address the drainage issues is to install the drainpipe at an approximate depth of four feet. The Board will obtain cost estimates for the completion of this project.

**Chip Sealing/Armor Coating of Gravel Roadways**

Following further discussion, the Village Board directed staff to contact Midwest Armor Coating to explore the feasibility of completing chip sealing and armor coating projects in phased sections.

**2025-2026 State of Nebraska Village Budget Form Approval - HBE**

Jerad Little made a motion to authorize the Village Clerk to digitally sign the 2025-2026 State of Nebraska Village Budget Form Approval on behalf of the Village. Nick Benes seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

### **Considerations of Annexation or Removal of Ballfield Improvements Within the County Right of Way**

Jason Lemkau made a motion to allow Village employees Jadyn Little and April Faubion to attend the Executive Session. Jerad Little seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

Jason Lemkau made a motion to move into closed session at 9:34 p.m., in the public interest, to discuss matters of pending litigation. Jack Tarr seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

At 9:52 p.m., the Board reconvened into open session following the executive session. No formal action was taken during the executive session.

### **Employee Evaluations**

Jerad Little made a motion to move evaluations to the end of the Village Board meeting. Nick Benes seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

Jerad Little made a motion to move into executive session at 10:56 p.m. for the protection of public interest; evaluation of job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Mike Faubion seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

At 11:35 p.m., the Board reconvened into open session, following the executive session. No formal action was taken during the executive session. The Board reviewed the Ordinance pertaining to compensation for Village employees, officials, and members of the Board of Trustees. Following discussion, it was the consensus of the Board to table this item until the July meeting to allow for proposed revisions to be prepared and considered.

#### **VILLAGE MAINTENANCE REPORT**

A report was submitted and received by the Board.

#### **ATTORNEY'S REPORT**

A report was submitted and received by the Board.

#### **VILLAGE CLERK REPORT**

A report was submitted and received by the Board.

#### **TABLED ITEMS**

#### **DATE OF NEXT MEETING(S), FUTURE AGENDA ITEMS**

#### **ANNOUNCEMENTS AND/OR ADJOURN**

Jason Lemkau made a motion to move to adjourn at 11:53 pm. Jack Tarr seconded the motion. Motion Carried

- Jerad Little: *Yea*
- Jack Tarr: *Yea*
- Jason Lemkau: *Yea*
- Nick Benes: *Yea*
- Mike Faubion: *Yea*

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April Faubion, Village Clerk



2:33 PM

06/02/25

Accrual Basis

## Village of Malcolm, Nebraska

## Checks

May 2025

Type	Date	Num	Name	Memo	Amount
May 25					
Liability Check	05/01/2025		QuickBooks Payroll Service	Created by Payroll Service on 04/...	-2,079.17
Liability Check	05/08/2025		QuickBooks Payroll Service	Created by Payroll Service on 05/...	-5,580.55
Liability Check	05/15/2025		QuickBooks Payroll Service	Created by Payroll Service on 05/...	-2,744.53
Liability Check	05/22/2025		QuickBooks Payroll Service	Created by Payroll Service on 05/...	-2,402.06
Liability Check	05/29/2025		QuickBooks Payroll Service	Created by Payroll Service on 05/...	-2,415.20
Check	05/31/2025			Service Charge	-14.31
Check	05/22/2025	correc...	Cornhusker Bank	deposit correction debit - blair check	-130.92
Check	05/31/2025	online	NextBillPay	return check from Hawthorne	-60.00
Check	05/31/2025	online	NextBillPay	paperless customers and check pr...	-5.70
Liability Check	05/09/2025	online ...	Nebraska Department of Revenue	000298972	-720.90
Liability Check	05/09/2025	online ...	Cornhusker Bank	47-0537030	-4,852.98
Paycheck	05/02/2025	DD1032	Faubion, April	Direct Deposit	0.00
Paycheck	05/02/2025	DD1033	Little, Jaydin L	Direct Deposit	0.00
Paycheck	05/02/2025	DD1034	Petersen, Logan R	Direct Deposit	0.00
Paycheck	05/09/2025	DD1035	Faubion, April	Direct Deposit	0.00
Paycheck	05/09/2025	DD1036	Little, Jaydin L	Direct Deposit	0.00
Paycheck	05/09/2025	DD1037	Petersen, Logan R	Direct Deposit	0.00
Paycheck	05/09/2025	DD1038	Regnier, Wayne L	Direct Deposit	0.00
Paycheck	05/16/2025	DD1039	Faubion, April	Direct Deposit	0.00
Paycheck	05/16/2025	DD1040	Little, Jaydin L	Direct Deposit	0.00
Paycheck	05/16/2025	DD1041	Petersen, Logan R	Direct Deposit	0.00
Paycheck	05/23/2025	DD1042	Faubion, April	Direct Deposit	0.00
Paycheck	05/23/2025	DD1043	Little, Jaydin L	Direct Deposit	0.00
Paycheck	05/23/2025	DD1044	Petersen, Logan R	Direct Deposit	0.00
Paycheck	05/30/2025	DD1045	Faubion, April	Direct Deposit	0.00
Paycheck	05/30/2025	DD1046	Little, Jaydin L	Direct Deposit	0.00
Paycheck	05/30/2025	DD1047	Petersen, Logan R	Direct Deposit	0.00
Bill Pmt -Check	05/30/2025	1115	NDEE - Fiscal Services	Loan #C317575 - Principal & Inter...	-21,476.49
Check	05/14/2025	5222	Nadine Link	to purchase trees and flowers with ...	-150.00
Check	05/01/2025	15028	Malcolm Public Schools	Liquor License General Store	-200.00
Check	05/01/2025	15029	First Choice Roll-Offs, LLC	Inv. 18520 Clean Up Day	-3,100.68
Check	05/01/2025	15030	MARC	Cust. #3504558, Inv. #846789-in ...	-2,680.00
Check	05/01/2025	15031	Husker Power Products	invoice 26494 Generator Repair	-1,785.38
Check	05/01/2025	15032	Branding Inc. dba Al's Johns	Inv. 100392 Porta-a-pots -- Handic...	-255.00
Check	05/01/2025	15033	Codr Plumbing and Excavation LLC	Job #2357	-207.50
Check	05/01/2025	15034	Hawkins, Inc.	Inv. #6936040- Azone LPC-AM, a...	-753.29
Check	05/01/2025	15035	Paragon Sanitation, Inc.	Acct. #10521	-86.00
Check	05/01/2025	15036	Nebraska Generator Service LLC	Inv. 19248, 19247	-2,486.04
Check	05/01/2025	15037	NE Public Health Environmental Lab...	Acct. #597674- Inv 589620	-15.00
Check	05/01/2025	15038	USA Blue Book	Cust. #940586; Inv. #453968 - De...	-75.73
Check	05/01/2025	15039	Farmers Cooperative	Acct. #24362 - Inv. # Gas, Propane	-1,933.46
Check	05/01/2025	15040	Ne Department of Environment and ...	Logan and Jaydin Grade 4 Water ...	-300.00
Check	05/01/2025	15041	Menards	Acct. #31120421 - inv 15114, 133...	-170.33
Check	05/01/2025	15042	Nebraska Equipment Inc.	Invoice I159184 parts for the skidst...	-481.84
Check	05/01/2025	15043	Summit Fire Protection	Invoice #3181179 - Annual Fire Ex...	-993.65
Check	05/01/2025	15044	All Roads Barricades, Inc.	Acct. #C10935 - Inv. #18742 handi...	-222.12
Check	05/01/2025	15045	Dave Hochstetler	Inspections	-80.00
Check	05/01/2025	15046	Karl Hesselstine	1 inspection	-40.00
Check	05/01/2025	15047	Matt Bratsovsky	3 inspections and contract fee	-245.00
Check	05/01/2025	15048	Nadine Link	Monthly consultant payment	-1,200.00
Check	05/01/2025	15049	Petersen, Logan R	Cell Phone Reimbursement	-50.00
Check	05/01/2025	15050	Regnier, Wayne L	Cell Phone Reimbursement	-50.00
Check	05/01/2025	15051	Little, Jaydin L	Cell Phone Reimbursement	-104.40
Check	05/01/2025	15052	Faubion, April	cell phone reimbursement and Mile...	-215.90
Check	05/01/2025	15053	Village of Malcolm - 567-877	Transfer to cover sewer Bond, stre...	-10,219.59
Check	05/01/2025	15053	Village of Malcolm - 567-877	Transfer monthly monies to pay fo...	3,579.42
Check	05/01/2025	15053	Village of Malcolm - 567-877	Street Loan resurfacing from newe...	3,771.25
Check	05/01/2025	15053	Village of Malcolm - 567-877	To Cover Yearly Contract Price \$3...	2,868.92
Check	05/07/2025	15054	Solheim Law Firm	Legal Fees 2025	-1,777.50
Check	05/14/2025	15055	Nabor Navarro	Cement work at the shop and Well 1	-350.00
Check	05/14/2025	15056	Chris Krier	Cement work at the shop and Well 1	-350.00
Check	05/14/2025	15057	Elan Financial Services	Acct. #4798-1731-3100-1979	-857.55
Check	05/14/2025	15058	Home Depot Credit Services	Acct. #6035322540620287	-721.54
Check	05/14/2025	15059	Windstream	Account #090491164	-227.06
Check	05/14/2025	15060	Norris Public Power	8 accounts	-2,761.25
Check	05/14/2025	15061	Nancy Borgen	Refund for Fireworks Stand Permit	-75.00
Bill Pmt -Check	05/30/2025	15062	Branding Inc. dba Al's Johns	May Porta Potli	-255.50
Bill Pmt -Check	05/30/2025	15063	Dave Hochstetler	320 Elk Creek inspection	-40.00
Bill Pmt -Check	05/30/2025	15064	Hawkins, Inc.	901285	-1,795.14
Bill Pmt -Check	05/30/2025	15065	Malcolm Public Schools	1/3 of Fertilizer for Ballfields	-156.30
Bill Pmt -Check	05/30/2025	15066	Marketing Execution Service	Dan Denton Check Power to Well ...	-138.20
Bill Pmt -Check	05/30/2025	15067	Matrix Business Systems, Inc.	2 black, 1 cyan, magenta, yellow t...	-671.00
Bill Pmt -Check	05/30/2025	15068	Menards	Ballfield Supplies	-106.97
Bill Pmt -Check	05/30/2025	15069	Midwest Laboratories	March and May 2025	-477.04
Bill Pmt -Check	05/30/2025	15070	Miller & Assoc. Consulting Eng., P. C.	ARPA Compliance and Monitoring	-225.00
Bill Pmt -Check	05/30/2025	15071	NE Public Health Environmental Lab...		-57.00
Bill Pmt -Check	05/30/2025	15072	Omaha Publications	Car Show Publication	-265.00
Bill Pmt -Check	05/30/2025	15073	One Call Concepts, Inc.	locate fees	-8.20
Bill Pmt -Check	05/30/2025	15074	Ready Mixed Concrete Company		-1,495.61
Bill Pmt -Check	05/30/2025	15075	Southwick Liquid Waste Inc.	Pumped digester and transported L...	-7,200.00
Bill Pmt -Check	05/30/2025	15076	USA Blue Book	hach DPD 10ml sample kit	-47.18
Check	05/30/2025	15077	Karl Hesselstine	540 Malcolm Rd Final	-40.00
Check	05/30/2025	15078	Raka Rentals	Skid Steer Forks	-350.00
Check	05/30/2025	15079	Matt Bratsovsky	Monthly Contract Fee	-125.00
Check	05/30/2025	15080	Nadine Link	Monthly consultant payment	-1,200.00
Check	05/30/2025	15081	Regnier, Wayne L	Cell Phone Reimbursement	-50.00
Check	05/30/2025	15082	Petersen, Logan R	Cell Phone Reimbursement	-50.00
Check	05/30/2025	15083	Little, Jaydin L	Cell Phone Reimbursement	-50.00
Check	05/30/2025	15084	Faubion, April	cell phone reimbursement and Mile...	-150.80
Check	05/30/2025	15085	Village of Malcolm - 567-877	Transfer to cover sewer Bond, stre...	-10,219.59
Check	05/30/2025	15085	Village of Malcolm - 567-877	Transfer monthly monies to pay fo...	3,579.42
Check	05/30/2025	15085	Village of Malcolm - 567-877	Street Loan resurfacing from newe...	3,771.25
Check	05/30/2025	15085	Village of Malcolm - 567-877	To Cover Yearly Contract Price \$3...	2,868.92
May 25					-82,397.97

## Village of Malcolm, Nebraska

## Deposits

May 2025

Date	Name	Account	Split	Amount
<b>DEBT SERVICE</b>				
05/16/2025		3130 · Property Taxes	1035 · Investment Fund 567-877	1,194.91
05/16/2025		3105 · Homestead Exemption	1035 · Investment Fund 567-877	342.90
05/16/2025		3130 · Property Taxes	1035 · Investment Fund 567-877	1,236.98
05/16/2025		3125 · In Lieu of Tax	1035 · Investment Fund 567-877	992.02
05/31/2025		3305 · Interest on Investments	1035 · Investment Fund 567-877	22.93
05/31/2025		3305 · Interest on Investments	1031 · REPO Savings Acct - 9000567877	221.66
Total DEBT SERVICE				4,011.40
<b>General</b>				
05/02/2025		3212 · Dog Licensing	1015 · General Fund Checking 1002-201	24.00
05/02/2025		3300 · Miscellaneous Income	1015 · General Fund Checking 1002-201	771.00
05/09/2025		3300 · Miscellaneous Income	1021 · UB STFIT Account	45,000.00
05/09/2025		3212 · Dog Licensing	1015 · General Fund Checking 1002-201	72.00
05/09/2025		3300 · Miscellaneous Income	1015 · General Fund Checking 1002-201	150.00
05/09/2025		3300 · Miscellaneous Income	1015 · General Fund Checking 1002-201	635.09
05/16/2025		3210 · Licenses/Permits/Fees	1015 · General Fund Checking 1002-201	486.70
05/16/2025		3300 · Miscellaneous Income	1015 · General Fund Checking 1002-201	52.00
05/16/2025		3300 · Miscellaneous Income	1045 · Playground Equipment 1027358	208.41
05/16/2025		3215 · Car Show Income	1045 · Playground Equipment 1027358	150.00
05/16/2025		3130 · Property Taxes	1015 · General Fund Checking 1002-201	2,776.83
05/16/2025		3131 · Motor Vehicle Tax Income	1015 · General Fund Checking 1002-201	1,736.55
05/16/2025		3105 · Homestead Exemption	1015 · General Fund Checking 1002-201	796.83
05/16/2025		3130 · Property Taxes	1015 · General Fund Checking 1002-201	2,874.32
05/16/2025		3125 · In Lieu of Tax	1015 · General Fund Checking 1002-201	2,305.24
05/20/2025		3136 · Sales Tax	1015 · General Fund Checking 1002-201	3,094.52
05/21/2025		3212 · Dog Licensing	1015 · General Fund Checking 1002-201	207.00
05/21/2025		3210 · Licenses/Permits/Fees	1015 · General Fund Checking 1002-201	250.00
05/22/2025		3300 · Miscellaneous Income	1015 · General Fund Checking 1002-201	136.92
05/30/2025		3210 · Licenses/Permits/Fees	1015 · General Fund Checking 1002-201	10.00
05/30/2025		3213 · Chicken License	1015 · General Fund Checking 1002-201	25.00
05/30/2025		3212 · Dog Licensing	1015 · General Fund Checking 1002-201	12.00
05/30/2025		3215 · Car Show Income	1045 · Playground Equipment 1027358	150.00
05/30/2025		3300 · Miscellaneous Income	1021 · UB STFIT Account	141,825.50
05/31/2025		3305 · Interest on Investments	1045 · Playground Equipment 1027358	0.68
05/31/2025		3305 · Interest on Investments	1010 · Money Market Fund 435-833	20.75
05/31/2025		3305 · Interest on Investments	1012 · CB REPO #9000435833 MM	72.32
05/31/2025		3305 · Interest on Investments	1021 · UB STFIT Account	391.30
05/31/2025		3305 · Interest on Investments	1017 · REPO Savings Acct 9001002-201	21.24
Total General				204,256.20
<b>Sewer</b>				
05/02/2025		3400 · Sales	1015 · General Fund Checking 1002-201	723.99
05/02/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	37.50
05/09/2025		3400 · Sales	1015 · General Fund Checking 1002-201	1,383.51
05/09/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	12.50
05/16/2025		3400 · Sales	1015 · General Fund Checking 1002-201	1,758.72
05/21/2025		3400 · Sales	1015 · General Fund Checking 1002-201	6,816.24
05/30/2025		3400 · Sales	1015 · General Fund Checking 1002-201	384.72
05/30/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	62.50
05/31/2025		3400 · Sales	1015 · General Fund Checking 1002-201	4,626.15
05/31/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	137.50
Total Sewer				15,943.33
<b>Street</b>				
05/07/2025		3135 · Street Allocation Income	1015 · General Fund Checking 1002-201	4,560.36
05/20/2025		3136 · Sales Tax	1015 · General Fund Checking 1002-201	599.09
Total Street				5,159.45
<b>Water</b>				
05/02/2025		3400 · Sales	1015 · General Fund Checking 1002-201	450.31
05/02/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	39.00
05/02/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	37.50
05/09/2025		3410 · Water Surcharge Income	1024 UB #8715 Water Surcharge Acct	0.00
05/09/2025		3400 · Sales	1015 · General Fund Checking 1002-201	926.52
05/09/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	78.00
05/09/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	12.50
05/16/2025		3400 · Sales	1015 · General Fund Checking 1002-201	756.78
05/16/2025		3400 · Sales	1015 · General Fund Checking 1002-201	1,160.36
05/16/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	96.00
05/21/2025		3400 · Sales	1015 · General Fund Checking 1002-201	4,162.40
05/21/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	108.00
05/30/2025		3400 · Sales	1015 · General Fund Checking 1002-201	203.60
05/30/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	21.00
05/30/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	62.50
05/31/2025		3305 · Interest on Investments	1024 UB #8715 Water Surcharge Acct	35.69
05/31/2025		3400 · Sales	1015 · General Fund Checking 1002-201	3,026.71
05/31/2025		3410 · Water Surcharge Income	1015 · General Fund Checking 1002-201	252.00
05/31/2025		3415 · Late Fees	1015 · General Fund Checking 1002-201	137.50
Total Water				11,566.37
<b>Unclassified</b>				
05/16/2025		3430 · TIF Income	1048 · TIF Checking Account	200.14
Total unclassified				200.14
<b>TOTAL</b>				<b>241,136.89</b>