

December 6, 2023

The Trustees of the Village of Malcolm met on Wednesday, December 6, 2023, at 7:00 p.m. in open session at the Village Hall located at 137 East 2nd Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the November 2023 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, December 4, 2023.

ROLL CALL

Little, Tarr, Lemkau

Absent: Benes, Faubion

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

VISITORS PRESENT: Mike Beach, Brian Blair

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the November 1, 2023, meeting, seconded by Tarr. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, NAY: None; Motion carried 3-0; Members absent: Faubion, Benes.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of November 2023, with disbursements of \$85,972.04 and deposits of \$47,552.39. Motion seconded by Lemkau. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, NAY: None; Motion carried 3-0; Members absent: Faubion, Benes.

Brian Blair and Mike Beach were present to discuss the building permit for a new residential home at 361 Hudkins Road. Signed letters were submitted from over 51% of the residents in the covenant area showing their support of the new structure wanting to be built on that lot, Brian Blair said pictures of the building were also shown to the residents in the covenant area.

After further discussion, Little made a motion to approve the building permit for the new structure to be built at 361 Hudkins Road for Brian Blair, Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Lemkau, NAY: Tarr; Motion carried 2-1; Members absent: Faubion, Benes. Motion was unable to pass due to the vote not having a majority of the board (3 out of 5), no action was taken, motion was denied, the building permit will be tabled until the next meeting.

MAINTENANCE REPORT: Don was present to discuss the purchase of a generator with the grant money that was awarded to the Village through the PWS Security Grant Program through Nebraska Department of Environment & Energy (NDEE). There is a used generator that Nebraska Generator Service has for \$27,350.00 with the option to reconnect the generator to 480V 3PH for an additional \$1,550.00 for a total of \$28,900.00 which will be able to run two of the Village wells at a time.

BACKGROUND: Generator for wells – grant awarded for \$10,000; After further discussion, Little made a motion to approve the purchase of the used generator from NE Generator Service with the upgrade to 480V – 3PH for \$28,900.00 using the \$10,000.00 grant money we will receive from NDEE. Tarr seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, NAY: None; Motion carried 3-0; Members absent: Faubion, Benes.

Nick Benes arrived at 7:45 p.m.

BACKGROUND: Maquire Iron/Viking – water tower cleaning: On June 27, 2023, Maquire Iron came to Malcolm to clean the tower, however, due to a meeting the crew had to be at in Oklahoma, and the water tower not quite emptied, the crew only did a visual inspection but charged the Village for a full inspection and cleaning. Don tried to reschedule from June 27th till now and has had no response from Curt with Maquire to reschedule the cleaning. After further discussion, Little made a motion to send a termination letter to Maquire Iron and ask to be rebilled for the actual work that was completed in June. Benes seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

Don will be in contact with Viking Industrial Cleaning and get a bid for cleaning the water tower and present at the January meeting.

BACKGROUND: Tru-Green bid for fertilizing parks: a bid was presented for fertilizing both parks in 2024 and for insect and disease control service for the big park, after further review, Little made a motion to approve to continue on the same plan as we have been doing for both parks. Benes

seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

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

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

Dorothy Rippe's memorial money has been deposited into the Village Accounts until the family can meet with the Gardening Club/Board members to determine how the memorial money can be spent in the parks in Malcolm.

BACKGROUND: Interlocal agreement with Lincoln Lancaster County Health Department: Will be tabled until the January meeting.

BACKGROUND: Resolution 2023-12 – Resolution appointing Village – Clerk/Treasurer; Attorney; Accountant; Street Superintendent; Engineer: Civil Defense Coordinator; Depositories and Official Publications: After further review, Little made a motion to approve Resolution 2023-13 adding Miller & Associates as the Village Engineer. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

BACKGROUND: 310 Malcolm Road: A letter will be mailed and texted to the owner of 310 Malcolm Road to repair the front step/porch.

BACKGROUND: Building Permit – Thomas Beck – shed. After further review and discussion, Lemkau made a motion to approve the building permit for a shed on T.J. Beck's property with a legal description of S20, T11, R5, 6PM, Lot 30 NW contingent on an inspection by Matt Bratrovsky, the Village Building Inspector. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

BACKGROUND: Board of Adjustments – Bylaws: Board will review the Bylaws submitted. This item will be tabled until the January 2024 meeting.

BACKGROUND: NDEE – 2023 Source Water Protection Grant: The Village has been approved for the 2023 Source Water Grant assistance for \$85,600. David Solheim will review the agreement and other paperwork. This item will be tabled until the January 2024 meeting.

Recommendation 426 – Building Permit – Josh & Jodie Persson – Shed: Little made a motion to approve the building permit for a shed on the Persson's lot with a legal description of S17, T11, R5, 6PM, Lot 44 SE. Tarr seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

Recommendation 427 – Building Permit – Vicki Phillips/John Hicken – Shed: Little made a motion to approve the building permit for a shed at 159 East 4th Street. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

Recommendation 428 – Building Permit – Brian and Alison Blair – single family home; after further review and discussion, Little made a motion to approve the building permit for a single family home at 361 Hudkins Road. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Lemkau, Benes, NAY: Tarr; Motion carried 3-1; Members absent: Faubion.

Little made a motion to grant a variance for the sidewalk in front of the new single-family home at 361 Hudkins Road due to no other sidewalks in that area. Tarr seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion.

With no further business to discuss, Little moved to adjourn at 9:45 p.m. Benes seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, NAY: None; Motion carried 4-0; Members absent: Faubion

Nadine Link, Village Clerk