

March 5, 2025 at 7:00 PM - Board of Trustees Meeting Agenda

The Trustees of the Village of Malcolm met on March 5, 2025, at 7:00 PM in open session at the Village Hall, 137 East 2nd, PO Box 228, Malcolm, NE 68402 for such business as shall come before said Trustees. Notice of the meeting was posted at the Village Hall, on the Village of Malcolm website on March 3rd, 2025, and in the February 2025 "Clipper".

Call to order and roll call.

Nick Benes: Present, Mike Faubion: Present, Jerad Little: Present, Jack Tarr: Present. Jason Lemkau: Present at 8:10 p.m.

Open Meetings Act Requirement

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

Reading of minutes, for February 5, 2025 request for approval (as amended).

Jerad Little made a motion to accept the minutes of the February 5, 2025 meeting, Jack Tarr seconded the motion. Motion Carried

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

Disbursements, Receipts and Treasurer's reports request for approval (as amended)

Due to software and technical difficulties, the treasurer's report was not approved at this meeting; it will be approved at the April 2, 2025, meeting.

VISITOR PERIOD

Discussion: Visitors present: Aaron Clark, Doug Alms, Neil Parker, Ted Ward, Sue Vanderkolk, Kim Vanderkolk, Henrik Christensen, Kathy Christensen, Judi Jirovsky, Ashley Mitchell, Denise Kaup, Jon Mohr

Aaron Clark with NextLink discussed the options of removing and replacing their equipment on the water tower during the repairs being done by Viking.

Doug Alms discussed the potential for village employees to regularly enforce village code violations. He also inquired about dust control and chip sealing for gravel roadways and expressed concerns regarding the number of full-time staff.

David Schaefer was not present to discuss land development.

Neil Parker from Durablend presented the board with various options for utilizing the Durablend product to reduce dust on gravel roadways. The discussion covered key aspects such as product safety, longevity, and application methods.

Dan Osborn was not present to discuss a chip sealing bid.

PUBLIC HEARING

Wellhead Protection Public Hearing - 8:00 p.m.

Jerad Little made a motion to open the Wellhead Protection Plan Public Hearing at 8:01 p.m. Mike Faubion seconded the motion. Motion Carried

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

The state will provide 8-10 new signs if new ones are needed.

Jerad Little made a motion to close the Wellhead Protection Plan Public Hearing at 8:08 p.m. Nick Benes seconded the motion. Motion Carried

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

Clippers Bar & Grill Liquor License Application - 8:15 p.m.

Jerad Little made a motion to open the Clippers Bar and Grill Nebraska Liquor License Public Hearing at 8:15 p.m. Nick Benes seconded the motion. Motion Carried

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

Only the main floor and back patio of the building will be in use at this time.

Jerad Little made a motion to close the Clippers Bar and Grill Nebraska Liquor License Public Hearing at 8:20 p.m. Jack Tarr seconded the motion. Motion Carried

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

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.

UNFINISHED BUSINESS

Chip Sealing of Gravel Roadways

The board reviewed various dust control options, including chip sealing. Further discussion on the matter is scheduled for the next board meeting.

NEW BUSINESS

Vanderkolk - Quiet Title

Pursuant to Neb. Rev. Stat. 76-2,110(2), Nick Benes moved to waive notice and/or the 120 day period to record an objection to the subdivision and/or conveyance set forth in Warranty Deed recorded on September 16, 1982, Instrument No. 82-14388, related to the premises legally described as Lots 14 and 15, Irregular Tracts, located in the South Half of the Southeast Quarter (S1/2 SE1/4), Section 16, Township 11 North, Range 5 East of the 6th PM, Lancaster County, Nebraska; commonly known as 9800 West Bluff Road, Malcolm, NE 68402. The Village offers no objection. Jack Tarr seconded the motion. Motion Passed

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

- Mike Faubion: *Yea*

Christensen - Preliminary Plat Application

The Board reviewed the Planning Commission's recommendation regarding the preliminary plat application submitted by Kathy and Henrik Christensen.

Jerad Little made a motion to approve the Preliminary Plat application submitted by Kathy and Henrik Christensen. Jason Lemkau seconded the motion. Motion Carried

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

Clippers Bar & Grill Liquor License Application

The Board reviewed and discussed the liquor license application for the Clippers Bar and Grill.

Jerad Little made a motion to recommend the approval of the Clippers Bar and Grill liquor license application. Nick Benes seconded the motion. Motion Carried

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

Wellhead Protection

The Board reviewed and discussed the Wellhead Protection Plan and associated ordinance.

Jerad Little made a motion to waive the three required readings of the Wellhead Protection Plan ordinance. Mike Faubion 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 approve Wellhead Protection Plan Ordinance 2025-03 as presented. Jack Tarr seconded the motion. Motion Carried

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

SENND Grant for New Construction

The Board reviewed the information presented regarding a new SENND grant for affordable new construction.

PLANNING COMMISSION

The Planning Commission has recommended the approval of Christensen's Preliminary Plat Application to the Board.

Tabled Items

1. Generator Bids - Lemkau working on getting bids
2. GIS Mapping - will cost \$80000
3. NE Rural Water Rate Study

4. 250 W 1st Street Building Permit - New Home
5. Water Meter Grant

Executive Session

Jerad Little made a motion to move into executive session at 9:20 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. Nick Benes seconded the motion. Motion Carried

1. Jerad Little: *Yea*
2. Jack Tarr: *Yea*
3. Jason Lemkau: *Yea*
4. Mike Faubion: *Yea*
5. Nick Benes: *Yea*

At 9:47 p.m., the Board reconvened into open session following the executive session. No formal action was taken during the executive session.

ANNOUNCEMENTS AND/OR ADJOURN

Jason Lemkau made a motion to move to adjourn at 9:49 pm. Jerad Little seconded the motion. Motion Carried

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

No Action(s) have been added to this Agenda Item.

Date of next meeting April 2, 2025 at 7:00 p.m.

April Faubion, Village Clerk