

March 1, 2023

The Trustees of the Village of Malcolm met on Wednesday, March 1, 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 February "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, February 27, 2023.

ROLL CALL

Little, Schweitzer, Faubion

Absent: Tarr, Lemkau

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

VISITORS PRESENT: David Avery, Gil Krajnik, Craig Vanderkolk, Randy Brown, Mike Beach, Tad Hardin.

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

Lemkau arrived at 7:03 p.m.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of February 2023, with disbursements of \$24,991.12 and deposits of \$135,270.71. Motion seconded by Schweitzer. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Faubion, Lemkau; NAY: None; Motion carried 4-0; Members absent: Tarr.

Scott Barnett with Windstream Nebraska, Inc. was present to discuss a proposed Broadband Deployment Project - Capital Projects Fund grant (CPF) to expand fiber broadband service in Malcolm and surrounding towns in Lancaster County. Board will take under advisement and discuss later in the meeting.

Gil Krajnik was present to discuss a sewer backup that happened on January 20, 2023, at his home on Elk Creek Road. Mr. Krajnik submitted two bills from two different plumbers that he had used to help with his back up and asked the Village for reimbursement. The Board will take everything under advisement and discuss later in the meeting.

Craig Vanderkolk was present to ask for a variance for building a second home on his land near West Bluff Road. The Board will take under advisement and add it to the agenda for next month's meeting when all Board members will be present.

Randy Brown was present to give the Board an update on the status of the ball field construction and to submit the building permit and plans for the new concession stand at the ball field. The Village Attorney reviewed the Independent Contractor Agreement between Beach Construction and Malcolm Youth Sports Association to build the concession stand and made a few suggestions to Randy Brown of items to add to the Agreement. Randy also informed the Board that the \$15,000.00 Nebraska Civic Center and Community Center Financing Act Grant (CCCFF) for the Planning Stage of the ball field has been completed. Final paperwork will be sent in, and the final payment should be received by the first of April.

The Public Hearing scheduled at 8:00 p.m. for change of zone for lots 1 and 2 Hudkins Second Addition from Residential to Commercial has been cancelled by the request of the applicant wanting to build a Daycare Center due to the wording in the Covenants for that area, which states residential homes only unless a certain amount of residents under the covenant approves.

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

Transfer Switch was installed at well 1, they tried to run the generator and it would not run the well. Don is trying different things that Sargent and NE Generator are suggesting. Don will keep the Board informed. Schweitzer will also call Don tomorrow to get more information about the generator.

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

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

Clean up day will be May 6, 2023, from 8:00 a.m. – 4:00 p.m. We will be accepting old batteries, tires, and goodwill items until 3:00 p.m. regular dumpsters will be there until 4:00 p.m. See flyer enclosed.

Board continued discussion on the sewer main backup at Krajnik's home – the two claims will be submitted to the Village Insurance.

BACKGROUND: MPS/MYSA/Village Ballfield Agreement – The Agreement that is/was in place last year will be used again this year for the upkeep of the ball field.

BACKGROUND: Review Water Meter quotes: Will be tabled until the next meeting.

BACKGROUND: Windstream – Fiber Broadband: Board is in favor of the proposed CPF project in Lancaster County as discussed earlier in the meeting. Board will complete the Feedback Form and submit to psc.broadband@nebraska.gov.

BACKGROUND: Craig Vanderkolk – Land issues: This item will be tabled until the next meeting.

BACKGROUND: Bridge E-38 – Right-of-Way – documents: Documents were reviewed by the Village Attorney and Board, after further discussion, Little made a motion to approve the Right-of-Way Contracts for a temporary easement and Right-of-Way Contracts (Fee Simple) for access to three sides of the bridge for construction needs. Faubion seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Faubion, Lemkau; NAY: None; Motion carried 4-0; Members absent: Tarr.

BACKGROUND: Review different bank accounts/interest rates – UBT/Cattle Bank/Cornhusker: This item will be tabled until the next meeting.

BACKGROUND: Building Permit – 331 Robert Road – replace front porch: after further review of the building permit which was submitted after the original steps had been removed, Faubion made a motion to approve the building permit, knowing if they proceed, if the Village inspector finds anything not within code, it will be the contractors liability to remove and bring the porch to code. Pictures must be taken and submitted. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Faubion, Lemkau; NAY: None; Motion carried 4-0; Members absent: Tarr.

Recommendation 412 – Building Permit for 126 E. 2nd Street – lift house for new foundation: Following review of the Planning Commission recommendation, building permit and plans, Little made a motion to approve the building permit contingent on the contractor putting the alley back to the way they found the alley and if any Village sidewalks are damaged they are also repaired. Also, this approval pertains to the basement foundation only. Any additional work will need a new building permit. Faubion seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Faubion, Lemkau; NAY: None; Motion carried 4-0; Members absent: Tarr.

Recommendation 413 – Building Permit for new concession stand at ball field: Following review of the Planning Commission recommendation, building permit and plans, Little made a motion to approve the building permit for Beach Construction to build the new concessions stand at the ballfield, contingent on updated information requested by the Village Attorney in the Independent Contractor Agreement between Beach Construction and Malcolm Youth Sports Association (MYSA) and the Village Inspector's review of the Plans. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Faubion, Lemkau; NAY: None; Motion carried 4-0; Members absent: Tarr.

Recommendation 414 – Draft of Ag Residential for Village Codes: This item will be tabled till next month's meeting.

Jack Tarr arrived at 9:45 p.m.

Recommendation 415 – Change of Zone for lots 1 and 2 Hudkins Second Addition: This item has been cancelled by the request of the applicant wanting to build the Daycare Center.

Recommendation 416 – "Welcome to Malcolm" Sign: Board would like to send the suggestions for the "Welcome to Malcolm" sign to school and get idea's from the Art 4 class or Creative Architect Class. Clerk will take to School.

With no further business to discuss, Little moved to adjourn at 10:22 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarry, Schweitzer, Faubion, Lemkau; NYE: None; Motion carried 5-0; Members absent: None

Nadine Link, Village Clerk