

## **December 4, 2024, at 6:00 PM - Board of Trustees Meeting Agenda**

### **Call to order and roll call.**

Jerad Little, Jack Tarr, Jason Lemkau, Nick Benes, Mike Faubion present

The Trustees of the Village of Malcolm met on Wednesday, December 4, 2024, at 6:16 p.m. in an 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 posted at the Village Hall, on the Village of Malcolm website on December 2, 2024, and in the November 2024 "Clipper".

### **Open Meetings Act Requirement**

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

### **6:00 Special Meeting to review zoning and subdivision zoning regulations**

The board reviewed the zoning ordinances and subdivision ordinances. They will continue to review the ordinances as they pertain to the Village of Malcolm.

### **Reading of minutes, for November 6, 2024, request for approval (as amended).**

Jerad Little made a motion to accept the minutes of the November 6, 2024, meeting. Jack Tarr seconded the motion. Motion Carried

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

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

Jerad Little made a motion to make a motion to accept the treasurer's report for the month of November 2024, with disbursements of \$111,374.73 and deposits of \$46,782.61. Jack Tarr seconded the motion. Motion Carried

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

### **VISITOR PERIOD**

7:10pm-7:20pm - Doug expressed his gratitude to the Board for their efforts. He suggested adding a "Merry Christmas" or "Happy Holidays" sign to the park. He also proposed placing a larger flag in the park. Doug inquired about the chip sealing of gravel roads, to which the Board responded that they are researching the topic and gathering information to determine the best course of action. He also questioned the high cost of trucking out the digester and asked about the inspector's insurance expenses. Additionally, Doug requested that monthly disbursements be included in the online meeting minutes.

7:20pm-7:30pm Jay Babb was unable to attend the meeting. Discussion will be tabled until the January 2025 meeting.

7:30pm-7:40pm Dave Shafer approached the Board to inquire whether the driveway near the water tower is a private drive or a public roadway, as he is considering adding an access point into the parking lot from the driveway.

### **SWEARING IN CEREMONY**

#### **Pledge of Allegiance**

#### **New board members swearing in oath**

Jack Tarr, Michael Faubion, and Jason Lemkau were voted back on to the Board for a 4-year term.

### **Election of board positions**

Nick Benes made a motion to keep current positions. Jack Tarr seconded the motion. Motion Carried

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

Positions are as followed:

IT/Wastewater - Michael Faubion

Streets - Nick Benes

Water - Jason Lemkau

Civil Defense - Jack Tarr

### **VILLAGE MAINTENANCE REPORT**

A report was submitted and received by the Board.

Nick Benes made a motion to approve the price of Select Plumbing to install fire hydrants at 21,515.00 but if Codr Plumbing can meet or beat the price Codr Plumbing will do the work. Jerad Little seconded the motion. Motion Carried

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

### **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 roads**

The board tabled this item.

#### **Bids for crack sealing and seal coating of paved roads**

Jason Lemkau made a motion to to lock in Craig Beck for \$.51 a running foot for 3 years for crack sealing of paved roadways. Jerad Little seconded the motion. Motion Carried

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

Craig Beck will coordinate with the maintenance team at least one week in advance to review the areas requiring attention before the crack sealing work begins. At this time, the Board does not want o apply sealant to the roads.

#### **Allo's agreement to bring services into the village**

The village attorney is working on an agreement to be sent to Allo.

#### **Past due utility bill for 130 E 2nd Street Resolution 2024-08**

Jerad Little made a motion to approve Resolution 2024-08, a resolution to put a lien on 137 E 2nd Street residence for nonpayment of utility bill. Mike Faubion seconded the motion. Motion Carried

- Nick Benes: *Yea*

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

#### **Bulk Water Requests - Resolution 2024-10**

Jerad Little made a motion to Resolution 2024-10 a approve resolution of the Village of Malcom, to establish fees and conditions for the sale of bulk water. A service fee of \$100 shall be applied on a weekly basis for the use of bulk water that will take effect January 1, 2025. Nick Benes seconded the motion. Motion Carried

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

#### **Jason Lemkau - Generator Bids**

This has been tabled until the January 2025 meeting.

#### **NEW BUSINESS**

##### **Resolution No. 2024-09 Appointments**

Jerad Little made a motion to Resolution No. 2024-09 Appointment of Village Clerk/Treasurer, Village Attorney, Village Accountant, Village Street Superintendent, Civil Defense Coordinator, Village Depositories, and Official Publications. Jack Tarr seconded the motion. Motion Carried

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

##### **Tru Green Agreement for 2025**

Jerad Little made a motion to approve the agreement with Tru Green of \$1605.18 to provide lawn treatment for the Larry Murray and Elk Creek Park for Spring/Fall 2025. Jason Lemkau seconded the motion. Motion Carried

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

##### **Sykes estimate for handicap parking**

Jerad Little made a motion to approve the estimate from Sykes construction of \$8586.00 for handicap parking and sidewalks at the ballfield. Nick Benes seconded the motion. Motion Carried

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

##### **Windstream Building Permit**

Jerad Little made a motion to approve the building permit submitted by Windstream for the placement of buried conduit installation. Jason Lemkau seconded the motion. Motion Carried

- Nick Benes: *Yea*
- Mike Faubion: *Yea*

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

The board requested maps showing the conduit locations and a written statement confirming that Windstream will cover the costs if service lines are damaged within the utility easements.

**Report from Deputy Director Civil Defense Coordinator James Densberger**

A written report from Jim Densberger, Deputy Director Civil Defense Coordinator, was presented to the Board by Jack Tarr

**Order water meters for the School, Fire Departments, Ballfield, Sewer Plant, Restaurant (if larger than 1")**

As part of the water meter replacement project, larger radio-read water meters will be ordered for Malcolm Public School, the Malcolm Fire Department, the ball fields, and the sewer plant.

**Planning Commission**

There has been significant interest in the two openings on the Planning Commission. A questionnaire will be developed and provided for candidates seeking a position before appointments are made.

**Fire Station - Change of Zone**

The Malcolm Fire Department has submitted an application to change the zoning district from agricultural to commercial for the property located at the northeast corner of 112th and West Bluff Rd, to build a new fire station. The application has been accepted by the Board. A public hearing is scheduled for the Planning Commission meeting on January 29, 2025, followed by a public hearing at the Village Board meeting on February 5, 2025.

**PLANNING COMMISSION**

No meeting was held due to no building permits being submitted.

**TABLED ITEMS**

1. GIS Mapping
2. NE Rural Water Rate Study
3. 250 W 1st Street Building Permit - new home
4. Ordinance 2024-03 Amusement and Gaming Machines

The next Village Board Meeting will be on January 8, 2025.

Jerad Little made a motion to move to adjourn at 10:12 pm. Nick Benes seconded the motion.  
Motion Carried

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

---

April Faubion, Village Clerk

**Village of Malcolm, Nebraska**  
**Checks**  
**November 2024**

Type	Date	Num	Name	Memo	Amount
Nov 24					
Check	11/29/2024			Service Charge	-20.66
Liability Check	11/07/2024	online ...	EFTPS	Federal Tax Deposit	-5,844.82
Check	11/26/2024	wire tr...	The Depository Trust Company	Principal payment - Street improv...	-25,000.00
Check	11/26/2024	wire tr...	Cornhusker Bank	principal payments on St. Imp loans	-25.00
Check	11/25/2024	1113	NDEE - Fiscal Services	Loan #C317575 - Principal & Inter...	-21,476.49
Check	11/18/2024	1402	Menards	Acct. #31120421 - inv 3540	-76.88
Check	11/04/2024	5219	Village of Malcolm - 1002201	Memorial money for park bench c...	-400.00
Check	11/04/2024	5220	Highland Products Group	New Park Benches	-2,552.00
Check	11/04/2024	14747	VOID	voided check to the Liquor Commi...	0.00
Check	11/04/2024	14748	Home Depot Credit Services	Acct. #6035322540620287 -Inv. ...	-273.68
Check	11/04/2024	14749	Marvin Planning Consultants, Inc.	Inv. #1887 - zoning and subdivisio...	-1,500.00
Check	11/04/2024	14750	Menards	Acct. #31120421 - inv 2278	-12.47
Check	11/04/2024	14751	Solheim Law Firm	October 2024	-1,200.00
Check	11/04/2024	14752	Taylor's Drain & Sewer Service, Inc.	Inv. #88161 276 1st Street Jet flus...	-700.00
Check	11/04/2024	14753	One Call Concepts, Inc.	Inv. #4100901 One call tickets	-22.74
Check	11/04/2024	14754	Beatrice Sand and Gravel	Acct 57773, Invoice #X1 199861	-1,913.88
Check	11/04/2024	14755	Postmaster	Stamps - 2 rolls .73	-146.00
Paycheck	11/04/2024	14756	Benes, Nicholas J	Payroll	-554.10
Paycheck	11/04/2024	14757	Faubion, April	Payroll	-1,043.10
Paycheck	11/04/2024	14758	Faubion, Michael P	Payroll	-554.10
Paycheck	11/04/2024	14759	Lemkau, Jason L	Payroll	-554.10
Paycheck	11/04/2024	14760	Link, Nadine K	Payroll	-1,023.79
Paycheck	11/04/2024	14761	Little, Jaydin L	Payroll	-1,056.52
Paycheck	11/04/2024	14762	Little, Jerad L	Payroll	-627.08
Paycheck	11/04/2024	14763	Petersen, Logan R	Payroll	-1,050.26
Paycheck	11/04/2024	14764	Regnier, Wayne L	Payroll	-2,297.49
Paycheck	11/04/2024	14765	Tarr, Jack L	Payroll	-554.10
Check	11/04/2024	14766	Faubion, April	cell phone and mileage reimburs...	-66.08
Check	11/04/2024	14767	Nadine Link	Mileage and Cellphone for Novem...	-114.32
Check	11/04/2024	14768	Regnier, Wayne L	November Cell Phone Reimburse...	-50.00
Check	11/04/2024	14769	Little, Jaydin L	November Cell Phone Reimburse...	-50.00
Check	11/04/2024	14770	Petersen, Logan R	November Cell Phone Reimburse...	-50.00
Check	11/11/2024	14771	Menards	Acct. #31120421 - inv 2792,3035,...	-459.55
Check	11/11/2024	14772	Farmers Cooperative	Acct. #24362 - Inv. #601354431 U...	-1,032.50
Check	11/11/2024	14773	Core&Main	Acct #162926 - Invoice #V880302	-88.90
Check	11/11/2024	14774	Advantage Computer/Jayhawk Softw...	Invoice #102536 and 102537	-4,250.00
Check	11/11/2024	14775	Lincoln Winwater Works	Inv. #10693801 Fire Hydrant	-1,091.83
Check	11/11/2024	14776	Elan Financial Services	Acct. #4798-1731-3100-1979 - Int...	-1,059.74
Check	11/11/2024	14777	Midwest Laboratories	Acct. #14382 Inv #1211590 Mont...	-313.68
Paycheck	11/11/2024	14778	Faubion, April	Payroll	-888.23
Paycheck	11/11/2024	14779	Link, Nadine K	Payroll	-781.73
Paycheck	11/11/2024	14780	Little, Jaydin L	Payroll	-890.92
Paycheck	11/11/2024	14781	Petersen, Logan R	Payroll	-848.09
Check	11/11/2024	14782	Codr Plumbing and Excavation LLC	Job #1360 week 1 water meter re...	-4,000.00
Check	11/11/2024	14783	Matt Bratsovsky	October 2024 & 2 Inspections	-245.00
Check	11/11/2024	14784	Bill Fuelling	1 Inspections - Matt B 450 S Linco...	0.00
Check	11/18/2024	14785	Advantage Computer/Jayhawk Softw...	Invoice #103055	-499.00
Check	11/18/2024	14786	FedEx Office	Acct. #8300052946 - Blue Prints	-17.37
Check	11/18/2024	14787	1000 Bulbs	Invoice #W04219883 Lights	-124.78
Check	11/18/2024	14788	Windstream	Account #090491164	-228.43
Check	11/18/2024	14789	Norris Public Power	8 accounts	-2,427.31
Check	11/18/2024	14790	Bill Fuelling	1 Inspections - Matt Bratsovsky's ...	-40.00
Check	11/18/2024	14791	Postmaster	Stamps - 2 rolls .73	-146.00
Paycheck	11/18/2024	14792	Faubion, April	Payroll	-828.23
Paycheck	11/18/2024	14793	Link, Nadine K	Payroll	-678.61
Paycheck	11/18/2024	14794	Little, Jaydin L	Payroll	-450.74
Paycheck	11/18/2024	14795	Petersen, Logan R	Payroll	-824.05
Check	11/18/2024	14796	Karl Hesselstine	5 Inspections	-200.00
Check	11/18/2024	14797	SYKES Construction	Estimate #1022 Curb and butter o...	-2,925.00
Check	11/18/2024	14798	NE Public Health Environmental Lab...	Acct. #597674-Inv. 584674	-15.00
Check	11/25/2024	14799	Menards	Acct. #31120421 - inv 4190, 4183...	-152.69
Check	11/25/2024	14800	LRE Water	Project #6014VOM01 - Inv. #2826...	-2,054.75
Check	11/25/2024	14801	Codr Plumbing and Excavation LLC	Job #1139 replacement of water ...	-2,100.00
Check	11/25/2024	14802	Birkels Rock and Gravel LLC	Inv. #591 - road gravel, 1" clean r...	-1,365.78
Check	11/25/2024	14803	Ne Department of Environment and ...	Invoice#9946 void due to wrong a...	0.00
Check	11/25/2024	14804	Core&Main	Acct #162926 - Invoice #V998831	-11.75
Check	11/25/2024	14805	Branding Inc., dba Al's Johns	Inv. #95653 Porta-a-pots -- Handi...	-255.00
Paycheck	11/25/2024	14806	Faubion, April	Payroll	-803.84
Paycheck	11/25/2024	14807	Link, Nadine K	Payroll	-617.20
Paycheck	11/25/2024	14808	Little, Jaydin L	Payroll	-745.63
Paycheck	11/25/2024	14809	Petersen, Logan R	Payroll	-484.44
Check	11/25/2024	14810	Paragon Sanitation, Inc.	Acct. #10521 - Nov 2024	-63.00
Check	11/25/2024	14811	HBE LLP	Inv. #INV218172	-5,250.00
Check	11/25/2024	14812	Core&Main	Acct #162926 - Invoice #w010572...	-606.30
Check	11/25/2024	14813	Jared Ritze	Inv. #11252401 - laptop setup, wir...	-400.00
Check	11/25/2024	14814	Codr Plumbing and Excavation LLC	Job #1139 replacement of water ...	-300.00
Nov 24					-111,374.73

Village of Malcolm, Nebraska

Deposits

November 2024

Date	Name	Account	Split	Amount
<b>DEBT SERVICE</b>				
11/15/2024		3130 - Property Taxes	1035 - Investment Fund 567-877	99.34
11/15/2024		3131 - Motor Vehicle Tax Income	1035 - Investment Fund 567-877	10.14
11/15/2024		3220 - Special Assessment	1035 - Investment Fund 567-877	271.37
11/30/2024		3305 - Interest on Investments	1031 - REPO Savings Acct - 9000567877	393.66
<b>Total DEBT SERVICE</b>				<b>774.51</b>
<b>General</b>				
11/07/2024		3300 - Miscellaneous Income	1015 - General Fund Checking 1002-201	400.00
11/15/2024		3130 - Property Taxes	1015 - General Fund Checking 1002-201	212.71
11/15/2024		3130 - Property Taxes	1015 - General Fund Checking 1002-201	798.93
11/21/2024		3400 - Sales	1015 - General Fund Checking 1002-201	3,103.21
11/25/2024		3300 - Miscellaneous Income	1015 - General Fund Checking 1002-201	0.01
11/29/2024		3305 - Interest on Investments	1010 - Money Market Fund 435-833	22.16
11/29/2024		3305 - Interest on Investments	1012 - CB REPO #9000435833 MM	136.04
11/29/2024		3305 - Interest on Investments	1017 - REPO Savings Acct 9001002-201	239.40
11/29/2024		3305 - Interest on Investments	1021 - UB STFIT Account	923.03
<b>Total General</b>				<b>5,835.49</b>
<b>Sewer</b>				
11/01/2024		3400 - Sales	1015 - General Fund Checking 1002-201	714.48
11/01/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	150.00
11/07/2024		3400 - Sales	1015 - General Fund Checking 1002-201	1,933.11
11/07/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	12.50
11/12/2024		3400 - Sales	1015 - General Fund Checking 1002-201	64.47
11/12/2024		3400 - Sales	1015 - General Fund Checking 1002-201	54.96
11/12/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	1,603.35
11/15/2024		3400 - Sales	1015 - General Fund Checking 1002-201	37.50
11/15/2024		3400 - Sales	1015 - General Fund Checking 1002-201	1,099.20
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	54.96
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	54.96
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	54.96
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	109.92
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	8,245.20
11/21/2024		3400 - Sales	1015 - General Fund Checking 1002-201	329.76
11/25/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	50.00
11/29/2024		3400 - Sales	1015 - General Fund Checking 1002-201	989.28
11/29/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	62.50
<b>Total Sewer</b>				<b>15,621.11</b>
<b>Street</b>				
11/08/2024	State of Nebraska	3135 - Street Allocation Income	1015 - General Fund Checking 1002-201	5,271.89
11/20/2024	State of Nebraska	3136 - Sales Tax	1015 - General Fund Checking 1002-201	1,321.61
<b>Total Street</b>				<b>6,593.50</b>
<b>Water</b>				
11/01/2024		3400 - Sales	1015 - General Fund Checking 1002-201	632.76
11/01/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	39.00
11/01/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	150.00
11/07/2024		3400 - Sales	1015 - General Fund Checking 1002-201	1,608.33
11/07/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	108.00
11/07/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	12.50
11/12/2024		3400 - Sales	1015 - General Fund Checking 1002-201	21.82
11/12/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	3.00
11/12/2024		3400 - Sales	1015 - General Fund Checking 1002-201	28.62
11/12/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	3.00
11/12/2024		3400 - Sales	1015 - General Fund Checking 1002-201	1,387.89
11/12/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	87.00
11/15/2024		3400 - Sales	1015 - General Fund Checking 1002-201	37.50
11/15/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	894.35
11/15/2024		3300 - Miscellaneous Income	1015 - General Fund Checking 1002-201	60.00
11/15/2024		3400 - Sales	1015 - General Fund Checking 1002-201	321.58
11/15/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	31.26
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	3.00
11/18/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	175.41
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	3.00
11/18/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	32.23
11/18/2024		3400 - Sales	1015 - General Fund Checking 1002-201	3.00
11/18/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	98.25
11/21/2024		3400 - Sales	1015 - General Fund Checking 1002-201	6.00
11/21/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	7,967.34
11/25/2024		3400 - Sales	1015 - General Fund Checking 1002-201	186.00
11/25/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	151.42
11/25/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	18.00
11/29/2024		3400 - Sales	1015 - General Fund Checking 1002-201	50.00
11/29/2024		3410 - Water Surcharge Income	1015 - General Fund Checking 1002-201	590.87
11/29/2024		3415 - Late Fees	1015 - General Fund Checking 1002-201	54.00
11/29/2024		3305 - Interest on Investments	1015 - General Fund Checking 1002-201	62.50
11/29/2024			1024 UB - #8715 Water Surcharge Acct	44.59
<b>Total Water</b>				<b>14,872.22</b>
<b>Unclassified</b>				
11/01/2024		3210 - Licenses/Permits/Fees	1015 - General Fund Checking 1002-201	168.25
11/20/2024	State of Nebraska	3136 - Sales Tax	1015 - General Fund Checking 1002-201	2,917.53
<b>Total unclassified</b>				<b>3,085.78</b>
<b>TOTAL</b>				<b>46,782.61</b>