PENDER, NEBRASKA

VILLAGE PROCEEDINGS

January 27, 2025

A regular meeting of the Village Board of Trustees was held in the Village Board Room in said Village on the 27th day of January 2025 at 7:00 P.M. Notice of the meeting was given in advance by posting said notice in three public places: Pender Post Office, Thruston County Court House and Pender Village Office. Notice to the Chairperson and Board of Trustees was given by email and a copy of the acknowledgement of receipt is attached. The agenda was communicated in advance notice to the Chairman and Board of Trustees and available to the public at the Village Office. An agenda for the meeting was kept continuously current and available for public inspection during regular office hours at least three days prior to meeting. No changes may be made 24 hours prior to a meeting.

Present on the roll call: Vice-Chairman: Dr. David Hoelting, Trustees: Robbie Welsh, Dave Powley and Terry Mailloux. Staff present: Glen Gralheer, Village Administrator, Nicole Tyrrell-Feltes and Kylee Riggs, Office personnel. Public attendance: Scott Pfeiffer, Jody Davis, Matthew Smith and Ron Klein. ABSENT: Chris Reha.

Vice-Chairman Hoelting called the meeting to order at 7:00 P.M.

Vice-Chairman Hoelting notified that pursuant to Section 84-1412 (8) of the Nebraska Open Meetings Act, a current copy of the Open Meetings Act is posted in the meeting room and was available to the public.

A motion was made by Mailloux, seconded by Welsh to approve the minutes for the regular meeting on January 13th, 2025 meeting. Voting AYE: Welsh, Mailloux, Hoelting, and Powley. Voting NAY: None. ABSENT: Reha. Motion carried.

PUBLIC COMMENTS: None

OLD BUSINESS: None

NEW BUSINESS:
A discussion was held about the email security breach audit report by Stingray Technology Service. Riggs informed the board what may have been breached, for example employee information, W9 from other companies, Highway projects, EIN and Tax numbers for village, budget information, and Frontier Bank statements. Some security measures that have been taken are Multifactor Authentication (MFA) for email accounts, changing passwords and reviewing files that may have been compromised. Further recommended action is inquiring if we have cyber insurance with EMC, continue to review files, attending cyber security training and purchase additional security programs. Individuals affected by the breach will be notified by a formal letter.

A motion was made by Powley, seconded by Welsh to approve offering individuals affective by the email breach six months of credit monitoring up to $5.00 a month. The board recommends Experian, which is $4.99 a month. The individual will be reimbursed after six months with proof of purchase. Voting AYE: Welsh, Mailloux, Hoelting and Powley. Voting NAY: None. ABSENT: Reha. Motion carried.

A discussion on dog tag fees was held. It has come to the attention of a board member that people are not paying the dog license fee of $11.25. In the past, the fee was part of getting vaccinated at the vet clinic but currently registration is at the village office after proof of vaccination. Powley will speak with the vet to ask why this has changed and report back at the next meeting. The question remains how this can be enforced.

A discussion was held about fire tax. According to the village code book, the village can levy a tax of up to seven cents per hundred dollars to benefit the voluntary fire department. Does the Village of Pender collect this tax? It was determined the village does not but there is a rural fire tax. This tax does depend on how the fire district was set up, does the village fall under rural and if not, the village does not pay for fire service. Hoelting will reach out to Thurston County Clerk and begin inquiries into collecting this tax.

A motion was made by Welsh, seconded by Mailloux to approve the Special Liquor License for the Pender Community Betterment Group. They will be serving beer, wine and spirits at the Community Center for an event on March 21st, 2025 from 5 PM to 1 AM. Voting AYE: Hoelting, Mailloux, Powley and Welsh. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Powley, seconded by Mailloux to approve the request for qualifications (RFQ) for the engineering firm for Rattlesnake Creek project to Olssons. Olssons met the six requirements and were the only firm to submit a proposal. The village reached out to ACES and JEO but did not receive much interest from either firm. Accepting this RFQ will allow Olssons to start the engineering that needs to be completed for phase one requirements for the Federal Emergency Management Agency (FEMA) by next year. Voting AYE: Powley, Welsh, Mailloux and Hoelting. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Mailloux, seconded by Welsh to approve final payment of $10,031.46 to John Maise of Maise Electric on the Robert’s Addition contract. The board agreed no further payments will be made to this vendor on this project. Voting AYE: Mailloux, Powley, Welsh and Hoelting. Voting NAY: None. ABSENT: Reha. Motion carried.

A discussion was held about the disconnect of a utility customer due to non-payment. This account is currently between tenants and no address is available for billing. Due to the cold, the property will not be shut off to avoid water pipes freezing as the office will try to contact the owner or current tenant.

A motion was made by Welsh, seconded by Powley to approve a Park Well Water Filling Fee. The fee will be applied to companies or individuals filling water tanks from the well. Fees are as follows: $20.00 for 1,000 gallons (minimum charge), $30.00 for 1,500 gallons, $40.00 for 2,000 gallons per trip, rounding up to the nearest 500 gallons. Voting AYE: Mailloux, Powley, Welsh and Hoelting. Voting NAY: None. ABSENT: Reha. Motion carried.

DEPARTMENT REPORTS:
Robbie Welsh None
Dave Powley Asked how the water spills at the water plant happened and was informed that is part of Gralheer report.
Ron Klein Turned the packet of what he completed at the wastewater and light plant the last two weeks. Will be generating power on Wednesday and Thursday of this week. New air compressor is performing well.
Terry Mailloux Reported that ambulance will be repaired this week.
Dr. Hoelting Informed there was a formal application for pool manager and one that has expressed interest.
Office Tyrrell-Feltes communicated to the board the next bonds are due March 15th, Brandon Gutzman is interested in buying a scoreboard behind top shop and would like to post meeting notice on website, board agreed. Has been in touch with League Association of Risk Management (LARM) to get a quote for village insurance but LARM may not be able to cover power generation engines so wondering if should continue the process? The board agreed to get a quote. Explained the consent agenda and would like to implement at first meeting in February. Riggs reported on the board training the office personnel attended on Monday 1/20/2025 in Lyons. Eric with the Midwest Assistance Program is still working on the rate study and hope to hear from him soon. Relied that the village received scholarships to attend Clerk School this March.
Glen Gralheer Attending the Municipal Energy Agency of Nebraska (MEAN) Board of Directors meeting and confirmed they will be increasing the cost by 9.8% this April, as well as Western Area Power Administration (WAPA) will be increasing 7% this January and 6% January 2026. The increase is due to demand, operation expenses and an update to current plants. Jeffrey Skinner with Nevco Wireless will be back mid-February to discuss the next steps for another Verizon tower down by the ball fields, project scheduled for 2026. The last step before bringing the solar field online is the witness test scheduled for Thursday, January 30th. Pender will be the second municipality out of sixteen to go online. Rod with Iowa Association of Municipal Utilities (IAMU) will be here this week to qualify Gina, Mike, Gabe and Scott with different degrees of gas qualifications. Peoples Service and Hydro Optimization & Automation Solutions (HOA) will be here Thursday to work on the communication problems at the wells. 60% review of collection system will be at 4 PM Thursday with Olssons in the village boardroom. The village of Thurston water department had a missing sample in October, so the village had to notify the public of such and return paperwork to the state. The answer to Powley’s earlier question about the spill at the water treatment plant was due to personnel not turning off the manual fill for the nitrate test and not acting on the communication error text.
A motion was made by Mailloux, seconded by Powley to approve the budget, expenditure, claims, transfers and payroll. Voting AYE: Hoelting, Mailloux, Powley and Welsh. Voting NAY: None. ABSENT: Reha. Motion carried.

**CLAIMS AND PAYROLL**
[Se=Services, R=Retirement, T=Taxes, Su=Supplies, I=Insurance, Re=Reimbursement, A=Advertisement, C=Contract Labor, Tr=Training, U=Utilities, RD=Refund Deposit]
VILLAGE: Salaries, Se 36228.65, NE Dept of Revenue, T 14956.05, John Hancock, R 745.03, EFTPS, T 3426.94, Point C, I 4811.98, Appeara, Su 120.82, Benefits Plans, Se 590.00, Blue Cross Blue Shield, I 481.52, Century Link, Se 756.88, Charter West, HSA 650.00, Charter West, TIF 2300.80, Colonial Life, I 278.43, Dunn Plumbing, Se 60.00, Fastwyre, Se 1003.93, Franklin Fendrick, C 1305.00, Frontier Bank, HSA 1850.00, K&C Grain, Su 5635.80, Koons Gas Measurement, Su 733.59, Krier Technologies, Se 570.00, Kylee Riggs, Re 30.80, Lamp Auto, Su 1199.18, Layne Christensen, Se 380.00, Martin Gravedigging, Se 100.00, Municipal Energy Agency of NE, Se 102043.04, Mutual of Omaha, I 218.00, NE Public Health Environment, Se 109.50, Northeast NE Clerks Association, Dues 40.00, Pender Community Center, Rent 1120.00, Pender Community Development, C 5000.00, People Services, Se 5300.50, Principal Life Insurance, I 713.3, Ric Ortmeier CPA, Se 35700.00, Ron Klein, C 1557.88, Schmader Electric, Se 27616.85, SMC Technology, Su 686.66, Southern Source Industries, Su 1752.30, Thurston Co Rural Water, Se 53.54, Verizon, Se 95.74, Z Mart 2, Su 1038.74
AIRPORT: CenturyLink, Se 69.86

RESCUE: Heckman Tow Service, Se 340.00, Midwest Diesel, Se 338.97, Quick Med Claims, Se 946.69, Terry Mailloux, Re 91.00, Verizon, Se 134.38, Z Mart 2, Su 643.33

A motion to go into executive session was made by Mailloux at 8:49 P.M. to discuss job offer details for the Utility Superintendent position, seconded by Powley. Powley, Mailloux, Gralheer, Hoelting, Welsh and Matthew Smith were in attendance. Vice-Chairman restated the reason to enter executive session was for discussing job offer for Utility Superintendent. Voting AYE: Hoelting, Welsh, Powley and Mailloux. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion to exit executive session was made by Mailloux at 9:01 P.M., seconded by Powley. Voting AYE: Welsh, Mailloux, Hoelting and Powley. Voting NAY: None. ABSENT: Reha. Motion carried. No action was taken.

A motion was made by Mailloux, seconded by Powley to approve the job offer for the Utility Superintendent to Matthew Smith. Smith accepted and will be a salaried employee of the village. Voting AYE: Welsh, Mailloux, Hoelting and Powley. Voting NAY: None. ABSENT: Reha. Motion carried.

A motion was made by Mailloux, seconded by Powley to adjourn at 9:04 P.M. Voting AYE: Mailloux, Powley, Welsh and Hoelting. Voting NAY: None. ABSENT: Reha. Motion carried.

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 Dr. David Hoelting, Vice-Chairman

 Board of Trustees

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Nicole Tyrrell-Feltes

Village Clerk

VILLAGE OF PENDER

THURSTON COUNTY

STATE OF NEBRASKA

CERTIFICATE

I, THE UNDERSIGNED VILLAGE CLERK, hereby certifies that the foregoing is a true and current copy of the proceedings had and done by the Chairperson and Board of Trustees of this meeting. That all the subjects included in the foregoing proceedings were contained in the said agenda for the meeting and kept continually current and available for public inspection at the office of the Village clerk. Those subjects were included on said agenda for twenty-four hours and prior to the next convened meeting of the said body. That at least one copy of the reproducible material discussed at the said meeting was available for public inspection at the office of the Village Clerk and within ten working days and prior to the next convened meeting of the said body. That all news media request notification of the time and place of said meeting and the subjects to be discussed at the said meeting.

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Nicole Tyrrell-Feltes

Village Clerk