

The Harlan Municipal Utilities' Board of Trustees met in electronic session, January 12, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on December 22, 2022; Abstract of Claims No. 1227 dated January 12, 2023, in the amount of \$1,121,736.02 and Upcoming Board Meetings as follows: January 26, 2023, regular and February 8, 2023, electronic. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Sievert – Aye; Rees – Aye; Shelton – Aye; Erickson – Aye; and Tyrrel – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson
(2028)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Randall Rees (*term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, January 26, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Jim Shelton, Nella Seivert, David Tyrrel, Michelle Erickson and Doug Hammer.
Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Elizabeth Elliott, Kyle Lindberg, Todd Valline and Bill Lindley of Clayton Energy, *Ashley Schleis.

Chairperson Tyrrel called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Seivert, seconded by Shelton, to approve the agenda.

Moved by Shelton, seconded by Erickson, to approve the consent agenda which included:

- A. Minutes of the January 12, 2023, Board Meeting;
- B. Abstract of Claims No. 1228 in the amount of \$1,037,699.62;
- C. Upcoming Board Meetings of February 9, 2023, and February 23, 2023
Both meetings in person.

Receive and file the minutes of the City Council meeting from Tuesday, January 17, appointing Doug Hammer to the HMU Board of Trustees.

Bill Lindley from Clayton Energy gave a presentation on Gas Rates and updating the gas billing charges for Harlan Municipal Utilities. The change in how the billing and rates are figured is effective April 1, 2023. It was moved by Seivert, seconded by Erickson, to approve Resolution No. 26-2023 to Update the Gas Billing Charges for Harlan Municipal Utilities. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to rescind Gas Policy No. 1, Gas Purchase Adjustment. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

The City of Harlan made a request for HMU to contribute to Christmas Lights for the poles on Cyclone and Downtown (Approximate full cost \$14,000). The City was requesting that HMU pay up to half. There was discussion held and it was decided that HMU has financial obligations to our customers for ongoing and upcoming projects to improve our services and it would not be in our best interest to assist. Motion failed due to lack of motion.

Moved by Shelton, seconded by Seivert, to approve General Policy No. 48 Reconnection of Utility Service Charges. Reconnect fees were reviewed, and the new fees are as follows: Electric Single Phase & Gas Service \$ 25.00; Electric Three Phase or Larger \$150.00; Water Service up to 2" \$ 25.00; Water Service 2.5" or larger \$100.00. The prior fee was three (3) times the monthly service charge. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Tentative Agreement for Contract Extension between Harlan Municipal Utilities and AFSCME Iowa Council 61, Local 1014. The Agreement will be for the period of July 1, 2023, through June 30, 2025, with a ten (10) percent increase July 1, 2023, and a six (6) percent increase effective July 1, 2024 for all employees covered by the Contract. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Chairperson, Tyrrel, stated that it was the time and place for the public hearing on the authorization of a loan agreement and the issuance of notes to evidence the obligation of the City thereunder Not to Exceed 7,500,000 Water Revenue Capital Loan Notes. Tyrrel asked if there had been any written objections. There were not. Tyrrel asked if there were any oral objections. There were not. Tyrrel stated that that the time for receiving written and oral objections was closed and that the public hearing was closed.

Moved by Seivert seconded by Shelton, to approve the Resolution instituting proceedings to take additional action for the authorization of a loan agreement and the issuance of not to exceed \$7,500,000 water revenue capital loan notes. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Shelton, seconded by Erickson, to approve the following banking resolutions: Resolution No. 43-2022 – Machine Signed Signatures; Resolution No. 44-2023 – Corporate Authorization; Resolution No. 45 -2023 – Wire Transfer Authorization; and General Policy 50 – Bank Signature Authorization. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, February 9, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Doug Hammer, David Tyrrel, Michelle Erickson, and Jim Shelton.

Absent: Nella Seivert.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Elizabeth Elliott and *Todd Valline.

Chairperson Tyrrel called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom. Moved by Seivert, seconded by Shelton, to approve the agenda.

Moved by Hammer, seconded by Shelton, to approve the consent agenda which included:

- A. Minutes of the January 26, 2023, Board Meeting;
- B. Abstract of Claims No. 1229 in the amount of \$736,539.04;
- C. Upcoming Board Meetings
 - * February 23, 2023 – Regular Board Meeting;
 - * March 9, 2023 – Electronic Board Meeting.

Moved by Erickson, seconded by Hammer, to receive and file the 2023-2024 Fiscal Year Budget. A roll call vote was taken on the motion as follows: Shelton – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the low bid from Patriots Choice for the trench repair in the Truck Bay at HMU. There were two bids received as follows: Baxter Contracting in the amount of \$18,135.00 and Patriots Choice in the amount of \$14,486.73. A roll call vote was taken on the motion as follows: Shelton – Aye; Erickson – Nay; Tyrrel – Aye; and Hammer - Aye. Motion carried.

Following the Chief Executive Officer's report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, February 23, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Jim Shelton, Nella Seivert, David Tyrrel, Michelle Erickson and Doug Hammer.
Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Elizabeth Elliott, Gene Gettys and Todd Valline.

Chairperson Tyrrel called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Hammer, seconded by Seivert, to approve the agenda.

Moved by Seivert, seconded by Shelton, to approve the consent agenda which included:

- A. Minutes of the February 9, 2023, Board Meeting;
- B. Abstract of Claims No. 1230 in the amount of \$1,012,178.47;
- C. Upcoming Board Meetings of March 9, 2023, (electronic) and March 23, 2023 (regular).

Moved by Erickson, seconded by Hammer, to rescind Gas Policy No. 1, Gas Purchase Adjustment. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Erickson, seconded by Seivert, to approve the bid from The Cohoy Group for acidizing 4 wells and airburst 4 wells. There were two bids received as follows: The Cahoy Group in the amount of \$89,860.00 and Layne Christensen Company in the amount of \$92,764.00. The Cohoy bid was approved pending legal counsel revisions. A roll call vote was taken on the motion as follows: Shelton – Aye; Seivert – Aye; Tyrrel – Aye; Erickson – Aye; and Hammer - Aye. Motion carried unanimously.

Information only items:

- A. CCI Systems Invoice in the amount of \$3,693.32 for annual support; Digital Content Manager;
- B. Innovative Systems Invoice in the amount of \$5,885.00 for 1-year Annual Support Telemarketing Screen;
- C. Northern Municipal Distributors Group in the amount of \$1,487.65 for additional assessment due to ongoing rate case;
- D. SPP Annual Membership Invoice in the amount of \$6,000.00.

Following the Chief Executive Officer's report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, March 9, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on February 23, 2023; Abstract of Claims No. 1231 dated March 9, 2023, in the amount of \$731,128.4 and Upcoming Board Meetings as follows: March 23, 2023, regular and April 13, 2023, electronic. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; and Tyrrel – Aye. Motion carried unanimously. Absent: Seivert & Shelton.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, March 23, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Nella Seivert, Michelle Erickson, David Tyrrel, and Doug Hammer. Absent: Shelton.
Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Elizabeth Elliott, Gene Gettys, Todd Valline, *Kyle Lindberg and Jon Burmeister from Public Financial Management (PFM).

Chairperson Tyrrel called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Hammer, seconded by Seivert, to approve the agenda.

Moved by Seivert, seconded by Erickson, to approve the consent agenda which included:

- A. Minutes of the March 9, 2023, Board Meeting;
- B. Abstract of Claims No. 1232 in the amount of \$1,024,315.38;
- C. Upcoming Board Meetings of April 13, 2023, (electronic) and April 27, 2023 (regular).
- D. Publication of 2022 Wages as follows: BATES, SHAWN K, 6,450.00; BERNEY, MATTHEW, 52,254.57; BIELENBERG, RICHARD D, 42,448.05; BISSEN, KEVIN, 72,741.85; BROWN, LELA L, 49,736.08; BURROUGHS, PATRICIA K, 48,683.52; CHADWICK, JENNIFER L, 77,079.58; COTE, DONALD R, 81,497.27; DEHNKE, JARRETT, 19,362.10; DERBY, FRANK C, 16,497.11; DOONAN, TROY, 64,922.33; FREDERICKS, DALTON D, 49,445.36; GEDWILLO, JAMES R, 84,934.02; GESSERT, DARWIN L, 11,854.21; GESSERT, DEAN A, 95,780.52; GESSERT, JESSICA L, 39,874.51; GESSERT, STEPHEN J, 86,639.05; HAGLE, ALEXIS A, 49,609.91; HARRISON, TREVOR J, 64,622.92; HIVELY, TODD L, 39,271.63; HOLLOWAY, KENNETH R, 72,656.65; JOCHIMS, JACOB M, 12,745.00; LASHER, BRIAN L., 56,006.13; MCLAUGHLIN, DEBRA A., 61,680.78; MILLER, SHANNON, 36,844.78; MUSICH, KEVIN M, 73,549.06; NEWCOMB, JORDAN, 13,055.00; NORTH, JONATHAN J, 43,238.46; PETSCH, JAMES E, 29,661.76; RANSOM, TROY E, 6,710.45; ROSE, ERIC D, 62,524.99; RUESCHENBERG, JOSEPH P, 63,852.59; SWANK, DAVID T, 76,614.14; TOWNE, COREY, 8,390.54; WARNER, COLBURN L., 80,265.44; WEBER, KENNETH C, 84,166.37; WINGERT, PAUL A, 53,932.99.

Moved by Seivert, seconded by Hammer, to approve the Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing Not to exceed \$7,500,000 Water Revenue Capital Loan Notes. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Chairperson Tyrrel announced that this was the time and place for the public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder Not to Exceed \$7,500,000 Water Revenue Capital Loan Notes. Tyrrel asked if there had been any written objections. Kelly stated there had not been. Tyrrel asked if there were any oral objections from those present. There were none. Tyrrel announced that the time for receiving oral objections is closed.

Moved by Hammer, seconded by Erickson, to approve the Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$7,500,000 Water Revenue Capital Loan Notes. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Resolution Directing the Acceptance of a Proposal to Purchase \$5,364,000 (amount subject to change) Water Revenue Capital Loan Notes Anticipation Project Note, Series 2023. There were 5 options presented as follows (summary):

Lender	Rate/Rate Type	Purchase Price
CoBank	5.55% ~ Variable	\$5,359,000
Shelby Co State Bank, Midstates, Farmer's Trust & Savings Bank	4.34% ~ Fixed	\$5,364,000
United Bank of Iowa	4.5% ~ Variable	\$5,350,590
United Bank of Iowa	4.10%-5.30% ~ Variable until lock date	\$5,350,590
Rural Water Financing Agency	5.05% net of 4.23% ~ Floating until fixed	\$5,364,000

The second option with local lenders was approved with a pay-off date of December 2043. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the Resolution approving temporary transfer of funds from the Harlan Municipal Electric Utility to the Harlan Municipal Water Utility. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Resolution ordering construction of the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring, and fixing a date for hearing thereon and taking of bids therefore. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve the invoice from the Iowa Association of Municipal Utilities for Annual Dues in the amount of \$17,633.00. It was noted in the letter that this was a 5% increase from last year. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the SPP Attachment X (Credit Policy) of the Open Access Transmission Tariff which includes Appendix A Credit Application Form and Appendix E Annual Minimum Market Participation Criteria – Risk Management Certification Form and authorize Joseph P. Rueschenberg to sign. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the payment for the Calix Annual Support Agreement in the amount of \$10,495.00 per year (\$11,229.65 after tax). A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Bobcat Mini- Excavator Rollover Lease in the net amount of \$5,450.00. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve Bobcat Track Loader Rollover Lease in the net amount of \$5,450.00. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Lawncare bid from Chad's Lawncare. There were two bids received as follows: Chad's Lawncare - \$450.00 main areas & \$150.00 lot behind water plant for a 2 year term and MJ's Lawncare - \$425.00 main areas & \$150.00 old lot behind water plant for a 4 year term. Seivert and Erickson voiced concern that they had seen performance issues with MJ's around town. Tyrrel stated that he felt it is the Board's duty to the ratepayers to award the bid to the low bidder and best business practice. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Naye; and Hammer - Aye. Motion carried.

Moved by Seivert, seconded by Erickson to approve the recommendation from Insurance Committee to renew Property/Casualty & Workers Compensation Insurance with EMC with The Agency as the broker. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Hammer - Aye. Motion carried unanimously.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, April 13, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on March 23, 2023; Abstract of Claims No. 1233 dated April 13, 2023, in the amount of \$1,118,157.33 and Upcoming Board Meetings as follows: April 27, 2023, regular meeting; May 11, 2023, regular meeting and May 23, 2023, electronic meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Shelton – Aye; and Tyrrel – Aye. Motion carried unanimously.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson
(*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, April 27, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Seivert, Erickson and Shelton. Absent: Tyrrel and Hammer.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Gene Gettys, Todd Valline, *Al Powers and Gary Brons from P&E Engineering and McClure, respectively.

Vice-Chairperson Erickson called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Seivert, seconded by Shelton, to approve the agenda.

Moved by Seivert, seconded by Shelton, to approve the consent agenda which included:

- A. Minutes of the April 13, 2023, Board Meeting;
- B. Abstract of Claims No. 1234 in the amount of \$880,823.98;
- C. Upcoming Board Meetings of May 11, 2023, (regular) and May 25, 2023 (electronic).

Moved by Seivert, seconded by Shelton, to approve the Cummins Contract for the Generator in the amount of \$4,769.03. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Seivert to approve the Northern Municipal Distributors Group Invoice (L&R Contract) in the amount of \$3,967.06. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert seconded by Shelton to receive and file the Health Insurance Committee minutes from 3/31/2023. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously. Moved by Seivert, seconded by Shelton, to approve the recommendation to renew Health Insurance (2.47% increase), Dental (0% increase) and Short-Term Disability (STD) (2% increase) effective July 1, 2023. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to approve the Exhibit IV Annual Certification and Exhibit VIII Annual Disclosure of the MISO Minimum Participation Criteria Attachment L – Credit Policy and authorize Joe Rueschenberg to sign. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Seivert, to approve the JOU Confirmation Letter for term of June 1, 2023, through May 31, 2024, of the MidAmerican Market Services Agreement. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Seivert, to approve the fuel bid from Agriland FS which was the lowest bid that met all the requirements. Bids were received as follows: Agriland FS, \$0.151 daily pump price discount; Farm Service Coop \$0.100 daily discount and Taylor Quick Pik \$0.200 but did not meet all requirements. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Seivert, to approve the Oxen Quote for Sonicwall in the amount of \$8,596.00. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to approve the Engagement letter for MCR to assist with Attachment H which determines HMU's Annual Transmission Revenue Requirements in the Southwest Power Pool and authorize Joe Rueschenberg to sign. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to approve the PFM Engagement Letter and Disclosure of Conflicts. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Vice-Chairperson Erickson stated that it was the time and place for the Public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost of construction for the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring. Erickson asked if there had been any written objections. There were none. Erickson asked if there were any oral objections and there were none. Erickson stated that the public hearing was closed.

Moved by Shelton, seconded by Seivert, to approve the Resolution adopting plans, specifications, form of contract and estimate of costs. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to ADJOURN the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring Consideration of construction bids & Resolution Designating Low Bidder to the May 11, 2023, board meeting held at 4:15 pm. A roll call vote was taken on the motion as follows: Seivert – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to ADJOURN the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring making award of construction contract to the May 11, 2023, board meeting held at 4:15 pm.

There was discussion on the different options on the raw water project since the bids came in higher than anticipated. Different options are going to the USDA to increase loan amount, increasing the loan amount from the electric utility to the water utility, rebidding the project or putting the project on hold. The water committee will meet to go over options before the May 11 board meeting.

Information Only – Treasurer’s Report as of March 31, 2023.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, May 11, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Present were Trustees: Nella Seivert, Doug Hammer, David Tyrrel, Michelle Erickson, and James Shelton.

Absent: None.

Staff Present: Joe Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None

Guests: *Ronald Kennedy and *Jon Burmeister.

Public: Gene Gettys, Vaughn Perry, *Todd Valline.

Chairperson Tyrrel called the meeting to order at 4:00 p.m. in the HMU Boardroom.

Moved by Eickson, seconded by Shelton, to approve the agenda.

Chairperson Tyrrel stated that this was the time and place for the Annual Public Hearing on the Transmission Formula Rates. Ronald Kennedy of MCR verified that there was no one on the conference call. Mr. Kennedy then gave an update on the Harlan Municipal Utilities formula rate and ATRR 2022-2023 Comparison. He also stated that HMU has abided by all the FERC-approved protocols by updating its ATRR by May 1, posting its 2023 ATRR to the SPP Member Related Postings website and hosting their annual update meeting. This meeting is to review and provide interested parties an opportunity to ask questions.

Ron gave instructions on where to send any further questions if they come up.

Moved by Hammer, seconded by Seivert, to close the public hearing/annual update meeting. A roll call vote was taken on the motion as follows: Seivert – Aye, Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye Motion carried.

The meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, May 11, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Seivert, Hammer, Tyrrel, Erickson and Shelton. Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Gene Gettys. *Todd Valline, *Jon Burmeister (PFM) and *Gary Brons (McClure).

Chairperson Tyrrel called the meeting to order at approximately 4:15 p.m. in the HMU Boardroom.

Moved by Seivert, seconded by Hammer, to approve the agenda.

Moved by Seivert, seconded by Erickson, to approve the consent agenda which included:

- A. Minutes of the April 27, 2023, Board Meeting;
- B. Abstract of Claims No. 1235 in the amount of \$666,263.25;
- C. Upcoming Board Meetings of May 25, 2023, (electronic) June 8, 2023 (regular) and June 22, 2023 (electronic).

Moved by Erickson, seconded by Shelton, to approve the Comprehensive Emission Services Contract – Testing for NESHAP ZZZZ requirements in the amount of \$3500.00. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring Consideration of construction bids & Resolution Designating Low Bidder to the May 11, 2023, board meeting held at 4:15 pm. McCarthy Trenching, LLC was the only bidder and deemed the low bidder. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber awarding the contract to McCarthy Trenching, LLC. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve Tax Exemption Certificate and Resolution Authorizing the Issuance of \$5,364,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2023. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve the Interim Loan Disbursement Agreement and Purchase Agreement for the \$5,364,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2023. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Delivery Certificate, Transcript Certificate, 8038-G Tax Exempt Governmental Bonds, and Bank Qualification Certificate for the \$5,364,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2023. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Retainer Agreement with Napoli Shkolnik PLLC in regard to per- and polyfluoroalkyl substances (PFAS) and authorize Joe Rueschenberg to sign. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve the Ribbon Network Phone Switch Support Contract Renewal in the amount of \$23,026.13. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Information Only – McClure bill in the amount of \$18,630.00. Treasurer’s Report for April will be presented at the June meeting due to meeting dates.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, May 25, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on May 11, 2023; Abstract of Claims No. 1236 dated May 25, 2023, in the amount of \$628,700.93 and Upcoming Board Meetings as follows: June 8, 2023, regular meeting; and June 22, 2023, electronic meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Shelton – Aye; and Tyrrel – Aye. Motion carried unanimously.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, June 8, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Seivert, Hammer, Tyrrel, Erickson and Shelton. Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: *Gene Gettys, Todd Valline, McKenzie Bodell and Kyle Lindberg.

Chairperson Tyrrel called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Seivert, seconded by Shelton, to approve the agenda.

Moved by Hammer, seconded by Seivert, to approve the consent agenda which included:

- A. Minutes of the May 25, 2023, Board Meeting;
- B. Abstract of Claims No. 1237 in the amount of \$544,037.26;
- C. Upcoming Board Meetings of June 22, 2023, (electronic) and July 13, 2023 (electronic).

Moved by Shelton, seconded by Erickson, to approve the Resolution Approving Construction Contract and Bond for Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the contract documents for the Raw Water System Improvements Section 1 – Raw Water Mains & Electric/Fiber Conduit, Section 2 – Well Drilling, Section 3 – Sitework, Well Houses, Equipment & Miscellaneous Well Connections, Section 4 – Electrical & Fiber Wiring including: Notice of Award, Agreement & Operating Agreement, Certificate of Insurance, Performance, Payment and Warranty Bond and Notice to Proceed. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Seivert, to have 6 Additional Wells Acidized & Airburst by Cahoy. Quotes were received from Cahoy in the amount of \$44,875.00 and Layne Christensen Company in the amount of \$77,640.00. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Shelton, to approve the Plans for Electric Department Office which will be a remodel of current facilities. The plans and bids will go out for sealed bids and approved at a board meeting at a later date. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton to approve updating General Policy No. 108 (Cash Policy). A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Shelton, to approve Resolution No. 98-2023 Updating Uniform and Boot allowance Section of the Manual of Benefits and Personnel Policies. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Erickson, to allow CEO to carryover 2 weeks of vacation. A roll call vote was taken on the motion as follows: Seivert – Aye; Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Information Only –Treasurer’s Report for April.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, June 22, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on June 8, 2023; Abstract of Claims No. 1238, dated June 8, 2023, in the amount of \$668,175.51 and Upcoming Board Meetings as follows: July 13, 2023, electronic meeting; and July 27, 2023, regular meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; and Shelton – Aye. Motion carried unanimously. Absent: Tyrrel.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, July 13, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on June 22, 2023; Abstract of Claims No. 1239, dated July 13, 2023, in the amount of \$1,239,862.83 and Upcoming Board Meetings as follows: July 27, 2023, regular meeting; and August 10, 2023, electronic meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, July 27, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present:, Hammer, *Tyrrel, Erickson and Shelton. Absent: Seivert.

Staff Present: Joseph Rueschenberg, *Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Gene Gettys. Todd Valline, and Kyle Lindberg.

Vice-Chairperson Erickson called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom. Chairperson Tyrrel was present via zoom.

Moved by Hammer, seconded by Shelton, to approve the agenda.

Moved by Shelton, seconded by Hammer, to approve the consent agenda which included:

- A. Minutes of the July 13, 2023, Board Meeting;
- B. Abstract of Claims No. 1240 in the amount of \$735,131.63;
- C. Upcoming Board Meetings of August 10, 2023, (electronic) and August 24, 2023 (regular).

Moved by Hammer, seconded by Shelton, to approve Resolution 99-2023 Authorizing Competitive Bids for Electric Department Office. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the P&E Proposal for Underground Conversion and Upgrade Project 2023. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the Audit Engagement Letter with Gronewold, Bell, Kynn & Co PC. for a two-year term ending Fiscal Year 2023-2024. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the Shelby County Chamber of Commerce & Industry Annual Funding Request for Fiscal Year 2023-2024 payable in July 2023 in the amount of \$35,000. Shelton mentioned that there would be value in assisting with finding and writing grants on HMU's behalf. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton, to approve the Cyclone Tower Maintenance Contract Proposal from Utility Services Co, Inc in the amount of \$11,865.00. The maintenance will not start until the Water Watch is over. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the Kurita Contract Quote for Repairs for RO Unit #2 in the amount of \$3,950.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve Water Policy No. 3 for use of Fire Hydrants with the addition of naming who is responsible for the training. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton, to approve renaming Resolution No. 26-2023 (Board meeting January 26, 2023) to Resolution No. 62-2023 due to a scrivener's error. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by, Hammer, to approve Resolution 26-2023 Water Rate Modification, effective with billing October 1, 2023. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton, to approve General Policy No. 5 Installation Charges contingent upon removal of General policies 15, 16 and 17 being removed as rescinded policies. These policies will be reviewed. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Erickson – Aye; and Shelton – Aye. Motion carried unanimously.

Information Only –Treasurer’s Report for May & June.

Following the Chief Executive Officer’s report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, August 10, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve the Minutes of the board meeting held on July 27, 2023; Abstract of Claims No. 1241, dated August 10, 2023, in the amount of \$400,646.62 and Upcoming Board Meetings as follows: August 24, 2023, regular meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, August 24, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Doug Hammer, Michelle Erickson, Nella Seivert and *Jim Shelton. Absent: Tyrrel.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Gene Gettys and Todd Valline, *Kyle Lindberg and *Ashley Schleis.

Vice-Chairperson Erickson called the meeting to order at approximately 4:00 p.m. in the HMU Boardroom.

Moved by Seivert, seconded by Hammer, to approve the agenda.

Moved by Hammer, seconded by Seivert, to approve the consent agenda which included:

- A. Minutes of the August 10, 2023, Electronic Board Meeting;
- B. Abstract of Claims No. 1242 in the amount of \$944,279.81;
- C. Upcoming Board Meetings of September 14, 2023, (electronic) and September 28, 2023 (regular).

Moved by Hammer, seconded by Shelton, to approve the Enrollment in the Iowa Department of Revenue Offset Program (Replacing the State of Iowa Income Offset Program). A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Seivert – Aye. Motion carried unanimously. Shelton not yet present.

Moved by Hammer, seconded by Seivert, to approve the Annual GIS billing in the amount of \$15,000. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Seivert – Aye. Motion carried unanimously. Shelton not yet present.

Moved by Seivert, seconded by Hammer, to approve the West Central Vendor Agreement through September 30, 2024. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Seivert – Aye. Motion carried unanimously. Shelton not yet present.

Moved by Hammer, seconded by Seivert, to approve the Water Valve Rebuild Quote for the Distribution System in the amount of \$17,500. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Seivert – Aye. Motion carried unanimously. Shelton not yet present.

Moved by Seivert, seconded Hammer, to approve the security server replacement agreements with Oxen and Electronic Contracting Company in the amount of \$5410.50 combined. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Seivert – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve the Change Order No. 1 in the amount of \$100,000 and Pay Application No. 1 with project net being a decrease of 188,210.00 contingent upon the USDA Engineer's approval. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Seivert – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve Resolution No. 100-2023 Updating the Manual of Benefits and Personnel Policies effective October 1, 2023 regarding vacation and holiday leave. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Seivert – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert to approve the Competitive Bid and Contract for the Electric Department Office submitted by Leinen Construction in the amount of \$41,230.60 using HMU's contractor for the heating and cooling. There was one other bid submitted by Mike Mumm Construction. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Seivert – Aye; and Shelton – Naye. Motion carried.

Treasurer' Report for July was submitted.

Following the Chief Executive Officer's report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, September 14, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve Abstract of Claims No. 1243, dated September 14, 2023, in the amount of \$1,455,928.75 and Upcoming Board Meetings as follows: September 28, 2023, regular meeting and October 12, 2023 Electronic Board Meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, September 28, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: David Tyrrel, Doug Hammer, *Nella Seivert and Jim Shelton. Absent: Michelle Erickson.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, Donald Cote and Jim Gedwillo.

Legal Counsel: None.

Public/Guests: Gene Gettys, *Kyle Lindberg and *Mike Chambers of HomeServe.

Moved by Hammer, seconded by Shelton, to approve the amended agenda.

Moved by Shelton, seconded by Hammer, to approve the consent agenda which included:

- A. Minutes of the August 24, 2023, Board Meeting;
- B. Abstract of Claims No. 1244 in the amount of \$1,797,467.45;
- C. Upcoming Board Meetings of October 12, 2023, (electronic) and October 26, 2023 (regular).

Mike Chambers of HomeServe was present and gave a presentation on a water line insurance program. The City of Harlan is endorsing this program for sewer lines. No action taken.

Moved by Hammer, seconded by Shelton, to receive and file the 2022-2023 Fiscal Year audit. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Shelton – Aye and Seivert – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve the Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder not to exceed \$2,644,000 Water Revenue Capital Loan Notes. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Shelton – Aye and Seivert – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton, to approve the Revised Change Order No. 1 for the Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 with the net change to contract price a credit of \$187,750.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Shelton – Aye and Seivert – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve Change Order No. 2 for the Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 project with the net change to contract price of \$12,500.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Shelton – Aye and Seivert – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Shelton, to approve the Payment Application No. 2 for the Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 project in the amount of \$604,276.03. A roll call vote was taken on the motion as follows: Hammer – Aye; Tyrrel – Aye; Shelton – Aye and Seivert – Aye. Motion carried unanimously.

Following the Chief Executive Officer's report, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, October 12, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve Abstract of Claims No. 1245, dated October 12, 2023, in the amount of \$560,598.65 and Upcoming Board Meetings as follows: October 26, 2023 – Regular Board Meeting; November 9, 2023 - Electronic Board Meeting and November 21, 2023 – Regular Board Meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session via zoom, October 17, 2023, at 4:00 p.m. pursuant to the rules and regulations as set forth in the office of the Secretary to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Change Order No. 3 with the net change to contract price of \$11,660.00 for drilling two new test wells. The board met in electronic session via zoom due to the nature of the agenda being only one item and impractical for an in-person meeting. An electronic roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Tyrrel – Aye. Motion carried unanimously. Absent: Erickson and Shelton.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, October 26, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Doug Hammer, Nella Seivert, Michelle Erickson, David Tyrrel and Jim Shelton.
Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, and Donald Cote.

Legal Counsel: None.

Public/Guests: Gene Gettys, Todd Valline, and *Kyle Lindberg.

Moved by Seivert, seconded by Erickson, to approve the agenda.

Moved by Hammer, seconded by Seivert, to approve the consent agenda which included:

- A. Minutes of the October 12, 2023, Board Meeting;
- B. Minutes of the Special October 17, 2023, Board Meeting;
- C. Abstract of Claims No. 1246 in the amount of \$612,787.63;
- D. Upcoming Board Meetings
 - *November 9, 2023 – Electronic Board Meeting
 - *November 21, 2023 -- Regular Board Meeting (notice date change).

Moved by Seivert, seconded by Hammer, to Approve the Facilities Reimbursement Agreement with Northern Natural Gas in the estimated cost of \$784,286.00. This is the first phase of the project. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Approve USDA Loan Resolution for the Raw Water Project authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its facility to serve an area lawfully within its jurisdiction to serve by issuance of bonds in the principal amount of \$2,644,00.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Chairperson Tyrrel announced that this was the time and place for the public hearing Not to exceed \$2,644,000 Water Revenue Capital Loan Notes. He asked if there had been any written objections? Rueschenberg stated there were none. He asked if there were any oral objections from those present. There were none. He then announced that the time for receiving oral and written objections is closed.

Moved by Seivert, seconded by Erickson, to approve the Resolution Instituting Proceedings to take additional action for the authorization of a Loan Agreement and the Issuance of Not to Exceed \$2,644,000 Water Revenue Capital Loan Notes. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve Notice to Bidders and Notice of Public Hearing on Proposed Plans, Specifications, Form of Contract, and Estimate of Cost for furnishing materials for the "2023-24 conversion project", for the Harlan Municipal Utilities, and the taking of bids for said improvements including the Opinion of Probable Cost. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

No action on the following item as revisions need to be made. Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Change Order No. 4 with the net change to contract price of \$114,087.75 for Test Well for Modification to Planned Well #35 from Shallow Well to Deep Well Consideration.

Moved by Erickson, seconded by Shelton, to approve the Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Payment Application No. 3 in the amount of \$363,963.90. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve the Electric Scada Software Contract in the amount of \$9,142.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Tyrrel, seconded by Seivert, to approve the Bids for Customer Celebration on December 12, 2023. There were two bids received by Pizza Ranch. Hy-Vee did not submit a bid. Shelton stated that he felt it was up to management to choose the meal. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Tyrrel stated that the Administrative Committee of himself and Michelle Erickson conducted a review of the CEO's performance for the past fiscal year and determined CEO's, performance to be satisfactory and to proceed with a salary increase of and additional \$3,500.00 as per employment contract. Moved by Seivert, seconded by Shelton, to approve the pay increase. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Treasurer's Report for September was presented.

Following the CEO's Report closed session was entered.

Moved by Seivert, seconded by Hammer, to enter closed session pursuant to Iowa Code section 21.5(1)(i) To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Closed session was enter at 4:39 pm and Jennifer Kelly will take notes. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to exit closed session at 4:57 pm. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Following the closed session, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*term 2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, November 9, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve *Minutes of the October 26, 2023, (added after minutes were published)*; Abstract of Claims No. 1247, dated November 9, 2023, in the amount of \$1,406,901.44 and Upcoming Board Meetings as follows: November 21, 2023, regular meeting (date change); December 14, 2023, Regular Meeting; and December 28, 2023 Electronic Board Meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, David Tyrrel (*term 2023*)

VICE-CHAIRPERSON, Michelle Erickson (*2028*)

TRUSTEE, Nella Seivert (*term 2024*)

TRUSTEE, TRUSTEE, James Shelton (*term 2027*)

Trustee, Douglas Hammer, (*fill-in term 2025*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, November 21, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Doug Hammer, Nella Seivert, Michelle Erickson, David Tyrrel and Jim Shelton.
Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, and Donald Cote.

Legal Counsel: Matt Hudson.

Public/Guests: *Gene Gettys, Todd Valline and Michael Maass (incoming board member).

Moved by Erickson, seconded by Seivert, to approve the agenda.

Moved by Hammer, seconded by Seivert, to approve the consent agenda which included:

- A. Minutes of the November 9, 2023, Board Meeting;
- B. Abstract of Claims No. 1248 in the amount of \$588,724.28;
- D. Upcoming Board Meetings
 - *December 14, 2023 – Regular Board Meeting
 - *December 28, 2023 -- Electronic Board Meeting.

Moved by Seivert, seconded by Erickson, to approve the annual transformer maintenance contract with SD Myers in the amount of \$3,841.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve Revised notice to bidders and notice of public hearing on proposed plans, specifications, form of contract, and estimate of cost for furnishing materials for the “2023-24 conversion project”, for the Harlan municipal utilities, and the taking of bids for said improvements. Extending the deadline to bid until November 29 and the public hearing to December 14, 2023. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Change Order No. 4 with the net change to contract price of \$114,087.75 for Test Well for Modification to Planned Well #35 from Shallow Well to Deep Well Consideration. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Seivert, seconded by Erickson, to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Payment Application No. 4 in the amount of \$392,133.48. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to approve Resolution No. 12-16 Honoring the Service of David Tyrrel to the Harlan Municipal Utilities. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Abstain; and Shelton – Aye. Motion carried.

Received and filed the Minutes of the City Council meeting from Tuesday, November 7, 2023, appointing Michael Maas to the HMU Board of Trustees for a 6-year term expiring 11/21/2029.

Moved by Seivert, seconded by Erickson, to approve the Banking Resolutions A) Resolution No. 43-2023(MM) – Machine Signed Signatures; B) Resolution No. 44-2023(MM) – Corporate Authorization; and C) Resolution No. 45 -2023(MM) – Wire Transfer Authorization. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to appoint Michelle Erickson and Nella Seivert, Chairperson, and Vice-Chairperson, respectively (effective 11/22/2023). A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Hammer, to approve meeting and training expense for HMU attorney in the same manner as approval for CEO. Two board members must approve, preferably

Chairperson and Vice-Chairperson. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Treasurer’s Report for October was presented.

Following the CEO’s Report closed session was entered.

Moved by Seivert, seconded by Erickson, to enter closed session pursuant to Iowa Code section 21.5(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Closed session was entered at 4:35 pm and Jennifer Kelly will take notes. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert to exit closed session at 5:05 pm. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Seivert, to enter closed session pursuant to Iowa Code section 21.5(1)(i) To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Closed session was entered at 5:06 pm and Jennifer Kelly will take notes. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Moved by Shelton, seconded by Erickson to exit closed session at 5:16 pm. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye; Tyrrel – Aye; and Shelton – Aye. Motion carried unanimously.

Following the closed session, the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, Michelle Erickson (*term 2028*)

VICE-CHAIRPERSON, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

TRUSTEE, Michael Maass (*term 2029*)

The Harlan Municipal Utilities’ Board of Trustees met in regular session, December 14, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary. The zoom option was available as a convenience for those unable to attend in person. All attendance is on-site unless noted (*Present via Zoom).

Board Present: Doug Hammer, Mike Maass, and Michelle Erickson

Absent: Nella Seivert and Jim Shelton.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Colburn Warner, and Donald Cote.

Legal Counsel: None.

Public/Guests: Gene Gettys, Todd Valline, and Al Powers.

Moved by Hammer, seconded by Maass, to approve the agenda.

Moved by Maass, seconded by Hammer, to approve the consent agenda which included:

- A. Minutes of the November 21, 2023, Board Meeting;
- B. Abstract of Claims No. 1249 in the amount of \$2,002,759.37;
- D. Upcoming Board Meetings
 - *December 28, 2023 – Electronic Board Meeting
 - *January 11, 2024 - Electronic Board Meeting.

Moved by Hammer, seconded by Maass, to approve General Policy #50 – Bank Signature Authorization adding Michael Maass. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Moved by Maass, seconded by Hammer, to approve the Committee Assignments for Board of Trustees, Effective January 1, 2024. Committees are as follows:

	Mike Maass	Nella Seivert	Doug Hammer	Jim Shelton	Michelle Erickson
Electric, Gas, Water	X		X		ALT
Telecommunications/ Customer Service/Marketing	ALT	X	X		
Administration/Ins/Ad Hoc	ALT			X	X
Budget/Financial		X		X	ALT

A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Erickson announced that this was the time and place for the public hearing for the estimate of cost for furnishing materials for the “2023-24 conversion project”, for the Harlan Municipal Utilities, and the accepting of bids for said improvements. Erickson asked if there had been any written objections. There were none. Erickson then asked if there were any oral objections. There were none. The public hearing was closed.

Moved by Hammer, seconded by Maass, to approve recommendation by Al Powers to accept the bids as presented with a total cost of \$1,298,509.24 split between the two Vendors that bid. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Maass, to approve the Cahoy Test Hole Proposal on the West side of the river in the amount of \$14,390.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Maass, to approve General Policy No. 109 – Training Expense for HMU Legal Counsel. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Maass, to table the Update to the Channel 14 Rate Guide. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Moved by Maass, seconded by Hammer, to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Payment Application No. 5 in the amount of \$421,358.47. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; and Maass – Aye. Motion carried unanimously.

Following the CEO's Report the meeting was adjourned.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, Michelle Erickson (*term 2028*)

VICE-CHAIRPERSON, Nella Seivert (*term 2024*)

TRUSTEE, James Shelton (*term 2027*)

TRUSTEE, Douglas Hammer (*fill-term 2025*)

TRUSTEE, Michael Maass (*term 2029*)

The Harlan Municipal Utilities' Board of Trustees met in electronic session, December 28, 2023, pursuant to the rules and regulations as set forth in the office of the Secretary to approve Minutes of the December 14, 2023 meeting; Abstract of Claims No. 1250, dated December 28, 2023, in the amount of \$1,285,704.37 and Upcoming Board Meetings as follows: January 11, 2024, electronic meeting; and January 25, 2024, Regular Meeting. The board met in electronic session due to the nature of the agenda being only consent agenda items. An electronic roll call vote was taken on the motion as follows: Erickson – Aye; Hammer – Aye; Seivert – Aye; and Shelton – Aye. Maass – abstain due to payment to Fareway. Motion carried unanimously. Absent: None.

These minutes are as recorded by the Secretary and are subject to approval at the next meeting of the Board of Trustees.

CHAIRPERSON, Michelle Erickson (*first term 2028*)

VICE-CHAIRPERSON, Nella Seivert (*last term 2024*)

TRUSTEE, James Shelton (*first term 2027*)

TRUSTEE, Douglas Hammer, (*fill-in term 2025*)

Trustee, Michael Maas (*first term 2029*)