

The Harlan Municipal Utilities' Board of Trustees met in regular session, January 11, 2024, 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, Michelle Erickson and *Nella Seivert.

Absent: Jim Shelton.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, and Brian Dotzler.

Legal Counsel: None.

Public/Guests: None.

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 December 28, 2023, Board Meeting;
- B. Abstract of Claims No. 1251 in the amount of \$1,066,874.62;
- D. Upcoming Board Meetings
 - *January 25, 2024 – Electronic Board Meeting
 - *February 8, 2024 - Electronic Board Meeting.

Moved by Maass, seconded by Hammer to enter closed session pursuant to Iowa Code section 21.5(1)(a) for Discussion of Marketing and Pricing Strategies for Telecommunications Service to “review or discuss records which are required or authorized by state or federal law to be kept confidential.” Iowa Law authorizes certain city utility records to be kept confidential, including “Trade secrets which are recognized and protected as such by law.” See Iowa Code section 22.7(3). In addition, Iowa Law provides that “Notwithstanding section 21.5, subsection 1, the governing body of a city utility ... may hold a closed session to discuss marketing and pricing strategies or proprietary information if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure.” See Iowa Code section 388.9(1). A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Maass – Aye and Seivert - Aye. Motion carried unanimously. Jenifer Kelly will take minutes of the closed session and closed session was entered at 4:03 pm.

Moved by Seivert, seconded by Hammer, to exit closed session at 4:16 pm. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Maass – Aye and Seivert - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Maass, to approve the Resolution Approving the Submission of a Bid to Provide Internet Service to Harlan Community Schools through Green Hills Area Education Agency such bid to be contingent upon execution of a contract. A roll call vote was taken on the motion as follows: Hammer – Aye; Erickson – Aye; Maass – Aye and Seivert - Aye. Motion carried unanimously.

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, January 25, 2024, 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, and *Michelle Erickson.

Absent: Jim Shelton and Mike Maass.

Staff Present: Joseph Rueschenberg, Jennifer Kelly, Donald Cote and Brian Dotzler.

Legal Counsel: None.

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

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

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

- A. Minutes of the January 11, 2024, Board Meeting;
- B. Abstract of Claims No. 1252 in the amount of \$839,469.66;
- C. Upcoming Board Meetings
 - *February 8, 2024 - Electronic Board Meeting
 - *February 22, 2024 – Regular Board Meeting.

D. Publish 2023 Wages as follows: Rueschenberg, Joseph P, 119,254.71; Gessert, Dean A, 104,648.45; Gessert, Stephen J. 92,047.36; Warner, Colburn L. 89,573.30; Cote, Donald R, 87,803.64; Swank, David T, 86,440.07; Gedwillo, James R, 85,021.01; Derby, Frank C, 84,914.02; Chadwick-Kelly, Jennifer I, 84,390.90; Holloway, Kenneth r, 75,688.78; Bissen, Kevin J, 75,344.33; Fredericks, Dalton D, 73,916.32; Harrison, Trevor J, 73,337.60; Musich, Kevin M, 71,874.09; Mclaughlin, Debra A. 69,817.81; Rose, Eric D, 69,693.88; Doonan, Troy, 66,277.12; Lasher, Brian L, 59,137.40; Berney, Matthew, 58,716.77; Hively, Todd L, 57,550.23; Burroughs, Patricia K, 55,311.24; Wingert, Paul A, 55,232.33; Towne, Corey, 54,529.34; Miller, Shannon, 53,650.04; Petsche, James E, 47,200.77; North, Jonathan J, 45,008.68; Zornes, Dylan, 41,736.08; Flaherty, Jordan M, 36,699.23; Zimmerman, Curt, 32,723.75; Hagle, Alexis A, 32,245.76; Brown, Lela L, 20,009.56; Gessert, Jessica L, 19,324.17; Correa, Jolynn, 19,170.68; Newcomb, Jordan, 17,840.00; Slater, Christina, 17,298.60; Gaer, Kathy, 17,296.11; Garcia, Genesis, 15,006.07; Jochims, Jacob M, 12,980.00; Dehnke, Jarrett, 7,411.11; Wilwerding, David R, 1,046.95.

Moved by Hammer, seconded by Erickson, to approve the Zeigler-Cat Customer Support Agreement in the amount of \$22,663.42 paid annually for three years ending 04/30/2027. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to approve the Additional 2 Wells (budgeted) be Acidized in the amount of \$18,275.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve the agreement for the New Core Router Configuration with Vantage Point in the approximate amount of \$7,500-\$9,500. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve the Aureon Agreement for Dedicated Internet Access in the amount of \$2,226.00 monthly for 36 months and one-time fee of \$600.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to approve Pay Application No. 1 to Leinen Construction in the amount of \$25,991.24 for the electric office. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to approve the Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Payment Application No. 6 in the amount of \$47,406.28. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erickson, to approve General Policy No. 110 – Credit Balances which states that refunds that are \$5.00 or less will be placed in the project share fund. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Motion carried unanimously.

Moved by Erickson, seconded by Hammer, to Approve Notice to Bidders and Notice of Public Hearing on Proposed Plans, Specifications, Form of Contract, and Estimate of Cost for the “2023-24 Conversion Project”, for the Harlan Municipal Utilities, and the taking of bids for said improvements. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – 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, February 8, 2024, pursuant to the rules and regulations as set forth in the office of the Secretary to approve Minutes of the January 25, 2023 meeting; Abstract of Claims No. 1253, dated February 8, 2024, in the amount of \$606,565.68 and Upcoming Board Meetings as follows: February 22, 2024 – Regular Board Meeting and March 14, 2024 – 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; 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*)

The Harlan Municipal Utilities' Board of Trustees met in regular session, February 22, 2024, 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 and Mike Maass. *Jim Shelton at 4:37 for information only items.

Absent: None.

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

Legal Counsel: None.

Public/Guests: *Jeanna Rudolph and Todd Valline.

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

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

- A. Minutes of the February 8, 2024, Board Meeting;
- B. Abstract of Claims No. 1254 in the amount of \$1,140,485.42;
- C. Upcoming Board Meetings
 - *March 14, 2024 - Electronic Board Meeting
 - *March 28, 2024 – Regular Board Meeting

A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; and Erickson – Aye. Maass abstained due to payment to Fareway. Motion carried.

Moved by Maass, seconded by Seivert, to receive and file the 2024-2025 Budget. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve the Agreement for GIS Services with Shelby County in the amount of \$25,000.00 per year for 3 years. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Maass to approve Resolution No. 31-2024 Updating Depositories. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve Tax Exemption Certificate for the \$2,644,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2024. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Maass, seconded by Seivert, to approve the Resolution Authorizing the Issuance of the \$2,644,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2024. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Hamer, seconded by Maass, to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Payment Application No. 7 in the amount of \$71,940.51. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Maass, to approve Harlan Municipal Utilities Raw Water System Improvements Sections 1-4 Change Order No. 5 in the amount of \$52,262.15 A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Erikson, to approve the Zeigler-Cat Customer Support Agreement in the amount of \$4,190.17 paid annually for three years ending 04/30/2027 (Model D333A) A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer to approve Pay Application No. 2 to Leinen Construction in the amount of \$15,239.36 for the electric office. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Hammer, seconded by Seivert, to approve Murphy Tower Contract for Maintenance & Inspection in the amount of \$2,750.00. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve NRTC Email Hosting Proposal and Authorizing Joseph P. Rueschenberg to sign electronically. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Seivert, seconded by Hammer, to approve Resolution No. 40-2024 to Approve Rates for Cable TV/Internet Services (changes and/or additions) A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Moved by Maass, seconded by Hammer, to approve the Calix Managed Software Contract in the amount of \$13,100 subject to legal counsel review A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye and Maass - Aye. Motion carried unanimously.

Information Only - Treasurer’s Report for January and Estimate from Advanced Communications for New Security Camera System in the amount of \$4,506.80 (replacing previous approval for system)

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 special session, February 27, 2024, 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, *Mike Maass and *Jim Shelton.
Absent: None.

Staff Present: Joseph Rueschenberg, Jennifer Kelly and Brian Dotzler.

Legal Counsel: None.

Public/Guests: None.

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

Moved by Erickson, seconded by Seivert to approve Resolution No. 40-2024 to Approve Rates for Cable TV/Internet Services (changes and/or additions) to correct a scrivener's error from approval of Resolution at the February 22, 2024 board meeting. A roll call vote was taken on the motion as follows: Hammer – Aye; Seivert – Aye; Erickson – Aye, Maass – Aye, and Shelton - Aye. Motion carried unanimously.

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*)