

## MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS

A regular meeting of the Board of Public Works was held at the Hastings Utilities Board Room on Thursday, July 30, 2009, at 8:00 a.m. This meeting was preceded by notice duly published in the Hastings Tribune on Tuesday, July 28, 2009, and by notices duly posted in the lobby of Hastings Utilities, 1228 North Denver Avenue, and the City Hall, 220 N. Hastings Avenue, and was therefore open to the public.

Present: Anderson, Hunt, Shoemaker, Krieger, Dewalt

Also Present: Schultes, Meyer, Sanders, Cogley, Cox, Odom, Goebel, Scherr, Hemberger, and guests Stan Karash - Karding Inc., John Schreier – Clay County News, Jim Morgan – South Heartland District Health Department, Bob Rose – Clay County Emergency Manager, Dan Childers – Hastings Fire Department, Loren Uden – Emergency Management, and Scott Kleeb - Utilities Conservation Company

Chairman Anderson stated that the Board of Public Works is subject to the Open Meetings Laws and acknowledged that the Open Meetings Law poster has been posted in the room.

There were no public comments.

Moved by Krieger, seconded by Hunt, to nominate Chuck Shoemaker as the Board Secretary.

Moved by Hunt, seconded by Dewalt, that the nominations for Board Secretary cease. Roll call: Ayes; Hunt, Dewalt, Krieger, Anderson, Shoemaker. Nays; None. Motion carried.

Vote on Motion to nominate Chuck Shoemaker as the Board Secretary. Roll Call: ayes; Krieger, Hunt, Anderson, Dewalt, Shoemaker. Nays; None. Motion carried.

Moved by Shoemaker, seconded by Hunt, that the following items on the Consent Agenda be approved:

- a. Review, correction or approval of minutes of July 16, 2009, meeting
- b. Review and approval of checks issued July 27, 2009
- c. Approval of the following claims:
  - General Operating Fund against the Electric Fund – \$2,430,107.26
  - General Operating Fund against the Combined Fund - \$1,858,935.53
- d. Review of payroll for period ending July 18, 2009
- e. Approval of the following work orders:
  - EL-139 Installation of a three-phase underground electric line and padmount transformer for Southern Country Club on Southern Hills Dr., ½ mile south of Idlewilde Rd.  
Estimated Cost: \$20,080

Roll Call: Ayes; Shoemaker, Hunt, Dewalt, Anderson, Krieger. Nays; None. Motion carried.

Moved by Shoemaker, seconded by Krieger, to bring from the table the Discussion of Phil Johnson & Associates Water System. Roll Call: Ayes; Shoemaker, Krieger, Dewalt, Anderson. Nays; None. Hunt abstained. Motion carried.

Willis Hunt declared his interest in Agenda Item No. 7 by virtue of a possible contract for sale of water in which Phil Johnson & Associates may be involved because he is an officer and owner of stock in the company. Board Member Hunt excluded himself as a Board Member and sat in the audience representing Phil Johnson & Associates during this discussion.

Steve Scherr reminded the Board on the statutory requirements for providing service to customers that it must be beneficial to the city. The Board asked staff to provide a current list of customers on the Phil Johnson & Associates system, along with a current map of all meters, and billings. Chairman

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Anderson suggested that the Board allot a specific dollar amount to commit to a work order in order for Hastings Utilities to participate in the investigation of problems with the system and the possible formation of a Sanitary Improvement District (SID) for the area.

Moved by Dewalt, seconded by Krieger, to find that the Phil Johnson & Associates water system is of benefit to the city and to authorize staff to expend up to \$5,000 of Water Department funds, including staff time, to work with the customers and owner of the Phil Johnson & Associates water system to help investigate the conditions and possible alternatives such as the formation of a Sanitary Improvement District (SID). Roll Call: Ayes; Dewalt, Krieger, Shoemaker, Anderson. Nays; None. Motion carried.

Mr. Hunt resumed his function as Board Member at the table.

Moved by Hunt, seconded by Shoemaker, to approve a Policy and Guidelines for All Qualified Facilities Cogeneration and Small Power Production (Net Metering Law LB436). Roll Call: Ayes; Hunt, Shoemaker, Dewalt, Anderson, Krieger. Nays; None. Motion carried.

Don Cox gave an update on the Central Plains Energy Project (CPEP) for Purchasing Natural Gas. Closing of the bonds for this project #2 will occur August 17, 2009.

Moved by Hunt, seconded by Dewalt, to approve Resolution No. 2009-04 on the Central Plains Energy Project (CPEP) for Purchasing Natural Gas. Roll Call: Ayes; Hunt, Dewalt, Shoemaker, Krieger, Anderson. Nays; None. Motion carried.

Al Meyer updated the Board on PPGA Activities and the minutes of the PPGA meeting were reviewed. Chairman Anderson stated that he would like to have a Board Meeting at the Whelan Energy center in October or November.

Under Miscellaneous and Future Agenda Items, there was discussion on a clarification on the sprinkler system rebate maximum. The maximum amount allowed is being interpreted as “annually” by the staff.

Schultes informed the Board that the hybrid vehicle listed in the DOE Grant Request would only include the differential amount between vehicles, per DOE. The monies will be used for the other projects listed in the grant and no hybrid vehicle will be purchased.

Moved by Hunt, seconded by Shoemaker, that this Board go into Closed Session, which Closed Session is clearly necessary for the protection of the public interest in that said Closed Session will consist of a strategy session relative to energy supply negotiations. Roll Call: Ayes; Hunt, Shoemaker, Krieger, Anderson, Dewalt; None. Motion carried.

The meeting closed to the public at 11:15 a.m. The executive session consisted of Board Members, Council Liaisons Goebel and Odom, the Board’s Attorney and staff.

Moved by Hunt, seconded by Krieger, that the meeting be reopened to the public at 11:27 a.m. and that no decisions were made nor official actions taken during said Closed Session. Roll Call: Ayes; Hunt, Krieger, Shoemaker, Dewalt, Anderson. Nays; None. Motion carried.

The meeting adjourned at 11:27 p.m.

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Secretary