

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, November 12, 2009, at 8:00 a.m. This meeting was preceded by notice duly published in the Hastings Tribune on Tuesday, November 10, 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, Cox, Goebel, Cogley, Larson, Scherr, Haussler, and Scott Kleebl of Energy Pioneer Solutions

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 Hunt, seconded by Krieger, 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 negotiations in a bankruptcy case. Roll Call: Ayes; Hunt, Krieger, DeWalt, Anderson, Shoemaker. Nays; None. Motion carried

The meeting closed to the public at 8:05 a.m. The executive session consisted of Board Members, Council Liaison Goebel, the Board's Attorney, Dee Haussler, and staff.

Moved by Dewalt, seconded by Hunt, that the meeting be reopened to the public at 8:33 a.m. and that no decisions were made nor official actions taken during said Closed Session. Roll Call: Ayes; Dewalt, Hunt, Anderson, Krieger, Shoemaker. Nays; None. Motion carried.

A report from the Energy Pioneer Solutions committee was given. The committee received a legal opinion from Attorney Steve Scherr on the project. Before forwarding the recommendations to EPS and their legal counsel, the Board will review and make any comments to Attorney Scherr by Monday, November 16th.

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

- a. Review, correction or approval of minutes of October 29, November 3, and November 4, 2009, meetings
- b. Review and approval of checks issued November 9, 2009, with the exception of check no. 7178 to Sullivan Shoemaker Witt & Burns and check number 7209 to Phil Johnson & Associates, Inc.
- c. Review of payroll for period ending November 7, 2009
- d. Approval of the following work orders:

EL-151 Installation of a single-phase underground line and padmount transformer to serve two new duplexes at F St. and 4th Ave. in Good Samaritan Village.

Estimated Cost: \$ 9,091

EL-152 Installation of a three-phase overhead transformer bank to serve Bullseye's new addition at 2nd St. and Barnes Ave.

Estimated Cost: \$10,237

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

Moved by Krieger, seconded by Dewalt, to approve check no. 7178 to Sullivan Shoemaker Witt & Burns in the amount of \$6,870.64. Roll Call: Ayes; Krieger, Dewalt, Hunt, Anderson. Nays; None. Shoemaker abstained. Motion carried.

Moved by Shoemaker, seconded by Krieger, to approve check no. 7209 to Phil Johnson & Associates, Inc. in the amount of \$1,771.02. Roll Call: Ayes; Shoemaker, Krieger, Dewalt, Anderson. Nays; None. Hunt abstained. Motion carried.

Public Hearing on the 2010 Hastings Utilities Budget took place, which included a presentation by Marvin Schultes as he summarized the total budget with the changes made at the budget meetings on November 3 and 4.

There were no public comments on the 2010 Hastings Utilities Budget.

The Public Hearing was closed.

Moved by Krieger, seconded by Dewalt, that for the purposes of the Purchased Gas Adjustment (PGA) calculation for billings issued beginning January 2010 through December 2010, the revenue credit pass back from the Trailblazer capacity will not exceed \$1.00 per MCF. During this period, the base cost of gas imbedded within the natural gas rate schedule that is used for the PGA calculation will be increased to \$4.111 for the winter period and \$3.702 for the summer period. Roll Call: Ayes; Krieger, Dewalt, Hunt, Anderson, Shoemaker. Nays; None. Motion carried.

Moved by Hunt, seconded by Shoemaker, to recommend approval to the Mayor and City Council of Council Resolution No. 2009-70 of Intent to issue Combined System Revenue Bonds in 2010 for capital improvements in an amount not to exceed \$5,000,000. Roll Call: Ayes; Hunt, Shoemaker, Dewalt, Anderson, Krieger. Nays; None. Motion carried.

Moved by Krieger, seconded by Anderson, to recommend approval to the Mayor and City Council of Ordinance No. 4239, amending Chapter 32-109 of the Hastings City Code, amending Title and Job Description for Electric Production Superintendent to Director of Electric Production. Roll Call: Ayes; Krieger, Anderson, Hunt, Shoemaker, Dewalt. Nays; None. Motion carried.

Moved by Hunt, seconded by Shoemaker, to approve Resolution No. 2009-05 approving the Hastings Utilities 2010 Budget, and to submit Council Resolution No. 2009-69 for the approval of the Hastings Utilities 2010 Budget to the Mayor and City Council. Roll Call: Ayes; Hunt, Shoemaker, Dewalt, Krieger, Anderson. Nays; None. Motion carried.

Hunt left the meeting at 10:09 a.m.

The September 2009 Monthly Report was presented and discussed.

Al Meyer gave an update on PPGA Activities and the minutes were reviewed.

The meeting adjourned at 10:47 a.m.

Secretary