

November 21, 2022

The Utility Board of Trustees of Laurens, Iowa met in regular session at the Municipal Building, 272 N. Third Street, Laurens, Iowa, at 4:00 p.m. on the above date. Present were Trustees Richard Main, Jerry Runneberg, and Ben Storms. Also present was General Manager Chad Cleveland.

Motion by Trustee Storms and seconded by Trustee Runneberg to approve the agenda for the November 21, 2022 regular meeting. Ayes: All. Nays: None. Motion carried.

Motion by Trustee Runneberg and seconded by Trustee Storms to approve the minutes of the October 31, 2022 regular board meeting. Ayes: All. Nays: None. Motion carried.

Motion by Trustee Runneberg and seconded by Trustee Storms to approve the summary of receipts for October 2022 in the amount of \$364,828.87 and the list of expenses for October 2022 in the amount of \$349,114.85. Ayes: All. Nays: None. Motion carried.

Summary of Receipts

A/R – Electric	\$ 247,008.68
A/R – Communications	\$ 63,706.80
Merchandise/Services – Electric	\$ 1,017.50
Merchandise/Services – Communications	\$ 88.00
Carrier Access Fees – Communications	\$ 1,954.68
NIMECA Power Credits – Electric	\$ 643.26
LIHEAP Payments on Closed Accounts – Electric	\$ 630.00
Lifeline Credit Reimbursement – Communications	\$ 39.00
ACP/Erate Reimbursement – Communications	\$ 360.00
Deposits – Electric	\$ 2,296.17
Deposits – Communications	\$ 330.00
LIHEAP Energy Assistance – Electric	\$ 8,205.00
Marathon Energy Sales – Electric	\$ 9,086.88
Tower Lease – Communications	\$ 3,018.00
Attachment H Revenues – Electric	\$ 26,322.90
Miscellaneous – Communications	\$ 92.00
Office Phones – Electric	\$ 30.00
<u>Total Cash Receipts</u>	<u>\$ 364,828.87</u>
Electric Cash Receipts	\$ 295,240.39
<u>Communications Cash Receipts</u>	<u>\$ 69,588.48</u>
<u>Total Cash Receipts</u>	<u>\$ 364,828.87</u>

List of Expenses

A & M Laundry	Dust Mops & Mats	\$ 89.28
Advanced Media Tech	FTTP Project – RF Overlay	\$ 12,027.83
AFLAC	Employee Contributions	\$ 299.84
Alliant Energy	Natural Gas	\$ 386.18
Amaril Uniform	FR Clothing	\$ 250.62
Aureon	CALEA/SS7/Transport	\$ 574.30
Avesis	Group Vision Insurance	\$ 100.43
Big 10 Network	Programming Fees	\$ 477.60
Border States Electric	Supplies	\$ 129.01
Calix Inc	Calix Cloud Foundation	\$ 211.40
CDS Global	Credit Card Processing Fees	\$ 33.95

Clanton Creek Connections	FTTP Project – Customer Installs	\$	26,842.82
Cleveland, Chad	Meeting Expenses	\$	48.75
Community State Bank	Service Charges	\$	112.15
Consortia Consulting	Contract	\$	975.00
Customers	Deposit/Closed Account Refunds	\$	557.47
Department of Energy	WAPA Power Bill	\$	27,164.08
Display Systems International	Programming Fees	\$	165.76
Echo Group	FTTP Project – Installation Supplies	\$	630.09
Employee Benefit Systems	Self-Funding – Administration	\$	120.00
Employee Benefit Systems	Self-Funding – Claims	\$	2,015.12
FISERV	Credit Card Processing Fees	\$	31.60
Grainger	FTTP Project – Tools/Power Strips	\$	255.08
Gray Media Group	Programming Fees	\$	858.75
Graybar Electric	FTTP Project - Fiber Jumpers	\$	804.94
Hearst Television	Programming Fees	\$	1,550.33
ICMA RC	Employee Contributions	\$	1,000.00
Internal Revenue Service	Payroll Taxes	\$	12,812.19
Internal Revenue Service	Federal Excise Tax	\$	569.31
Interstate TRS Fund	TRS Fund Assessment	\$	137.76
Iowa Department of Revenue	Sales/Use Tax	\$	6,085.20
Iowa Department of Revenue	State Withholding	\$	2,135.00
Iowa One Call	Locates	\$	27.90
Iowa Public Employees Retirement System	IPERS Contributions	\$	8,384.70
Laurens, City of	Utility Billing	\$	87,829.06
Laurens Food Pride	Supplies	\$	51.67
Laurens House of Print	LMPC Logo Formatting/Paper	\$	182.44
Laurens Municipal Power & Communications	Communications Bill	\$	128.97
Laurens Plumbing	FTTP Project – Installation Supplies	\$	653.66
Laurens Sun	Publications/Advertising	\$	265.68
Logic Networks	FTTP Project Materials	\$	9,942.88
Long Lines	Communication Services	\$	10,031.04
Lumen Access Billing	Access Charges	\$	1,110.82
Lumen Lexcis	Directory Listings	\$	36.45
Merchant Bankcard	Credit Card Processing Fees	\$	853.03
Mid-America Communications II	FTTP Project – Customer Installs	\$	10,183.73
MidAmerican Energy	Neal 4 Operations	\$	46,000.00
National Cable Television Cooperative	Programming Fees	\$	14,496.86
Nexstar Broadcasting	Programming Fees	\$	1,490.63
NIMECA	Power Bill	\$	3,295.17
Norgaard Sand & Gravel	Pea Rock	\$	395.37
Oakhill Consulting	FTTP Project Engineering	\$	476.00
Office Elements	Office Supplies	\$	187.23
Payroll	Salaried, Hourly & Overtime	\$	35,839.30
PLIC-SBD Grand Island	Life/Disability Insurance	\$	727.92
Postmaster	Postage	\$	137.50
Pro Cooperative	Fuel	\$	280.87
R&D Industries	Network Support	\$	2,098.30
RB Lumber Company	Supplies	\$	28.62
Spencer Municipal Utilities	Fiber Lease	\$	450.00
Stuart C. Irby	Locate Paint	\$	802.50
Upper Des Moines Opportunity, Inc.	LIHEAP Refunds	\$	630.00
US Card Systems	Credit Card Terminal Lease	\$	29.95

Verizon	Wireless Phone Service	\$	207.24
Wellmark Blue Cross Blue Shield	Group Health Insurance	\$	11,686.06
Zcorum	Cable Modem Provisioning	\$	721.46
	<u>Total Expenses</u>	\$	349,114.85

Electric Expenses	\$	285,920.19
Communications Expenses	\$	<u>63,194.66</u>
Total Expenses	\$	349,114.85

Trustees reviewed the Utility Funds Report, Income Statement, and Balance Sheet for October 2022. Motion by Trustee Storms and seconded by Trustee Runneberg to authorize the Investment Committee to re-invest CD #600066 upon maturity. Ayes: All. Nays: None. Motion carried.

Fiber-To-The-Premise Project Update: We are actively transitioning customers to the new fiber system. Customers are being contacted by phone to schedule appointments for our installation teams. To date we have transitioned 250 customers over to the new fiber system.

Trustee Storms introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE DISPOSAL OF INTEREST IN REAL PROPERTY OWNED BY THE MUNICIPAL ELECTRIC UTILITY, UNDER AN ASSET PURCHASE AGREEMENT FOR THE SALE OF THE UTILITY'S OWNERSHIP INTEREST IN LEHIGH-WEBSTER TRANSMISSION OWNED UNDER THE AMENDED AND RESTATED LEHIGH-WEBSTER TRANSMISSION AND WEBSTER TERMINALS FACILITIES AND OPERATING AGREEMENT" and moved that the Resolution be adopted.

Trustee Runneberg seconded the motion. The roll was called and the vote was,

Ayes: Main, Runneberg, and Storms
Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE DISPOSAL OF INTEREST IN REAL PROPERTY OWNED BY THE MUNICIPAL ELECTRIC UTILITY, UNDER AN ASSET PURCHASE AGREEMENT FOR THE SALE OF THE UTILITY'S OWNERSHIP INTEREST IN LEHIGH-WEBSTER TRANSMISSION OWNED UNDER THE AMENDED AND RESTATED LEHIGH-WEBSTER TRANSMISSION AND WEBSTER TERMINALS FACILITIES AND OPERATING AGREEMENT

WHEREAS, the Municipal Electric Utility of the City (the "Utility") owns an undivided 0.83% ownership interest, as a tenant in common, in certain transmission assets known as Lehigh-Webster Transmission ("Lehigh-Webster Transmission") pursuant to that certain Amended and Restated Lehigh-Webster Transmission and Webster Terminals Facilities and Operating Agreement, as amended (the "Transmission Agreement"); and

WHEREAS, said ownership of Lehigh-Webster Transmission is no longer necessary for the Utility's operations and it is appropriate and prudent for the Utility to sell its ownership interest in the Lehigh-Webster Transmission; and

WHEREAS, MidAmerican Energy Company ("MidAmerican") has agreed to purchase the Utility's ownership interest in the Lehigh-Webster Transmission pursuant to an Asset Purchase Agreement with MidAmerican (the "Agreement"); and

WHEREAS, the Agreement is hereby found in proper form and in the best interests of the City and the Municipal Electric Utility; and

WHEREAS, the Utility's ownership interest in the Lehigh-Webster Transmission includes an ownership interest in real property; and

WHEREAS, the sale (the "Sale") of the Utility's ownership interest in the Lehigh-Webster Transmission and real property owned under the Transmission Agreement will require an amendment of the Transmission Agreement (the "Amendment") to reflect that the Utility will no longer be a participant and joint owner therein; and

WHEREAS, Iowa Code section 364.7 requires a public hearing be conducted for the disposal of real property; and

WHEREAS, before the Agreement may be approved, it is necessary to comply with the provisions of Iowa Code section 364.7, Code of Iowa, 2022, as amended, and to publish a notice of the proposal to approve the Agreement and to conduct a hearing thereon and to receive and consider any objections and hear any evidence for or against the proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MUNICIPAL ELECTRIC UTILITY OF LAURENS, IOWA:

Section 1. That this governing body shall meet at the Municipal Building, 272 N. 3rd Street, Laurens, Iowa at 4:00 o'clock P.M. on the 19th day of December, 2022, for the purpose of conducting a public hearing on the disposal of interest in real property owned by the Municipal Electric Utility, under the Asset Purchase Agreement for the sale of the Utility's ownership interest in Lehigh-Webster Transmission owned under that certain Amended and Restated Lehigh-Webster Transmission and Webster Terminals Facilities and Operating Agreement, as amended.

Section 2. That the proposed form of the Asset Purchase Agreement is hereby adopted in substantially the form presented to this governing body, with such changes as may be approved by the Manager and legal counsel, and execution thereof by the Chairman and Secretary is hereby authorized, subject to final approval following public hearing. The Asset Purchase Agreement shall remain on file with the Secretary and available for public inspection prior to the hearing.

Section 3. That the Secretary is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public hearing on the disposal of interest in real property owned by the Municipal Electric Utility, under the Asset Purchase Agreement.

Section 4. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF TRUSTEES OF LAURENS MUNICIPAL UTILITIES OF THE CITY OF LAURENS, IOWA, ON THE MATTER OF THE PROPOSITION OF THE DISPOSAL OF INTEREST IN REAL PROPERTY OWNED BY THE MUNICIPAL ELECTRIC UTILITY, UNDER AN ASSET PURCHASE AGREEMENT FOR THE SALE OF THE UTILITY'S OWNERSHIP INTEREST IN LEHIGH-WEBSTER TRANSMISSION OWNED UNDER THE AMENDED AND RESTATED LEHIGH-WEBSTER TRANSMISSION AND WEBSTER TERMINALS FACILITIES AND OPERATING AGREEMENT

PUBLIC NOTICE is hereby given that the Board of Trustees of Laurens Municipal Utilities of the City of Laurens, Iowa, will hold a public hearing on the 19th day of December, 2022, at 4:00 o'clock P.M. at the Municipal Building, 272 N. 3rd Street, Laurens, Iowa, at which meeting the Board proposes to take final action for the disposal of interest in real property owned by the Municipal Electric Utility, under an Asset Purchase Agreement for the sale of the Utility's ownership interest in Lehigh-Webster Transmission owned under the Amended and Restated Lehigh-Webster Transmission and Webster Terminals Facilities and Operating Agreement, as amended.

At the above mentioned meeting, the Board of Trustees of Laurens Municipal Utilities proposes to take final action on the matter of approving an Asset Purchase Agreement for the sale of the Utility's ownership interest in Lehigh-Webster Transmission owned under the Amended and Restated Lehigh-Webster Transmission and Webster Terminals Facilities and Operating Agreement, as amended.

The proposed form of the Asset Purchase Agreement is on file with the Secretary for public inspection.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take final action on the approval of the Asset Purchase Agreement, including the disposal of interest in real property owned by the Municipal Electric Utility.

This notice is given by order of the Board of Trustees of Laurens Municipal Utilities of the City of Laurens, Iowa, as provided by Sections 364.7 and 362.3 of the Code of Iowa, as amended.

Dated at Laurens, Iowa this _____ day of _____, 2022.

Secretary of the Board of Trustees of
Laurens Municipal Utilities, Laurens, Iowa

PASSED AND APPROVED this 21st day of November, 2022.

Richard Main
Chairman, Board of Trustees

ATTEST:

Chad Cleveland
Secretary, Board of Trustees

At 4:40 p.m. Chairman Main announced that this was the time and place for the public hearing and meeting on the matter of amending the Calendar Year 2022 Budget as published in the Laurens Sun on November 9, 2022.

The Chairman asked the Secretary whether any written objections had been filed by any resident or property owner of the City to the amendment of the Budget. The Secretary advised the Chairman and the Board that no written objections had been filed. The Chairman then called for oral objections to the amendment of the Budget, and none were made. The Chairman then declared the time for receiving oral and written objections to be closed.

At 4:45 p.m. Chairman Main declared the hearing on the matter of Amending the Calendar Year 2022 Budget to be closed.

Trustee Runneberg introduced and moved for adoption a resolution approving the amendment to Calendar Year ending December 31, 2022 Budget as set forth in the detailed budget worksheet in support thereof showing the estimated revenues and expenditures for said calendar year. Trustee Storms seconded the motion. The roll was called, and the vote was:

Ayes: Main, Runneberg, and Storms. Nays: None.

The Chairman declared the resolution duly adopted.

At 4:45 p.m. Chairman Main announced that this was the time and place for the public hearing and meeting on the matter of Approving the Calendar Year 2023 Budget as published in the Laurens Sun on November 9, 2022.

The Chairman asked the Secretary whether any written objections had been filed by any resident or property owner of the City to the approval of the Budget. The Secretary advised the Chairman and the Board that no written objections had been filed. The Chairman then called for oral objections to the approval of the Budget, and none were made. The Chairman then declared the time for receiving oral and written objections to be closed.

At 4:50 p.m. Chairman Main declared the hearing on the matter of Approving the Calendar Year 2023 Budget to be closed.

Trustee Storms introduced and moved for adoption a resolution approving the Calendar Year ending December 31, 2023 Budget as set forth in the detailed budget worksheet in support thereof showing the estimated revenues and expenditures for said calendar year. Trustee Runneberg seconded the motion. The roll was called, and the vote was:

Ayes: Main, Runneberg, and Storms. Nays: None.

The Chairman declared the resolution duly adopted.

Discussion was held on potential capital improvement projects for the next couple of years. No specific action was taken.

Motion by Trustee Storms and seconded by Trustee Runneberg to approve the Statement of Work for Managed IT Services from RSM. Ayes: All. Nays: None. Motion carried.

Discussion was held on a proposal from FEH Design for the architectural and engineering services for our new storage building project. No specific action was taken other than the Trustees asked the General Manager to seek out other proposals for architectural and engineering services for this project.

Discussion was held on the vacation and sick leave portion of the LMPC Employee Handbook. No specific action was taken.

Discussion was held on the wage scales for calendar year 2023. No specific action was taken.

Discussion was held on the General Manager's salary for calendar year 203. No specific action was taken.

Motion by Trustee Runneberg and seconded by Trustee Storms to approve a One Time Payment of \$300 in Laurens Chamber Bucks to all full-time employees and \$150 in Laurens Chamber Bucks to all part-time and seasonal employees for calendar year 2022. Ayes: All. Nays: None. Motion carried.

Motion by Trustee Storms and seconded by Trustee Runneberg to approve a budget of up to \$1,000 for the 2022 Holiday Lighting Discount. Ayes: All. Nays: None. Motion carried.

There being no further business, the Chairman declared the meeting adjourned at 8:30 p.m.

Richard Main
Chairman, Board of Trustees

ATTEST:

Chad Cleveland
Secretary, Board of Trustees