

CITY OF MILFORD, NEBRASKA
NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special meeting of the Mayor and City Council of the City of Milford, Nebraska is to be held at 6:30 pm on Tuesday, April 23, 2024, at the City Hall Office, 402 1st Street, Milford, which meeting will be open to the public. An agenda for such meeting kept continuously current, is available for public inspection at the office of the City Clerk at the City Hall.


Mayor

ATTEST: 
City Clerk

Agenda matters are as follows:

1. Call to Order
2. Roll Call
3. Open Meeting Act Requirement
4. Pledge of Allegiance
5. a. Webermeier Scholarships
 - Review of Foundation Terms
 - Conflict of Interest Policy
 - Review and approval of Scholarship Selection
- b. Consider summer part-time employee and set wage.
- c. Discuss/Consider options for swimming pool season
6. Adjournment

CERTIFICATION

I hereby certify that the above meeting notice was posted by me in four public places in the City of Milford as follows:

City Clerk's Office
Farmers & Merchants Bank
U S Post Office
Milford Sr Center

at 1:00 pm on Wednesday, April 10, 2024.

Agenda revised at 1:00 pm on Wednesday, April 17, 2024.


City Clerk

CITY OF MILFORD
SPECIAL MEETING
APRIL 23, 2024
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Building in said City on the 23rd day of April 2024 at 6:30 pm. Present were Mayor Patrick Kelley; Council members: Becky Freeman, Kelli Keib, Mike Roth, Maintenance Supt. Gary TeSelle, Whitney Parks and City Clerk Jeanne Hoggins. Absent: Tony DeLong. Also present: Roy Cast, Diane Kemper, Tom Stone, Kasen Petsch, Kellen Kubicek, Gavin Dunlap, Sarah Spahr, Karis Kratochvil, Mackenzie Watenpaugh, Colby Klug, Ren Jensen, Kennen Troyer, Jake Wanetka, Sydney Hill, Addyson Mowinkel, Reese Stutzman, Brody Mach, Macy Stutzman and Jaidyn Bell.

Notice of the meeting was given in advance thereof by posting in three public places: a designated method for giving notice, as shown by the Certification of Posting attached to these minutes. Notice of the meeting was given to the mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. The availability of the agenda was communicated in advance and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

CALL TO ORDER: Mayor Kelley called the meeting to order at 6:31 pm. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the west wall in the City Hall meeting room.

PLEDGE OF ALLEGIANCE:

Webermeier Scholarships – Minutes Attached

Review of Foundation Terms

Conflict of Interest Policy


Review and approval of Scholarship Selection

Consider summer part-time employee and set wage: A motion was made by Keib and seconded by Roth to hire Dominic Rocolo as part-time summer maintenance employee at a starting wage of \$15.00 per hour pending drug screen and background check. Roll call vote: Keib yes, Roth yes, DeLong absent, Freeman yes. Motion carried.

Discuss/Consider options for swimming pool season: Mayor Kelley shared that we are short applications for employment at the swimming pool. At present we have 5 applications, none of which are for management positions. We need guards and management to open the swimming pool. Council member Freeman noted that Whitney Parks has provided additional information from other communities that are experiencing the same problem. We have advertised multiple ways and several different times. It is getting to the point where it may be too late to get certified. There are classes held in May but those fill up quickly. Our options are very limited.

Discussion was held regarding employee salary. Diane Kemper suggested reaching out to students at Doane, Concordia and UNL. We will work aggressively between now and the next council meeting to resolve the situation. A decision will be made on May 7, 2024.

ADJOURNMENT: A motion was made by Roth and seconded by Keib to adjourn the meeting. Roll call vote: Roth yes, Keib yes, DeLong absent, Freeman yes. Motion carried and meeting adjourned at 6:59 pm.


Jeanne Hoggins, City Clerk


Patrick L. Kelley, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on April 23, 2024 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.



Jeanne Hoggins
Jeanne Hoggins, City Clerk

MEETING MINUTES
for the Scholarship Selection Committee
of the William Webermeier Scholarship Fund
Meeting Date: April 23, 2024

Scholarship Committee Members: Pursuant to the provisions of the governing document, the Committee shall be composed of the Town Board of Milford Nebraska and the Superintendent of Milford, Nebraska School District.

Name:	Title/Position:
<u>Becky Freeman</u>	<u>President of City Council of Milford</u>
<u>Mike Roth</u>	<u>Acting President of City Council of Milford</u>
<u>Kelli Keib</u>	<u>Member of City Council of Milford</u>
<u>Tony DeLong</u>	<u>Member of City Council of Milford</u>
<u>Kevin Wingard</u>	<u>Superintendent of Milford, NE School District</u>

Attendees: All of the above were present, except Tony DeLong and Kevin Wingard.

The following guests attended: Mayor Patrick Kelley, City Clerk Jeanne Hoggins, Maintenance Supt. Gary TeSelle, Whitney Parks, Several High School Students from Government Class, Diane Kemper, Roy Cast, Tom Stone.

- I. Call to Order.** The meeting was called to order by Mayor Patrick Kelley at 6:31 p.m. City Clerk Jeanne Hoggins was appointed to take the minutes of this meeting.
- II.** Council member Freeman reviewed with the Committee all applicable terms of the Foundation's governing document, including that the Fund's income shall be used to award scholarships to assist students who are residents of Milford, Nebraska in obtaining a college education. All scholarships are awarded on an objective and non-discriminatory basis.
- III. Conflict of Interest Policy.** The Conflict-of-Interest Policy attached hereto as Exhibit A was reviewed and adopted. **The Conflict-of-Interest Policy was reviewed by Council member Freeman.** Each Committee member affirmed that based on information and belief formed after reasonable inquiry, no attendee has a potential conflict of interest with respect to any grant under consideration.
- IV. Review of Scholarships.**
A total of 14 scholarships were reviewed. 3 new scholarships totaling \$4,500.00 were approved. 7 renewal scholarships totaling \$10,500.00 were approved. 4 scholarships totaling \$0.00 were declined. Total dollar amount of scholarships awarded totals \$15,000.00.

After a careful review of all scholarship proposals, the following scholarships were approved:
See Exhibit B attached hereto.

The Committee confirmed, based on information and belief formed after reasonable inquiry, that (1) each approved scholarship is consistent with all applicable terms of the Foundation's governing

documents (including but not limited to any and all recipient eligibility requirements, scholarship amount limitations, and scholarship purpose restrictions); and (2) no Committee member (or family member thereof) will receive any personal benefit of any kind or nature, no matter how incidental or seemingly insignificant, in connection with any approved scholarship (including but not limited to the satisfaction of any personal pledge made to any proposed grantee).

V. Adjournment. The meeting was adjourned at 6:59 pm

Respectfully submitted,



Signature of Appointed Secretary

Jeanne Hoggins
Printed/Typed Name of Appointed Secretary

Conflict of Interest Policy
for
William Webermeier Scholarship Fund
(the “Foundation”)

Article 1
Purpose

Trustees, co-trustees, grant committee members, advisory committee members, consultants, and staff members* of the Foundation (“Interested Persons”) and their immediate family members are encouraged to play active roles in their communities by serving as board members, trustees, staff members or otherwise being involved with a wide spectrum of nonprofit organizations. Such organizations may from time to time seek financial assistance from the Foundation leading to potential conflicts of interest or the appearance of such conflicts. It is the Foundation’s policy to deal with such conflicts in as open and appropriate a way as possible.

Conflicting involvements include, but are not limited to the following: Interested Persons or immediate family members of Interested Persons serving as board members, trustees, or advisory committee members of applicant organizations and Interested Persons or immediate family members of Interested Persons being employed by or doing business with applicant organizations.

Immediate Family Members include spouses, ancestors, children, grandchildren, great grandchildren, and the spouses of children, grandchildren, and great grandchildren.

Article II
Procedures

- a. In order to avoid a potential conflict of interest or the appearance thereof, an Interested Person shall immediately and fully disclose any potential conflict prior to participating in any related grant making decision.
- b. After disclosure of the financial interest or conflicting involvement and all material facts, and after any discussion with the interested person, he/she shall leave the trustee, governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining trustees, board or committee members shall decide if a conflict of interest exists.
- c. If it is determined that there is a conflict of interest, such Interested Person may participate in the discussion of the grant proposal, but shall abstain from voting on such grant proposal. Such action shall be reflected in the minutes of the grant meeting.
- d. The committee will evaluate the proposed grant and investigate whether alternative grants that do not give rise to a conflict of interest should be considered.
- e. The trustees, governing board or committee shall determine by a majority vote of the disinterested directors whether the proposed grant best serves the charitable purpose and whether it is consistent with donor intent. In the event of a tie vote, the grant will not be made.

Article III
Procedures Pertaining to Scholarship Programs

- a. In order to further avoid potential conflicts of interest or the appearance thereof and in order to avoid certain forms of self-dealing described in Section 4941 of the Internal Revenue Code, the following persons shall not be eligible to apply for or receive any scholarship or student loan offered by the Foundation: any Interested Person; the spouse of any Interested Person; the ancestors of any Interested Person; the children, grandchildren and great-grandchildren of any Interested Person; and the spouse of a child, grandchild or great-grandchild of any Interested Person.
- b. Foundation employees of Wells Fargo Bank, N.A. and their spouses, ancestors, children, grandchildren, great-grandchildren and the spouses of their children, grandchildren and great-grandchildren shall not be eligible to apply for or receive any scholarship or student loan offered by the Foundation.
- c. Employees of Wells Fargo Bank, N.A. and their spouses, ancestors, children, grandchildren, great-grandchildren and the spouses of their children, grandchildren and great-grandchildren shall not be eligible to apply for or receive any scholarship or student loan offered by the Foundation.
- d. Center for Scholarship Administration has been engaged to support scholarship administration for this fund. Employees of Center for Scholarship Administration and their spouses, ancestors, children, grandchildren, great-grandchildren and the spouses of their children, grandchildren and great-grandchildren shall not be eligible to apply for or receive any scholarship or student loan offered by the Foundation.
- e. If a scholarship is inadvertently awarded to a disqualified person such that it may be deemed to be self-dealing described in Section 4941, the award will be void and any scholarship award that has been paid will need to be recovered by the Foundation in compliance with IRC Section 4941.

Article IV
Conflicts of Interest Other than Grant and Scholarship Administration

- a. An interested person may make a presentation pertaining to the proposed action to the governing board or committee, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The committee shall evaluate the proposed grant and investigate alternatives.
- c. After exercising due diligence, the committee shall determine whether the Foundation can make with reasonable efforts a more advantageous transaction or arrangement to a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous arrangement is not reasonably possible under circumstances not producing a conflict of interest, the trustees, governing trustees, board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Foundation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity

with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

**Article V
Meeting Minutes**

The Scholarship minutes shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest or conflicting involvement in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the trustee's, governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Article VI
Violations of the Conflicts of Interest Policy**

- a. If an Interested Person inadvertently participated in the recommendation, review, discussion or vote with respect to a grant applicant with whom the Interested Person or his or her immediate family member is affiliated, the committee should be advised of the conflict and the committee members which may include committee members who were unable to attend the meeting when the original vote was taken will be advised of conflict and asked to confirm their vote.
- b. If the trustees, governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- c. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the trustees, governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take such disciplinary and corrective action, as the committee deems appropriate.

**Article VII
Certification of Minutes**

Signatures: The undersigned certifies that the above Conflict of Interest Policy was passed by Scholarship Selection Committee, of the William Webermeier Scholarship Fund on 5/4/2021. This Policy is to remain in effect until modified or revoked.

Signature: Marilyn A Fichtner

Date: 04-22-2024

Print Name: Marilyn A Fichtner

Title: Duly Appointed Secretary

