

## ANNUAL ORGANIZATIONAL MEETING

MONDAY, DEC.11, 2007

The Annual Organizational Meeting of the Fairmont Village Board of Trustees was convened in open and public session on Monday, December 10, 2007 at 7:00 p.m. at the Fairmont Village Hall. Notice of the meeting was given in advance according to proper notification. Chairperson David R. Seggerman called the meeting to order. Clerk Linda Carroll recorded minutes. Board members present upon roll call were: Gene R. Fischer, Donald A. Moses, Roger R. Glenn, Dennis R. Melby and Chairperson Seggerman. Visitors to the meeting were: Vern Berggren, Butch Long, Stan Nichols, Ivan and Holly Davenport, Joe & Nancy Galaway, Tracey Jacobsen and Bill Pfenning. Chairperson Seggerman noted that a copy of the Open Meetings Act was posted on the bulletin board in the council meeting room for public inspection and review.

Becky Haufle, representing INSPRO insurance reviewed a proposal for the Village of Fairmont's commercial insurance package. Items discussed: 1) Fire/EMT and police professional coverage is not covered under village's current umbrella limits as they are written on separate policies by Western World, not Allied Ins.- EMC insurance can write insurance for professional coverage for fire/EMT and police insurance and would be included under EMC's umbrella coverage; 2) increase in umbrella limits- state limit for claims is \$5,000,000-village's current coverage is \$1,000,000; 3) Allied issued vouchers which can only be used toward their insurance premiums. General consensus was to hold a special meeting on Thursday, December 13<sup>th</sup> at 7:00 p.m. for further information on the village's current insurance package.

Glenn moved and Melby seconded to approve the minutes of the November 12, 2007 board meeting. Voting aye: Glenn, Melby, Fischer, Moses and Seggerman. Motion carried. The October 31, 2007 Treasurer's Report was placed on file.

Melby moved and Fischer seconded to nominate David R. Seggerman for Chairperson of the Fairmont Village Board of Trustees. Voting aye: Melby, Fischer, Moses and Glenn. Abstain: Seggerman. Motion carried. Fischer moved and Moses seconded to nominate Dennis R. Melby for Acting Chairperson of the Fairmont Village Board of Trustees. Voting aye: Fischer, Moses, Glenn and Seggerman. Abstain: Melby. Motion carried.

Chairperson Seggerman made the following appointments within the board: Police – Trustee Moses; Maintenance Department -Streets, Alleys & Signs – Trustee Melby and Trustee Glenn ; Village Hall and Utilities (electric, water & sewer) – Trustee Fischer; Parks –Chairperson Seggerman ; Board of Health-Trustee Fischer, Marshal Steve McLeish and Richard Smith; Fairview Manor Advisory Board Liaison – Kathryn Burback.

Chairperson Seggerman nominated the following appointive employees for the village: Village Attorney – Charles Campbell, York NE ; Village Engineers – JEO Consulting Group, Inc., Wahoo NE ; Utility Superintendent - Vern Berggren; Clerk/Treas. - Linda Carroll; Village Marshal-Steve McLeish. Melby moved and Glenn seconded to accept and approve Chairperson Seggerman's appointments. Voting aye: Melby, Glenn, Fischer and Moses. Abstain: Seggerman. Motion carried.

Chairperson Seggerman opened a zoning hearing at 8:05 p.m. for a for a special use permit to allow livestock to be kept on all of: (1) Block 6 Fairmont East Addition and (2) Lots 29-34 Block 3 Fairmont East Addition. (Joe & Nancy Galaway). A letter of support from Mark Morgan was read. Other public comments: 1) would animals be there 12 months out of the year 2) if animals are rode on the streets how would waste be removed from the streets; 3)State Statue allows for a 12 month period for grandfathering; 4)current ordinance allowing for livestock is in conflict with with zoning regulations, as current ordinance is prior to current zoning regulations; Chairperson Seggerman closed the public hearing at 8:15 p.m. Seggerman moved and Melby

seconded to approve a Special Use Permit for property located at 1250 F Street (Block 6 Fairmont East Addition and Lots 29-34 Block 3 Fairmont East Addition) to allow a maximum of three head of livestock (horses and/or cattle or combination) and offspring of the livestock would be allowed for up to one year of age. Voting aye: Seggerman, Melby, Fischer, Moses and Glenn. Motion carried.

Ivan and Holly Davenport visited with the board regarding electric metering at the Family Market grocery store. NPPD will be contacted to conduct an energy audit and test the electric meter.

Glenn moved and Melby seconded to pay the following claims with the exception of Platte Valley Communication in the amount of \$20.00 pending further investigation on which radio was serviced: ALLTEL-ut. \$40.90; AMERITAS-retirement \$1,319.64; AQUILA-ut. \$805.49; BARCO MUNICIPAL PROD.-sup. \$952.72; BLUE CROSS/BLUE SHIELD-ins. Prem. \$2,696.18; CENTURY LUMBER- sup. \$2.19; CRETE GLASS CO.-rep. \$358.98; DELLA ROSE-reim. sup. \$325.38; DUTTON-LAINSON CO.- sup. \$463.66; EAKES OFFICE –sup. \$104.25; FAIRMONT INSURANCE AGENCY- \$127.72; FAIRMONT LIGHT & WATER-ut. \$2,100.93; FAIRVIEW MANOR-sup. \$38.94; FAMILY MARKET-sup. \$136.43; FARMERS COOP-fuel \$1,086.42; FARMERS STATE BANK-payroll ded. \$2,684.94; FIRST CONCORD GROUP-pretax ded, ins. Premium, admin. \$950.31; FIRST NAT’L BANK OF OMAHA-sup. \$52.70; GARY KNOWLES-contract labor \$200; GREAT PLAINS ONE CALL-locates \$4.04; HAWKINS WATER TREATMENT-chem. \$109.46; KABREDLO’S INC.-fuel \$211.20; LINDA CARROLL-reim. mileage \$58.20; MEL’S TIRE SERVICE-rep. \$32.90; MOMAR-chem. \$1,874.50; NEBR. PUBLIC POWER DIST.-wholesale power chgs \$15,312.69; NEBR. DEPT. OF ENVIR. QUALITY- int on loan \$1,416.42; NEBR. PUBLIC HEALTH ENVIR.-lab analysis \$15;PERENNIAL-subtransmission chgs \$1,740.96; ORSCHLEN-sup. \$116.98; OVERLAND READY MIXED-sup. \$381.40; PAYROLL-less ded. \$9,764.16; RALPH’S GENEVA TIRE-rep. \$12.50; SARGENT DRILLING-well insp. \$200; STATE OF NEBR. DEPT. OF REV.-sales tax & payroll ded. \$ 2,323.24;THE NEBR. SIGNAL-pub. \$49; VILLAGE OF MCCOOL-reim. exp. \$54.64; WAL-MART-sup. \$274.46; WEST BROTHERS INC.-sup. \$10.61; WINDSTREAM-ut. \$523.49; U S POST OFFICE-postage \$201.00. Voting aye: Glenn, Melby, Fischer, Moses and Seggerman. Motion carried.

Correspondence reviewed: 1)JEO Consulting Group, Inc – requesting consideration for reappointment as Village engineer; 2)Letter from Dan Schnoes regarding surveys mailed for his doctoral thesis.

Old Business – Board reviewed a supplemental Interlocal Agreement with the Fairmont Rural Fire Protection District regarding purchase of a new fire truck and proposed purchase of property by the Fairmont Rural Fire Protection District. Glenn moved and Melby seconded to authorize Chairperson Seggerman to sign the supplemental Interlocal Agreement with the Fairmont Rural Fire Protection District. Voting aye: Glenn, Melby, Fischer and Moses. Abstain: Seggerman. Motion carried.

Marshal McLeisch reviewed monthly report. Items discussed: 1) Individual expressed concern regarding five train cars parked on Fillmore Western railroad track on 11<sup>th</sup> Ave-general consensus of the board was because the cars are not blocking an intersection, village did not have authority to request train cars be moved; 2) Updated to new cell phone; 3) ABS brakes have been repaired-current mileage is approximately 92,000 miles; 4) Nuisance abatement will begin on four properties.

Utility Sup. Vern Berggren reviewed his monthly report. Items discussed: 1) Reviewed annual pump test information on the well #92-1; 2) Final pay application from Sargent Drilling for Well #2006-01 will be drafted for the December 13<sup>th</sup> special meeting; 3) Parking on H Street between 4<sup>th</sup> & 5<sup>th</sup> Ave, when vehicles are parked on both sides of H Street, the grader has difficult time removing snow between parked vehicles on street-Trustee Glenn will visit with property owners so vehicles will be offset from each other; 4)Trustee Glenn-reported about broken glass on concrete floor of shelters-general consensus of the board was to have the part-time maintenance do a weekly check of parks after mowing season; 5) Legion Auxiliary Concession shed- board general consensus was to wait until Chamber conducts survey regarding interest in softball/baseball teams for Fairmont.

Clerk Linda Carroll reviewed her monthly report. Items discussed: 1)SafeRoutes Grant-still in need of a response from BN on allowing access on the sidewalk crossing; 2) Change regular meeting date to next business day when a legal holiday falls on the meeting date-Ordinance will be drafted ; 3) SENDD reported 58% low to moderate increase from survey result, however a follow up is needed for individuals who did not initially return surveys; 4) Reviewed garbage bid specifications from other communities

No action was taken on a representative for Fairmont to the Fillmore County Planning Commission. Individual to be Fairmont's representative will be contacted to attend the January 14, 2008 Village Board meeting.

Board reviewed a request from Sargent Drilling regarding a replacement well for Robert Bettger Sr. on SE ¼ , Section 24, Township 8N; Range 3 W; Fillmore Co. Nebraska. This well is within the one mile zoning jurisdiction of the village. Melby moved and Glenn seconded to approve a replacement well for Robert Bettger Sr. located in the SE1/4, Section 24, Township 8 N; Range 3 W; Fillmore Co. Nebraska. Voting aye: Melby, Glenn, Fischer, Moses and Seggerman. Motion carried.

An ordinance to repeal Section 6-211 of the village code was reviewed. This deals with livestock within the corporate limits and is in conflict with zoning regulations and Village Attorney Campbell's suggestion was to repeal this Section of the village code. Seggerman introduced ORDINANCE #07-456 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA TO REPEAL SECTION 6-211 OF THE FAIRMONT VILLAGE CODE; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE. Moses moved and Glenn seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #07-456 might be introduced, read by title and then moved for final passage on the same day, without the same being read in full. Voting aye: Moses, Glenn, Fischer, Melby and Seggerman. Motion carried. Glenn moved and Melby seconded to pass and adopt Ordinance #07-456. Voting aye: Glenn, Melby, Fischer, Moses and Seggerman. Motion carried. Ordinance #07-456 passed and adopted.

A SafeRoutes to School Resolution was reviewed by the board. Melby moved and Glenn seconded to approve RESOLUTION #2007-08 stating the Village has available funds to finance the activity until reimbursed by the Safe Routes to School Program, if the grant is approved. Voting aye: Melby, Glenn, Fischer, Moses and Seggerman. Motion carried. Resolution passed and adopted.

Glenn moved and Seggerman seconded to approve Payment Arrangement Form #150. Voting aye: Glenn, Seggerman, Fischer, Moses and Melby. Motion carried.

Melby moved and Glenn seconded to approve Payment Arrangement Form #151. Voting aye: Melby, Glenn, Fischer, Moses and Seggerman. Motion carried.

Glenn moved and Seggerman seconded to approve Payment Arrangement Form #152. Voting aye: Glenn, Seggerman, Fischer, Moses and Melby. Motion carried.

Melby moved and Moses seconded to adjourn the meeting at 9:45 p.m. Voting aye: Melby, Moses, Fischer, Glenn and Seggerman. Motion carried.

The next Regular Meeting will be Monday, January 14, 2008 at 7:00 p.m.  
DAVID R. SEGGERMAN, Chairperson                      LINDA J. CARROLL, CMC  
Clerk/Treas.

SPECIAL MEETING OF THE CHAIRPERSON AND BOARD OF TRUSTEES  
OF FAIRMONT NEBRASKA

THURSDAY, DECEMBER 13, 2007

A Special Meeting of the Chairperson and Board of Trustees was convened in open and public session on Thursday, December 13, 2007 at 7:16 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE. Notice of the meeting was given in advance according to proper notification. Chairperson David R. Seggerman called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: Donald A. Moses, Roger R. Glenn and Dennis R. Melby and Chairperson Seggerman. Absent: Gene R. Fischer. Visitors to the meeting were: Tom Boyer and Becky Haufle. Chairperson Seggerman noted that a copy of the Open Meetings Act was posted on the bulletin board in the council meeting room for public inspection and review. The purpose of the special meeting was to review current commercial insurance package and bids for the village's commercial insurance package; along with action on a Final Pay Application for Well #2006-01 from Sargent Drilling.

The board reviewed proposals from Allied Insurance, represented by Tom Boyer, Fairmont Insurance Agency and EMC Insurance, represented by Becky Haufle, INSRPO Insurance. Discussion was held on: 1) valuations of current buildings; 2) gaps in coverage; 3) vouchers from Allied; 4) inspection of village properties. Bids were: 1) Allied Insurance \$26,796.65, less vouchers from Allied settlement \$4,372.64, for bid of \$22,424.01. 2) EMC Insurance \$21,912. Both of the bids included a \$1,000,000 umbrella. Moses moved and Melby seconded to accept the bid from INSPRO/EMC Insurance in the amount of \$21,912 for the village's commercial insurance policy. Voting aye: Moses, Melby and Seggerman. Voting no: Glenn. Absent: Fischer. Motion carried. Further discussion was held regarding increasing umbrella coverage. Glenn moved and Melby seconded to increase the Commercial Umbrella to \$4,000,000. Voting aye: Glenn, Melby, Moses and Seggerman. Absent: Fischer. Motion carried. The additional cost from EMC for the \$4,000,000 umbrella coverage is \$2,912.

Final Pay Application from Sargent Drilling was reviewed. Melby moved and Glenn seconded to approve Application for Payment No. 4 (final) from Sargent Drilling on Well #2006-01 in the amount of \$2,307.71. Voting aye: Melby, Glenn, Moses and Seggerman. Absent: Fischer. Motion carried.

Seggerman moved and Glenn seconded to adjourn the meeting at 8:00 p.m. Voting aye: Seggerman, Glenn, Moses and Melby. Absent: Fischer. Motion carried.

DAVID R. SEGGERMAN, Chairperson                      LINDA J. CARROLL, CMC

Clerk/Treas.

SPECIAL MEETING OF THE CHAIRPERSON AND BOARD OF TRUSTEES  
OF FAIRMONT NEBRASKA

THURSDAY, JANUARY 3, 2008

A Special Meeting of the Chairperson and Board of Trustees was convened in open and public session on Thursday, January 3, 2008 at 7:00 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE. Notice of the meeting was given in advance according to proper notification. Chairperson David R. Seggerman called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: Gene R. Fischer, Donald A. Moses, Roger R. Glenn, Dennis R. Melby and Chairperson Seggerman. Visitor to the meeting was Butch Long. Chairperson Seggerman noted that a copy of the Open Meetings Act was posted on the bulletin board in the council meeting room for public inspection and review. The purpose of the special meeting was to review employment applications for the maintenance/electrical technician position, for an employment offer and consider changes within the maintenance department.

Melby moved and Glenn seconded to offer employment for the maintenance/electrical technician to Gerald Kerl for \$13.50/hr for the initial six month probationary period; and that effective January 1, 2008 change Butch Long's title from Assistant Utility Superintendent to Utility Superintendent and increase his wage to \$15.01/hr. Voting aye: Melby, Glenn, Fischer, Moses and Seggerman. Motion carried.

Melby moved and Glenn seconded to adjourn the meeting at 8:25 p.m. Voting aye: Melby, Glenn, Fischer, Moses and Seggerman. Motion carried.

DAVID R. SEGGERMAN, Chairperson

LINDA J. CARROLL, CMC  
Clerk/Treas