

REGULAR MEETING OF THE CHAIRPERSON & BOARD OF TRUSTEES  
OF FAIRMONT NEBRASKA

Monday, June 8, 2009

The Regular Meeting of the Chairperson and Board of Trustees for the Village of Fairmont was convened in open and public session on Monday, June 8, 2009 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 Dennis R. Melby called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: William W. Pfenning, Donald A. Moses, Jack R. Slocum and Chairperson Melby. Trustee Seggerman absent. Chairperson Melby 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. Visitors to the meeting: Lonnie Taylor, Bobby Hoeft, Jack Harris, Butch Long and Steve McLeish. Slocum moved and Moses seconded to approve the minutes of the May 11, 2009 board meeting with the correction that Julie Brown, not Bonnie Moses was in attendance at the meeting. Voting aye: Slocum, Moses, Pfenning, and Melby. Absent: Seggerman. Motion carried. April 30, 2009 Treasurer's Report was reviewed and placed on file.

**PUBLIC FORUM**

Bobby Hoeft reviewed a proposed parade route and display area for the military equipment scheduled for the Old Settler's Picnic. Jack Harris updated the board on the military display by the 1075<sup>th</sup> National Guard Unit from York and stated the tentative schedule for the Schnook Helicopter is from 9:00 a.m. – 2:00 p.m on Saturday July 25<sup>th</sup> at the school football field. The military display would be parked down the center of the streets on "F" St. between 6<sup>th</sup> to 9<sup>th</sup> Ave. and would leave driveways open. The National Guard would also like to have the alley between "F" St. and "G" St. closed behind the city park as they may need to have equipment in this area for the program on the stage. General consensus of the board was given to approve: 1) The parade route; 2) Closing of "F" Street from 6<sup>th</sup> to 9<sup>th</sup> Ave and approve to let the 1075<sup>th</sup> National Guard Unit to set their units on "F" St. from 6<sup>th</sup> to 9<sup>th</sup> Ave; 3) Closing of alley between "F" St. & "G" St. The streets will be closed during the military display July 25<sup>th</sup>; 4) Closing 6<sup>th</sup> Ave between "E" Street and "G" Street for Old Settler's if needed.

Lonnie Taylor visited with the board regarding placement of a mobile sign for community events on the northwest corner of Hwy 6 & 6<sup>th</sup> Ave (BNSF depot corner) and inquired if the village would be able to supply power for the sign. After discussion it was decided that if power would be needed, then perhaps the sign should be parked on the southeast corner on Hwy 6 and 6<sup>th</sup> Ave (Coop).

Jack Harris requested the board's approval to plant small flowering trees on north and east side of 505 9<sup>th</sup> Ave in the sidewalk space. A resolution will be drafted for passage at the July meeting.

**PUBLIC HEARING**

Chairperson Melby opened public hearing at 7:25 p.m. to hear public comments/objections for creation of Storm Water Sewer District No. 2009-01 for the Village of Fairmont. No public comment/objections were received. Chairperson Melby closed hearing at 7:27 p.m.

**RESOLUTION #2009-07**

Pfenning moved and Slocum seconded to pass and adopt Resolution of Necessity #2009-07

creating of Storm Water Sewer District for No. 2009-01. Voting aye: Pfenning, Slocum, Moses, and Melby. Absent: Seggerman. Motion carried. Resolution #2009-07 passed and adopted.

### **RESOLUTION #2009-08**

Melby moved and Moses seconded to pass and adopt Resolution #2009-08 Ordering Construction of Storm Water Sewer District No. 2009-01. Voting aye: Melby, Moses, Pfenning and Slocum. Absent: Seggerman. Motion carried. Resolution #2009-08 passed and adopted.

### **RON ISLEY- GRAFTON VILLAGE BOARD**

Ron Isley, representing the Grafton Village Board, discussed with the board regarding allowing Marshal McLeish to serve as a code enforcement officer for the Village of Grafton. General consensus of the board was to have the Grafton Village Board meet personally with Marshal McLeish and would allow this on his off duty hours.

### **CLAIMS**

Melby moved and Slocum seconded to pay the following claims: ACCO-sup. & equip. \$17,933.47; BARCO-sup. \$750.52; AMERITAS-retirement \$1,389.65; ADAMS BANK & TRUST- ABE TIF payment \$441,904.94; BLACK HILLS ENERGY-ut. \$509.92; BLUE CROSS/BLUE SHIELD-ins. \$4,057.28; BRODY CHEMICALS-sup. \$924.23; BURTON ENT.-refuse \$55; CENTURY LUMBER CENTER-sup. \$45; DELLA ROSE-reim. sup. \$512.84; DUTTON LAINSON-sup. \$64.50; EAKES OFFICE PROD-supplies. \$70.39; FAIRMONT LIGHT & WATER-ut. \$2,555.69; FAMILY MARKET-sup. \$350.34; FARMERS COOP-fuel \$523.55; FARMERS STATE BANK-payroll w.h. \$2,486.85; FIRST CONCORD GROUP INC.-ins., admin & pretax \$796.10; GALL'S INC.-sup. \$102.95; GENEVA WELDING-rep. \$822.50; GREAT PLAINS ONE CALL-locates \$3.03; HAWKINS WATER TREATMENT-sup. \$622.01; JEO-engineering \$12,521.50; KRIZ-DAVIS CO.-sup. \$59.39; LEAGUE OF NEBR. UT. SEC.-conf. \$185; MIDWEST LAB INS.-sup. \$134.35; MIERAU & CO.-audit \$2,000; NEBR. PUBLIC POWER DIST.-wholesale power charges \$15,868.96; NEBR. DEPT. ENV. QUALITY-debt service \$7,345.46; NEBR. PUBLIC HEALTH ENVIR.-lab analysis \$16; NORM BERGGREN-contract labor \$34; O'MALLEY GRAIN-TIF payment \$24,027.88; PAYROLL-less ded \$13,696.78; PERENNIAL-subtransmission chgs \$1,781.88; STATE OF NEBR. DEPT. OF REV.-payroll w.h. & sales tax \$2,207.77; TERRY EHRISMAN-reim. exp. \$24.55; THE NEBR. SIGNAL-pub. \$362.85; U S CELLULAR-ut. \$47.03; US POST OFFICE-postage \$201; WEST BROTHERS, INC.-sup. \$ 173.71; WINDSTREAM-ut. \$529.44; YORK WHOLESALE & SUPPLY-sup. \$132.95; Voting aye: Melby, Slocum, Pfenning and Moses. Absent: Seggerman. Motion carried.

### **INDEPENDENT SENIOR LIVING DUPLEX**

Tami Scheil, Fairview Manor Administrator visited with the board regarding additional options for building the duplexes. The development of a Municipal Facilities Corporation has been discussed with the bonding counsel from Ameritas to be used to assist with the financing. Ameritas Bond Counsel will be contacted for a special meeting with the board on the process of setting up a Municipal Facilities Corporation. The Municipal Facilities Corporation would be able to construct the duplexes and lease them back to the village.

### **CORRESPONDENCE**

1)Correspondence from insurance provider regarding special event coverage for events at Old Settler's Picnic – general consensus was to get the \$150 parade insurance and review other

events; 2) Information from Fillmore County Planning Commission's May meeting from Mark Morgan, Fairmont's representative on the planning commission; 3) Monthly project progress report from JEO Consulting Group, Inc. for storm sewer improvements; 4) April 2009 Financials for Fairview Manor.

## **OLD BUSINESS-**

### ***WORKPLACE SMOKING POLICIES***

The board reviewed information on workplace smoking policies. Moses moved and Pfenning seconded to not place additional restrictions on municipal employees or municipal properties other than those mandated by the Neb. Clean Indoor Air Act. Voting aye: Moses, Pfenning and Slocum. Voting no: Melby. Absent: Seggerman. Motion carried.

## **MARSHAL REPORT**

Village Marshal Steve McLeish reviewed the following: 1) Monthly report; 2) Police coverage for Old Settler's Picnic-Marshal McLeish will contact Sheriff's department and State Patrol on coverage; 3) Nuisance abatement properties which have been burned- Stan Tatro will be contacted for continuing clean up; 4) Camping permits-property owners who have visitors staying in campers need to obtain a permit; 5) Unlicensed car setting on car trailer-Village Attorney will be contacted to see if this can be allowed

## **UTILITY SUP. REPORT**

Utility Superintendent Butch Long reviewed the following: 1) Monthly report; 2) Update on electrical distribution project; 3) Waste water lagoon tests; 4) Chlorinator and sand filter installed at pool; 5) New signage at tree disposal and compost site; 6) Grading streets; 7) Closing of railroad crossing at 14<sup>th</sup> Ave.; 8) Playground equipment gravel-will wait on city park until after Old Settler's Picnic; 9) Water service lines – Village will contract with Ekler for assisting the village if needed.

## **CLERK REPORT**

Clerk Linda Carroll reviewed the following: 1) Increase in health insurance premiums; 2) Fillmore County Housing Fair; 3) Special meeting for budget workshop.

## **RESOLUTION #2009-09**

Roger Lundberg made a written request for planting trees on the east and south side of his property. Pfenning moved and Moses seconded to approve Resolution #2009-09 to authorize Roger Lundberg, 745 9<sup>th</sup> Ave. for placement of trees within the sidewalk space as outlined in application. Voting aye: Pfenning, Moses, Slocum and Melby. Absent: Seggerman. Motion carried. Resolution #2009-09 passed and adopted.

## **EMPLOYEE EVALUATIONS**

Due to time constraints this agenda item tabled.

## **ADJOURNMENT**

Pfenning moved and Slocum seconded to adjourn the meeting at 10:16 p.m. Voting aye: Pfenning, Slocum, Moses and Melby. Absent: Seggerman. Motion carried.

Next Regular Meeting is scheduled for Monday, July 13, 2009 at 7:00 p.m.

DENNIS R. MELBY , CHAIRPERSON

LINDA J. CARROLL,CMC  
CLERK/TREAS.

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

Wednesday, June 24, 2009

A Special Meeting of the Chairperson and Board of Trustees for the Village of Fairmont was convened in open and public session on Wednesday, June 24, 2009 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. Acting Chairperson David R. Seggerman called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: William W. Pfenning, Jack R. Slocum and Acting Chairperson Seggerman. Chairperson Melby and Trustee Moses were absent. Acting 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. Visitors to the meeting were: Jack Harris, Butch Long, Tami Scheil, John Trecek and Norene Fitzgerald. Purpose of the Special Meeting was regarding enacting a Municipal Facilities Corporation for financing various municipal operations.

**MUNICIPAL FACILITIES CORPORATION**

John Trecek, Vice President, Ameritas Investment Corporation, explained the following to the board regarding a Municipal Facilities Corporation: 1) A Municipal Facilities Corporation is a public benefit corporation and is considered a 501(c) (3) not-for-profit-organization by the IRS; 2) The purpose of the Municipal Facilities Corporation is to acquire buildings, equipment, facilities, additions and improvements as specified by the Village Board of Trustees; 3) Any projects which the board would wish to be handled by the Municipal Facilities Corporation would need to meet requirements set forth by State Statues and IRS regulations; 4) The Municipal Facilities Corporation may, depending on the project, be able to receive interest rates as favorable as the Village would receive on its own issue of bonds. It has the advantage of being able to operate faster than the Village in instances where an election might otherwise be required, and can finance for major equipment purchases for which the Village has no authority to issue bonds. 5) The Municipal Facilities Corporation may enter into a project without a public election since the corporation would be leasing the project to the Village; once all lease payments have been made, the project becomes the property of the Village; 6) Collateral for the financing would be the project being leased and the Village's promise to levy a tax to make payments if planned revenues for repayment of the debt would be insufficient ; 7) The Village Board of Trustees would appoint three individuals to the Board of Directors to the Municipal Facilities Corporation and these individuals could not be board members-these member serve at the discretion of the Village Board of Trustees; 8) Village Attorney could assist the village with filing the Articles of Incorporation; 9)Upon dissolution of the Municipal Facilities Corporation, any remaining assets would be distributed to the Village.

The board reviewed an Ordinance authorizing the creation of a Municipal Facilities Corporation for the Village of Fairmont, along with Articles of Incorporation. These documents will be forwarded to the Village Attorney for review and the ordinance was be placed on the agenda for the July 13, 2009 board meeting.

**ADJOURNMENT**

Slocum moved and Pfenning seconded to adjourn the meeting at 8:36 p.m. Voting aye: Slocum, Pfenning and Seggerman. Absent: Melby and Moses. Motion carried.

DAVID R. SEGGERMAN, ACTING CHAIRPERSON

LINDA J CARROLL, CMC  
CLERK/TREAS.