

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

MONDAY, JANUARY 10, 2011

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session on Monday, January 10, 2011 at 7:04 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 Donald A. Moses called the meeting to order. Board members present upon roll call were: Gene R. Fischer, William W. Pfenning, Jack R. Slocum, David R. Seggerman and Chairperson Moses.. Clerk Linda Carroll recorded the minutes. Chairperson Moses 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. Seggerman moved Slocum seconded to approve the minutes from December 13, 2010 board meeting. Voting aye: Seggerman, Slocum, Fischer, Pfenning and Moses. Motion carried. November 30, 2010 Treasurer's Report was placed on file. Visitors to the meeting: Skip Radke, Bill Schropfer, Ron Schropfer, Butch Long, Terry Ehrisman, Chris Gangstad and Steve McLeish.

**PUBLIC FORUM**

Skip Radke visited with board on the sale of real estate (legal noted below in minutes). Skip mentioned the following items 1) He understood that the land was not going to be sold due to a posting error but requested the land be sold by public auction once the posting requirements for the sale of the notice have been met; 2) By public auction there are no surprises and highest bidder gets the property; 3) Village may receive more money by doing it at an open auction; 4) No special meetings involved doing it in this manner. Board comments: 1) Village not having auction to make money; 2) Sale of property could not be finalized until board approved the sale at a special or regular board meeting.

**DAVE PETERSON, JEO CONSULTING GROUP, INC.**

Due to the inclement weather, Dave Peterson was unable to attend the meeting, but was available via a telephone call. Dave reviewed information regarding the electric rate study. Items discussed: 1) Nebr. Public Power Dist. (NPPD) wholesale power charges; 2) Cost responsibility for each rate class of the village; 3) Increases per rate class and winter and summer rates-average overall increase of 6%; 4) Trustee Pfenning requested the middle school utilities be compared to the high school utilities, specifically noting the rate differences between the village electric rates and NPPD electric rates-Dave Peterson will have this information available for the regular February board meeting; 5) Reviewed rates listed on Ordinance #11-474. Moses introduced ORDINANCE #11-474 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA, ESTABLISHING RATES TO BE CHARGED BY FAIRMONT LIGHT AND WATER DEPARTMENT FOR ELECTRICAL SERVICES TO THE PUBLIC AND REPEALING ALL OTHER RATES OR ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE. Slocum moved and Pfenning seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #11-474 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: Slocum, Pfenning, Fischer, Seggerman and Moses. Motion carried. Seggerman moved and Pfenning seconded to pass and adopt Ordinance #11-474. Voting aye: Seggerman, Pfenning, Fischer, Slocum and Moses. Motion carried. Ordinance #11-474 passed and adopted.

**JEFF SKINNER- VERIZON CONSULTANT**

Due to the inclement weather Jeff Skinner was unable to attend the meeting, but was available via a telephone call. Also Justin Stine, JEO Consultant Group, Inc. (village engineer), was also available via telephone call. Items discussed for the proposed Verizon repeater to be placed on the village's water tower: 1) When water tank was built in 1990 railings were not on top of water towers, so welding is the only option for attaching an antenna; 2) Justin would want to do a visual inspection of the tower once the project is completed-concerned with painting and welding on the tower; 3) Reviewed lease from Verizon – contract will be forwarded to Village Attorney Campbell for comments and lease will be reviewed again at the February meeting with board and engineer comments; 4) Reviewed drawings for attachment- village interested in a top hat type of fixture rather than tri-pod fixture; 5) Board concerned with exterior and interior surface with welding on tower; 6) As of this time it would be a temporarily permanent fixture and if Verizon were to keep this as permanent fixture then a new lease would be drafted; 7) Concern of village expenditures for engineering and attorney fees for this project and village being able to recoup these expenditures either outright from Verizon or add an additional amount to the proposed monthly fee.

## **DONNA MAINWARING, FILLMORE CO. ZONING ADMIN.**

Due to the inclement weather Donna Mainwaring was unable to attend the meeting. Her issues regarding review of general zoning procedures will be addressed at the regular February board meeting.

### **SALE OF REAL ESTATE**

Due to an error in the sale date on notice of sale posted (sale date in notice listed as January 10, 2010 instead of January 10, 2011) the following real estate listed below will take place at the February 14, 2011 board meeting and notice with corrected date will be reposted:

Parcel 1 All of Lot One (1) in Block One (1) , East Addition to Fairmont, in Fillmore County, Nebraska; and the East Sixty-Six Feet of the West One Hundred Fifty Feet (E66'W150') of Lots Two, Three, Four, Five, Six, Seven, Eight, Nine and Ten (2, 3, 4, 5, 6, 7, 8, 9 and 10) in Block One (1);East Addition to Fairmont, Fillmore County, NE. Total square feet 33,696. Minimum bid \$1,300.67;Parcel 2 The East Sixty-Six Feet of the West One Hundred Fifty Feet (E66' W150') of Lots, Eleven, Twelve, Thirteen, Fourteen, Fifteen and Sixteen (11, 12, 13, 14, 15 and 16) in Block Two (2) East Addition to Fairmont, in Fillmore County, Nebraska. Total square feet 17,424. Minimum bid \$672.57;Parcel 3 The East Sixty-Six Feet of the West One Hundred Fifty Feet (E66'W150') of Lots Seventeen, Eighteen, Nineteen, Twenty, Twenty-One and Twenty-Two (17,18, 19, 20, 21 and 22) in Block Three (3) East Addition to Fairmont, Fillmore County, NE. Total square feet 17,424. Minimum bid \$672.57. As sale was not conducted Resolution #2011-01 Acceptance of bids for real estate was not acted on. Pfenning moved and Fischer seconded to authorize property listed below to be sold to the highest bidder at the next meeting (February 14, 2011) by sealed bids. Sealed Bids must be received prior to 7:00 p.m.on February 14, 2011 to the Village Clerk. Each parcel has a minimum bid of \$.0386 per square foot: Parcel 1: All of Lot One (1) in Block One (1) , East Addition to Fairmont, in Fillmore County, Nebraska; and the East Sixty-Six Feet of the West One Hundred Fifty Feet (E66'W150') of Lots Two, Three, Four, Five, Six, Seven, Eight, Nine and Ten (2, 3, 4, 5, 6, 7, 8, 9 and 10) in Block One (1);East Addition to Fairmont, Fillmore County, NE. Total square feet 33,696. Minimum bid \$1,300.67; Parcel 2: The East Sixty-Six Feet of the West One Hundred Fifty Feet (E66' W150') of Lots, Eleven, Twelve, Thirteen, Fourteen, Fifteen and Sixteen (11, 12, 13, 14, 15 and 16) in Block Two (2) East Addition to Fairmont, in Fillmore County, Nebraska. Total square feet 17,424. Minimum bid \$672.57;Parcel 3 - The East Sixty-Six Feet of the West One Hundred Fifty Feet (E66'W150') of Lots Seventeen, Eighteen, Nineteen, Twenty, Twenty-One and Twenty-Two (17,18, 19, 20, 21 and 22) in Block Three (3) East Addition to Fairmont, Fillmore County, NE. Total square feet 17,424. Minimum bid \$672.57. Voting aye: Pfenning, Fischer, Slocum, Seggerman and Moses. Motion carried.

### **CLAIMS**

Seggerman moved and Slocum moved to approve the following claims: AMERITAS-Retirement.\$1,515.66; ANGLE, MURPHY, VALENTINO & CAMPBELL-Attorney fees \$988.99; BILL'S REP.-Rep. \$68.30; BLACK HILLS ENERGY-Ut.\$2,135.81; BLUE CROSS/BLUE SHIELD-Ins.; \$5,140.36; BURTON ENTERPRISES-Ut. \$55; CENTRAL STATES LAB-Sup. \$1,059.13; DELLA ROSE-Reim. Sup. \$1,011.36; DUTTON-LAINSON-Sup.\$748.65; FAIRMONT LIGHT & WATER-Ut.\$2,788.78; FARMERS COOP-Fuel.\$1,451.91;FILLMORE COUNTY CLERK-Fee.\$90.23; FILLMORE COUNTY DEV. CORP-Dues \$3,000; FIRST CONCORD GROUP, INC- Pretax and ins..\$877; GALL'S INC.-Eq.\$12.99; GAMBLES-Sup.\$20.43; GREAT PLAINS ONE-CALL-Se.\$4.16; HOMETOWN LEASING-Se.\$94.94; IRS-Payroll w.h.\$2,608.42;JEO-Eng.\$4,406.50; JOHN M HUGHES-Inspection \$620; KABREDLOS-Fuel.\$34.51; MIDWEST LAB.-Lab.\$88.31; MOGUL'S-Rep.\$29.87;NPPD-Wholesale power chgs..\$21,262.12; NEBR. PUBLIC HEALTH ENV. LAB-Lab.\$414;PAYROLL-less ded..\$11,323.02; PERENNIAL-Subtransmission.\$1,683; PITNEY BOWES-rental.\$264; STATE OF NEBR. DEPT. OF REV.-Payroll and sales tax.\$2,379.43;U S CELL.-Ut. \$47.82; U S POST OFFICE-Postage. \$201; WAL-MART-Sup. \$98.69; WEST BROTHES, INC.-Sup.\$192.32; WINDSTREAM-Ut. \$588.54; YORK ACE HARDWARE-Sup.\$57.46; YORK WHOLESALE & SUPPLY-Sup. \$175.41. Voting aye: Seggerman, Slocum, Fischer, Pfenning and Moses. Motion carried.

### **CORRESPONDENCE**

Board reviewed correspondence: 1)Dept. of Environmental Quality (DEQ) regarding Fairmont's Community Burn Site Inspection – village will reply to DEQ on documentation of removal of prohibited items which were found during the inspection; 2) Department of Economic Development Performance Monitoring Review Report for Community Development Block Grant 08PP002; 3) Information on Fillmore County Planning Commission regarding December 2010 meeting from Mark Morgan, Fairmont's representative; 4)Strategic Planning Session for Fillmore County Development Corp (FCDC) for January 19, 2011; 5) FCDC newsletter; 6) September 30, 2010 financials from Fairview Manor.

### **MARSHAL REPORT**

Village Marshal Steve McLeish reviewed his monthly report. Items discussed: 1)Nuisance abatement letters sent out-board can take action after February 20th; 2)Reviewed quote to take down two buildings cited for abatement for \$28,000. This amount does not include landfill cost, inspection costs and asbestos removal and since both buildings connected would not remove just one building, would only remove both buildings; 3)Truck Parking – parking on street right of way is not allowed under village ordinance; 4)Traffic flow west of Tiny Images Daycare.

### **UTILITY SUP. REPORT**

Utility Sup. Butch Long reviewed his monthly report. Items discussed: 1)Information on Bioiberica Nebr, Inc. wastewater; 2)Snow removal.

### **CLERK REPORT**

Clerk Carroll reviewed her monthly report. Items discussed: 1)Date for a planning meeting with Tylor Bottorff and Kevin Kruse, JEO Consulting Group, Inc. to review future infrastructure improvements (storm sewer, street repairs, etc.)

### **PAYMENT ARRANGEMENTS**

Seggerman moved and Slocum seconded to accept Payment Arrangement Form #191. Voting aye: Seggerman, Slocum, Fischer, Pfenning and Moses. Motion carried.

Pfenning moved and Moses seconded to accept Payment Arrangement Form #192 Voting aye: Pfenning, Moses, Fischer, Slocum and Seggerman. Motion carried.

Moses moved and Pfenning seconded to accept Payment Arrangement Form #193. Voting aye: Moses, Pfenning, Fischer, Slocum and Seggerman. Motion carried.

### **ADJOURNMENT**

Moses moved and Fischer seconded to adjourn the meeting at 10:00 p.m. Voting aye: Moses, Fischer, Pfenning, Slocum and Seggerman. Motion carried.

The next regular meeting will be Monday, February 14, 2011 at 7:00 p.m.

DONALD A MOSES, Chairperson

LINDA J. CARROLL, CMC  
Clerk/Treas.