

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

WEDNESDAY, OCTOBER 15, 2008

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session at 7:00 p.m. on Wednesday, October 15, 2008 at the Fairmont Village Hall, 635 6th 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 Carroll recorded the minutes. Board members present upon roll call were: Gene R. Fischer, Donald A. Moses, Jack R. Slocum, Dennis R. Melby and Chairperson Seggerman. 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: Bill Pfenning, Bill Schropfer, Butch Long, Michael Hahn, Skip Radke, Janet Callahan-Metzger, Rosemarie Callahan, Roger Combs and Tami Scheil. Melby moved and Slocum seconded to approve the minutes from the September 8, 2008 board meeting. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried. The August 30, 2008 Treasurer's Report was placed on file.

NUISANCE ABATEMENT EXTENSION REQUEST

Michael Hahn requested a time extension of six months to a 12 month period to abate the nuisance located at Lot 649 Fairmont Original Town, Fairmont Fillmore County, Nebraska. Trustee Melby indicated that there are volunteers in the community who could be of assistance to Mr. Hahn in abating the nuisance. General consensus was to have Trustee Melby and Trustee Slocum review the contents of the house to gauge a time-line for volunteers to assist with the abatement. Board will discuss this at the November meeting. Marshal McLeish will follow up with Village Building Inspector John Hughes on the garage located at 445 G Street.

PUBLIC HEARING – CONDITIONAL USE PERMIT

Public hearing opened at 7:21 p.m. for a Conditional Use Permit for Rosemarie Callahan to operate a state licensed dog kennel at 900 A Street, Fairmont, Fillmore County, Nebraska described as legally described as Tract of land in the Southeast Quarter of the Southeast Quarter of Section 19, Township 8 North, Range 2 West of the 6th Principal Meridian in Nebraska : Beginning at the Southeast Corner of Section 19, Township 8 North, Range 2 West of the 6th Principal Meridian; thence on a assumed bearing of, South 89° 42' 35" West of Section line, a distance of 549.16 feet; thence North 0° 17' 25" West a distance of 160.13 feet; thence North 37° 48' 47" East a distance of 37.01 feet; thence North 4° 38' 37" East a distance of 77.43 feet; thence North 89° 51' 21" East a distance of 521.01 feet to Section line; thence South 0° 00' 00" East a distance of 265.07 feet to the point of beginning, Fairmont Fillmore County, Nebraska. A letter of support from Tim & Barb Schepers was reviewed. No opposition was received. Hearing was closed at 7:23 p.m.

CONDITIONAL USE PERMIT

Melby moved and Slocum seconded to approve a Conditional Use Permit for Rosemarie Callahan to operate a state licensed dog kennel at 900 A Street, Fairmont, Fillmore County, Nebraska described as legally described as Tract of land in the Southeast Quarter of the Southeast Quarter of Section 19, Township 8 North, Range 2 West of the 6th Principal Meridian in Nebraska : Beginning at the Southeast Corner of Section 19, Township 8 North, Range 2 West of the 6th Principal Meridian; thence on a assumed bearing of, South 89° 42' 35" West of Section line, a distance of 549.16 feet; thence North 0° 17' 25" West a distance of 160.13 feet; thence North 37° 48' 47" East a distance

of 37.01 feet; thence North 4° 38' 37" East a distance of 77.43 feet; thence North 89° 51' 21" East a distance of 521.01 feet to Section line; thence South 0° 00' 00" East a distance of 265.07 feet to the point of beginning, Fairmont Fillmore County, Nebraska. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried.

RESOLUTION #2008-11 – TREE PLANTING

The board reviewed a request from Janet Callahan-Metzger for planting two Red-Bud trees within the sidewalk space of 605 G Street. Seggerman moved and Melby seconded to pass RESOLUTION #2008-11 for tree planting to Janet Callahan-Metzger at 605 G Street, Fairmont, NE. Voting aye: Seggerman, Melby, Fischer, Moses and Slocum. Motion carried. Resolution #2008-11 passed and adopted.

TAMI SCHEIL – FAIRVIEW MANOR

Tami Scheil, Fairview Manor Administrator discussed the following:

1) Updated the board regarding a senior housing project: a) eight individuals have expressed interest; b) have met with Norene Fitzgerald, Southeast Nebraska Development Dist. (SEND) regarding low-income, market rate units and developers; c) possible locations for duplexes; d) funding guidelines. General consensus of the board was to have Tami continue to pursue a senior housing project.

2) Bathhouse renovation- Jensen Lumber has rebid the second bathhouse renovation project. Proposal from Jensen Lumber dated 10-07-08 was in the amount of \$16,495. Melby moved Fischer seconded to accept the proposal from Jensen Lumber in the amount of \$16,495 for the bathhouse renovation at Fairview Manor. Voting aye: Melby, Fischer, Moses, Slocum and Seggerman. Motion carried.

CLAIMS

Melby moved and Fischer seconded to pay the following claims: Gen. Fund:

ADAMS BANK & TRUST-TIF payment \$8,355.98; AMERITAS-retirement \$1,067.35; ANGLE, MURPHY, CAMPBELL-att. Fees \$258.42; AQUILA-ut. \$342.22; ASAP APPL.-ut. \$550; BABE'S CAR CARE-rep. \$132.95; BILL TUREK-ser. \$76; BLUE CROSS/BLUE SHIELD-ins. \$4,057.28; BOND HOLDERS-annual prin. & semi-annual int. water bonds \$28,213.75; BURTON ENTERPRISES-refuse \$55; CROWL TREE & CONSTRUCTION –serv \$1,550; CUMMINS-rep. \$25.43; DELLA ROSE-reim sup. \$546.53; DUTTON-LAINSON CO.-\$544.83; EAKES OFFICE PROD.-sup. \$206.68; EMC INSURANCE-ins. \$82; EXPERIENCE WORKS-don.\$250; FAIRMONT LIGHT & WATER-ut. \$3,049.85; FAMILY MARKET-sup. \$496.40; FARMERS STATE BANK-payroll w.h. \$2,972.10; FCX PERFORMANCE-sup. \$95.80; FIRST CONCORD GROUP-pretax, admin, & ins. \$ 1,183.34; GAMBLES-rental \$110.94; GREAT-PLAINS LOCATES-locates \$15.98; HAWKINS WATER TREATMENT-sup. \$242.62; HEIMAN INC-sup. \$2,757.15; KABREDLOS-fuel \$247.46; LEAGUE OF NEBR. MUN.-conf. \$423; MOMAR-sup. \$697.59; MUNICIPAL SUPPLY-sup. \$583.49; NEBR. MUN. CLERK ASSN.-dues \$15; NEBR. PUBLIC POWER DIST.-wholesale power chgs \$25,254.38; NEBR. PUBLIC HEALTH LAB.-lab analysis \$16; NEED COALITION-donation \$71.86; O'MALLEY GRAIN-TIF payment \$31,851.93; ORSCHELN-sup. \$11.97; OVERLAND READY MIX-sup. \$901.45; PAYROLL-less ded \$7,335.14; PERENNIAL-sub transmission chgs. \$1,629.92; REFUND UTILITY DEPOSIT-\$48.15;RUHL'S WELL REP. \$122.91; SARGENT DRILLING-rep. \$1,396.40; SENDD-dues \$400; STAN TATRO MARKETING-refuse \$2,500; STATE OF NEBR. DEPT. OF REV.-sales tax & payroll w.h. \$ 2,437.32; SWARTZENDRUBER FLOOR COVERING-carpet \$1,314.72; THE NEBR. SIGNAL-pub. \$176.73; TRUE VALUE-sup. \$38.46; U S CELLULAR-ut. \$59.09; U S POST OFFICE-postage \$242; WEST BROTHERS, INC-

sup. \$215.89; WINDSTREAM-ut. \$545.61; YORK WHOLESALE & SUPPLY-sup \$109.95; Bond Fund – USDA Rural Development sewer prin.& int. \$73,498. Voting aye: Melby, Fischer, Moses, Slocum and Seggerman. Motion carried.

CORRESPONDENCE:

1)Letter from Galaxy Cable regarding rate increase; 2) Zoning updated from the September 2008 Planning Commission Meeting from Mark Morgan, Fairmont's representative to the Fillmore County Planning Commission; 3) Minutes from the September 25, 2008 Fillmore County Development Corporation board meeting; 4) Information from Fillmore County Emergency Management Director Terry Marshal; 5) Letter from York County Emergency Management on notification of York County's Multi-Jurisdictional Hazard Mitigation Plan; 6) Letter from Black Hills Energy regarding meter reading; 7)Trailblazer RC&D Annual Banquet scheduled for Tuesday, October 21, 2008; 8) June 2008 and July 2008 financials from Fairview Manor; 9)Letter from Dept. of Environmental Quality regarding inspection at the community burn site (Tree Dump property); 10) Letter from Dr. Dan Schnoes regarding research project on youth sports program.

OLD BUSINESS

DIRT PRICES –

Skip Radke reported on the following pricing –Nichols Construction \$5.25/ton; VanKirk Sutton \$1.00/yard; Skip stated the dirt is the property of the tax payers of the community and felt the dirt needs to be for Fairmont's residents; also the dirt is a commodity and outside individuals to be charged more as contractor would be reselling and making a profit. General consensus of the board was to leave the price of dirt at \$1.00/yard, unless there becomes an increased demand by outside contractors.

SECOND READING ON ORDINANCE #08-463- DOG LIMITATION ORDINANCE VARIATION.

Moses moved and Slocum seconded to pass on second reading Ordinance #04-463 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA AT AMEND ORDINANCE NO. 04-435 TO PROVIDE FOR AN EXCEPTION FOR DOG KENNELS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE. Voting aye: Moses, Slocum, Fischer, Melby and Seggerman. Motion carried. Third and final reading will be at the November 10, 2008 meeting.

CLOSING 13TH STREET BETWEEN F ST. & E ST.

Board reviewed correspondence from a)Mark Morgan requesting the closure. b) Fire Chief Hoeft expressed concern regarding location for fire hydrants in the area, and c) Postmaster Schropfer expressed concern regarding location of mail box in the area if the street would be closed. Bill Pfenning stated that in order for E Street to be opened to 14th Street there would need to be two poles moved and some trees removed. Discussion was held improving E Street to Bill's Repair, by removing trees in right of way and widening the entrance at 11th & E Street. Trustee Melby and Trustee Slocum will report back at the November meeting

MARSHAL REPORT

Marshal Steve McLeish reviewed monthly report. Items discussed: 1)Contacted person who might be interested in purchasing a nuisance abatement property- nuisance abatement notice states that property cannot be sold or transferred once the abatement

notice has been received-will continue to follow up; 2) Dogs running at large; 3) Follow up from Community Meeting.

UTILITY SUPERINTENDENT REPORT

Utility Superintendent Butch Long reviewed his report: Items discussed: 1) Preparation work done at the pool; 2) Continue to attempt to located water shut off valves on main street; valve insertions, need a 4" line going into rescue unit building for sprinkler system; 3) Insurance recommendation for playground equipment and some type of surface to be under playground equipment; 4) Water tower painting should begin shortly, "Fairmont" will be placed on the west and east side of the tower; 5) Will attempt to use existing village personnel for snow removal from village sidewalks; 6) Nebraska WARN Water and Wastewater and Storm water Mutual Aid Agreement – Fischer moved and Slocum seconded to authorize Chairperson Seggerman to sign the Nebraska WARN Mutual Aid Agreement. Voting aye: Fischer, Slocum, Moses, Melby and Seggerman. Motion carried. ; 7) Individual in town has a vacuum sweeper machine which can be hired by the village; 8) Summer/winter work hours- hours will be remain the same 7:00a.m. – 4:00 p.m.; 9) Upgrading the wiring in shelters at the picnic; 10) Street light at 10th Ave and H Street – could be installed if building would be erected by a resident.

CLERKS REPORT

Clerk/Treas. Linda Carroll reviewed her report. Items discussed: 1) Will have contract for Street Study Planning Grant for the November meeting; 2) Template for water tower letters to be delivered later in week; 3) Continue to compile information for document imaging and search and retrieval software, certain documents needed to be microfilmed.

FIRE ROSTER

Board reviewed fire and EMT Roster. Moses moved and Melby seconded to approve fire department roster with the addition of Tami Scheil as an EMT. Voting aye: Moses, Melby, Fischer, Slocum and Seggerman. Motion carried.

COST SHARE FOR PAGER

Chairperson Seggerman reviewed information regarding the need for an administrative pager for Fairmont's Assistant Emergency Manager as his pager only has the fire tone and does not get the additional warnings such as storms. The cost would be a 50/50 cost share with the county. Fischer moved and Seggerman seconded to approve paying for 1/2 of an administrative pager for the Assistant Emergency Manager for Fairmont. Voting aye: Fischer, Seggerman, Moses, Slocum and Melby. Motion carried.

PROCUREMENT PROCEDURES WITH CODE OF CONDUCT

The board reviewed procurement procedures and code of conduct which are to be implemented with Community Development Block Grant (CDBG) programs. Melby moved and Slocum seconded to approve a Procurement Procedures and Code of Conduct for Community Development Block Grant programs and for CDBG #08-PP-002. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried.

DRAIN COVER POOL

Trustee Moses reviewed information regarding pool drain systems and covers under the "Virginia Graeme Baker Pool and Spa Safety Act". Mark Bauer with JEO Consulting Group will come out and inspect our pool for compliance with the act. Discussion was held on pool filter, chlorinator and painting of drain covers.

PAYMENT ARRANGEMENT FORM

Melby moved and Seggerman seconded to approve Payment Arrangement Form #167.
Voting aye: Melby, Seggerman, Fischer, Moses and Slocum. Motion carried.

ADJOURNMENT

Moses moved and Melby seconded to adjourn the meeting at 9:50 p.m. Voting aye:
Moses, Melby, Fischer, Slocum and Seggerman. Motion carried.

Next regular meeting will be Monday, November 10, 2008 at 7:00 p.m. at the Fairmont
Village Hall, 635 6th Ave, Fairmont NE

DAVID R. SEGGERMAN, CHAIRPERSON

LINDA J. CARROLL, CMC
CLERK/TREAS.