

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

FEBRUARY 14, 2011

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session on Monday, February 14, 2011 at 7:00 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE. Chairperson Donald A. Moses called the meeting to order. Board members present upon roll call were: Gene R. Fischer, William W. Pfenning, David R. Seggerman and Chairperson Moses. Absent: Jack D. Slocum. Clerk Linda Carroll recorded the minutes of the meeting. 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. Visitors to the meeting were: Butch Long, Jim & Tracey Jacobsen, Patt Lentfer, Bill Schropfer, Ron Schropfer, Elizabeth Joyce, Marvin Roesti, Skip Radke. Seggerman moved and Pfenning seconded to approve the minutes of January 10, 2011 meeting. Voting aye: Seggerman, Pfenning, Fischer and Moses. Absent: Slocum,. Motion carried. December 31, 2010 Treasurer's Report was placed on file.

**JEFF SKINNER – VERIZON CONSULTANT**

Jeff Skinner and the board reviewed contract documents and drawings for a repeater for the village's water tower. Items discussed: 1) Jeff has taken comments from last month's meeting to Verizon engineers indicating the board is interested in a pod-mount with hatch as opposed to the tri-pod mount-plans and specifications are preliminary, not yet finalized. Welding maybe needed-this will be reviewed with Justin Stine, JEO Consulting Group (village engineer); 2) Reviewed Verizon attorney's comments and Village Attorney Campbell's comments for the final lease agreement; 3) Reviewed Justin Stine's comments on lease and engineering specifications; 4)Utility Sup. Butch Long said that Utility Service Company would climb the tower for free to conduct a inspection of the paint prior to this work; 5)Fischer moved and Pfenning seconded to authorize the Village Chairperson to enter into an agreement with Verizon for a repeater on the village's water tower, contingent on JEO Consulting Group (village engineers) approval of the final plans and specifications submitted by Verizon. Voting aye: Fischer, Pfenning, Seggerman and Moses. Absent: Slocum. Motion carried.

**PUBLIC FORUM**

Elizabeth Joyce requested an extension of 60 days on her property located at 545 5<sup>th</sup> Ave, Fairmont NE which she had received the Unsafe Building Notice and Orders from the Village's Building Inspector, John M. Hughes, stating the building be removed by February 20, 2011. Elizabeth commented to the board: 1) Requested an extension of 60 days because of an architectural salvage for the building removal. This will reduce the cost for removal and she has been unable to get a price for removal of the building from area contractors; 2) The property is zoned commercial, items being salvaged can be stacked on the property for sale as merchandise; 3)Currently just Elizabeth and another individual is assisting with removal of the interior of the building and then would begin on outside; 4)Property could continue to be fenced along sidewalk; 5) Unsure of length of time needed for architectural salvage. Board concerns: 1)Safety of street --once top story is removed, then street could be opened; 2) 90 day extension and then review progress on the salvaging – Pfenning moved and Seggerman seconded to allow a 90 day extension from February 20, 2011 to Elizabeth Joyce for removal of her building located at 545 5<sup>th</sup> Ave, Fairmont NE. Voting aye: Pfenning, Seggerman, Fischer and Moses. Absent: Slocum. Motion carried. Elizabeth will report back at the June 13, 2011 board meeting.

Discussion was held on building located at 535 5<sup>th</sup> Ave, Fairmont NE which is next to Elizabeth's building. Elizabeth suggested that if the board removed the chemicals in the building so she would not be liable for them, she would be interested in conducting an architectural salvage on that building. The board cannot take action on the property located at 535 5<sup>th</sup> Ave, Fairmont NE until after February 20, 2011, as stated in the Unsafe Building Notice and Orders.

#### **PATT LENTFER, EXECUTIVE DIRECTOR FCDC**

Patt Lentfer, Executive Director of the Fillmore County Development Corp (FCDC) visited with the board: 1) Thanked the board for their continued support for the 2011 year; 2) Invited board to the Annual Meeting on Wednesday, February 16, 2011 at noon at the VFW in Geneva 3) Reminder of the Strategic Planning Meeting on February 24, 2011 at 5:30 p.m.; 4) Reviewed a draft brochure for the Homeownership Opportunity Program which is being funded by the Department of Economic Development (DED) Community Development Block Grant (CDBG) to assist with down payment on an existing home and also provides for minor rehabilitation grant for the home to be purchased; 4) Developed site sheet for downtown office property in Fairmont; 5) Reviewed FCDC financials.

#### **DONNA MAINWARING, FILLMORE COUNTY CIVIL DEFENSE/ZONING ADMIN.**

Donna Mainwaring was rescheduled to the regular March 14, 2011 meeting due to a scheduling conflict.

#### **SEALED BIDS FOR PROPERTY**

Chairperson Moses opened a public hearing at 7:40 p.m. for opening of sealed bids for village property which was listed for sale. Bid results: 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. Bids received: Bill Schropfer \$2,300; Albert J. Radke \$1,557; 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. Bids received: Albert J. Radke \$2,158; Bill Schropfer \$1,413.57; 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. Bill Schropfer \$800; Albert J. Radke \$728.

Comments from the public: 1) Property is valuable for business looking to expand; 2) Private items on village property; 3) Property would be better suited to be used as a business; 4) Owners of adjacent property have been taking care of property for many years with mowing, orchard, trees and adjacent owner would like to keep parcel as a part of the homeowner's property; 5) It is a residential piece of property and should be kept that way; 6) It was suggested to have an open bid, but that request was denied; 7) Parcel perhaps should have been split in half so all adjacent owners would have an option to purchase the property-successful bidder ends up with the parcels and could sell to other adjacent owners. Chairperson Moses closed the hearing at 7:55.

#### **RESOLUTION #2011-01 ACCEPTANCE OF BIDS**

Seggerman moved and Pfenning seconded to pass and adopt RESOLUTION #2011-01 AUTHORIZING THE ACCEPTANCE OF THE FOLLOWING BIDS FOR THE RESPECTIVE PARCELS OF REAL ESTATE AND AGREES TO CONVEY SAID REAL ESTATE TO THE

SUCCESSFUL BIDDERS FOR THE AMOUNTS OF THE HIGHEST BID AS FOLLOWS: PARCEL 1 TO BILL SCHROPFER IN EXCHANGE FOR PAYMENT IN THE SUM OF \$2,300; PARCEL 2 TO ALBERT J. RADKE IN EXCHANGE FOR PAYMENT IN THE SUM OF \$2,158; AND PARCEL 3 TO BILL SCHROPFER IN EXCHANGE FOR PAYMENT IN THE SUM OF \$800. Voting aye: Seggerman and Pfenning. Voting no: Fischer and Moses. Absent: Slocum. Motion died for lack of majority vote. Following the vote a phone call was placed to Village Attorney Charles Campbell. Village Attorney Campbell will draft a separate resolution for each parcel. The resolutions will be acted on at the regular March 14, 2011 meeting.

### **ONE & SIX YEAR STREET PLAN**

Chairperson Moses opened a public hearing at 8:03 p.m. to hear comments on the Village of Fairmont's proposed One and Six Year Street Plan. Notice of the public hearing was given in advance according to proper notification and publication. No public comments received. Chairperson Moses closed the hearing at 8:20 p.m. Pfenning moved and Moses seconded to pass RESOLUTION #2011-02 TO ADOPT THE ONE YEAR AND SIX-YEAR PLAN FOR THE STREET IMPROVEMENT PROGRAM FOR THE VILLAGE OF FAIRMONT, NEBRASKA. Voting aye: Pfenning, Moses, Fischer and Seggerman. Absent: Slocum. Resolution #2011-02 passed and adopted.

Board took a recess from 8:25 p.m. to 8:30 p.m.

### **FAIRMONT COMMUNITY –WIDE HOUSING REHABILITATION PROGRAM**

Chairperson Moses opened a public hearing at 8:30 p.m. to provide an opportunity for comments concerning the progress of the Fairmont Community-wide Housing Rehabilitation Program. The public hearing is a requirement of the citizen's participation plan for the Community Development Block Grant Program (CDBG). No public comments were received. The board reviewed a spread sheet provided by Southeast Nebr. Deve. Dist. (SENDD) noting progress of current projects. Chairperson Moses closed the hearing at 8:34 p.m.

### **CLAIMS**

Seggerman moved and Pfenning seconded to pay the following claims Gen. Fund: ACTION AUTO SUPPLY-sup. \$29.29; ALLIED INS.-ins. \$491; AMERITAS-retirement \$1,464.84; ANDREWS ELECTRIC COMPANY-sup. \$43.40; BLACK HILLS ENERGY-ut. \$2,726.88; BLUE CROSS/BLUE SHIELD-ins. \$5,140.36; BURTON ENTERPRISES-ut. \$55; BUTCH LONG-reim. mile. \$114.99; CASEY'S GENERAL STORE-fuel \$211.89; DELLA ROSE-reim. sup. \$1,020.50; DELL MARKETING-equip.\$65.30; DUTTON-LAINSON CO.-sup. \$1,284.26; EAKES OFFICE PROD.-sup. \$469.37; EMBASSY SUITES-lod. \$270.49; EMC INS. \$34,535; FAIRMONT LIGHT & WATER-ut. \$3,114.78; FARMERS COOP-fuel \$1,385.45; FIRST CONCORD GROUP, INC. -adm., ins. pretax ded \$1,226; GAMBLES-sup.\$18.84; GREAT PLAINS ONE-CALL-locates \$2.08; HAWKINS WATER TREATMENT-chem. \$408.71; HOLIDAY INN-lod. \$142;HOMETOWN LEASING-lease \$94.94; IRS-payroll w.h. \$2,561.97; JEO-engineering \$1,963; JLC INCORP.-rep. \$2,160;LINDA CARROLL-reim. mile.\$80.20; MATT PARROTT-sup. \$332.53; MOGUL'S TRANSMISSION-rep. \$267.18; NEBR. MUNICIPAL CLERK INST.-educ.\$230; NEBR. PUBLIC POWER DIST.-wholesale power charges \$25,641.50; NEBR. PUBLIC HEALTH LAB- lab ana. \$16; NORTH OFFICE SUPPY-sup. \$23.33; PAYROLL-less ded \$11,139.40;PERENNIAL-subtransmission \$1,703; PLATTE VALLEY COMM. -rep. \$140; R & D PARTS, LLC - rep. \$69.70; STATE OF NEBR. DEPT. OF REV.-payroll w.h. & sales tax \$2,520.30; THE NEBR. SIGNAL-pub. \$52.40; U S CELLULAR-ut. \$47.82; UTILITES SECTION LEAGUE OF NEBR. MUN.-educ\$363; ;WAL-MART-sup. \$128.17; WEST BROTHERS, INC.-sup. \$30.99; WHAT'S HAPPENING-

donation \$400; WINDSTREAM-ut. \$574.67; YORK WHOLESALE & SUPPLY-sup. \$183.38; Bond fund – Int. on payment on storm sewer bond \$1,020; Voting aye: Seggerman, Pfenning, Fischer and Moses. Absent: Slocum. Motion carried.

### **CORRESPONDENCE**

Board reviewed the following correspondence: 1)Letter requesting annual donation to What's Happening news sheet; 2)Information on Fillmore County Planning Commission regarding January, 2011 meeting from Mark Morgan, Fairmont's representative; 3) News articles for upcoming Community Connections Newsletter; 4)Letter from DED regarding closure of CDBG Grant #08PP002; 5)Dates for NPPD Strategic Planning Customer Forums; 6)Thank you note from family of Dick Smith; 7)Information on the Great American Cleanup Nebraska; 8) Fairview Manor Financials for December 31, 2010.

### **OLD BUSINESS**

Chairperson Moses reported he is awaiting a reply from an individual he contacted to serve on the Board of Health. The Board of Health currently consists of the Village Marshal and Village Chairperson.

### **MARSHAL REPORT**

Village Marshal Steve McLeish reviewed his monthly report. Item discussed: 1)BNSF railroad crossing closure issues – individuals who have been contacted; 2) Letter sent to garbage haulers reminding them to follow the garbage route and for the drivers to be more attentive when turning so culverts are not damaged; 3)Equipment upgrade received from a government grant with the Fillmore County Sheriff's Office.

### **UTILITY WORK REPORT**

Utility Sup. Butch Long reviewed his monthly report. Items discussed: 1)Change out of commercial electric meters; 2)Transfer pump in well needs replaced; 3)Possible substation locations for Perennial; 4)Gravel in right of ways and yards from snow removal; 5)Regrade 8<sup>th</sup> Ave. so water runs to drains-work needed because of snow removal; 6)Meter testing – board will review an ordinance outlining testing charges and the responsible party for the charges.

### **CLERK REPORT**

Village Clerk/Treas. Linda Carroll reviewed monthly report. Item discussed: 1)Special meeting to be a workshop/planning meeting on February 23, 2011; 2)Housing rehab program continuing.

### **LIBRARY BOARD**

Moses moved and Seggerman seconded to appoint Georgia Schropfer to the Fairmont Public Library Board effective immediately. Voting aye: Moses, Seggerman, Fischer and Pfenning. Absent: Slocum. Motion carried. Reviewed year end report for Fairmont Public Library.

### **POOL HELP**

An advertisement for pool manager and lifeguards for the 2011 season will be placed in What's Happening and The Nebraska Signal. Discussion was held on paying for the Water Safety Instructor (WSI) class for any existing returning lifeguard. Pfenning moved and Fischer seconded to pay for the WSI training for lifeguards. Voting aye: Pfenning, Fischer, Seggerman and Moses. Absent: Slocum. Motion carried.

### **PAYMENT ARRANGEMENT FORMS**

Moses moved and Pfenning seconded to approve Payment Arrangement Form #194. Voting aye: Moses, Pfenning, Fischer and Seggerman. Absent: Slocum. Motion carried.

**ADJOURNMENT**

Seggerman moved and Moses seconded to adjourn the meeting at 9:25 p.m. Voting aye: Seggerman, Moses, Fischer and Pfenning. Absent: Slocum. Motion carried.

Next regular board meeting will be Monday, March 14, 2011, 7:00 p.m.

DONALD A. MOSES  
Chairperson

LINDA J. CARROLL, CMC  
Clerk/Treas.