

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

Monday, March 14, 2011

The Regular Meeting of the Chairperson and Board of Trustees for the Village of Fairmont was convened in open and public session on Monday, March 14, 2011 at 7:00 p.m. at the Fairmont Village Hall, 635 6th Ave, Fairmont NE. Notice of the meeting was given in advance according to proper notification. Chairperson Donald A. Moses called the meeting to order. Clerk Linda J. Carroll recorded the minutes. Board members present upon roll call were: Gene R. Fischer, William W. Pfenning, David R. Seggerman, and Chairperson Moses. Trustee Jack D. Slocum arrived at 7:40 p.m. 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 meeting: Butch Long, Justin Stine, Dave Peterson, Jamey Pankoke, Jerri Keenen, Skip Radke, Elizabeth Joyce, Terry Ehrisman, Bill Schropfer, Chris Gangstad, Tracey Jacobsen and Donna Mainwaring. Seggerman moved and Pfenning seconded to approve the minutes of February 14, 2011 board meeting and February 23, 2011 board meeting. Voting aye: Seggerman, Pfenning, Fischer and Moses Absent: Slocum. Motion carried. January 31, 2011 Treasurer's Report was placed on file.

DAVE PETERSON, JEO CONSULTING GROUP, INC.

Substation Relocation

Dave Peterson, JEO Consulting Group, Inc and Jamey Pankoke, General Manager Perennial Public Power Dist. reviewed information with the board regarding the relocation of the Perennial substation from east of Fairmont to the intersection of 6th Ave and Road F. The parcel would be 100' x 135' (about 1/3 of an acre). Items discussed: 1)Capacitor bank would be village's responsibility-maybe able to use existing capacitor bank by relocating it; 2) Anticipating project for this summer; 3)Upgrading the system to 69 kv; 4)Would have one underground circuit and one overhead circuit- both circuits would feed town; 5) At the intersection of 6th Ave. and I Street – one feed line will go 1 ½ block east along the south side of I Street, then Perennial will install the third phase up the alley located between 7th and 8th Ave, village will purchase wire and Perennial will provide the third phase for that alley to F Street. 5) Second feed will tentatively be placed in the alley between 5th & 6th Ave. 6) Perennial will take care of zoning and legal fees associated with property purchase; 7) Village would need to pay for any tree trimming that would be needed;8) Village attorney will be contacted regarding sale of property from one public entity to another entity;9)Seggerman moved and Fischer seconded to authorize Chairperson Moses to enter into negotiations with Perennial Public Power Dist. for sale of real estate for a substation. Voting aye: Seggerman, Fischer, Seggerman and Moses. Absent: Slocum. Motion carried. Contract documents will be drafted for the April meeting.

Rate Review

Dave Peterson reviewed information regarding the Fillmore Central Middle School bill comparing village rates and Nebr. Public Power Dist. (NDDP) Municipal Service Rider Rate (MMR). NPPD's MMR rate is less than the village's cost of power. Dave's recommendation was to review the rate when rates are reviewed on an annual basis.

Trustee Slocum arrived at 7:40 p.m.

JUSTIN STINE, JEO CONSULTING GROUP, WATER & POOL STUDY

Pool Study

Justin reviewed a proposal for JEO to conduct a swim pool study. The study will review the existing pool compared to similar pools and gives an overall picture of the condition of the swim pool. Pfenning moved and Slocum seconded to enter into an agreement with JEO Consulting

Group, Inc. for a Pool Study in the amount of \$2,500. Voting aye: Pfenning, Slocum, Fischer, Seggerman and Moses. Motion carried.

Water Study

Justin also reviewed a proposal from JEO to conduct a water distribution system preliminary engineering report. Previous reports had reviewed the water storage and water supply (wells). The report would also revise and update the water maps. Slocum moved and Moses seconded to enter into an agreement with JEO Consulting Group, Inc. for a 2011 Water Distribution System Preliminary Engineering Report in the amount of \$14,500. Voting aye: Slocum, Moses, Fischer, Pfenning and Seggerman. Motion carried.

ELIZABETH JOYCE

545 5th Ave. Fairmont NE

Elizabeth Joyce updated the board on the progress of the deconstruction of the building located at 545 5th Ave, Fairmont NE. Items discussed: 1) A semi-trailer is being used for use of storage of materials being removed from building- general consensus of the board was to allow the semi-trailer to remain parked on the street for the deconstruction; 2) Orange safety fence has been put up on the north side of the building; 3) Elizabeth feels that it will take 6 months for the deconstruction and the trailer will be used as during the process; 4) Various contractors are interested in the materials she has been removing from the buildings; 5) John Hughes, Fairmont's building inspector felt the street needed to remain closed until the second story of the building has been removed.

535 5th Ave, Fairmont NE

Elizabeth presented a letter to the board regarding a proposal for deconstruction of the adjoining building located at 535 5th Ave, Fairmont NE. The proposal requested the village remove the chemicals currently stored in the building, have the Village Attorney clear the property title and Village convey a clear title for the property. Unsafe Building Notice and Orders which were delivered for this property do not allow for the property to be sold or transferred to another owner until the building has been dismantled. Village Attorney Charles Campbell will be contacted on Elizabeth's proposal.

DONNA MAINWARING, FILLMORE COUNTY CIVIL DEFENSE DIRECTOR/ZONING ADMINISTRATOR.

All Hazards Mitigation Plan

Donna reviewed information regarding the All Hazards Mitigation Plan which has been reviewed by FEMA and presented the board with a Resolution authorizing the plan. By authorizing the plan it would allow for grant funds to be received for projects in the plan. Items discussed: 1) Fairmont's plan indicates back up power generators for Fairview Manor, fire barn and village hall-Fairmont was represented at meetings by Fairmont's Civil Defense Director Dave Seggerman, former Trustee Dennis Melby and Utility Superintendent Butch Long; 2) Plan is for five years and will be rewritten in 2015 and during this process communities are encouraged to identify new items which would qualify for hazard mitigation; 3) County board needs to adopt plan. 4) Fischer moved and Seggerman seconded to pass and adopt Resolution #2011-06 authorizing passage of the Little Blue/Lower Big Blue NRD Multi-Jurisdictional All-Hazards Mitigation Plan. Voting aye: Fischer, Seggerman, Slocum and Moses. Voting no: Pfenning. Motion carried. Resolution #2011-06 passed and adopted.

County Zoning

Donna informed the board of upcoming zoning items: 1) Comprehensive Plan and Zoning Regulations are being updated with the assistance of JEO Consulting Group, Inc. The county

board is requesting that the villages to be more involved in the revisions and if items in current zoning regulations have not worked in a community; then perhaps the zoning needs to be more specific for each community; 2) Explained duties of zoning administrator and planning commission; 3) A survey will be sent out for board members to address zoning issues that have not worked in the past; 4) Overall zoning regulations would have the same rules for all communities, however, each community could have something specific for just their community; 5) Each village will adopt their own zoning map.

CLAIMS

Slocum moved and Seggerman seconded to pay the following claims: AMERITAS-retir.\$1,395.06; CENTRAL COMMUNITY COLLEGE-ed. \$600; ALLED INS.-ins. \$391; BLACK HILLS ENERGY-ut. \$2,237.35; BLUE CROSS/BLUE SHIELD-ins. \$5,140.37; BURTON ENT.-refuse \$55; CASEY'S GENERAL STORE-fue.\$234.93; CASH-WA CANDY CO.-sup. \$81.46; CORNHUSKER MARRIOTT-lod. \$238; CUMMINS CENTRAL POWER LLC-rep. \$684.68; DELL MARKETING L.P.-equip. \$616.35; DELLA ROSE-reim. sup. \$228.23; DEPT. OF HEALTH HUMAN SER.-permit \$40; DUTTON-LAINSON-sup.\$435.25; EAKES OFFICE PROD.-sup.\$48.76; ERC COMM.-rep . \$93.44; FAIRMONT LIGHT & WATER-ut. \$3,480.26; FAMILY MARKET-sup. \$478.09; FARMERS COOP-fuel \$313.36; FIRST CONCORD GROUP-ins, pretax, admin. \$1,108.00; FIRST NATIONAL BANK OMAHA-sup.\$190; GAMBLES-sup.\$12.22; GREAT PLAINS ONE-CALL-locates \$6.24; HOMETOWN LEASING-lease\$94.94; IRS-payroll w.h. \$2,382.43; JEO-eng. \$132; KELCH PLUMBING & HEATING-rep.\$74.24; KING'S GLASS-rep.\$65; LEAGUE OF NEBR. MUN.-ed-\$335; MIDWEST STEEL-rep.\$180; NE SOCIETY OF FIRE SERVICE INST.-ed.\$1,322.55; NEBR. PUBLIC POWER DIST.-wholesale power chgs. \$24,084.44; NEBR. HEALTH LAB.-lab.\$23; PAPER TIGER SHREDDING-ser.\$402.60; PAYROLL-less ded \$10,441; PERENNIAL PUBLIC POWER-transmission chgs. \$1,683; R & D PARTS-sup.\$41.95; STATE OF NEBR. DEPT. OF REV.-payroll w.h. & sales tax \$2,836.16; THE ANDERSON CO.- TIF payment \$52,792.17; THE NEBR. SIGNAL-pub. \$352.72; U S CELL-ut. \$47.54; WAL-MART-sup.\$59.56; WEST BROTHERS-sup.\$19.16; WINDSTREAM-ut. \$567.23. Voting aye: Slocum, Seggerman, Fischer, Pfenning and Moses. Motion carried.

CORRESPONDENCE

Board reviewed the following correspondence: 1)Information from Mark Morgan, Fairmont's representative to the Fillmore County Planning Commission, on the February 2011 planning commission meeting; 2) Fairview Manor Financial statement January 2011.

OLD BUSINESS

Village board acted on Resolutions regarding sale of property which was tabled from the February 14, 2011 meeting.

Fischer moved and Pfenning seconded to pass and adopt Resolution #2011-03 authorizing the sale of 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 in the amount of \$2,300 to Bill Schropfer. Voting aye: Fischer, Pfenning, Slocum Seggerman and Moses. Motion carried. Resolution #2011-03 passed and adopted.

Slocum moved and Pfenning seconded to pass and adopt Resolution #2011-04 authorizing the sale of 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, NE Total square feet 17,424 in the amount of \$2,158 to Albert J. Radke. Voting aye: Slocum, Pfenning, Seggerman and Moses. Abstain: Fischer. Motion carried. Resolution #2011-04 passed and adopted. Albert J. Radke requested the property be transferred by a Warranty Deed –free and clean of any liens, encumbrances or assessments. (Note to minutes –all property sold is by Quitclaim Deed.

Fischer moved and Seggerman seconded to pass and adopt Resolution #2011-05 authorizing the sale of 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 in the amount of \$800 to Bill Schropfer. Voting aye: Fischer, Seggerman, Pfenning, Slocum and Moses. Resolution #2011-05 passed and adopted. Motion carried.

MARSHAL REPORT

Village Marshal Steve McLeish reviewed his monthly report. Items reviewed: 1) An individual had contacted his office to request a stop sign- Marshal McLeish explain the process of a traffic count and study as outlined in the National Manuel on Uniformed Traffic Control Devices; 2) Marshal McLeish will request the speed trailer from the Sheriff's office.

UTILITY WORK REPORT

Utility Superintendent Butch Long reviewed his monthly report. Items discussed: 1) Upgrade of existing automated meter reader system, as current system is not working and is no longer being supported- village will upgrade from a remote read system to a radio read system. Electric meters have been replaced with meters that are radio read; 2) Herbicide and Pesticide licensing for village maintenance personnel; 3) Cleaning up gravel in ditches.

CLERK REPORT

Clerk Linda Carroll reviewed his monthly report. Items discussed: 1) Upgrade of office computer; 2) Upper Big Blue NRD project committee meeting tentatively schedule for April 14th at 7:00 p.m.

POOL EMPLOYMENT

Fischer moved and Pfenning seconded to hire Wanda Moses as pool manager for the 2011 pool season and to authorize the pool manager to hire lifeguards for the 2011 pool season. Voting aye: Fischer, Pfenning, Slocum and Seggerman. Abstain: Moses. Motion carried. Fischer moved and Pfenning seconded to hire Dave Seggerman as assistant pool manager for the 2011 pool season. Voting aye: Fischer, Pfenning, Slocum and Moses. Abstain: Seggerman. Motion carried. Slocum moved and Fischer seconded to give a \$.25/hr raise for Pool Manager Wanda Moses; a \$.25/hr raise to the Assistant Pool Manager Dave Seggerman; Lifeguard w/ WSI an additional \$.25/hr, and individual other than pool manager serving in the capacity as the Certified Pool Operator \$8.00/hr. Voting aye: Slocum, Fischer and Pfenning. Abstain: Seggerman and Moses. Motion carried. 2011 wages for lifeguards will remain the same as 2010: Beginning \$7.25/hr.; Advanced \$7.50/hr.

PAYMENT ARRANGEMENT FORMS

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

ADJOURNMENT

Seggerman moved and Slocum seconded to adjourn the meeting at 10:15 p.m. Voting aye: Seggerman, Slocum, Fischer, Pfenning and Moses. Motion carried.

DONALD A MOSES
Chairperson

LINDA J. CARROLL, CMC
Clerk/Treasurer