

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

MONDAY, APRIL 13, 2009

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session on Monday, April 13, 2009 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 and publication. 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 David R. Seggerman and Chairperson Melby. Chairperson Melby noted 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: Butch Long, Steve McLeish, Norene Fitzgerald, Jeff Ahl, Jolene Santema, Tylor Bottorff, Patt Lentfer, Randy Hellbush, Jeff Neiman, Wanda Marget and Wanda Moses. Seggerman moved and Slocum seconded to approve the minutes from the March 9, 2009 and March 12, 2009 meeting. Voting aye: Seggerman, Slocum, Pfenning, Moses and Melby. Motion carried. February 28, 2009 Treasurer's Report was placed on file.

COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING

Chairperson Dennis Melby opened the public hearing for the Community Development Block Grant (CDBG) for the Public Works Grant Application in the amount of \$1,067,000 to conduct Phase I of the Fairmont Comprehensive Street Program Storm Sewer Improvements at 7:05 p.m. Norene Fitzgerald, Community Development Specialist from Southeast Nebraska Development Dist (SENDD) reviewed the costs associated with the project, low to moderate income assistance and that the village is requesting \$350,000 from CDBG funds and \$717,000 would come from other local funds to assist with the project. Steve Parr, JEO Consulting Group, Inc. reviewed the proposed information for the storm sewer improvements noted as Phase I of the Fairmont Comprehensive Street Program. He also suggested that the board address the Upper Big Blue NRD for assistance with the project. If design engineering cost would be removed from the project, then the amount would be decreased to approximately \$996,540. General consensus of the board was to keep the public hearing open until decision is made on the engineering portion of the storm sewer and paving improvements.

JEO SCOPE OF SERVICES STORM SEWER IMPROVEMENTS

Steve Parr, JEO Consulting Group, Inc. reviewed a as scope of services: 1) Will go with village to NRD meeting and writing letter; 2) Number of meetings for planning; 3) Topographical Survey; 4) Utility Locations; 5) Design phase - Steve stated the main reason for including future streets improvements with the drainage improvements is for efficiencies for the design phase and also that because the storm sewer piping is very shallow it is important the storm sewer improvements will tie together with future street improvements. The street improvement plans for the storm sewer area would be ready for use if the board considers moving ahead with future street improvements; 6) Submittal plans; 7) Permit Applications; 8) Final submittal of plans- approximate six month process. Melby moved Moses seconded to enter into an agreement with JEO

Consulting Group, Inc for only the design for the drainage and paving improvements in the amount of \$120,000. Voting aye: Melby, Moses, Pfenning, Slocum and Seggerman. Motion carried.

STREET IMPROVEMENT STUDY

Tylor Bottorff, JEO Consulting Group, Inc. reviewed the Street Improvement Study. Board will consider approval of the Street Improvement Study at the May meeting. Street Improvement Study will indicate that it will be a part of the village's future one and six year street plan.

Close public hearing at 7:38 p.m.

2009 CDBG PUBLIC WORKS GRANT APPLICATION & PRELIMINARY BUDGET

Seggerman moved and Moses seconded to approve the 2009 CDBG Public Works Grant Application and Preliminary Budget in the amount of \$996,540 in total project costs.

Voting aye: Seggerman, Moses, Pfenning, Slocum and Melby. Motion carried.

RESOLUTION 2009-03 AUTHORIZING CHAIRMAN TO SIGN APPLICATION FOR CDBG FUNDS

Slocum moved and Pfenning seconded to approve Resolution 2009-03 Authorizing Chairperson Melby to sign the application for CDBG funds and any other associated CDBG documents. Voting aye: Slocum, Pfenning, Moses, and Seggerman. Abstain: Melby. Motion carried.

ADOPTION OF CITIZEN PARTICIPATION PLAN FOR CDBG

Pfenning moved and Melby seconded to adopt a Citizen Participation Plan for Fairmont NE. Voting aye: Pfenning, Melby, Slocum, Moses and Seggerman. Motion carried.

FAIRVIEW MANOR

NURSING HOME ADDITION AND INDEPENDENT SENIOR LIVING DUPLEX

Tami Scheil, Fairview Manor Nursing Administration, Jeff Ahl and Jolene Santema, JEO Consulting Group, Inc., reviewed proposals from JEO Consulting Group for architectural services for proposed remodeling/addition (skilled nursing addition) to the nursing home and the proposed Independent Senior Living Duplex. Seggerman moved and Slocum seconded to enter into a proposal for architectural services with JEO Consulting Group, Inc. for Skilled Nursing Addition. Voting aye: Seggerman, Slocum, Pfenning, Moses, and Melby. Motion carried. Melby moved and Moses seconded to enter into a proposal for architectural services with JEO Consulting Group, Inc. for the Independent Senior Living Duplex. Voting aye: Melby, Moses, Pfenning, Slocum and Seggerman. Motion carried

RESOLUTION #2009-04 – CALL OF NURSING HOME REVENUE BOND, 2004 SERIES

Melby moved and Seggerman seconded to pass and approve RESOLUTION #2009-04 calling for payment on June 10, 2009 of the Nursing Home Revenue Bond, 2004 Series, dated June 10, 2004 in the remaining principal amount of \$40,000, maturing April 15,

2014. Voting aye: Melby, Seggerman, Pfenning, Moses and Slocum. Motion carried. Resolution #2009-04 passed and adopted.

OWNER OCCUPIED REHABILITATION APPLICATION

Norene Fitzgerald, Community Development Specialist, SENDD, stated she had received 14 pre applications from Fairmont residents for owner/occupied housing rehabilitation grant. The possible grant application would be for 10 units and the grant range would be \$250,000 - \$275,000, which includes CDBG administration, lead based paint testing and rehabilitation. Department of Economic Development (DED) would like grant applicants to partner with Blue Valley Community Action with any rehabilitation needing weatherization from the extra stimulus funding. Melby moved and Pfenning seconded to request SENDD submit to the DED a Village of Fairmont Owner Occupied Rehabilitation Application Housing Grant for a July 31, 2009 submittal. Voting aye: Melby, Pfenning, Moses, Slocum and Seggerman. Motion carried.

Norene updated the board with the Neighborhood Stabilization Program and stated that DED has removed some counties/communities from their initial application and Fairmont was one of the communities.

PUBLIC FORUM

Jeff Neiman updated the board on the fire truck search. The fire department is currently planning on keeping the existing units and looking to add an additional unit (new or used). Jeff will follow up with the rural board and volunteer fire department on the fire truck search.

RANDY HELLBUSH, NEBR. RURAL WATER ASSN.

Randy reviewed information on water income and expenditures for the Village. The board reviewed an ordinance outlining the new rates. Seggerman introduced Ordinance #09-466 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA, ESTABLISHING RATES TO BE CHARGED BY FAIRMONT LIGHT AND WATER FOR WATER SERVICES FOR THE PUBLIC, PROVIDING FOR AN EFFECTIVE DATE AND REPEALING ALL OTHER RATES OR ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE. Seggerman moved and Pfenning seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #09-466 might be introduced by title and then moved for final passage on the same day, without the same being read in full. Voting aye: Seggerman, Pfenning, Moses, Slocum and Melby. Motion carried. Melby moved and Slocum seconded to pass and adopt Ordinance #09-466. Voting aye: Melby, Slocum, Pfenning, Moses and Seggerman. Motion carried. Ordinance #09-466 passed and adopted. Water rates will go into effect with May 2009 billing

PATT LENTFER, EXECUTIVE DIRECTOR, FILLMORE COUNTY DEVELOPMENT CORPORATION

Patt Lentfer reviewed information from the recently completed housing study. A housing fair will be held in May for various individuals interested in housing within the state to tour towns in Fillmore County. Patt also informed the board that the County's

comprehensive plan is approximately 10 years old and should be updated (Fairmont is included in Fillmore County's comprehensive plan). Grant funding is being pursued to assist with the update.

CLAIMS

Seggerman moved and Slocum seconded to pay the following claims: Gen. AMERITAS-retirement \$1,048.72; ANGLE, MURPHY, VALENTINO & CAMPBELL-att. Fees \$1,229.48; BLACKHILLS ENERGY-ut. \$2,194.68; BLUE CROSS/BLUE SHIELD-ins. Prem. \$4,057.28; BURTON ENT.-refuse \$55; CENTURY LUMBER-sup. \$10.98; DELLA ROSE-reim. sup. \$526.61; DUTTON-LAINSON CO-sup. \$505.17; EAKES OFFICE PROD.-sup. \$110.97; FAIRMONT LIGHT & WATER-ut. \$2,548.40; FAMILY MARKET-sup. \$356.71; FARM PLAN-rep. \$210; FARMERS COOP-fuel \$317.40; FARMERS STATE BANK-payroll w.h. \$2,486.85 bond payment \$2,645; FIRST CONCORD GROUP INC.- admin, pretax, ins. \$796.71; FIRST NATIONAL BANK OMAMA-sup. \$205.75; GREAT PLAINS ONE-CALL SERVICE-locates \$2.02; JEO CONSULTING GROUP INC.-engin. \$9,945; KABREDLOS INC-fuel \$76.48; KRIZ-DAVIS CO.-sup. \$121.33; LAWSON PROD.-sup. \$123.34; MARC-sup. \$524.88; MUNICIPAL SUPPLY INC-sup. \$506.34; NEBR. PUBLIC POWER DIST.-wholesale sup. \$18,900.83; NEBR. PUBLIC HEALTH ENV. LAB.-analysis \$16; NMPP/MEAN-dues & sup. \$804.63; PAYROLL-less ded \$11,246.54 PITNEY BOWES-contact \$264; PERENNIAL-sub transmission chgs \$1,629.92; PLATTE VALLEY COM-rep. \$53.50; SERVICE MASTER-clean carpets \$244; THE NEBR. SIGNAL-pub. \$86.55; U. S. CELLULAR-ut. \$46.84; U S POST OFFICE- postage \$242; WAL-MART-sup. \$20.06; WEST BROTHERS, INC.-sup. \$6.65; WINDSTREAM-ut. \$540.70; YORK EQUIPMENT CO.-rep. \$407.88; YORK WHOLESALE & SUPPLY-sup. \$85.95. Voting aye: Seggerman, Slocum, Pfenning, Moses and Melby. Motion carried.

CORRESPONDENCE

1) Memo from Becky Haufle, INSPRO insurance regarding insurance for special events; 2) Update from Mark Morgan, Fairmont's representative for the Fillmore County Planning Commission for March; 3) Participation Dividend from EMC insurance in the amount of \$3,642.11- general consensus of the board was to use the funds for upgrading the surface area around the play ground equipment in the parks to current insurance recommendations; 4) League of Nebr. Mun. Legislative Bulletins #10, #11, #12, #13, and #14. 5) February 2009 financials for Fairview Manor.

MARSHAL REPORT

1) Updated 800 MHG radio; 2) Will get confirmation from building inspector and village attorney on proceeding with an abatement; 3) Received three complaints for a nuisance abatement of a garage for the next cycle of abatement properties; 4) Citation issued for violation of three dog limit.

UTILITY WORK REPORT

1) Clean sewer lines; 2) Proposal from Pieper's Inc. for installation of a new fire line from the water main into the street for the rescue unit building in the amount of \$8,956, general consensus of the board was to proceed; 3) Proposal from Cummins Central

Power, LLC for maintenance update on generator at lift station- general consensus was to contact local individuals to look at the unit; 4) Drain covers ordered so pool is compliant for new pool regulations; 5) EMC Insurance regarding a sewer back up claim; 6) Park equipment in swim pool park-metal horses have been removed, plastic horses might be able to be retrofitted for the structure-Butch will follow up on this; 7)Pool chlorinator – will keep current system, at this time computerized system will not be purchased; 8)Upcoming projects reviewed.

CLERK REPORT

Clerk Linda Carroll reviewed monthly report. Items discussed: 1) Luncheon with Congressman Adrian Smith; 2) Fire proof file cabinet delivered.

POOL WAGES & ADMISSIONS

Pool manager Wanda Moses reviewed wages for lifeguards. Melby moved and Pfenning seconded to set wages for the 2009 pool season as follows: Beginning lifeguards \$6.55/hr.; Intermediate Lifeguards \$6.95 hr; Advanced lifeguards \$7.25/ hr; Manager \$10.00/hour, Asst. Manager \$9.00/hr, Individual, other than the pool manager, serving in the capacity as the Certified Pool Operator \$7.50/hr. Voting aye: Melby, Pfenning and Slocum. Abstain: Moses and Seggerman. Motion carried. Manger Wanda Moses will check with other pools regarding admission charges.

LIBRARY REPORT

Library Director Wanda Marget reviewed the annual library report.

TRUSTEE SEGGERMAN

Trustee Seggerman reported the Nebr. Clean Indoor Air Act is effective on June 1, 2009 and the village should be in compliance with State Statues. Examples of policies from other municipalities will be reviewed at the May meeting.

PAYMENT ARRANGEMENT FORMS

There were no payment arrangement forms.

ADJOURNMENT

Slocum moved and Pfenning seconded to adjourn the meeting at 10:27 p.m. Voting aye: Slocum, Pfenning, Moses, Seggerman and Melby. Motion carried.

DENNIS R. MELBY, CHAIRPERSON

LINDA J. CARROLL, CMC
CLERK/TREAS.

Being no further business, the meeting was adjourned at 7:05 p.m.

DENNIS R. MELBY, CHAIRPERSON

LINDA J. CARROLL, CMC
Clerk/Treas.