

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

Monday, June 14, 2010

The Regular Meeting of the Chairperson and Board of Trustees for the Village of Fairmont was convened in open and public session on Monday, June 14, 2010 at 7:00 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. Acting Chairperson William W. Pfenning called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: Dennis R. Melby, Donald A. Moses, Jack D. Slocum. Absent: David R. Seggerman. Acting Chairperson Pfenning 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: Stan Nichols, Jeri Daniels, Larry Fleharty, Kevin Kruse, Butch Long, Bev Jacobsen, Jan Bright, Tracey Jacobsen, Linda Chambers, Wanda Marget and Steve McLeish. Slocum moved and Moses seconded to approve the minutes of the May 10,2010 board meeting . Voting aye: Slocum, Moses, Melby and Pfenning. Absent: Seggerman. Motion carried. April 30, 2010 Treasurer's Report was reviewed and placed on file.

**STORM SEWER IMPROVEMENTS**

*Update on Phase 1 Storm Sewer Improvements*

Kevin Kruse, Project Manager, JEO Consulting Group,Inc. updated the board on the storm sewer improvements. Items discussed:1) Concern expressed on open storm sewer pipes –grates for coverings not included in original plans to save costs and village currently has day light storm sewer pipes around town. Kevin will check on cost of cover for grates or temporary coverings on grates; 2) Work progressing on main storm sewer ditch; 3)Project work will begin on north side after tractor pull; 4)Tracey Jacobsen inquired about the drainage ditch located on the west side of her rental properties located on F Street; 5) Bev Jacobsen inquired about culvert in driveway – pipe will be placed in driveway to tie in; 6)Main purpose of Phase 1 & Phase 2 is to construct the main trunk line of the storm sewer-additional tie in areas could come in at later date.

*PAY APPLICATION #1*

Board reviewed Pay Application #1 - Melby moved and Moses seconded to approve Application for Payment #1 in the amount of \$99,342.06 to Van Kirk Bros. Contracting for Fairmont Storm Sewer Improvements – Phase 1. Voting aye: Melby, Moses, Slocum and Pfenning. Absent: Seggerman. Motion carried.

*CHANGE ORDER #1*

Change order will be presented at a later date for an additional tree removal, sidewalk, driveway and water line (replaced and/or not removed).

*PHASE II OF FAIRMONT STORM SEWER IMPROVEMENTS*

Discussion was held beginning of the second phase of storm sewer improvements, either going for bids or contacting Van Kirk for an addendum from Phase I. Kevin will contact Van Kirk Brothers on an addendum for Phase II.

**JERI DANIELS- FILLMORE COUNTY ZONING ADMINISRATOR**

Jeri Daniels, Fillmore County Zoning Administrator, informed the board that Bill Schropfer has made a zoning request change for relocation of his truck repair business which would change

zoning from Residential(R-1) to Commercial (C-1) for relocation of his truck repair business to West 84' of Lots 2 – 10; Block 1, Fairmont East Addition and W 84' Lots of 17 – 22 Block 3, East Addition Village of Fairmont. The county planning commission will take official action on the zoning request at their June meeting and the village board will take official action on the zoning request at the regular July meeting.

### **LARRY FLEHARTY – FAIRMONT CHAMBER OF COMMERCE**

Larry Fleharty spoke to the board on behalf of the chamber regarding the parade route and requesting closure of streets for the parade. Larry also requested the closure of 6<sup>th</sup> Ave between F and G St. General consensus of the board was to close the street. Old Settler's is schedule for Saturday July 31<sup>st</sup>.

### **AMERITAS INVESTMENT CORP**

John Trecek, bond counsel from Ameritas Investment Corp. was unable to attend the meeting due to a scheduling conflict, however, the board reviewed information for a \$165,000 bond to assist with construction costs for storm sewer improvements due to timing of income from tax receipts. The maturity is July 15, 2011 and has an option for prepayment on October 15, 2010 with an interest rate of ninety hundredths per centum (0.90%). Trustee Pfenning introduced **ORDINANCE #10-475 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF STORM WATER SEWER IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2010, IN THE AMOUNT OF ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$165,000) FOR THE PAYMENT OF COSTS IN CONNECTION WITH THE CONSTRUCTION OF STORM WATER SEWER IMPROVEMENTS IN STORM WATER SEWER DISTRICT NO. 2010-1 OF THE VILLAGE OF FAIRMONT, NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR OF THE NOTES; AGREEING TO ISSUE BONDS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.** Slocum moved and Pfenning seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #10-475 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, Melby and Moses. Absent: Seggerman. Motion carried. Moses moved and Melby seconded to pass and adopt Ordinance #10-475. Voting aye: Moses, Melby, Slocum and Pfenning. Absent: Seggerman. Motion carried.

### **CLAIMS**

Melby moved and Slocum seconded to pay the following claims: GENERAL FUND: ACCO-sup. \$1,645.35;AMERITAS-retirement & admin. \$1,451.55; BAMFORD-sup.\$150; BLACK HILLS ENERGY-ut.\$587.61; BLUE CROSS BLUE SHIELD-ins. \$4,759.59; BURTON ENTERPRISES-fees \$55; DAVE SEGGERMAN-reim. sup. \$28.07;DELLA ROSE-reim. sup. \$776.81; EAKES OFFICE-sup.\$55; EMC INSURANCE-ins. \$18,797.18; FAIRMONT LIGHT & WATER-ut. \$2,985.72; FARMERS COOP-fuel \$213.37; FARMERS STATE BANK-payroll w.h & ser.fees. \$2,926.44;FIRST CONCORD GROUP, INC.-ins. & pretax \$808.15; GENEVA CAR QUEST-sup. \$28.77 GENEVA WELDING-sup. \$1,005.73; GREAT PLAINS ONE-CALL-locates \$24.96; JEO-engineering \$3,703; KABREDLOS-fuel \$298.19; NORM BERGGREN-contract labor \$68; NEBR. PUBLIC POWER DIST.-wholesale \$18,053.66; NEBR. RURAL WATER ASSN.-dues & donation \$300; NEBR. DEPT. OF ENV. QUALITY-loan payment \$7,312.66; NEBR. PUBLIC HEALTH ENVIRONMENTAL LAB-lab \$32; NEED COALITION-dues \$71.86; NICK'S FARM STORE-rep. \$22.83; PAYROLL-less ded \$13,538.20; PERENNIAL-sub transmission chgs \$1,865.70; R & D PARTS LLC-rep. \$28.77;

REFUND UTILITY DEP.-\$133.60; SENDD-admin. \$644.41; SHANE BRISTOL-rep. \$355.95; STATE OF NEBR. DEPT. OF REV.-sales & payroll w.h. \$2,166.05; STOCK AUCTION CO.- purchase bucket truck \$8,025; SUPERIOR DESHLER-rep. \$66.82; THE NEBR. SIGNAL-pub. \$47.16; U S CELLULAR-ut. \$48.06; U S POST OFFICE-postage \$201; WEST BROTHERS, INC.-sup. \$240.96; WINDSTREAM-ut.\$542.57; YORK WHOLESALE & SUPPLY \$106.85; BOND FUND-Geneva State Bank – bond payment \$6,000. Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. Motion carried.

### **CORRESPONDENCE**

Information from Fillmore County Planning Commission's May meeting from Mark Morgan, Fairmont's representative on the planning commission.

### **OLD BUSINESS-**

#### *HOUSING ADVISORY COMMITTEE – CDBG #09-HO-6045*

Pfenning moved and Slocum seconded to appoint Merlin Ehmen as a Housing Advisory Committee member for Fairmont's CDBG Village-wide Housing Rehabilitation Program #09-HO-6045. Voting aye: Pfenning, Slocum, Melby and Moses. Absent: Seggerman. Members of the Housing Advisory Committee are: Mike Bruns, Ted Rabenberg and Merlin Ehmen.

### **MARSHAL REPORT**

Village Marshal Steve McLeish reviewed the following: 1)Update board on house to be burnt-property owner has consented to sign necessary papers for the fire department to conduct a control burn on the building; 2) Other nuisance abatement properties; 3)Truck parking in residential areas-current ordinance does not allow this.

### **UTILITY SUP. REPORT**

Utility Superintendent Butch Long reviewed the following: 1) Rescue Unit Building – plate over the gutter; 2) Pool filled and operational; 3) Begin electric meter change outs; 4) Lawn mower tractor pull requesting C Street be closed between 5<sup>th</sup> and 6<sup>th</sup> Street; 5) Purchased a 1999 International 4000 Series 4900 Diesel Bucket Truck from Stock Auction Co. at the NPPD auction for \$8,025; 6) Tree trimming-overhanging branches 8 feet above sidewalk and 14 feet above the street-letters will be sent to property owners;

#### *BUILDING LOCATED AT 505 E STREET*

Melby moved and Moses seconded to authorize the Chairperson to make an offer on 505 E Street in the amount of \$30,000, as is. Voting aye: Melby, Moses and Slocum. Voting no: Pfenning. Absent: Seggerman. Motion carried.

#### *SIX YEAR ELECTRIC DISTRIBUTION PLAN*

Six year electric distribution plan – 1<sup>st</sup> year is work to be completed on north side of track, pole testing, tree trimming- general consensus was to contact JEO to begin work.

#### *RESOLUTION 2010-03*

This resolution was to offer for sale the village's 1985 GMC Bucket truck. However after board discussion the general consensus was to sell the 1989 Ford ¾ ton flat bed and sell the bucket device from the 1985 GMC Bucket truck and keep the 1985 truck as a maintenance vehicle. Resolutions to authorize the sales will be drafted for the July meeting. Minimum bid will be

\$500 on each item.

### **LIBRARY BOARD**

Library Director Wanda Marget and Library board members Linda Chambers and Jan Bright reviewed 2010-2011 budget request for the library: 1) 3% increase in the annual budget allocation received from the village; 2) Reviewed survey results; 3) Requesting additional time for the Library aid from 12 hours per month to 24 hours per month to assist with library activities and allow for additional training; 4) Library board requested a \$1.00 wage increase for Library Director; 5) Open for suggestions of additional items needed for the village's web page. Village Board will take action on library board requests at the July and August meeting.

### **CLERK REPORT**

Clerk Linda Carroll reviewed her monthly report. Items discussed: 1) 8% increase in health insurance premiums; 2) Reviewed proposal from Paper Tiger Shredding-will budget \$400-\$500 for this service; 3) Attending Finance Conference.

### **ORDINANCE #10-476 WATER RATES**

Trustee Pfenning reviewed information from a water income and expense study that was compiled by Nebr. Rural Water Assn. Melby moved and Pfenning seconded to accept Proposal #2 from Nebr. Rural Water Rate Study dated 6-03-10. Voting aye: Melby, Pfenning, Slocum. Voting no: Moses. Absent: Seggerman. Motion carried. Year one rates will set the base rate at \$23.25 and usage at \$0.25/ 100 gallons and year two base rate at \$25 and usage at \$0.25/ 100 gallons. Residential base rate will include 1,000 gallons and Commercial base rate will include 100 gallons (same usage as current rates). Pfenning introduced Ordinance #10-476 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. Pfenning moved and Slocum seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #10-476 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: Pfenning, Slocum and Melby. Voting no: Moses. Absent: Seggerman. Motion carried. Slocum moved and Pfenning seconded to pass and adopt Ordinance #10-476. Voting aye: Slocum, Pfenning and Melby. Voting no: Moses. Absent: Seggerman. Motion carried. Ordinance #10-476 passed and adopted.

### **PAYMENT ARRANGEMENTS**

There were no payment arrangement forms

### **ADJOURNMENT**

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

Next Regular Meeting is scheduled for Monday, July 12, 2010 at 7:00 p.m.

WILLIAM W PFENNING , ACTING CHAIRPERSON      LINDA J. CARROLL,CMC  
CLERK/TREAS.

