

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

MONDAY, SEPTEMBER 13, 2010

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session at 7:00 p.m. on Monday, September 13, 2010 at the Fairmont Village Hall, 635 6th Ave, Fairmont NE. Notice was given in advance according to proper notification and publication. Chairperson David R. Seggerman called the meeting to order. Clerk Linda Carroll recorded the minutes. Board members present upon roll call were: Donald A. Moses, Jack R. Slocum, William W. Pfenning and Chairperson Seggerman. Absent: Dennis R. Melby. 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. Clerk Carroll recorded the minutes. Visitors to the meeting were: Steve McLeish, Butch Long, Skip Radke, Stan Nichols, Kevin Kruse, Dick Smith, Bill Timmermans, Dean Adamson, Ted Rabenberg, Jack Harris, Terry Ehrisman, Elizabeth Joyce, Bill Jacobsen and Wanda Marget. Moses moved and Pfenning seconded to approve the minutes from the August 10, 2010 regular board meeting and August 25, 2010 special board meeting. Voting aye: Moses, Pfenning, Slocum, Seggerman. Absent: Melby. Motion carried. July 31, 2010 Treasurer's report was placed on file.

PUBLIC FORUM

Elizabeth Joyce

Elizabeth request the village supply water service to the back of the Cubbison Building so repairs can be completed. Items discussed: 1) No curb stop outside building and unsure if shut off is under the driveway; 2) Main across street east side of brick street; 3) Village policy is from the main to the curb stop; 4) Water line may be ran to back side of building.

Ted Rabenberg

Ted visited with the board regarding: 1) Garage in disrepair and roll off container being left in a yard for a number of months with garbage and other items; 2) One & Six year street plan shows concrete curb and gutter and believes that asphalt would be better option for cost and traffic; 3) Inquired what other storm sewer improvements are being considered.

Jack Harris

Jack Visited with the board regarding: 1) Garbage and other debris in town; 2) Leash law be enforced; 3) Snow removal code needs to be enforced.; 4) Resident is putting food scraps outside and village code notes this as being garbage and is not permitted.

Skip Radke

Skip visited with the board regarding: 1) Storm sewer elevations being laid out according to old manhole covers- Kevin Kruse stated that any future hard surfacing would work with storm sewer improvements and hard surfacing would work with manholes; 2) Concerns with trees left in the right of way the roots would be growing into the sewer pipe; 3) Gravel next to open drainage structure.

AMERICAN LEGION

Dick Smith visited with the board regarding extending the open bar hours until 2:00 a.m. Dick stated he had visited with Doris Rogers and Amy Heath, owner of Legends Bar, and both the Legion and Legends intent is not serve drinks until 2:00 a.m., however it would

assist both establishments with having the drinks removed and patrons leaving from the establishments before legal closing time. Ordinance will be drafted to extend the hours until 2:00 a.m. for board consideration at the October meeting.

BUDGET

A public hearing was convened in open and public session at 7:43 p.m. The board reviewed the budget document, lid form and tax levy information. Public comments were received. Public hearing was closed at 8:05 p.m.

PUBLIC HEARING FOR SETTING TAX LEVY

Chairperson Seggerman opened a public hearing to receive comments on setting the tax levy for 2010-2011 fiscal year. Public comments were received. Hearing was closed.

Slocum moved and Moses seconded to approve an additional 1% increase in the total 2009-2010 Funds Subject to Limitation. Voting aye: Slocum, Moses, and Seggerman. Voting no: Pfenning. Absent: Melby. Motion carried. The additional 1% increase will not be allowed as state statute requires that 75% of the entire governing body must approve the passage. As one trustee was absent, the 3 to 1 vote results in only 60% of the entire governing body approving the additional 1% increase.

Seggerman introduced ORDINANCE #10-477 AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE. Seggerman moved and Moses seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #10-477 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: Seggerman, Moses, Slocum and Pfenning. Absent: Melby. Motion carried. Moses moved and Slocum seconded to pass and adopt Ordinance #10-477. Voting aye: Moses, Slocum, Pfenning, and Seggerman. Absent: Melby. Motion carried. Ordinance #10-477 passed and adopted.

Moses moved and Pfenning seconded to pass and adopt RESOLUTION #2010-05 to set the levy for the 2010-2011 fiscal year for General Fund Levy \$0.449576 and Bond Fund Levy \$0.300424. Voting aye: Moses, Pfenning, Slocum and Seggerman. Absent: Melby. Motion carried.

KEVIN KRUSE, JEO CONSULTING GROUP, INC.

Kevin Kruse, Project Manager, JEO Consulting Group, Inc. reviewed information on 6th & B Street intersection for total cost of \$25,217.10. The higher cost is due to a small concrete pour. General consensus of the board was to have a change order prepared for the October meeting. Work has begun on the south end of the storm sewer project.

BILL JACOBSEN

Bill expressed concern about Fairmont not having a grocery store and would like to see the board and community support for a store. Bill inquired if the village could purchase the building and then lease the building if there was an interested party. Village attorney will be contacted if state statutes allow this action.

CLAIMS

Moses moved and Slocum seconded to pay the following claims: Gen: AMERITAS-retirement \$1,416.35; BALL INS.-ins. \$39; BLACK HILLS ENERGY-ut. \$316.01;

BLUE CROSS/BLUE SHIELD-ins. \$5,140.36; BURTON ENT.-ut. \$55; CENTURY LUMBER-sup.\$1.49; COMMERCIAL MAINT. CHEM CORP.-sup.\$131.13; DELLA ROSE-reim. sup. \$884.40; DICK SCHOENHOLZ AUCTION SERVICE-ser. \$100; EAKES-sup.\$64.18; FAIRMONT LIGHT & WATER-ut. \$4,181.41; FARMERS COOP-fuel \$700.81; FARMERS STATE BANK-payroll w.h. \$3,459.06; FIRST CONCORD GROUP, INC-pretax, ins. & admin.\$847; GALL'S INC.-sup.\$173.90; GREAT PLAINS-locates \$11.23; HAWKINS WATER TREAT.-sup.\$1,504.74; JEO-eng. \$7,638.50; KABREDLOS-fuel\$374.23; MIDLAND TELECOM INC.-rep.\$269.05; MILLER SEED & SUPPLY-sup.\$14.95; MOGUL'S-rep. \$357.48; MOMAR-sup. 2,888.85; MUNICIPAL SUPPLY-rep.\$140.08; NPPD-wholesale power chgs \$34,370.43; NEBR. DEPT. OF REV.-refuse fee \$25; NEBR. POWER REVIEW BOARD-assessment \$78.25; NEBR. PUBLIC HEALTH LAB-lab \$414; NICK'S FARM STORE-rep.\$26.21;PAYROLL-Sa.\$16,912.90 PERENNIAL-subtransmission chgs \$1,681.68; PIEPERS INC-rep. \$851.05; R & D PARTS-rep.\$37.56; SCHMADER-rep.\$4,771; STATE OF NEBR. DEPT. OF REV.-sales tax & payroll w.h. \$2,927.15; SUPERIOR DESHLER-rep.\$371.72; THE NEBR. SIGNAL-pub.\$51.75; U S CELL-ut.\$47.32; WAL-MART-sup. \$48.88; WEST BROTHERS INC-sup.\$64.67; WINDSTREAM-ut. \$563.15; YORK WHOLESALE & SUPPLY-sup.\$121.15;ZIEMBA-rep.\$92; Bond: FARMERS STATE BANK- int. & prin. \$1,020; Voting aye: Moses, Slocum, Pfenning and Seggerman. Absent: Melby. Motion carried.

CORRESPONDENCE

Board reviewed the following correspondence: 1)Information on Fillmore County Planning Commission regarding August 2010 meeting from Mark Morgan, Fairmont's representative.

OLD BUSINESS

Board reviewed proposed Resolution for allowing sale of equipment. General consensus was to keep both pieces of equipment (1989 Ford ¾ ton flat bed and bucket lift attachment).

VILLAGE MARSHAL

Village Marshal Steve McLeish reviewed monthly report. Items discussed: 1)Repairs to police car; 2)Semi driving on street; 3)Building inspector will be contacted to continue with nuisance abatement of buildings.

WANDA MARGET

Reviewed bids received for repairs to the front library door from JLC Inc. in the amount of \$2,160; and Crete Glass in the amount of \$5,137 (Crete Glass bid includes removal of door way and windows). Wanda will get an additional bid from a local contractor. General consensus of the board was for Wanda to proceed with the lowest bid.

UTILITY SUP. REPORT

Utility Sup. Butch Long reviewed monthly report. Items discussed: 1)Water consumption; 2)Lab analysis; 3) Lagoon and wild life habitat shredded and trees removed from lagoons; 4)Trimmed out service lines; 5)Patching on 6th Ave; 6) Water leak at A St. & 5th Ave and water line sizing - Butch will get prices and report to board members; 7)Battery operated crimper - Moses moved and Seggerman seconded to purchase a battery operated crimper. Voting aye: Moses, Seggerman and Slocum. Voting no: Pfenning. Absent: Melby. Motion carried.

CLERKS REPORT

Clerk Linda Carroll reviewed monthly report. Items discussed: 1) Repair necessary to current copier – Eakes will be contacted for lease/purchase to upgrade copier; 2) Will be attending League of Nebr. Mun. Annual Conference.

PAYMENT ARRANGEMENT FORM

Seggerman moved and Slocum seconded to approve Payment Arrangement Form #179.
Voting aye: Seggerman, Slocum, Moses and Pfenning. Absent: Melby. Motion carried.

Moses moved and Pfenning seconded to approve Payment Arrangement Form #180.
Voting aye: Moses, Pfenning, Slocum and Seggerman. Absent: Melby. Motion carried.

Moses moved and Seggerman seconded to approve Payment Arrangement Form #181.
Voting aye: Moses, Seggerman, Slocum and Pfenning. Absent: Melby. Motion carried.

ADJOURNMENT

Slocum moved and Moses seconded to adjourn the meeting at 10:13 p.m. Voting aye: Slocum, Moses, Pfenning and Seggerman. Absent: Melby. Motion carried.

Next regular meeting will be TUESDAY, October 12, 2010 (Monday, October 11, 2010 is a legal holiday, so the board meeting is scheduled for the next business day) 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.