

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

MONDAY, SEPTEMBER 8, 2008

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session at 7:05 p.m. on Monday, September 8, 2008 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: Gene R. Fischer, Donald A. Moses, Jack R. Slocum, Dennis R. Melby and Chairperson Seggerman. 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, Larry Burton, Stan Nichols, Jennifer Perkins, Rose Melby, Roger Combs, Mark Morgan, Russ Pasco, Butch Long, Norene Fitzgerald, Joe and Nancy Galaway, Linda Chambers, Wanda Marget and Skip Radke. Melby moved and Slocum seconded to approve the minutes from the August 11, 2008 regular board meeting. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried. July 31, 2008 Treasurer's report was placed on file.

PUBLIC FORUM

Jennifer Perkins, President of Fairmont Chamber of Commerce invited to the board to the next community meeting on Tuesday, September 16, 2008 at 7:00 p.m. at the Fairmont Community Church Basement.

SOUTHEAST NEBR. DEVELOPMENT DIST. (SENDD)

Norene Fitzgerald, Community Development Specialist, with SENDD reviewed information regarding their contract for general administration assistance for the village with the Community Development Block Grant. Fischer moved and Melby seconded to enter into a contract for General Administration Assistance with Southeast Nebr. Development Dist. for Community Development Block Grant #08-PP-002. Voting aye: Fischer, Melby, Moses, Slocum and Seggerman. Motion carried.

GARBAGE HAULERS ORDINANCE

Larry Burton, Burton Enterprises, visited with the board regarding one of his garbage truck drivers which has been turning at the end of the alley at H Street between 8th Avenue and 9th Avenue which is not allowed by the ordinance. It was noted that the pole which was located at the end of the alley at I Street between 8th Avenue and 9th Avenue had been removed so the garbage truck would be able to proceed down to the end of that alley before turning.

CLAIMS

Seggerman moved and Melby seconded to pay the following claims:
AMERITAS-retirement \$1,121.50; AQUILA-ut. \$358.19; BARCO MUNICIPAL SUPPLY-sup. \$993.97; BLUE CROSS/BLUE SHIELD-ut. \$4,057.28; BURTON ENT.-refuse \$55; CAPTERILLAR FINANCIAL SERVICES-lease \$2,500; DELLA ROSE-reim. sup. \$515.76; DUTTON-LAINSON-sup. \$297.68; EAKES OFFICE PROD.-sup. \$198.24; FAIRMONT LIGHT & WATER-ut. \$3,439.44; FAMILY MARKET-sup. \$328.56; FARM PLAN-rep.\$1,448.81; FARMERS COOP-fuel \$855.80;FARMERS STATE BANK-payroll w.h. \$3,692.96; FIRST CONCORD GROUP, INC.-pretax, admin and café plan \$821.71; GAMBLES-postage \$9.81; GREAT PLAINS ONE-CALL-locates \$17.17; HARLAN CO. SHERIFF-service \$15.50; HAWKINS WATER

TREATMENT-chem. \$532.11; HEBRON SPORT SHACK-sup. \$170.65; JOHN HUGHES HOMES-Services \$948; UTILITIES SECTION LEAGUE OF NEBR. MUN.-dues \$369; STEVE MCLEISH-sup. \$32.99; MOSES MOTOR CO.-repairs \$875.18; MUNICIPAL SUPPLY INC-sup. \$1,385.55; NEBR. POWER POWER DIST.-wholesale power chgs \$29,113.96; NEBR. DEPT. OF REVENUE-refuse fee \$25.06; NEBRASKA HEALTH LAB-lab \$16; NICK'S FARM STORE-rep. \$275.64; PAYROLL-less ded \$15,719.77; PERENNIAL-transmission \$1,655.26; REFUND OF UTILITY DEP.-refund \$120.95; STATE OF NEBR. DEPT. OF REVENUE-sales tax & payroll tax \$2,805.55; THE NEBR. SIGNAL-pub. \$57.64; TRUE VALUE-sup. \$5.27; U S CELLULAR-ut. \$47.32; U S POST OFFICE-postage \$242.00; WAL-MART-sup. \$176.58; WEST BROTHERS INC.-sup. \$161.05; WINDSTREAM-ut. \$581.03; YORK WHOLESALE & SUPPLY-sup. \$48.40; ZIMBA ROOFING-rep. \$289; Voting aye: Seggerman, Melby, Fischer, Moses and Slocum. Motion carried.

CORRESPONDENCE

Reviewed correspondence: 1) Update from Mark Morgan, Fairmont's Representative to the Fillmore County Planning Commission on August 18, 2008; 2) Mark Morgan visited with the board regarding opening up E Street between 13th Ave. and 14th Ave. and closing the 13th Ave between F St & E St, because of the increased car and semi- truck traffic from the business located in the area which leave tracks in his yard and increased speed of vehicles. The board will review the area. 3) Information on PILOT payment from Fairmont Housing Authority –payment of \$1,493.14 placed in their escrow account.

SKIP RADKE

Skip Radke visited with the board regarding the sale of excess dirt from the lagoon construction. Skip felt that commercial users should be charged more than a residential user (Fairmont residents). Skip will obtain information regarding commercial pricing of dirt.

BUDGET

A public hearing was convened in open and public session at 8:00 p.m.

The board reviewed the budget document, lid form and tax levy information. No public comments were received. Public hearing was closed

A public hearing was convened in open and public session at 8:10 p.m to receive public comment on the proposed levy to be set for the 2008-2009 budget year. No public comments were received. Public hearing was closed.

Melby moved and Moses seconded to approve an additional 1% increase in the total 2007-2008 Funds Subject to Limitation. Voting aye: Melby, Moses, Fischer, Slocum and Seggerman. Motion carried.

Moses introduced ORDINANCE #08-462 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. Melby moved and Seggerman seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #08-462 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: Melby, Seggerman, Fischer, Moses and Slocum. Motion carried. Slocum moved and Moses seconded to pass

and adopt Ordinance #08-462. Voting aye: Slocum, Moses, Fischer, Melby and Seggerman. Ordinance #08-462 passed and adopted.

Melby moved and Slocum seconded to pass and adopt RESOLUTION #2008-09 to set the Tax Levy for property tax request for Fiscal Year Beginning October 1, 2008– General Fund \$0.107666 per one hundred dollars actual valuation and Bond Fund \$0.096838 per one hundred dollars actual valuation. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried. Resolution #2008-09 passed and adopted.

LIBRARY WAGES

The board reviewed a wage survey from other libraries, along with current, proposed and requested wage information. Seggerman moved and Melby seconded to convene into executive session at 8:36 p.m. pursuant to Section 84-1410 of Nebr. State Statue for the prevention of needless injury to the reputation of an individual. Voting aye: Seggerman, Melby, Fischer, Moses and Slocum. Motion carried. Chairperson Seggerman restated the motion for the executive session. Moses moved and Seggerman seconded to reconvene into open session at 8:45 p.m. Voting aye: Moses, Seggerman, Fischer, Slocum and Melby. Motion carried. Melby moved and Fischer seconded to increase Library Director's wage to \$11.00/hr as proposed by the library board and keep the library hours the same. Voting aye: Melby, Fischer, Moses, Slocum and Seggerman. Motion carried.

STREET CLOSURE

Joe and Nancy Galaway spoke in favor opening up E Street between 13th Ave. and 14th Ave. and closing 13th Ave between F St & E St and expressed the same concerns with truck and car traffic as previously state by Mark Morgan earlier in the meeting.

RUSS PASCO

Russ Pasco from NMC reviewed information on the skid loader lease. Melby moved and Slocum seconded to pass and adopt RESOLUTION #2008-10 Authorizing lease/purchase from Caterpillar Financial and authorize the Chairperson and Clerk to sign the necessary documents for the lease. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried. Resolution #2008-10 passed and adopted.

DOG LIMITATION ORDINANCE

Seggerman introduced ORDINANCE #08-463 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA AT AMEND ORDINANCE NO. 04-435 TO PROVIDE FOR AN EXCEPTION FOR DOG KENNELS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE. Melby moved and Moses seconded to pass Ordinance #08-463 on the first reading. Voting aye: Melby, Moses, Slocum and Seggerman. Voting no: Fischer. Motion carried. Ordinance #08-463 passed on first reading. Second reading will be on the agenda for the October 14, 2008 regular meeting.

VILLAGE MARSHAL:

Marshal McLeish reviewed his monthly report. Items discussed: 1)Maintenance on car; 2) Nuisance abatement letters – individuals requesting a hearing were property owners of 455 G Street regarding the double car garage; and 715 5th Ave. stating house is a storage structure; 3)Property owner who may be in noncompliance with dog limitation ordinance.

UTILITY SUP.

Utility Sup. Butch Long reviewed his monthly report. Items discussed: 1) Water broken service lines at 505 F St which is just inside village shut off valves; 2) Need a 4" water line into rescue unit building for sprinkler system which is required by State Fire Marshal; 3) Contact Nebr. Rural Water Assn for assistance with valves on main street; 4) Proposal from Stan Tatro for removal of old north well building of \$2,500 – general consensus was to accept the proposal.

CLERKS REPORT

Clerk/Treas. Linda Carroll reviewed her monthly report. Items discussed: 1) Submitted SAFEROUTES Intent to Apply Form; 2) Submitted NCIP award form for the planning grant for the street project; 3) NPPD wholesale electric rate cost increase of 6.68%; 4) Board gave clerk permission to gather information for document management and search and retrieval systems.

FAIRVIEW MANOR ADVISORY BOARD

Reviewed a letter from Kathy Burbach, Fairview Manor Advisory Board member, requesting Rose Melby be placed on the pre approved board member list. Seggerman moved and Fischer seconded to approve Rose Melby to serve on the Fairview Manor Advisory Board when an opening on the board occurs. Voting aye: Seggerman, Fischer, Moses and Slocum. Abstain: Melby. Motion carried.

PAYMENT ARRANGEMENT FORM

Melby moved and Moses seconded to approve Payment Arrangement Form #166. Voting aye: Melby, Moses, Fischer, Slocum and Seggerman. Motion carried.

ADJOURNMENT

Melby moved and Slocum seconded to adjourn the meeting at 9:45 p.m. Voting aye: Seggerman, Melby, Fischer, Moses and Slocum. Motion carried.

Next regular meeting will be TUESDAY, October 14, 2008 (Monday, October 13, 2008 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.