

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

Tuesday October 11, 2011

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session at 7:00 p.m. on Tuesday, October 11, 2011 at the Fairmont Village Hall, 635 6th Ave, Fairmont NE. Notice was given in advance according to proper notification. Chairperson Donald A. Moses called the meeting to order. Clerk Linda Carroll recorded the minutes. Board members present upon roll call were: William W. Pfenning, Jack R. Slocum, David R. Seggerman and Chairperson Moses. Trustee Jack Slocum excused himself from the meeting at 7:45 p.m. and Trustee Gene R. Fischer arrived at 9:05 a.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 the meeting were: Bob Fifield, Dan Olson, Patt Lentfer, Mike Bacon, Donna Mainwaring, Jeff Ray, Ted Rabenberg, Brian Bashore, Butch Long and Steve McLeish. Seggerman moved and Slocum seconded to approve the minutes of the September 12, 2011 regular board meeting and September 19, 2011 special board meeting. Voting aye: Seggerman, Slocum, Pfenning and Moses. Absent: Fischer. Motion carried. August 31, 2011 Treasurer's report was placed on file.

PUBLIC FORUM

Ted Rabenberg visited with the board regarding dragging the streets and felt that it was not needed and wasteful activity.

RED CLOUD GRAIN LLC

Bob Fifield, CEO of Cooperative Producers, Inc. (CPI) visited with the board regarding the facility they are proposing to build west of Fairmont. It would be a receiving elevator with a railcar loading site. The facility will be handling corn and beans to be loaded for transport to the west coast. They anticipate employing eight full time employees. Mike Bacon, Tax Increment Financing (TIF) attorney visited with the board regarding a Memorandum of Understanding for a Redevelopment Contract and TIF financing at the proposed site. This property would be annexed into the village and state statues allow for skip annexation for ag processing facilities. Slocum moved and Pfenning seconded to approve Resolution #2011-12 Authorizing the execution of a Memorandum of Understanding (MOU) between the Village of Fairmont and Red Cloud Grain, LLC. for the purpose of TIF on real estate located at 26-8-3 NE N of RR Row 102.80 acres and 26-8-3 NW Less RR Row & Hwy ROW, 141.2 acres, Fillmore County, Nebraska. Voting aye: Slocum, Pfenning, Seggerman and Moses. Absent: Fischer. Motion carried. Resolution #2011-12 passed and adopted.

BRIAN BASHORE, SOUTHEAST NEBR. DEVELOPMENT DIST. (SENDD)

Brian visited with the board regarding awarding of contracts for housing rehabilitation projects and a request from the Village to the Nebraska Department of Economic Development (NDED) for a six month extension on the housing rehabilitation program. Seggerman moved and Slocum seconded to award Contract Project # -5-in the amount of \$14,300 to Beach Construction, award Contract Project #8 in the amount of \$15,500 to Beach Construction, and award Contract Project #13 in the amount of \$23,804 to Beach Construction. Voting aye: Seggerman, Slocum, Pfenning and Moses. Absent: Fischer. Motion carried. Project #14 bids were high and that project will go back out for additional bids. Pfenning moved and Seggerman seconded to authorize Chairperson Moses to request a six month extension from the NDED for the village's housing

rehabilitation program. Voting aye: Pfenning, Seggerman, Slocum and Moses. Absent: Fischer. Motion carried.

JEFF RAY, JEO CONSULTANT GROUP, INC.

Jeff Ray reviewed a proposal for a blight and substandard study for Scope of Services in the amount of \$5,500 for completion of a Blight and Substandard Study and General Redevelopment Plan of a study area identified as the southern half of Section 24, Section 25 and the northern half of Section 26, Fillmore County, NE excluding the portion in the existing Corporate Limits of the Village (approximately two square miles). This study is being proposed for the TIF project of Red Cloud Grain, LLC and the village will be reimbursed from Red Cloud Grain, LLC for the study. Seggerman moved and Moses seconded to approve a Scope of Services in the amount of \$5,500 for a Blight Substandard Study and General Redevelopment Plan of a study area identified as the southern half of Section 24, Section 25 and the northern half of Section 26, Fillmore County, NE excluding the portion in the existing Corporate Limits of the Village (approximately two square miles). Voting aye: Seggerman, Moses and Pfenning. Absent: Slocum and Fischer. Motion carried.

DONNA MAINWARING, FILLMORE COUNTY ZONING ADMIN.

Donna visited with the board regarding extra jurisdictional boundary – general consensus of the board was to go with a squared one mile radius rather than a circular. The process of updating zoning regulations was discussed it was also suggested the village consider a maximum square footage for accessory buildings in the updated zoning regulations.

CLAIMS

Seggerman moved and Pfenning seconded to pay the following claims with the exception of Van Kirk Brothers, Inc. in the amount of \$14,248: Gen Fund – ADVANCED BIO ENERGY-TIF payment \$469,731.79; ADAMSON IND-Equip. \$214.80; ANGLE, MURPHY, VALENTINO & CAMPBELL-att. \$510.88; AMERITAS-retirement \$1,537.33; BLACK HILLS ENERGY-ft. \$318.37; BLUE CROSS/BLUE SHIELD-ins. \$5,440.52; BURTON ENT-refuse \$55; CASEY’S –fuel \$419.25; CASH-WA CANDY-sup.\$58.15; CENTURY LUMBER-sup.\$26.97; CHEMSEARCH-sup.\$143.43; CROWL TREE SERVICE-ser. \$5,575.00; DELLA ROSE-sup. \$104.35; EAKES OFFICE PROD.-sup. \$76.98; FAIRMONT LIGHT & WATER-ft. \$3,049.66; FAIRMONT PUBLIC LIBRARY-budget allocation \$12,881; FAMILY MARKET-sup. \$461.30; FARMERS COOP-fuel \$527.20; FIRST CONCORD GROUP INC.-ins & pretax \$1,226; GAMBLES-sup. \$13.48; GENEVA WELDING & SUP.-sup. \$76.87; GREAT PLAINS ONE-CALL-locates \$24.96; HAWKINS WATER TREATMENT-chem. \$456.20; HOMETOWN LEASING-lease \$94.94; IRS-payroll wh. \$3,218.90; JEO CONSULTING GROUP, INC.-Eng. \$2,499; LEAGUE OF NEBR. MUN.-educ. \$102.76; MIDLAND TELECOM-sup. \$572.10; MIERAU & CO.-budget \$200; MILLER SEED & SUPPY-sup. \$59.50; MOGULS-rep. \$3,833.71; MURPHY TRACTOR & EQUIPMENT-rep. \$1,040.41; NEBR. PUBLIC POWER DIST.-wholesale charges \$31,507.15; NEBR. PUBLIC HEALTH LAB.-analysis \$32; OVERLAND READY MIX-gravel \$1,573.18; PAYROLL –less wh. \$14,880.69; PERENNIAL-sub transmission charges \$1,859.88; PITNEY BOWES-rental\$264; POLICE OFFICER’S ASSN.-educ. \$35; R & D PARTS LLC-sup. \$104.73; RALPH’S GENEVA TIRE-rep. \$18.50; SENDD-dues \$632; STATE OF NEBR. DEPT. OF REV. –sales & payroll why. \$3,384.60; THE NEBR. SIGNAL-pub. \$70; U S CELLULAR-ut. \$51.07; U S POST OFFICE-postage \$201; VINYL GRAPHICS – ser. \$101.41; WAL-MART-sup. \$129.11; WEST BROTHERS INC.-sup. \$122.87; WINDSTREAM-566.30; Voting aye: Seggerman, Pfenning and Moses. Absent: Slocum and Fischer. Motion carried.

Seggerman moved and Pfenning seconded to pay VanKirk Brothers Inc. \$8,348 for additional storm sewer improvements pending approval from JEO. Voting aye: Seggerman, Pfenning and Moses. Absent: Fischer and Slocum. Motion carried.

CORRESPONDENCE

Board reviewed the following correspondence: 1)Fairview Manor August 2011 financials.

OLD BUSINESS

Chairperson Moses and Fillmore County Zoning Administrator, Donna Mainwaring, discussed the issuance of the amended permit for building from the September meeting. Donna stated that state statues do not require the zoning administrator send a written approval. Donna stated she does not send approval letters, but she does mail the permits back to the individuals with an approval or denial.

VILLAGE MARSHAL

Village Marshal Steve McLeish reviewed monthly police report. Items discussed: 1)Bachman Inc has been contacted regarding removal of asbestos tile at nuisance abatement property located at 715 5th Ave for approximately \$800 ; 2) Inventory of product that is remaining at the nuisance abatement property located at 535 5th Ave should be removed in the next two weeks; 3) Fence has been removed from nuisance abatement property located at 545 5th Ave; 4) Wy-Ad Construction is prepared for the demolition of nuisance abatement properties located at 535 5th Ave and 545 5th Ave.

UTILITY SUP. REPORT

Utility Sup. Butch Long reviewed monthly report. Items discussed:1) Verizon representation came out and took paint sample from water tower; 2)Filling of ditch north of lagoon site- Wy-Ad would use beneficial fill from the removal of the buildings at 5th & F; 3)Install 80' culvert for parking area south of Fairview Manor for employee parking; 4)Reviewed information from Perennial regarding preliminary design of proposed distribution circuits from new substation location into Fairmont; 5) Lagoon inspection conducted by Nebr. Dept. of Environmental Quality; 6) CDL and Pesticide permit; 7)Continue to fog for mosquito until frost.

CLERKS REPORT

Clerk Linda Carroll reviewed monthly report. Items discussed: 1)Information for community informational meeting on streets improvements; 2)Refund of taxes for 2010 to Black Hills Nebraska. Moses moved and Seggerman seconded to refund \$1,421.74 to Black Hills Nebraska Gas for 2010 tax value and instruct the Fillmore County Treasurer to deduct the refund from monthly village tax receipts. Voting aye: Moses, Seggerman, Fischer and Pfenning. Absent: Slocum. Motion carried.

PAYMENT ARRANGEMENT FORM

Seggerman moved and Fischer seconded to approve Payment Arrangement Form #208. Voting aye: Seggerman, Fischer, Pfenning and Moses. Absent: Slocum. Motion carried.

ADJOURNMENT

Moses moved and Pfenning seconded to adjourn the meeting at 9:55 p.m. Voting aye: Moses, Pfenning, Fischer and Seggerman. Absent: Slocum. Motion carried.

Next regular meeting will be Monday, November 14, 2011 at 7:00 p.m. at the Fairmont Village Hall, 635 6th Ave, Fairmont NE.

DONALD A MOSES, CHAIRPERSON

LINDA J. CARROLL, CMC
CLERK/TREAS.