

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

TUESDAY, OCTOBER 12, 2010

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 12, 2010 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 Carroll recorded the minutes. Board members present upon roll call were: Dennis R. Melby, Donald A. Moses and Jack R. 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 were: Steve McLeish, Butch Long, Terry Ehrisman, Larry Fleharty and Brian Claycomb. Melby moved and Moses seconded to approve the minutes from the September 13, 2010 board meetings. Voting aye: Melby, Moses, Slocum and Pfenning. Absent: Seggerman. Motion carried. The August 31, 2010 Treasurer's Report was placed on file.

**BRIAN CLAYCOMB- JEO CONSULTING GROUP, INC**

Brian reviewed the following with the board: 1) Board members expressed concern that the storm sewer pipes are above the grade of the road-Brian explained that the storm sewer was designed to work with any hard surfacing with curbs if that might occur in the future. If hard surfacing would materialize the grade of the road would be built up to work with the storm sewers. Until any hard surface and curbing improvements occur, drop boxes are being placed along the edge of the road to handle the water coming off the road and lawns. The drop boxes will be utilized if hard surfacing and curbing occurs; 2) Intersection 7<sup>th</sup> & H – Removed inlet tube which was installed and put a tube across the road north to the north side of street and have filled in the ditch all the way to the alley on the north side of the street. Will be pouring a raised inlet box with a flat top which will open only on the south side; 3) Inlet tube which comes to daylight to drain the yard at 665 F St. may have a grate put over the inlet tube; 4) Once the board has signed the acceptance of the project, there is a one year warranty on the project which seeding, settling or other items would be covered; 5) Intersection of 8<sup>th</sup> & F – Existing culvert is to low to allow completion of junction box with pipe that runs across the street to the west. This will work if storm sewer improvements continue on to the north; 6) Village responsible for cleaning out culvert located on the west side of 8<sup>th</sup> & F intersection; 7) Water way through field south of town is silted in and is higher than culvert. Property owners will be contacted to remove silt and crop residue from the water way.

*Application for Payment #4*

Moses moved and Melby seconded to approve Application for Payment #4 from Van Kirk Brothers, Inc in the amount of \$143,068.52 for 2009 Phase 1 Storm Sewer Improvements. Voting: Moses, Melby, Slocum and Pfenning. Absent: Seggerman. Motion carried.

*Change Order #3*

Board reviewed Change Order #3 in the amount of \$26,308.10 for 2009 Phase 1 Storm Sewer Improvements. This change order is for an add on and deduct for \$515, 12" ductile and changes at the Intersection of 6<sup>th</sup> Ave. & B St. Melby moved and Slocum seconded to approve Change Order #3 in the amount of \$26,308.10 for 2009 Phase 1 Storm Sewer

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

## **CLAIMS**

Melby moved and Slocum seconded to pay the following claims: Gen. Fund: ACTION AUTO SUPP.-sup. \$386.80; ADAMS BANK & TRUST-TIF payment \$525,902.15; AMERTIAS –ret. \$1,485.37; ANGLE, MURPHY, VALENTINO & CAMPBELL-att. \$107.50; BLACK HILLS ENERGY-ut. \$300.20; BLUE CROSS/BLUE SHIELD-ins. \$5,140.36; BURTON ENT.-refuse \$55; CENTRAL STATES LAB-sup. \$725.73; CENTURY LUMBER-sup. \$7.20; DELLA ROSE-reim.sup. \$818.04; DOBSON BROTHERS-sup. \$1,200.55; DUTTON LAINSON-sup. \$282.04; ERDKAMP-EKLER-rep. \$9,280.88; EXPERIENCE WORKS-don. \$250; FAIRMONT LIGHT & WATER-ut. \$3,234.73; FARMERS COOP-fuel \$340.49; FARMERS STATE BANK-payroll w.h. \$2,838.76; FIRST CONCORD GROUP-pretax, ins. & admin. \$1,134.50; GAMBLES-sup. \$73.95; GENEVA WELDING-sup. \$37.54; GREAT PLAINS ONE-CALL-locates \$50.54; HOLIDAY INN-lodging \$216; HYDRAULIC EQUIP. SERV.-sup. \$530.23; JEO-eng. \$12,141.50; LEAGUE OF NEBR. MUN.-conf. \$408; MIDWEST LAB.-lab. \$20.93; MIERAU & CO.-act. \$200; MOSES MOTOR CO.-rep. \$380.14; MUNICIPAL SUPPLY-sup. \$551.26; NEBR. MUN. CLERKS ASSN.-dues \$15; NPPD-wholesale power chg. \$28,446.44; NEBR. HEALTH LAB.-lab. \$522; NEBRASKALAND GLASS-rep. \$230.95; NEED COALITION-dues \$71.86; OVERLAND READY MIXED CONCRETE-sup. \$1,043.64; PAYROLL-less ded \$12,948.98; PERENNIAL-sub transmission chgs. \$1,683; PITNEY BOWES-rental \$264; R & D PARTS LLC-rep. \$28.80; RAMADA INN-lodging \$70; SENDD-dues \$632; STATE OF NEBR. DEPT. OF REV.-sales & payroll w.h. \$3,575.87; THE NEBR. SIGNAL-publication \$121.40; U S CELLULAR-ut. \$47.32; U S POST OFFICE-postage \$201; WAL-MART-sup. \$18.77; WEST BROTHERS INC-sup. \$117.85; WINDSTREAM-ut. \$536.95; YORK WHOLESALE-sup. \$12; Bond Fund: USDA – annual sewer bond payment \$73,498; Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. Motion carried.

## **CORRESPONDENCE**

Board reviewed correspondence: 1) Information on Fillmore County Planning Commission regarding September 2010 meeting from Mark Morgan, Fairmont's representative; 2) Article entitled "60 Tips for New City Officials"; 3) Fairview Manor June 2010 and July 2010 financial information.

## **JEFF NEIMAN, FIRE DEPARTMENT**

Jeff Neiman, Acting Fire Chief, updated the board on fire department protocol and informed the board the fire department has purchased new helmets. The fire department attempts to keep 30 members on the fire department roster. Fairmont Fire Department is working with the Geneva Fire Department attempting to get a Firefighter 1 training session. Board reviewed annual Fire Department/Rescue Unit rosters dated October 1, 2010. Melby moved and Slocum seconded to approve the Fire Department and Rescue Unit rosters dated October 1, 2010. Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. Motion carried.

## **OLD BUSINESS**

None

## **VILLAGE MARSHAL REPORT**

Village Marshal Steve McLeish reviewed his monthly report. Items discussed: 1) Follow up on items from September meeting; 2) Building Inspector John Hughes has been contacted and was out on September 22, 2010 to begin conducting inspections for nuisance abatements.

#### **UTILITY SUPERINTENDENT REPORT**

Utility Sup. Butch Long reviewed his monthly report. Items discussed: 1) A Street water line update; 2) Changing out of electric meters; 3) Testable backflow devices; 4) Railroad has begun cleaning out ditch north of depot; 5) Start cleaning out culverts.

#### **CLERKS REPORT**

Clerk Linda Carroll reviewed her monthly report. Items discussed: 1) Reviewed land use map for comprehensive plan.

#### **ORDINANCE #10-478**

Board reviewed Ordinance #10-478 for extending bar closure from 1:00 a.m. – 2:00 a.m. Moses Introduced ORDINANCE #10-478 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA TO AMEND SECTION 10-117 OF THE FAIRMONT VILLAGE CODE; TO EXTEND THE HOURS OF SALE FOR CONSUMPTION ON THE PREMISES OF THE ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH. Moses moved and Melby seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #10-478 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: Moses, Melby, Slocum and Pfenning. Absent: Seggerman. Motion carried. Moses moved and Melby seconded to pass and adopt Ordinance #10-478. Voting aye: Moses, Melby, Slocum and Pfenning. Absent: Seggerman. Motion carried. Ordinance #10-478 passed and adopted.

#### **PAYMENT ARRANGEMENT FORMS**

Moses moved and Melby seconded to approve Payment Arrangement Form #182. Voting aye: Moses, Melby, Slocum and Pfenning. Absent: Seggerman. Motion carried. Slocum moved and Melby seconded to approve Payment Arrangement Form #183. Voting aye: Slocum and Melby. Voting no: Moses and Pfenning. Absent: Seggerman. Motion failed for lack of majority vote. Melby moved and Slocum seconded to approve Payment Arrangement Form #183. Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. Motion carried. Melby moved and Slocum seconded to approve Payment Arrangement Form #184. Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. Motion carried.

#### **ADJOURNMENT**

Melby moved and Slocum seconded to adjourn the meeting at 9:36p.m. Voting aye: Melby, Slocum, Moses and Pfenning. Absent: Seggerman. . Motion carried.

Next regular meeting will be Monday, November 8, 2010 at 7:00 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE

WILLIAM W. PFENNING, ACT CHAIRPERSON

LINDA J. CARROLL, CMC  
CLERK/TREAS.