

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

November 14, 2011

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session at 7:00 p.m. on Monday, November 14, 2011 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. Chairperson Donald A. Moses called the meeting to order. Clerk Linda Carroll recorded the minutes. Board members present upon roll call were: Gene R Fischer, William W. Pfenning, and Jack R. Slocum, Absent: David R. Seggerman. 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: Dennis Melby, Jack Harris, Jerry Johnson, Bill Schropfer, Steve and Marcia Cantrell, Barney Whatley, Scott Sprague, Butch Long and Steve McLeish. Slocum moved and Moses seconded to approve the minutes from the October 10, 2011 and October 26, 2011 board meeting. Voting aye: Slocum, Moses, Pfenning. Abstain: Fischer. Absent: Seggerman. Motion carried.

**PUBLIC FORUM**

Dennis Melby visited with the board regarding the condition of the building located at 405 6<sup>th</sup> Ave . It is currently vacant and deteriorating. Requested the board take action on the building.

**JACK HARRIS AND JERRY JOHNSON**

Jack Harris and Jerry Johnson reviewed current and state statues for disturbing the peace and requested the individuals residing at 855 F Street be cited for noise at the residence. Marshal McLeish informed the board on information from Village Attorney Campbell. Village code stipulates time restraints for noise and state statues reference disturbing the peace. Marshal McLeish was instructed by the board to issue a citation for disturbing the peace. This would be prosecuted by the county attorney, as the citation is being written under state statues, not local village code.

**WATER SYSTEM ASSESSMENT**

Barney Whatley, Capacity Development Specialist, Nebr. Rural Water Assn. and Scott Sprague, Capacity Development Coordinator, Nebr. Dept. of Health & Human Services, reviewed the water system assessment conducted for the State Revolving Loan Fund (SRS). The village received funding from the SRS for a well and the report is a requirement of the loan. The report reviews management, water emergency response, long term planning, rates and financing.

**PUBLIC HEARING BILL SCHROPFER**

Chairperson Moses opened a public hearing at 7:43 p.m. to receive public comments on Bill Schropfer's Redevelopment Contract for Tax Increment Financing on the East 66 feet of the West 150 feet of Lots, 2,3,4,5,6,7,8,9 and 10, Block 1, East Addition to the Village of Fairmont, Fillmore County. No public comments were received. Public hearing closed at 7:45 p.m.

*RESOLUTION #2011-13*

Fischer moved and Pfenning seconded to pass and adopt RESOLUTION #2011-13 to approve a Redevelopment Contract for Tax Increment Financing on the East 66 feet of the West 150 feet of Lots, 2,3,4,5,6,7,8,9 and 10, Block 1, East Addition to the Village of

Fairmont, Fillmore County. Voting aye: Fischer, Pfenning, Slocum and Moses. Absent: Seggerman. Motion carried. Resolution #2011-13 passed and adopted.

### **WARRANTY DEED FOR PERENNIAL PUBLIC POWER DIST.**

Board reviewed a warranty deed for sale of ground for a substation to Perennial Public Power District located at a tract of land in the NW1/4 of the NE1/4 of section 31, Township 8 north, Range 2 West of the 6th p.m., Fillmore county, Nebraska, being more particularly described as follows: referring at the NW corner of said NE1/4; thence N 89°47'16" E, 461.00 ft. on the north line of said NE1/4 to the point of beginning; thence continuing N 89°47'16" E, 135.00 ft. on said north line; thence S 00°12'44" E, 121.00 ft.; thence S 89°47'16" W, 135.00 ft.; thence N 00°12'44" W, 121.00 ft. to the point of beginning, containing 0.38 acres more or less, which includes 0.10 acres more or less used for county road purposes. Purchase agreement was executed on April 19, 2011. Fischer moved and Slocum seconded to authorize Chairperson Moses to execute the Warranty Deed to Perennial Public Power District for sale of the substation property.

### **CLAIMS**

Slocum moved and Moses seconded to pay the following claims: General fund: AMERITAS-retirement \$1,479.18; BENESCH-sup. \$446.82; BIEGERT CONSTRUCTION- housing rehab \$10,557; BILL'S REPAIR-rep.\$120.31; BLACK HILLS ENERGY-ut.\$355.29; BLUE CROSS/BLUE SHIELD-ins. \$5,440.52; BURTON ENT-ut. \$55; CASEY'S-fuel \$536.74; CASH-WA CANDY CO-sup.\$348.18; CENTRAL STATES LAB-sup. \$966.90; DAVE BRISTOL-contract labor \$31.50; DELLA ROSE-reim. sup. \$381.52; DENT PULR-sup.\$233.60; DUTTON-LAINSON-sup.\$21; EAKES OFFICE PROD.-sup.\$59.09; FAIRMONT LIGHT & WATER-ut. \$2,818.84; FAIRVIEW MANOR-sup. \$56.69; FAMILY MARKET-sup. \$461.91; FARMERS COOP-fuel \$1,904.38; FIRST CONCORD GROUP-ins. \$1,192; GALL'S INC.-sup. \$252.92; GAMBLES-sup. \$220.08; HAWKINS WATER TREATMENT-sup. \$851.23; HOMETOWN LEASING-lease \$94.94; HYDRAULIC EQUIP.-rep. \$853.98; IRS-payroll w.h. \$3,218.90; JEO-engineering \$3,825; JOHN KOHL AUTO-rep. \$39.86; KRIZ-DAVIS-sup. \$627.29; LINDA CARROLL-reim.mil \$66.60; MAD-COW DESIGN-property clean up \$450; MUNICIPAL SUPPLY INC.-sup. \$938.68; MYRON CORP-sup. \$334.16; NEBR. PUBLIC HEALTH LAB.-lab analysis \$132;NEBR. PUBLIC POWER DISTRICT-wholesale charges \$19,189.33; NICK'S FARM STORE-rep. \$32.84; NORTH STAR CONSTRUCTION-housing rehab. \$10,000;PAYROLL-less ded \$12,841.32; PERENNIAL-sub transmission \$1,859.88; PITNEY BOWES-sup. \$264.00; PROFESSIONAL CONTRACTING-housing rehab \$15,075; R & D PARTS-rep. \$124.80; RALPH'S GENEVA TIRE-rep. \$73.97; REFUND UTILITY DEP. \$161.51; SARGENT DRILLING-rep. \$200; SENDD-grant admin. \$1,020.04; SENDD-housing rehab admin \$5,369.95; SENDD-lead testing housing rehab. \$474.35; STATE OF NEBR. DEPT. OF REV.-payroll w.h. & sales tax \$2,819.60; TERRY EHRISMAN-reim. exp. \$59.50; THE NEBR. SIGNAL-pub. \$27.07; U S CELLULAR-ut. \$53.84; U S POST OFFICE-postage \$201;VAN KIRK CONTRACTING-seeding \$5,400; WAL-MART-sup. \$162.02; WEST BROTHERS, INC.-sup. \$175.02; WINDSTREAM-ut. \$567.40; Bond Fund \$31,470; Voting aye: Slocum, Moses, Fischer and Pfenning. Absent: Seggerman. Motion carried. Note to minutes- \$500 is being withheld from the final payment to Van Kirk Brothers, Inc until the spring/summer of 2012 contingent upon grass growing on areas which were reseeded.

### **CORRESPONDENCE**

Board reviewed correspondence: 1)Information for Community Connections newsletter; 2)Letter from Steve and Marcia Cantrell on behalf Edith Chapman regarding high usage

indicated on electric meter-meter was removed and tested at Perennial and test results indicated meter was metering correctly Upon further research it was found a computer error and a refund or credit will be issued; 3)Blue Valley Community Action with information on rental guidelines for 735 6<sup>th</sup> Ave (6<sup>th</sup> Ave apartments); 4)What's Happening deadline.

### **OLD BUSINESS**

None

### **VILLAGE MARSHAL REPORT**

Village Marshal Steve McLeish reviewed monthly report. Items discussed: 1)Property located 715 5<sup>th</sup> Ave has asbestos removed cost was increased as additional asbestos was found in property-DHHS has been contacted to inspect the property again; 2)535 6<sup>th</sup> Ave & 545 6<sup>th</sup> Ave has been cleared by the Dept. of Env. Quality for deconstruction; 3) Garage door widening- will contact additional contractors for prices.

### **UTILITY SUPERINTENDENT REPORT**

Utility Sup. Butch Long reviewed monthly report. Items discussed: 1)Water well and pump reports; 2)CDL has been obtained; 3) Continue on attempting to fill ditch north of lagoon-may be able to use beneficial fill from property being deconstruction-county board of supervisors will look at the project; 4) Cornerstone Tower Service – Verizon contractor for cell repeater, is starting work at water tower; 5)Updated board on proposed Perennial substation; 6)

### **CLERK REPORT**

Clerk Linda Carroll reviewed monthly reports. Item discussed: 1)Update on various ongoing projects.

### **PAYMENT ARRANGEMENT FORMS**

Pfenning moved and Slocum seconded to approve Payment Arrangement Form #209. Voting aye: Pfenning, Slocum, Fischer and Moses. Absent: Seggerman. Motion carried. Moses moved and Pfenning seconded to approve Payment Arrangement Form #210. Voting aye: Moses, Pfenning, Fischer and Slocum. Absent: Seggerman. Motion carried

### **ADJOURNMENT**

Slocum moved and Pfenning seconded to adjourn the meeting at 9:12 p.m. Voting aye: Slocum, Pfenning, Fischer and Moses. Absent: Seggerman. Motion carried.

Next regular meeting will be Monday, December 12, 2011 at 7:00 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE

DONALD A MOSES, CHAIRPERSON

LINDA J.CARROLL, CMC  
CLERK/TREAS.