

ANNUAL ORGANIZATIONAL MEETING OF THE CHAIRPERSON AND BOARD OF
TRUSTEES OF FAIRMONT NEBRASKA

MONDAY, DECEMBER 11, 2017

The Annual Organizational Meeting of the Fairmont Village Board of Trustees was convened in open and public session on Monday, December 11, 2017 at 7:00p.m. at the Fairmont Village Hall, 635 6th Ave., Fairmont NE. Notice of the meeting was given in advance according to proper notification by posting of meeting notice at Heartland Bank-Fairmont Branch, U.S. Post Office and Fairmont Village Hall. Chairperson Donald A. Moses called the meeting to order. Clerk/Treas. Linda Carroll recorded the minutes. Board members present upon roll call were: Jack D. Slocum, Selina J. West, Aaron T. Fintel, David R. Seggerman and Chairperson Moses. Visitors to the meeting were: Jack & Kay Harris, Ben Ulmer, Mary Lundberg, Leah Kottwitz, Paulina Guzek, Skip Radke and Lynn West. 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. West moved and Slocum seconded to approve the minutes of the November 13, 2017 board meeting. Voting aye: West, Slocum, Fintel, Seggerman and Moses. Motion carried. The September 30, 2017 and October 31, 2017 Treasurer's Reports were placed on file.

BOARD REORGANIZATION

Slocum moved and Seggerman seconded the nomination of Donald A. Moses for Chairperson of the Board. Voting aye: Slocum, Seggerman, West and Fintel. Abstain: Moses. Motion approved. Slocum moved and Moses seconded the nomination of David R. Seggerman as Acting Chairperson. Voting aye: Slocum, Moses, West and Fintel. Abstain: Seggerman. Motion approved.

Chairperson Moses made the following appointments within the board: Police –Trustee Seggerman; Maintenance Department -Streets, Alleys & Signs – Trustee Slocum, Trustee Seggerman and Chairperson Moses, Village Hall and Utilities (electric, water & sewer) –Trustee Fintel; Parks –Trustee West; Board of Health- Anna Yates and Chairperson Moses .

Chairperson Moses nominated the following appointive employees for the village: Village Attorney – Charles Campbell, York NE; Village Engineers – JEO Consulting Group, Inc., Wahoo NE; Village Street Engineer – Steven A Parr, from JEO Consulting Group, Inc. Wahoo, NE; Utility Superintendent –Lynn West; Clerk/Treas. - Linda Carroll; Village Marshal position will remain open. Fintel moved and West seconded to accept and approve Chairperson Moses' appointments. Voting aye: Fintel, West, Slocum, Seggerman and Moses. Motion carried.

PUBLIC FORUM

Ben Ulmer, as a representative of American Freedom Defenders Memorial Committee, reported to the board: 1) Committee is formed from individuals in the community ; 2)Memorial exhibit to be constructed at 555 9th Ave so it can be viewed from Hwy 6; 3) Committee is requesting property to be in Village's name ; 4) Maintenance will be done through an endowment fund so there will be no cost to the village; 5)This memorial would be for all Veterans—not just limited to Fillmore County Veterans; 6) Committee is working with the Fillmore County Foundation

and Heinisch and Lovegrove Law Office. General consensus of the board was to have Village Attorney Campbell be contacted to assist with the village's portion of this project.

211 D STREET, FAIRMONT NE

Chairperson Moses opened a public hearing at 7:13 p.m. to receive public comments regarding the Notice of Municipal Acquisition for property located at 211 D Street, Fairmont NE for the purpose of a maintenance shop. Cost of property is \$165,000. The board continued on with other agenda items while the public hearing remained open.

RICK NELSON, NPPD AND PATT LENTFER, FCDC

Rick Nelson, Senior Economic Development Consultant, Nebr. Public Power Dist. (NPPD) and Patt Lentfer, Executive Director, Fillmore County Dev. Corp (FCDC) made a presentation of the updated Fairmont Community Guide. This guide can be used as an economic development tool to showcase a community and offers a variety of information.

2017 SANITARY SEWER & WATER SYSTEM IMPROVEMENTS

Leah Kottwitz, JEO Consulting Group, Inc. reviewed the following: 1) Pay Application #1 from Van Kirk Bros. Contracting in the amount of \$284,440.28 for water and sewer extension to Casey's Convenience Store; 2) Water extension and sewer extension portion of the 2017 Sanitary Sewer and Water System Improvements are completed; 3) The lagoon modification portion of this project will be done in the spring 2018; 4) Village is waiting to receive interim financing from Ameritas Investment Corp. for the water portion of the project (village will be reimbursed by Casey's for this portion of the project); 5) USDA bonding for the sewer portion was passed at the August 14, 2017 board meeting in the amount of \$196,000; 6) Moses moved and Fintel seconded to approve Pay Application #1 from Van Kirk Bros. Contracting in the amount of \$284,440.28 for the 2017 Sanitary Sewer and Water System Improvements. Voting aye: Moses, Fintel, Slocum, West and Seggerman. Motion approved.

GIS MAPPING

One proposal was received for the village's GIS mapping of the municipal water system. JEO Consulting Group, Inc. submitted a proposal in the amount of \$11,200.00. Leah Kottwitz, JEO Consulting Group, Inc. reviewed the proposal. The Village is receiving a Public Water System (PWS) security grant from Nebr. Health & Human Services in the amount of \$10,000 for this project. A proposal for adding a Sanitary Sewer System Mapping Update in the amount of \$50.00 was also presented by Leah Kottwitz. Seggerman moved and Moses seconded to accept the proposal by JEO Consulting Group, Inc. in the amount of \$11,200 for GIS mapping of the municipal water system and proposal by JEO Consulting Group, Inc in the amount of \$50.00 for GIS updating of the Sanitary Sewer System. Voting aye: Seggerman, Moses, Slocum, West and Fintel. Motion approved.

SKIP RADKE

Skip Radke visited with the board regarding the following items: 1) Lagoon project a-reviewed the past history for the old lift station and mechanical plant; b-The State of Nebraska made the village overbuild the lagoons and only two cells were needed; c-The board should have the Village Attorney contact the State of Nebraska and have the State of Nebraska pay for the added work; 2) Tree line along BNSF right of way a-trees are a fire hazard and unsightly; b- Village

board should contact Village Attorney and have Village Attorney contact BNSF for the trees to be removed; c- BNSF could have trees disposed of at the village's tree disposal site.

JEFF ROSS INNOVATIVE CONTRACTORS

Swim pool park restrooms

Jeff will have restroom drawings completed end of week and send to Fire Marshal for review.

Concrete replacement pool parking and side walk

Jeff reviewed a revised proposal dated December 11, 2017 in the amount of \$44,280 for replacement of existing asphalt and concrete parking and replacement of existing concrete sidewalk. Village employees will remove asphalt in parking area. Slocum moved and Fintel seconded to accept the proposal from Innovative Contracting for concrete work in the amount of \$44,280 for parking and sidewalk at swimming pool in Fairmont. Voting aye: Slocum, Fintel, West, Seggerman and Moses. Motion approved.

CLOSE PUBLIC HEARING

Chairperson Moses closed the public hearing at 8:02 p.m. No public comments were offered regarding the village's purchase of 211 D Street, Fairmont NE.

ORDINANCE #17-520 PURCHASE REAL ESTATE (211 D Street, Fairmont NE)

Moses introduced ORDINANCE #17-520 AN ORDINANCE TO AUTHORIZE THE PURCHASE OF REAL ESTATE BY THE VILLAGE OF FAIRMONT AND TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE and moved that the statutory rule requiring reading on three days be dispensed with. Seggerman seconded the motion. Voting aye: Moses, Seggerman, Slocum, West and Fintel. Motion approved. Fintel moved and West seconded to pass and adopt Ordinance #17-520. Voting aye: Fintel, West, Slocum, Seggerman and Moses. Motion approved. Ordinance #17-520 approved and adopted.

ORDINANCE #17-518 – THIRD AND FINAL READING

Fintel moved and Slocum seconded to pass on the third and final reading of Ordinance #17-518 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30 AND THENORTHWEST QUARTER OF SECTION 31, ALL IN TOWNSHIP 8 NORTH, RANGE 2 WEST OFTHE SIXTH P.M. AND IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH,RANGE 3 WEST OF THE SIXTH P.M., FILLMORE COUNTY, NEBRASKA, BEING DESCRIBED ASFOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OFSAID SECTION 30; THENCE N00°03'21"W (ASSUMED BEARING) ON THE WEST LINE OF SAIDSOUTHWEST QUARTER, A DISTANCE OF 72.81 FEET TO THE POINT OF BEGINNING; THENCES89°58'21"W, PARALLEL WITH THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEEDBOOK 90, PAGE 555 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FORFILLMORE COUNTY, NEBRASKA, A DISTANCE OF 76.00 FEET TO THE WEST RIGHT OF WAYLINE OF UNITED STATES HIGHWAY 81, AS DESCRIBED IN DEED BOOK 81, PAGE 332 (PAGE2 OF 8) AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR FILLMORECOUNTY, NEBRASKA; THENCE N01°12'28"W ON SAID WEST RIGHT OF WAY LINE, ADISTANCE OF 254.97 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSIONOF SAID

NORTH LINE; THENCE N89°58'21"E ON SAID WESTERLY EXTENSION, A DISTANCE OF 237.11 FEET TO THE NORTHWEST CORNER OF SAID PREVIOUSLY DESCRIBED TRACT; THENCE CONTINUING N89°58'21"E ON SAID NORTH LINE, A DISTANCE OF 35.00 FEET; THENCE N01°57'09"E PARALLEL WITH AND 35.00 FEET DISTANT FROM THE EASTERLY RIGHT OF WAY LINE OF UNITED STATES HIGHWAY 81 AS DESCRIBED IN SAID DEED BOOK 81, PAGE 332 (PAGE 4 OF 8), A DISTANCE OF 1059.96 FEET; THENCE N05°26'51"E PARALLEL WITH AND 35.00 FEET DISTANT FROM SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 286.27 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, PARALLEL WITH AND 35.00 FEET DISTANT FROM SAID EASTERLY RIGHT OF WAY LINE, ON A 1027.99 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 308.18 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF MONROE STREET AS PLATTED IN THE VILLAGE OF FAIRMONT, NEBRASKA, THE CHORD OF SAID CURVE BEARS N19°09'55"E, A DISTANCE OF 307.03 FEET; THENCE N89°49'08"E ON SAID WESTERLY EXTENSION, A DISTANCE OF 1267.13 FEET TO THE SOUTHWEST CORNER OF LOT 9, BLOCK 11, FILLMORE ADDITION TO THE VILLAGE OF FAIRMONT; THENCE S00°11'19"E ON THE WEST RIGHT OF WAY LINE OF MONROE STREET, A DISTANCE OF 70.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF MONROE STREET; THENCE CONTINUING S00°11'19"E ON THE SOUTHERLY EXTENSION OF SAID WEST RIGHT OF WAY LINE OF MONROE STREET, A DISTANCE OF 150.00 FEET; THENCE S89°49'08"W PARALLEL WITH AND 150.00 FEET DISTANT FROM THE WESTERLY EXTENSION OF SAID SOUTH RIGHT OF WAY LINE OF MONROE STREET, A DISTANCE OF 1123.42 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, PARALLEL WITH AND 255.00 FEET DISTANT FROM SAID EASTERLY RIGHT OF WAY LINE, ON A 807.99 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 105.40 FEET, THE CHORD OF SAID CURVE BEARS S14°58'15"W, A DISTANCE OF 105.33 FEET; THENCE S05°26'51"W PARALLEL WITH AND 255.00 FEET DISTANT FROM SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 269.11 FEET; THENCE S01°57'09"W PARALLEL WITH AND 255.00 FEET DISTANT FROM SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1045.64 FEET TO THE NORTHEAST CORNER OF SAID PREVIOUSLY DESCRIBED TRACT; THENCE S00°05'03"W ON THE EAST LINE OF SAID PREVIOUSLY DESCRIBED TRACT, A DISTANCE OF 281.01 FEET TO THE SOUTHEAST CORNER OF SAID PREVIOUSLY DESCRIBED TRACT; THENCE S83°09'36"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 113.27 FEET; THENCE S00°55'55"E CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE S89°57'12"W ON SAID SOUTH LINE, A DISTANCE OF 23.54 FEET TO THE EASTERLY RIGHT OF WAY LINE OF UNITED STATES HIGHWAY 81, AS DESCRIBED IN SAID DEED BOOK 81, PAGE 332 (PAGE 1 OF 8); THENCE S00°08'33"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 33.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ON SAID EASTERLY RIGHT OF WAY LINE, ON A 467.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 395.60 FEET, THE CHORD OF SAID CURVE BEARS S65°52'28"W, A DISTANCE OF 383.88 FEET; THENCE N00°10'03"W DEPARTING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 262.38 FEET TO THE SOUTHWEST CORNER OF SAID PREVIOUSLY DESCRIBED TRACT; THENCE S89°58'21"W

PARALLEL WITH SAID NORTH LINE OF THE PREVIOUSLY DESCRIBED TRACT, A DISTANCE OF 148.73 FEET TO THE POINT OF BEGINNING. Voting aye: Fintel, Slocum, West, Seggerman and Moses. Motion approved. Ordinance 17-518 approved and adopted.

CLAIMS

Fintel moved and West seconded to pay the following claims: (Claims Abbreviations: Eq, Equipment; Ex, Expense; Ma, Maintenance; Mi, Mileage; Misc, Miscellaneous; Re, Repairs; Sa, Salaries; Se, Service; Su, Supplies; Ut, Utilities; CI, Capital Improvement; Tif, Tax Increment Financing) Gen. fund : 34 ELECTRIC LLC- Re \$9,206.07; AFLAC-Sa\$818.18;AMERITAS-Sa\$2,105.21;ASSURITY-Sa\$28.42;BLACK HILLS-Ut\$927.29;BLUE CROSS/BLUE SHIELD-Sa \$6,678.10;BURTON-Ut\$55;CASEY'S GENERAL STORE- Ex \$164.08;COMPLETE MERCHANT SERVICE-Se\$45;DUTTON-LAINSON COMPANY- Su \$136.71;EAKES-Su\$329.86;ERDKAMP MOTORS-Re \$87.00;EFTPS-Sa\$3,954.19;FAIRMONT LIGHT & WATER-Ut 3865.33; FARMERS COOP-Ex\$30.80;FILLMORE COUNTY TREASURER-Misc \$185.24;FIRST CONCORD GROUP- Sa \$326.68;FIRST NATIONAL BANK OMAHA Ex 2528.40;HEARTLAND-Ex\$30.80; HOMETOWN LEASING-Ex\$115;JEO Se \$10,996.90; KOPCHOS-Ex\$50;LINCOLN WINWATER WORKS-Su\$3,270;MADISON NATIONAL LIFE- Sa \$20.26;MATHESON TRIGAS-Su\$254.57;MUNICIPAL SUPPLY INC-Su\$5,720.45;NEBR. HEALTH LAB-Se\$34; NEBRASKA JUDICIAL BRANCH-Sa\$357.40;NEBR. PUBLIC POWER DIST. Ex \$22,111.54;NEBRASKA DEPT. OF ENVIR. QUALITY- Ex \$7,026.36;NEON Link- Se \$38.20;NICKS FARM STORE-Re\$59.47;NMPP/MEAN- Ex \$4,955.00; ONE-CALL LOCATES-\$42.90; PAYROLL-Sa\$12,721.95;SARGENT DRILLING -Se \$450.00;SCHMADER ELECTRIC- Re \$772.00; SOLOMON CORP-Su\$1,366.23; STATE OF NEBR. DEPT. OF LABOR-Ex&Sa\$3,156.07 THE NEBR. SIGNAL-Se\$177.85; US CELLULAR-Ut\$114.40;US POST OFFICE-Ex\$201;WINDSTREAM-Ut\$639.50;ZITO MEDIA-Ut\$132.54. Voting aye: Fintel, West, Slocum, Seggerman and Moses. Motion approved.

CORRESPONDENCE:

Board reviewed correspondence: 1)Letter from Village Attorney regarding USDA lift station and original lagoon project; restroom design; travel policy; donations; 2) Letter from JEO Consulting Group, Inc. regarding 2018 Village Engineer Appointment request; 3)December 2017 Fairmont Aging Service financials; 4)Pack 175 Pinewood Derby; 5)Quarterly Briefs from FCDC; 6)USDA-RD Community Programs Quarterly Update; 6)Letter from Mosaic regarding volunteering of people with skills and talents.

OLD BUSINESS

Travel Policy

Current travel policy does not include a statement that only one vehicle will be paid for mileage for employees attending a training. General consensus of the board was to have the "Business Travel Expenses" policy revised that "employees are directed to travel to the same event in a single vehicle and travel by separate employees in separate vehicles to the same event will not be approved unless the use of separate vehicles is determined to be necessary by the Chairperson". Village Attorney will be contacted for the revisions to the policy.

1974 Trailmobile Semi-Trailer

Chairperson Moses stated that Hitz Towing would pay between \$400 -\$500 for the old semi-recycling trailer, depending on the size of the load (previous discussion of loading scrap metal into trailer). Maintenance employees will visit with other parties who may have an interest in purchasing the trailer for scrap metal.

Village Marshal Position

The village board reviewed/discussed the following: 1) Full-time or part-time position to fill the vacancy-consensus was for full-time; 2) Wording for possible advertisement- Nebraska Law Enforcement Certification is a requirement; 3) Pay for position-starting wage would be \$18.00/hr. 4) Position will be advertised on the Nebr. Law Enforcement Training web site and Municipal Review.

UTILITY SUP. REPORT

Maint. Tech. Lynn West reviewed monthly maintenance report. Items discussed: 1) Snow removal; 2) Fuel tank and containment information; 3) Service equipment; 4) Swim pool-concrete areas around pool or pool decking which may need to be replaced.

CLERK REPORT

Linda Carroll, Clerk/Treas. reviewed monthly report. Items discussed: 1) Commercial insurance renewal forms completed; 2) Special meeting for bonding of interim financing for Casey's water extension; 3) Proposal from Microfilm Imaging Systems, Inc. regarding the LaserFiche document imaging software –annual license fee is \$650/year. If software is ordered by end of December, 2017, Microfilm Imaging Systems will provide the village with a rebuilt scanner at no charge – general consensus of the board was to enter into an agreement for the software.

UTILITY PAYMENT ARRANGEMENT FORMS

There were no utility payment arrangement forms.

ADJOURNMENT

West moved and Fintel seconded to adjourn the meeting at 9:10 p.m. Voting aye: West, Fintel, Slocum, Seggerman and Moses. Motion approved.

The next Regular Meeting will be Monday, January 8, 2018 at 7:00 p.m.

DONALD A. MOSES, Chairperson

LINDA J. CARROLL, CMC
Clerk/Treas.