

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

July 10, 2017

The Regular meeting of the Fairmont Village Board of Trustees was convened in open and public session on Monday, July 10, 2017 at 7:00 p.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 Fintel, David R. Seggerman and Chairperson Moses. Visitors to the meeting were: Skip Radke, Janet Metzger, Janet Zuhlke, Bonnie Gangstad, Leah Kottwitz, Chris and Aislee Grant, Mark Jarosz, Aaron Veleba, Derek Betka, Tammy Thompson, Jeff Ross, Dan Slocum, Lynn West and Steve McLeish. Chairperson Moses noted that a copy of the Open Meetings Act was posted in the council meeting room for public inspection and review. Slocum moved and Seggerman seconded to approve the minutes of June 12, 2017 Board meeting. Voting aye: Seggerman, Slocum, West, Fintel and Moses. Motion approved. May 31, 2017 Treasurer's Report was placed on file.

PUBLIC FORUM

Skip Radke visited with the board regarding an adjustment on his water usage bill as additional water was used at his home due to a leak in a toilet. Chairperson Moses stated that the board has had other individuals make a similar request and it is the board policy that water customers are responsible for paying for the water used.

SEALED BID 2000 FORD PICKUP

The board reviewed sealed bids for the 2000 Ford pickup: 1) Dana Lauber \$602 and 2) Rick Steinacher \$100.00. Moses moved and Slocum seconded to accept the bid from Dana Lauber in the amount of \$602 for the 2000 Ford pickup. Voting aye: Moses, Slocum, West, Fintel and Seggerman. Motion approved.

LEAH KOTTWITZ, JEO CONSULTING GROUP, INC.

Lagoon Modification & Casey Water & Sewer Extension

Leah reviewed the following information with the board: 1) Plans and specifications for the lagoon modifications and the water and sewer extension to Casey's Convenience Store and noted state and federal agencies have been contacted regarding the plans; 2) The two projects (lagoon modifications and water & sewer extension) will be bid out as one project; 3) If board approves plans and specifications bid opening could be September 6, 2017 and the bid could be awarded at the September 11, 2017 board meeting; 4) Seggerman moved and West seconded to authorize JEO Consulting Group, Inc. to submit the final plans to the regulatory agencies and authorize the clerk to set advertising and bid dates once the agencies have provided their approvals. Voting aye: Seggerman, West, Slocum, Fintel and Moses. Motion approved.

2016 STREET IMPROVEMENT- 9TH AVE "D" STREET TO "F" STREET

Board reviewed the following items: 1) Change Order No. 2 in the amount of \$1,652.00 to Gehring Construction & Ready Mix Co. Inc. for changes made on final measured quantities. Fintel moved and Slocum seconded to approve Change Order No. 2 in the amount of \$1,652.00

for the 2016 Street Improvement to Gehring Construction & Ready Mix Co. Inc. Voting aye: Fintel, Slocum, West, Seggerman and Moses. Motion approved. 2) Final pay application in the amount of \$273,954.00 to Gehring Construction and Ready Mix Co. Inc.- Chairperson Moses noted that a final walk through has been conducted. West moved and Seggerman seconded to approve Pay Application #1 & Final for the 2016 Street Improvement in the amount of \$273,954.00 to Gehring Construction and Ready Mix Co. Inc. Voting aye: West, Seggerman, Slocum, Fintel and Moses. Motion approved. 3)Final Certificate of Substantial Completion documentation which begins the one-year warranty on the project. Moses moved and Fintel seconded to approve the Final Certificate of Substantial Completion for the 2016 Street Improvements with Gehring Construction and Ready Mix Co, Inc. Voting aye: Moses, Fintel, Slocum, West and Seggerman. Motion approved.

JANET METZER- SPEAKER SYSTEM

Speaker system – Janet requested the volume be turned down on the speaker system and also that the speakers have come on at 3:00 a.m.. Clerk Carroll will contact Diode Technology who installed the speaker system and Sonos system regarding volume settings, sound with weather changes and alarm settings which automatically turn and system on and off.

CHRIS & AISLEE GRANT-VACATE STREET SHOP ADDITION

The Grants discussed the following with the board 1)Would like to add an addition to the north side of their existing shop office; 2)E-mail from Village Attorney Campbell regarding the process of vacating a street with a written petition to vacate street, survey for correct legal description, board could approve vacated area, file with register of deeds and each one-half street would revert to the adjoining property owner; 3)Zoning regulations and setback requirements- Chris Grant will visit with Fillmore County Zoning Administrator Jennifer Slezak; 4)May only need a portion of the right of way for the shop extension-Clerk will contact Village Attorney Campbell regarding the village selling a portion of a right of way.

HEARTLAND BANK – WATER SOFTENER

The Fairmont Senior Center and Heartland Bank building share a water service and a new water softener is needed. Trustee Slocum report that the bank is gathering information water softeners and will make a presentation at a later board meeting.

PRE APPROVAL FAIRVIEW MANOR ADVISORY BOARD

The following individuals have agreed to serve as needed on the Fairview Manor Advisory Board: Donna O'Brien Pieper Neiman and Rhonda Veleba. Fintel moved and West seconded to approve Donna O'Brien, Pieper Neiman and Rhonda Veleba to the Fairview Manor Advisory Board when needed to fulfill a term. Voting aye: Fintel, West, Slocum, Seggerman and Moses. Motion approved.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 16-HO-36063, FAIRMONT HOUSING REHABILITATION

The following items were reviewed for the upcoming housing rehabilitation grant:
1)Procurement Procedures and Code of Conduct – Seggerman moved and Slocum seconded to adopt the Procurement Procedures and Code of Conduct for CDBG 16-HO-36063. Voting aye: Seggerman, Slocum, West, Fintel and Moses. Motion approved. 2) Resolution #2017-04

regarding local laws against excessive force by law enforcement – Seggerman moved and Slocum seconded to pass and adopt RESOLUTION #2017-04 – AUTHORIZING THE ENFORCEMENT OF APPLICABLE STATE AND LOCAL LAWS AGAINST THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT AGENCIES WITHIN THE VILLAGE’S JURISDICTION. Voting aye: Seggerman, Slocum, West, Fintel and Moses. Motion approved. Resolution #2017-04 passed and adopted. 3) Resolution #2017-05 Adopting program guidelines for the housing rehabilitation program – Moses moved and Fintel seconded to pass and adopt RESOLUTION #2017-05 – AUTHORIZING THE ADOPTION OF FAIRMONT HOUSING REHABILITATION PROGRAM GUIDELINES FOR 2016 OWNER -OCCUPIED HOUSING REHABILITATION PROGRAM. Voting aye: Moses, Fintel, Slocum, West and Seggerman. Motion approved. Resolution #2017-05 passed and adopted.

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: Seggerman moved and Fintel seconded to pay the following claims: ACCO-Su\$602.60; AFLAC-Sa\$884.74; AMERITAS-Sa\$1,786.20; ANGLE, MURPHY & CAMPBELL-Se\$800.00; ASSURITY-Sa\$28.42; AQUA CHEM-Su\$581.19; AQUA PLUMBING & HEATING-Se\$298.88; BLACK HILLS-Ut\$279.38; BLUE CROSS/BLUE SHIELD-Sa\$6,133.84; BURTON-Ut\$55.00; Casey's General Store-Ex\$366.92; COMPLETE MERCHANT SERVICE-Se\$24.30; CROWL TREE SERVICE-Se\$5,350.00; DETERDINGS POOL-Su\$333.50; DIODE TECH-Se\$402; DUTTON LAINSON-Su\$671.06; DTCS-Se\$487.45; EAKES-Su\$473.77; EFTPS-Sa\$5,445.06; FAIRMONT LIGHT & WATER-Ut\$4,745.56; FAIRVIEW MANOR-Su\$13.50; FARMERS COOP-Ex\$940.19; FIRST CONCORD GROUP, INC.-Sa\$431.44; FIRST NATIONAL BANK-Su, Re, Se, Misc\$3,192.67; FRIESEN FORD-Re\$102.51; GENEVA IMPLEMENT-Re\$132.99; GENEVA WELDING & SUPPLY-Su\$24.50; GRANT BUILT LOGISTICS, LLC-Se\$885.08; GSI ENGINEERING-Se\$1,591.00; HAWKINS-Su\$1,291.76; HEARTLAND-Se\$30.56; HOMETOWN LEASING-Se\$115.00; JEO CONSULTING GROUP, INC-Se\$30,754.75; KELCH PLUMBING & HEATING-Re\$142.81; KOPCHOS-Ut\$50.00; NEBR. DEPT. OF TRANSPORTATION-Su\$743.00; NEBR. PUBLIC POWER DIST-Se\$22,533.72; LEAGUE OF NEBR. MUN.-Misc\$443.00; MADISON NATIONAL LIFE-Sa\$38.34; MARC-Su\$96.00; MIGHTY MO'S BBQ SAUCE-Su\$40.00; MUNICIPAL SUPPLY, INC-Re\$155.00; NEBR. HEALTH & HUMAN SERVICES-Se\$850; NICK'S FARM STORE-Eq\$4,363.00; ONE-CALL-SE\$17.37; PAYROLL-Sa\$26,652.60; PERENNIAL PUBLIC POWER-Se&Re\$2,298.26; PIEPERS INC.-Re\$1,874.97; RIZZO ELECTRIC-Su\$165.04; RUHL'S WELL SERVICE-Re\$207.43; SAFELITE-Re\$209.59; STATE OF NEBR-Ex&Sa\$3,970.76; T & T Repair-Re\$172.36; THE NEBR. SIGNAL-Se\$379.09; US CELLULAR-Ut\$86.68; US Post Office-Su\$201.00; WAL-MART-Su\$150.65; WINDSTREAM-Ut\$743.23; ZITO MEDIA-Ut\$131.55; BOND FUND: BOK Financial-Semi-annual int.-\$11,974.39. Voting aye: Seggerman, Fintel, Slocum, West and Moses. Motion approved.

CORRESPONDENCE

Board reviewed the following correspondence: 1) June, 2017 minutes and financials for Fairmont Senior Center; 2) Thank you letter from Nebr. Rural Water Assn for donation to equipment fund; 3) Fillmore County Development Corp July 2017 quarterly newsletter.

BOARD RECESS

Board recessed from 7:45 p.m. – 7:55 p.m.

TAMMY THOMPSON, FAMILY MARKET GROCERY STORE

Derek Betka, representing the Save our Store Committee gave an overview of the committee's work. Items discussed: 1) Tammy requested the sale of the building would be \$30,000. The coolers and equipment in building would be \$15,000; 2) Village's building inspector, John Hughes could do an inspection of the building; 3) Perspective operator/owner would like to have an eating area in north end of the store; 4) Board concern – structural condition of the building and an estimate on repairs and structure of agreement for lease/purchase agreement with interested party; 5) An attempt to set a special meeting with Village Attorney Campbell, Building Inspector John Hughes, Village Board Members, Tammy Thompson and perspective operator/owner.

OLD BUSINESS

Swim Pool Restrooms

Chairperson Moses has been contacted by an individual who would be able to lay the block for the proposed swim pool restroom building if someone could be found to be the general contractor. Jeff Ross, Innovative Contracting will return at the August meeting with a proposal for a restroom building.

MARSHAL REPORT

Marshal Steve McLeish reviewed monthly police report: Items discussed: 1) Outline procedure for nuisance abatement-procedural error did not allow a lien to be placed on nuisance abatement Lots 135-140 & Lots 141-144, replatted as Lot 144, Fairmont Original Town; 2) Zoning violation for storage containers in a residential zoned area-prohibited-board requested Steve cite violation every 24 hours; 3) Areas around town which are mowed and baled.

UTILITY SUP. REPORT

Utility Sup. Lynn West reviewed monthly maintenance report. Items discussed: 1) Old Settlers Picnic; 2) Old north well abandonment & building removal- need to move some underground electric; 3) Slocum moved and West seconded pass and adopt RESOLUTION #2017-06 AUTHORIZING SALE OF A LECO CV MOSQUITO FOGGER TO BE SOLD TO THE VILLAGE OF MARQUETTE FOR \$500.00. Voting aye: Slocum, West, Fintel, Seggerman and Moses. Motion approved. Resolution #2017-06 passed and adopted. 4) Nick's Farm Store will deliver shredder the week of July 10, 2017.

CLERK REPORT

Linda Carroll, Clerk/Treas. the reviewed monthly report. Items discussed: 1) Clerk's office will retain a copy of all Material Safety Data Sheets so information is in one central location; 2) Reviewed information regarding the Total Eclipse scheduled for Monday, August 21, 2017. The village will cover the cost of the rental of portable toilets and trash dumpsters.

PAYMENT ARRANGEMENT

Moses moved and Fintel seconded to approve Payment Arrangement Form #294. Voting aye: Moses, Fintel, Slocum, West and Seggerman. Motion approved.

ADJOURNMENT

Seggerman moved and Slocum seconded to adjourn the meeting at 9:32 p.m. Voting aye: Seggerman, Slocum, West, Fintel and Moses. Motion approved.

The next Regular Meeting will be Monday August 14, 2017 at 7:00 p.m.

DONALD A MOSES Chairperson

LINDA J. CARROLL, CMC
Clerk/Treas.