

Kimball City Council  
Special Meeting  
August 25, 2017

A special meeting of the Mayor and City Council was convened in open and public session at 4:00 p.m. on August 25, 2017 in the City Council Chambers. Mayor Prunty and Council members Shields, Schnell, Warner, and Baliman were present. Also present were City Administrator Dean, City Treasurer Sisk, Management Assistant Terrill, and City Clerk Russell. The public was represented.

Notice of the meeting was given in advance by posting in three locations. Notice of the meeting was given to the members and a copy of their acknowledgement of receipt of notice and the agenda is on record at the office of the City Clerk. Availability of the agenda was communicated in advance notice and in the notice to the members. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public except as otherwise indicated.

Prunty called the meeting to order at 4:00 p.m. and the Pledge of Allegiance was recited.

Prunty acknowledged the posted Open Meetings Act poster.

Prunty opened the discussion to consider action on granting an easement at the Kimball Landfill for Kimball Wind, LLC. Dean gave a brief update on the discussions that he has been having with Kimball Wind for granting them an easement on the west edge of the Landfill between the High West lines and the fence line. The staff were concerned that there is an old landfill but it is on the east side of that High West line. It is a lengthy easement for the land but a lot of the language they needed in the agreement deals with their ability to use the line in the ground for financing purposes. Kimball Wind LLC had the right to assign the easement but the City had the right to approve it and Hadenfeldt has reviewed the agreement.

Discussion was held on the setback and Dean indicated Kimball Wind has worked that out with High West. Eric Johnson, Kimball Wind LLC, indicated they have located High West's easement and Kimball Wind's easement will start where High West's ends. They have a temporary easement on the Haase property while they trench their line in to get it as close as possible to the west side of the Landfill.

Discussion was held on the section for Statutory Termination and Johnson indicated the 10 years will be from the date of the agreement under Nebraska law. Discussion was also held on the Cooperation, assisting with permits, licenses and environmental reviews and Dean said the City would not be able to do anything beyond their statutory authority.

There being no further discussion, Warner moved and Baliman seconded to approve the easement agreement with Kimball Wind, LLC. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

There being no further business to come before the Council, Baliman moved and Schnell seconded to adjourn at 4:12 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

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Keith B. Prunty, Mayor

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Katherine Terrill, Management Assistant