

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
APRIL 8, 2021

The regular meeting of the Chairman and Board of Trustees of the Village of Shelton, Nebraska, was convened in open and public session in the Community Room of the Shelton Municipal Building at 219 "C" Street in Shelton, Nebraska at 7:00 o'clock P.M. on April 8, 2021. Chairman Roe then called the meeting to order at which time he informed the public of the posting of the Open Meeting Act on the bulletin board in the back of the room and led the audience in the Pledge of Allegiance. He then directed the Village Clerk to call roll which reflected the following: Present: Trustee Roe, Doremus, Oberg, Keslar and Reutzel. Absent: None.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on April 1, 2021 and posting at 10:30 A.M. on April 5, 2021 in five (5) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, Cornerstone Bank, Post Office, and Village Office, all as shown by Affidavit of Publication and the Certificate of Posting attached to these minutes. Notice of this meeting was simultaneously given to the Chairman and all members of the Village Board of Trustees and a copy of their acknowledgement of receipt of notice of the meeting and the agenda are attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice of this meeting to the Village Board of Trustees.

All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**2. CONSENT AGENDA.** It was then moved by Trustee Doremus to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of March 11, 2021; and B) Accept Financial Report.

This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Reutzel. Absent: None. Motion Carried.

**3. REDISTRIBUTION OF FUNDS FOR INVESTMENT PURPOSES.** After a discussion and review of the percent of return the Village was receiving from the Cornerstone Bank, NFIT and NPAIT, it was moved by Trustee Roe to take the monies invested with NPAIT and distribute them equally between the Cornerstone Bank and NFIT. This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Reutzel. Absent: None. Motion Carried.

**4. REPORTS.** Written and verbal reports were received from the Fire Department, Attorney, Administrative Clerk, Police Chief and Utility Superintendent.

**5. EQUIPING FIRE TRUCK #30 FOR ISO RATING.** Fire Department President Marlin Schroeder reported to the board that an ISO inspection was done last fall and that our rating had dropped due to several factors. We have until December of this year to correct some of the deficiencies. One of these was that we needed to have some equipment updates done on the pumper fire truck. A partial listing was given to the board. Mr. Schroeder will get back to the Board with the final listing and costs in the near future.

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**6. 2021 POOL SEASON AND HIRING OF POOL STAFF.** Pool Manager Brenda Moeller gave the board her recommendations for staffing the pool this summer. The hope is to have the pool ready to go by May 10<sup>th</sup> so the guards can be certified. She also recommended that the Village continue the policy of reimbursing the employees  $\frac{1}{2}$  of the cost of classes to get certified as lifeguards and managers. It was the consensus of the board that they would continue this policy. The Board indicated the approval of the hiring of the recommended pool staff which was reflected in Ordinance #841 which was passed later in the meeting.

**7. HIRING OF SUMMER MAINTENANCE HELP.** Utility Superintendent Dan Sell presented to the board his recommendations for summer help. The Board indicated the approval of the recommendations which was reflected in the passage of Ordinance #841 later in the meeting.

**9. NUISANCE COMPLAINTS REGARDING 163 C STREET.** It was agreed that the owner had done some to eliminate the cover for wildlife on the property, but there were still areas of concern which needed to be dealt with. The Police Department would relay these concerns on to the property owner.

**10. REFINANCING 2012 DEQ WATER LOAN THROUGH BONDS.** Andrew Forney with DA Davidson presented the board with figures and a proposal to pay off the DEQ water loan with General Obligation Bonds. With the lower interest rate and cash flow advantage, this would prove to be a savings of approximately \$60,000 over the course of the next 11 years.

**10A. RESOLUTION TO RECALL 2012 DEQ WATER LOAN.** After discussion, Chairman Roe then indicated it was time to consider Resolution NO. 21-04-08.

RESOLUTION NO. 21-04-08:

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF THE VILLAGE OF SHELTON, NEBRASKA, AS FOLLOWS:

Section 1. That the following bonds issued by the Village of Shelton, Nebraska are hereby called for redemption at par plus accrued interest on such date as set forth in the Designation of Call Date (as defined below):

Promissory Note payable to the Nebraska Department of Environment and Energy (formerly the Nebraska Department of Environmental Quality), dated April 12, 2012 in the outstanding principal amount of approximately \$599,542.80.

Section 2. Said Note is payable at the offices of the Nebraska Department of Environment and Energy in Lincoln, Nebraska.

Section 3. The Chairperson or the Village Clerk of the Village (each, an "Authorized Officer") are hereby authorized at any time on or after the date of this resolution to determine the call date for said Promissory Note on behalf of the Village and such determination, when made in writing (the "Designation of Call Date"), shall constitute the action of the Village without further action of the Chairperson and Board. The Call Date shall be set for any time permitted under the terms of the bonds, provided, however, that after December 31, 2021, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Chairperson and Board of the Village and this resolution shall be of no further force and effect.

Section 4. Upon designation of a call date by an Authorized Officer, the Treasurer of the Village of Shelton, in Shelton, Nebraska, is hereby instructed to give notice of redemption of the Promissory Note in the manner provided for in said Note and in the ordinance authorizing said Promissory Note.

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It was then moved by Trustee Keslar with a second from Trustee Doremus to approve and adopt Resolution No. 21-04-08 as presented. Ayes: Roe, Keslar, Doremus, Oberg and Reutzel. Absent: None. Motion Carried.

**10B. ORDINANCE TO ISSUE GENERAL OBLIGATION BONDS TO PAY DEQ WATER LOAN. And 8. ORDINANCE TO SET WAGES FOR SUMMER HELP.** Chairman Roe indicated it was now time to consider Ordinance No. 841 and Ordinance No. 842.

Whereupon, it was moved by Trustee Oberg, seconded by Trustee Doremus that the minutes of the proceedings of the Chairman and Board of Trustees of the Village of Shelton, Buffalo County, Nebraska, in the matter of passing and approving Ordinances No. 841 and No. 842 be preserved and kept in a separate and distinct volume known as "Ordinance Record, Village of Shelton, Nebraska"; and that said separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein. The Chairman instructed the Clerk to call the roll and the following was recorded as the vote on this motion: AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

Further, a motion was made by Trustee Oberg seconded by Trustee Doremus that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinances No. 841 and No. 842 might be introduced, read by title, and approved and passed at the same meeting. Trustee Oberg called for the question. The Chairman put the question to the vote and instructed the Clerk to call roll and the following was the vote on this motion: AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

Following the reading of Ordinances No. 841 and No. 842 by title on the First Reading, the suspension of the rules so that the same may be read by title on the Second and Third Readings, allowing for final passage at the same meeting, Trustee Oberg called for the question as to the approval and passage of Ordinance No. 841. The following vote was recorded for Ordinance No. 841: AYES: Roe, Keslar, Reutzel and Doremus. NAYS: None. ABSENT: None. ABSTAIN: Oberg. Motion Carried. Trustee Oberg then called for the question as to the approval and passage of Ordinance No. 842. The following vote was recorded for Ordinance No. 842: AYES: Roe, Oberg, Keslar, Reutzel and Doremus. NAYS: None. ABSENT: None. Motion Carried. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 841 and five members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 842 and said Ordinances duly passed and adopted as Ordinances of the Village of Shelton, Nebraska.

Whereupon, it was moved by Trustee Oberg, seconded by Trustee Doremus that said Ordinances No. 841 and No. 842 be published in pamphlet form. AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**11. REMOVAL OF SURETY BOND AS A REQUIREMENT OF THE BUILDING PERMIT APPLICATION PROCESS.** After much discussion, it was determined that the ordinance would remain as is but maybe the application could be "fine-tuned" to allow both the applicant and the Utility Superintendent a check list as to what needed to be finished before the deposit was returned to the applicant. Chairman Roe indicated he could help with this during the summer so this could be accomplished.

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**12. RESIGNATION OF JERI SMITH FROM THE HOUSING AUTHORITY BOARD AND DECLARING A VACANCY.** Chairman Roe announced his acceptance of Jeri Smith's resignation and declare a vacancy now exist on the Housing Authority Board.

**13. USE OF VILLAGE OWNED LOT ON HWY 30 AS PARKING AREA.** Village Clerk Doremus advised the Board that the office would like some "guidelines" as to this property. Although the problem had been solved regarding vehicles parked there over an extended period of time, she would like to see if they wanted to use it as a public parking area. After much discussion, it was determined that a resolution would be prepared for the May meeting and that a specific time when it could be used during the day would be established.

**14. PURCHASE OF NEW GENERATOR.** After discussion, Chairman Roe indicated it was now time to consider Resolution NO. 21-04-08A.

RESOLUTION NO. 21-04-08A:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the purchase of certain equipment is necessary and essential to the efficient and proper operation of the Village.

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase the necessary equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF SHELTON, NEBRASKA:

SECTION 1. That the Village of Shelton, Nebraska shall acquire one 220-watt Honda Generator from Northern Tool of Burnsville, MN, for a cost not to exceed \$949.49.

SECTION 2. That the Chairman, Utility Superintendent and Clerk hereby are authorized, and directed to acquire the aforementioned item for and on behalf of, and in the of the Village of Shelton, Nebraska, and to execute such documents, orders, and contracts in the name of the Village of Shelton, Nebraska, as may be necessary, proper, or convenient to undertake and Complete such purchase.

It was then moved by Trustee Keslar, with a second from Trustee Oberg to accept and adopt Resolution No. 21-04-08A as presented. AYES: Roe, Oberg, Reutzell, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**15. PURCHASE OF NEW MOWER.** After discussion, Chairman Roe indicated it was now time to consider Resolution NO. 21-04-08B.

RESOLUTION NO. 21-04-08B:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the purchase of certain equipment is necessary and essential to the efficient and proper operation of the Village;

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase the necessary equipment:

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF SHELTON, NEBRASKA:

SECTION 1. That the Village of Shelton, Nebraska shall immediately acquire, for the purchase price not to exceed \$2699.00 a 2021 John Deer X350 Select Series Tractor with 42-in mower deck per

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Quote #24002689 from AKRS Equipment of Grand Island, Nebraska.

**SECTION 2.** That the Chairman and Clerk hereby are authorized, And directed to acquire the aforementioned equipment for and on behalf of, and in the name of the Village of Shelton, Nebraska, and to execute such documents, orders, and contracts in the name of the Village of Shelton, Nebraska, as may be necessary, proper, or convenient to undertake and complete such purchase.

It was then moved by Trustee Keslar, with a second from Trustee Doremus to accept and adopt Resolution No. 21-04-08A as presented. AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**16. PAY REQUEST FROM CDS INSPETIONS & BEYOND FOR ASBESTOS INSPECTION FOR SHELTON HR-02.** It was moved by Trustee Oberg to pay this request. This received a second from Trustee Doremus with the vote as follows: AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**17. OOR PROJECT AND DEMOLITION OF GARAGE.** Lori Ferguson from South Central Economic Development District (SCEDD) was unable to attend but had asked Village Clerk Doremus to report that the Asbestos report came back that there was no asbestos in a structure that was being demolished. She is currently working on the specifications for the demolition of the garage and with the State of Nebraska representative to be sure this was allowed under our grant agreement.

**18. CLAIMS.** After review, it was moved by Trustee Keslar, seconded by Trustee Oberg to pay the claims as presented. Ayes: Roe, Oberg, Keslar, Reutzel and Doremus. Nays: None. Absent: None. Motion Carried.

**19. ADJOURNMENT.** All agenda items having been considered, Trustee Keslar with a second from Trustee Doremus moved to adjourn the meeting. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Whereupon the Chairman declared the motion carried and the meeting duly adjourned at 8:32 P.M.

RESPECTFULLY SUBMITTED

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BONNIE DOREMUS, MMC  
VILLAGE CLERK

APPROVED:

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WILLIAM C. ROE  
CHAIRMAN

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## CERTIFICATION

I, the undersigned, Village Clerk for the Village of Shelton, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairman and Board of Trustees of the Village of Shelton at the regular meeting held on April 8, 2021 at the Community Room, 219 "C" Street, Shelton, NE and that all the subjects included in the foregoing proceedings were contained in said agenda for at least twenty-four hours prior to said meeting; that said minutes from which the foregoing proceedings have been extracted were available for public inspection within ten working days of the meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; that the notice of the meeting was published in the Shelton Clipper on April 1, 2021 and posted by Assistant Clerk/Treasurer Lisa Smith on April 5, 2021 in five public places in the Village of Shelton, as follows: Village Office, Cornerstone Bank, Shelton Clipper, Post Office, and Larry's Market.

Dated this 15th day of April, 2021.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK