

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
APRIL 10, 2025 7:00 PM

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 10, 2025.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on April 3, 2025, and by posting at 11:00 am on March 31, 2025 in five (5) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, Post Office, Cornerstone Bank, and Village Office, all as shown by 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 advanced 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.

1. CALL MEETING TO ORDER AND ROLL CALL Vice Chairman Keslar 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 Oberg, Jensen and Keslar. Absent: Roe and Rabbe.

It was then moved by Trustee Oberg, with a second from Trustee Rabbe to adjourn the Board of Trustees meeting in order to hold a public hearing. Ayes: Oberg, Jensen and Keslar. Nays: None. Absent: Roe and Rabbe. Motion Carried.

PUBLIC HEARING RE: APPLICATION FOR A CONDITIONAL USE PERMIT TO PROVIDE FOR A FAMILY CHILD CARE HOME II AT 302 PHELPS STREET. Vice Chairman Keslar opened the Public Hearing at 7:00 PM, explaining that the purpose was to hear any concerns for or against the Conditional Use Permit. The Applicants were present and answered all the questions and concerns from the board and public. Having heard all public comments Vice Chairman Keslar closed the public Hearing at 7:10 PM and called the Board of Trustees meeting back to order with a roll call reflecting the following: Present: Trustee Oberg, Jensen and Keslar. Absent: Roe and Rabbe.

2. APPLICATION FOR A CONDITIONAL USE PERMIT TO PROVIDE FOR A FAMILY CHILD CARE HOME II AT 302 PHELPS STREET. After considering all the comments and the discussion of the conditions of the permit, Vice Chairman Keslar indicated it was time to consider Resolution No. 25-04-10.

RESOLUTION NO. 25-04-10:

WHEREAS, an application for a Conditional Use Permit conforming in all respects to the provisions of Article 6 of the Zoning Ordinances of the Village of Shelton, Nebraska, has been submitted by VRPN, LLC (hereinafter referred to as "applicant") concerning the following described real estate, to-wit:

Block 4, lot 1 and North 30 feet of lot 2
Coady's 2nd Addition
Village of Shelton,
Buffalo County, Nebraska

with such application requesting permission from the Village for the following conditional use of the above-described premises for a Family Child Care Home II and

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WHEREAS, the Planning Commission of Shelton, Nebraska, after public hearing, has forwarded its recommendation for approval of such application to the Shelton Village Board; and

WHEREAS, the Village Board of Shelton, Nebraska, has held a separate public hearing on the matter of this application for a Conditional Use Permit as provided in Section 6.4, Article 6 of the Zoning Ordinances of the Village of Shelton, Nebraska; and

WHEREAS, after consideration of the matter, the Village Board hereby finds and determines (1) that such application meets or exceeds the minimum standard for conditional uses as set forth in Article 6 of the Zoning Ordinance of the Village of Shelton, Nebraska; (2) that such conditional use will not have a permanent negative impact on those items listed in Article 6, Section 6.6, of the Zoning Ordinance of the Village of Shelton, Nebraska; and (3) that, more particularly, such use will not affect pedestrian or vehicular traffic circulation and safety, will create no noise, fumes, dust, or other environmental pollution, is comparable to and compatible with other land use in the immediate vicinity and is not of a permanent nature, will not diminish property values in the area, and will not over burden utilities in the area; and

WHEREAS, the Village Board of Shelton, Nebraska, therefore, deems it appropriate and proper to grant approval of such application for Conditional Use Permit subject to the conditions and requirements herein imposed.

NOW THEREFORE BE IT RESOLVED by the Chairman and Board of Trustees of the Village of Shelton, Nebraska:

SECTION 1. That a Conditional Use Permit be, and hereby is, granted to VRPN, LLC, owner of the premises above-described, for as long as a valid license from the State of Nebraska exists for the premises, for the purpose of a Family Child Care Home II subject to the standards, requirements, and prohibitions set forth in Article IV of the zoning ordinance of the Village of Shelton, Nebraska, and subject further to the conditions hereinafter imposed.

SECTION 2. That such Conditional Use Permit is subject to the following conditions, which conditions shall be deemed continuing throughout the term of the Conditional Use permit:

- A. That the development of the subject real estate shall be completely in accordance with the approved plan and no deviations there from shall be permitted;
- B. That the use of subject premises shall at all time throughout the terms of this Conditional Use Permit comply with the Comprehensive Plan and Zoning Ordinance of the Village of Shelton, Nebraska, except as otherwise expressly permitted in the approved plan to this Conditional Use Permit;
- C. That the subject premises maintained to have proper weed growth according to the Village Ordinances.

Failure to substantially comply with the above and foregoing conditions may result in revocation of the Conditional Use Permit herein granted after hearing before the Shelton Village Board. Any such revocation shall be without liability to the Village of Shelton for damages resulting from a revocation and shall cause require the applicant to restore the subject premises to preexisting conditions to comply with the Zoning Ordinance of Shelton, Nebraska, as though no Conditional Use Permit had ever been issued.

SECTION 3. That the issuance of such Condition Use Permit, being a copy of this Resolution, shall be binding upon the applicant and Village upon the execution and acceptance by the applicant which will guarantee compliance with the provisions hereof, and in the event of failure to so comply, consenting to the termination of the Conditional Use Permit or permitting the Village of Shelton to take any and all steps necessary to assure compliance including performing the construction or maintenance itself with all costs to be charged against the premises as an assessment, all in accordance with Nebraska State Statues and the zoning ordinance of Shelton, Nebraska.

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SECTION 4. That upon acceptance hereof by the applicant, the Village Clerk is hereby authorized and directed to issue such conditional use permit to the applicant by means of a certified copy hereof.

It was then moved by Trustee Oberg, with a second from Trustee Jensen to approve and adopt Resolution No. 25-04-10 granting the conditional use permit. AYES: Oberg, Jensen and Keslar. NAYS: None. ABSENT: Roe and Rabbe. Motion Carried.

3. **CONSENT AGENDA.** It was then moved by Trustee Oberg to approve the consent agenda which included: A) Waive reading and approve minutes of the regular meeting of February 13, 2025; B) Accept Financial Report and; C) Approve Elijah Onate and Levi Bahe as new members and Demarien Williams as a new cadet of the SVFD. This received a second from Trustee Jensen with the vote as follows: AYES: Oberg, Jensen and Keslar. NAYS: None. ABSENT: Roe and Rabbe. Motion Carried.

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

5. **APPROVAL OF MEMORIAL BASKETS IN DOWNTOWN AREA.** Gracie Willis, a sophomore at Shelton High School, had prepared a written proposal to the board for the creation of large memorial flower containers that would be placed along downtown main street. She was unable to attend the meeting to present in person but had a representative present to answer any questions the board might have. This was to serve as her Supervised Agricultural Experience project through the FFA. She would be responsible for all the watering, etc. of the flowers. After discussion, it was moved by Trustee Oberg to give approval for this project. This received a second from Trustee Jensen with the vote as follows: AYES: Oberg, Jensen and Keslar. NAYS: None. ABSENT: Roe and Rabbe. Motion Carried.

6. **AGREEMENT WITH FIRE DEPARTMENT RELATING TO BILLING OF RESCUE TRUCK.** After some discussion, Vice Chairman Keslar indicated it was time to consider Resolution No. 25-04-10A.

RESOLUTION NO. 25-04-10A:

WHEREAS, the Village of Shelton, Buffalo County, Nebraska prior hereto purchased through a bond issue an Emergency Rescue for use by the Shelton Fire Department; and

WHEREAS, the Shelton Fire provides the vehicle to the Shelton Fire and Rescue Department, a separate and distinct body sharing first responder duties to the area around Shelton, Nebraska; and

WHEREAS, for purposes of covering the use of the vehicle beyond that of the Shelton Fire Department, the parties wish to enter into a financial arrangement to provide for current and future expenses of the Shelton Fire Department;

NOW THEREFORE, the undersigned parties hereby agree that in consideration of the continued use of the rescue vehicle by both the Shelton Fire Department and the Shelton Fire and Rescue Department, the Shelton Fire Department (hereinafter Fire Department) and the Village of Shelton (hereinafter Village) as follows:

1. Fire Department shall continue to charge for services of said rescue vehicle and the personnel associated with such use in accordance with current procedures and in amounts properly set and approved prior to such service.

2. Upon receipt of such payments Village shall receive 5% of the total payment to be calculated at the time of receipt by the Fire Department and distributed quarterly to the Village together with an itemization of service dates.

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3. The Village shall apply such amounts to the payment of the outstanding bonded indebtedness for the rescue vehicle until such time as said indebtedness is paid in full.

4. Upon payment of the indebtedness on said vehicle, the sums so received hereunder shall be separately maintained and accounted for, for purposes of future capital expenses requested of the Fire Department and approved by the Village.

5. Upon 60 days notice either party may request a review of the percentage designated to the Village.

6. This agreement may be terminated by either party upon 90 days notice, in writing, only after the bonded indebtedness for said rescue vehicle has been paid in full.

It was then moved by Trustee Oberg, with a second from Trustee Jensen to approve and adopt Resolution No. 25-04-10A as presented. AYES: Oberg, Jensen and Keslar. NAYS: None. ABSENT: Roe and Rabbe. Motion Carried.

7. PLACING OF FOOD TRUCKS ON RESIDENTIAL LOTS. Zoning Officer Gillming reported that he could not find anything in the regulations addressing food trucks being placed on residential lots. Currently there is a food truck that he has given a Temporary Use Permit for 6 months. He plans to address the Planning Commission on the subject when they meet next.

8. WATER METER REPLACEMENT. Utility Superintendent Gillming reported that he and Chairman Roe had met with a representative from Municipal Supply out of Hastings but was still waiting for a quote from them. It was then moved by Trustee Oberg, with a second from Trustee Jensen to postpone any action until the May meeting. AYES: Oberg, Jensen and Keslar. NAYS: None. ABSENT: Roe and Rabbe. Motion Carried.

9. RELATIONSHIP BETWEEN HALL COUNTY HOUSING AUTHORITY AND SHELTON HOUSING AUTHORITY. (The Shelton Housing Authority has entered a Management Agreement with the Hall County Housing Authority). Artena Thompson, Housing Director for Hall County and the Shelton Housing Authority, addressed the Trustees regarding the amount of Commissioners and term lengths. She would like to increase the Shelton Housing Authority Board of Commissioners from five to six and limit the Resident Commissioner's term to three years. No action was required at this time.

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

11. ADJOURNMENT. All agenda items having been considered, Trustee Oberg, with a second from Trustee Jensen, moved to adjourn the meeting. Ayes: Oberg, Jensen and Keslar. Nays: None. Absent: Roe and Rabbe. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 7:48 P.M.

RESPECTFULLY SUBMITTED

BONNIE DOREMUS, MMC
VILLAGE CLERK

APPROVED:

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 Vice Chairman and Board of Trustees of the Village of Shelton at the regular meeting held on April 10, 2025 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 posted by Assistant Clerk Smith on March 31, 2025 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 17th day of April, 2025.

BONNIE DOREMUS, MMC
VILLAGE CLERK