

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
AUGUST 8, 2024 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 August 8, 2024.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on August 1, 2024, and by posting at 11:30 am on August 1, 2024 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** Chairman Roe 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, Rabbe, Keslar and Oberg. Absent: Anderson.

**PUBLIC HEARING.** It being of the hour of 7:00 pm. It was moved by Trustee Keslar, with a second from Trustee Oberg to adjourn the Board of Trustees meeting in order to hold a Public Hearing. AYES: Roe, Rabbe, Keslar and Oberg. NAYS: None. ABSENT: Anderson. Motion Carried.

Chairman Roe opened the public hearing stating that the purpose of the hearing was to hear any comments or concerns relating to the Village's application for Nebraska Game & Parks - Land & Water Conservation Fund Grant. Megan Shada with Miller & Associates gave the public a summary of the grant application which would be for the assistance of building the new swimming pool. After going over a time line for the construction and hearing no further comments or concerns from the public, Chairman Roe closed the Public Hearing and called the Board of Trustee's meeting back to order at 7:05 PM. A roll call reflected the following: Present: Trustee Roe, Rabbe, Keslar and Oberg. Absent: Anderson.

**2. APPLICATION TO NEBRASKA GAME AND PARKS FOR A LAND & WATER CONSERVATION FUND GRANT.** Chairman Roe then indicated it was time to consider Resolution No. 24-08-08.

RESOLUTION NO. 24-08-08:

## RESOLUTION ON DEVELOPMENT FOR OUTDOOR RECREATION

The Village of Shelton, Nebraska proposes to apply for federal assistance from the Land and Water Conservation Fund program for the purpose of the construction of a new swimming pool and bathhouse at Veterans Memorial Park.

The Chairperson of the Board is authorized to sign documents to obtain financial assistance, including a Project Agreement with the State of Nebraska and the National Park Service.

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The Village of Shelton, Nebraska will, within thirty (30) days following federal approval, obtain the necessary consultant service for this project as directed and as required by Nebraska Game and Parks Commission staff.

The Village of Shelton, Nebraska has budgeted or currently has available its stated match of the proposed total project funds and will allocate these funds toward this project upon project approval by the Nebraska Game and Parks Commission.

The Village of Shelton, Nebraska has the financial capability to operate and maintain the completed project and park property in a safe, attractive, and sanitary manner.

The Village of Shelton, Nebraska will not discriminate against any person on the basis of race, color, age, religion, disability, sex, or national origin in the use of any property or facility acquired or developed pursuant to the project proposal and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to uses other than public outdoor recreation. Any such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such conditions as deemed necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

The Village of Shelton, Nebraska will replace the land in the event of a conversion for use in accordance with Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended.

The Village of Shelton, Nebraska agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

After consideration, it was moved by Trustee Keslar, with a second from Trustee Rabbe to approve and adopt Resolution No. 24-08-08 as presented. AYES: Roe, Rabbe, Keslar and Oberg. NAYS: None. ABSENT: Anderson. Motion Carried.

**3. CONSENT AGENDA.** It was then moved by Trustee Keslar to approve the consent agenda which included: A) Waive reading and approve minutes of the regular meeting of July 11, 2024; B) Accept Financial; C) to cash CD#100442 (PCF) and reinvest at a higher rate of interest; and D) Approval of the issuance of a Special Designated License to Copper Penny Station for a concert on 9/13/24; This received a second from Trustee Rabbe with the vote as follows: AYES: Roe, Rabbe, Keslar and Oberg. NAYS: None. ABSENT: Anderson. Motion Carried.

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

**5. DECLARING 505 A STREET A NUISANCE PROPERTY.** Police Chief Clark presented the board with pictures of the property and the vacant house. The owner of the property was present and agreed to start clearing the yard and begin rectifying the concerns brought up in the discussion. It was suggested that since the house had been vacant for so many years that an inspection be done at the owner's cost to prove that it is still structurally sound. The progress will be reviewed at the September regular meeting.

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**6. DECLARING 514 A STREET A NUISANCE PROPERTY.** Police Chief Clark presented the Board with pictures of this residence which is currently unoccupied. The property owners were not present and after discussion, Chief Clark indicated that he would contact them and see if they could get some progress done on the property and then it would be reviewed at the September meeting.

**11. ORDINANCE AUTHORIZING ISSUANCE OF GENERAL OBLIGATION SWIMMING POOL BONDS.** Andy Forney from DA Davidson & Co. explaining that this ordinance did not lock them into a time or rate for the issuance of the bonds, but only that they intend to issue bonds for the construction of the pool.

**10. ORDINANCE TO CHANGE NUMBER OF PLANNING COMMISSIONERS FOR THE PLANNING COMMISSION.** It was explained that currently there are, and have been for some time, two vacancies on the seven-member Planning Commission. This new ordinance would reduce the Planning Commission to a five-member Commission, allowing for a quorum amount of three rather than the current four needed to conduct any business.

After discussion of both ordinances, Chairman Roe indicated it was time to consider Ordinances No. 868 and 869.

Whereupon, it was moved by Trustee Oberg, seconded by Trustee Keslar 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. 868 and No. 869 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, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

Further, a motion was made by Trustee Oberg seconded by Trustee Keslar that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinances No. 868 and No. 869 might be introduced, read by title, and approved and passed at the same meeting. Trustee Rabbe 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, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

Following the reading of Ordinances No. 868 and No. 869 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 Ordinances No. 868 and No. 869 and the following vote was recorded for Ordinance No. 868 and No. 869: AYES: Roe, Keslar, Oberg and Rabbe. NAYS: None. ABSENT: Anderson. Motion Carried. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinances No. 868 and No. 869 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 Keslar that said Ordinances No. 868 and No. 869 be published in pamphlet form. AYES: Roe, Oberg, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

**7. LIBRARY PARKING/RAMP PROJECT.** Tyler Hillmer from Miller & Associates was able to come up with three options for the board to consider. Megan Shade presented these to the

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board. Two options were to have the ADA Ramp and second floor entrance) on the north side of the Library with the parking in either the front or rear of the building. The other option was to have the parking on the north side of the building and the ramp and entrance in the rear. All options were at a cost between \$116,000 and \$122,000 (exceeding the \$95,000 given to the Village from the Buffalo County ARPA funds). After discussion, it was decided to have the Library Board meet to see what they wanted to do to either do part of the project or maybe a different project with the funds available.

**8. ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE WITH THE NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 24-08-08A.

**RESOLUTION NO. 24-08-08A:  
SIGNING OF THE  
YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT  
2024**

Whereas: State of Nebraska Statues, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2) requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas: The State of Nebraska Statue, Section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Village Board Chairperson of Shelton, NE is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

It was then moved by Trustee Keslar to approve and adopt Resolution No. 24-08-08A. This received a second from Trustee Oberg with the vote as follows: AYES: Roe, Oberg, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

**9. PROPOSALS FOR TRASH SERVICE.** Village Clerk Doremus reported that she had received a response from Ravenna Sanitation but that was all. After discussion, she was asked to reach out to Mid-Nebraska Disposal to see if they had an interest before having more discussion on the subject at the September meeting.

**12. AYERS STREET DAMAGE.** It was moved by Trustee Rabbe to accept the offer from Diamond Engineer's Insurance Company and sign the "confidential" release. This received a second from Trustee Oberg with the vote as follows: AYES: Roe, Oberg, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

**13. PROPOSED 2024/2025 LINE-ITEM BUDGET.** After discussion and having any questions answered, it was moved by Trustee Rabbe, with a second from Trustee Oberg to forward the line-item budget to the accountant to have it put in the state required forms in order to have the formal Budget Hearing and submission to the State. AYES: Roe, Oberg, Rabbe and Keslar. NAYS: None. ABSENT: Anderson. Motion Carried.

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

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**15. ADJOURNMENT.** All agenda items having been considered, Trustee Oberg with a second from Trustee Rabbe, moved to adjourn the meeting. Ayes: Roe, Oberg, Rabbe and Keslar. Nays: None. Absent: Anderson. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:15 P.M.

RESPECTFULLY SUBMITTED

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BONNIE DOREMUS, MMC  
VILLAGE CLERK

APPROVED:

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WILLIAM C. ROE  
CHAIRMAN

## 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 August 8, 2024 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 August 1, 2024 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 14<sup>th</sup> day of August, 2024.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK