

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
JANUARY 10, 2019 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, on January 10, 2019. Vice Chairman Keslar called the meeting to order at 7:00 P.M. 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: Trustees: Oberg, Keslar and Doremus. Absent: Roe and Cline.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on January 3, 2019 and by posting at 10:45 am on January 7, 2019 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.

**2. CONSENT AGENDA.** The consent agenda was presented as follows:

- A. WAIVE READING & APPROVE MINUTES OF REGULAR MEETING OF DECEMBER 13, 2018**
- B. ACCEPT FINANCIAL STATEMENT AS PRESENTED**
- C. RESOLUTION RE: CUSTOMER WATER LEAK BILLING POLICY**

**RESOLUTION NO. 19-01-10:**

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the maintenance of the water service line from the meter to the house and within said property to be the responsibility of the utility customer; and

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided the cost of any water running through the meter is the responsibility of the utility customer;

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

**SECTION 1.** Any and all water running through the meter of the utility customer is to be billed to said customer and is his/her responsibility.

**SECTION 2.** That the maintenance of the water service line from the meter to the house and within said property to be the sole responsibility of the utility customer; and

**SECTION 3.** That the Village reserves the right to discontinue service to the property if maintenance of such service line is not conducted in a timely manner.

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 2 -

## **D. RESOLUTION RE: REVISED EMPLOYEE MANUAL TO ALLOW ANNUAL EMPLOYEE EVALUATIONS**

RESOLUTION NO. 19-01-10A:

WHEREAS, a revision to the Personnel Manual of the Village of Shelton has been reviewed by the Chairman and the Board of Trustees: and

WHEREAS, the Chairman and the Board of Trustees of the Village of Shelton, Nebraska, hereby determine that it is in the best interest of the citizens of the Village of Shelton to revise the Personnel manual for its employees;

NOW, THEREFORE, BE IT RESOLVED by the Chairman and the Board of Trustees of the Village of Shelton, that the revision to the personnel manual with regards to employee evaluation which currently reads "Employees will be evaluated as to job performance twice annually; once each January and once each June" shall be revised to read " Employees will be evaluated as to job performance annually in June of each year."

## **E. ELIMINATE COMMUNITY ROOM AND HEALTH CENTER DEPARTMENTS AND TRANSFER REMAINING ASSETS INTO THE GENERAL DEPARTMENT.**

Trustee Doremus asked to have the Resolution 19-01-10 to be removed from the consent agenda to allow some discussion on the matter of landowners being responsible for water charges – partially due to water leaks. After such discussion, it was the consensus not to act on this resolution and to direct the Village Attorney to have an ordinance next month ready for consideration which would allow water costs to be assessed against the property.

After this discussion it was moved by Trustee Doremus to approve the Consent Agenda with the removal of the Resolution relating to the water leak billing policy. This received a second from Trustee Oberg with the vote as follows: AYES: Doremus, Oberg and Keslar. NAYS: none. ABSENT: Roe and Cline. Motion Carried.

## **3. REPORTS.**

**B. FIRE DEPARTMENT COMMUNICATIONS.** Fire Chief Jason Wiehn reported on various activities and plans in his department.

**A. ATTORNEY/DEPARTMENT HEAD REPORTS.** Village Attorney Truell reported on activities as well as written and oral reports from Department Heads were received.

**C. FUNDING FOR WATER PROJECTS.** Village Engineer, Reed Miller presented to the board a proposal from the State Revolving Funds. This proposal would fund four major projects for the village for an estimated cost of \$687,100. Due to the age of the water mains to be replaced on "C" Street a 20% loan forgiveness would be offers and financing of the remaining at a 2 ½ %. The board would need to make some sort of decision at the February meeting.

**4. APPROVE DUSTIN SCHROEDER DBA MOTOR INN AS AUTHORIZED SALES OUTLET LOCATION FOR LOTTERY SALES.** It was explained that since the Motor Inn was under a different lease that the Village would need to approve it as a new outlet for Lottery sales. After discussion, it was moved by Trustee Doremus to name Dustin Schroeder dba Motor Inn as an authorized sales outlet location for lottery sales. This received a second from Trustee Oberg with the vote as follows: AYES: Doremus, Oberg and Keslar. NAYS: None. ABSENT: Roe and Cline. Motion Carried.

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 3 -

Vice Chairman Keslar indicated it was now time to hold a Public Hearing at which time Trustee Doremus moved to adjourn the Board of Trustees meeting in order to hold the Public Hearing. This received a second from Trustee Oberg with the vote as follows: AYES: Doremus, Oberg and Keslar. NAYS: None. ABSENT: Roe and Cline. Motion Carried and the meeting was adjourned, and the Public hearing was called to order at 7:35 PM.

## **PUBLIC HEARING REGARDING THE ONE-AND SIX YEAR STREET IMPROVEMENT PROGRAM.**

Village Engineer Reed Miller presented the board with a program of maintenance only for the one year and improvements to "A", "B", Railroad, First and "D" Streets for the six-year program.

After discussion and hearing no more comments from the public, Vice Chairman Keslar closed the public hearing at 7:43 PM at which time he called the Board of Trustees meeting back to order and informed the public of the posting of the Open Meeting Act on the bulletin board in the back of the room. He then directed the Village Clerk to call roll which reflected the following: Present: Trustees: Oberg, Keslar and Doremus. Absent: Roe and Cline.

**6. ONE- AND SIX- YEAR STREET IMPROVEMENT PROGRAM.** Vice Chairman Keslar then indicated it was time to consider Resolution No. 19-01-10B.

**RESOLUTION NO. 19-01-10B:**

**BE IT RESOLVED** by the Village Board of Trustees of Shelton, Nebraska that the attached One- and Six- Year Street Improvement Program is hereby approved and adopted by said Board of Trustees. The said Board of Trustees attests that the Notice of Public Hearing was posted in the following three public places:

Larry's Market  
Cornerstone Bank of Shelton  
Shelton Clipper.

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 19-01-10B as presented. AYES: Doremus, Oberg and Keslar. NAYS: None. ABSENT: Roe and Cline. Motion Carried.

**8. POLICY TO CLARIFY DUE DATES WHEN FALLING ON A WEEKEND.** Due to some discussion on social media relating to late fees being assessed when the 15<sup>th</sup> fell on a weekend, it was suggested to put the current policy in writing, and have it formally approved by the Board. Vice Chairman Keslar indicated it was time to consider Resolution No. 19-01-10C.

**RESOLUTION NO. 19-01-10C:**

**WHEREAS**, the Governing Body of the Village of Shelton, Nebraska has determined that the utility bills for water, sewer and garbage are past due on the 16<sup>th</sup> of each month; and

**WHEREAS**, the Village has available to its customers various means of paying the Utility Bills (walk-in, mail, on-line, drop box and direct bank payments); and

**WHEREAS**, the customer is given until 10:00 AM on the following business day after the 15<sup>th</sup> of each month before a late fee is charged;

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 4 -

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

The established late fee will be charged on accounts not paid by 10:00 AM of the first business day following the 15<sup>th</sup> of each month.

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 19-01-10C as presented. AYES: Doremus, Oberg and Keslar. NAYS: None. ABSENT: Roe and Cline. Motion Carried.

**9. ORDINANCE CREATING A COMMUNITY DEVELOPMENT AGENCY.** Village Attorney Jim Truell explained to the board the difference between the Community Development Agency and a Community Redevelopment Agency and presented an ordinance to be considered to organize as a Community Development Agency.

**11. POOL OPERATIONS/STAFF.** Village Clerk Doremus explained that maybe it would be an advantage to advertise for the Pool Manager position now and to review the pool employee handbook before we needed to hire the lifeguards for the 2019 season. After discussion, it was directed to place an ad to advertise the Pool Manager position.

**13. CLAIMS.** It was moved by Trustee Doremus with a second from Trustee Oberg to approve claims as presented. AYES: Keslar, Oberg and Doremus. NAYS: None. ABSENT: Roe and Cline. Motion Carried.

**CHAIRMAN ROE ARRIVED AT 8:05 PM** at which time he took over the direction of the Board of Trustees meeting.

**5. APPOINTMENT OF CINDY KESLAR TO PLANNING COMMISSION AND TREE BOARD.** After discussion, it was moved by Trustee Doremus to approve the appointment of Cindy Keslar to both the Planning Commission and the Tree Board. This received a second by Trustee Oberg with the vote as follows: AYES: Roe, Oberg and Doremus. NAYS: None. ABSENT: Cline. ABSTAINS: Keslar. Motion Carried.

**7. ANNEXATION/ANNEXATION ORDINANCES.** After discussion with land owners and the general public, it was moved by Trustee Keslar to table any action to the February regular meeting to allow time to estimate property tax income from the proposed annexation properties. This received a second from Trustee Oberg with a vote as follows: AYES: Roe, Oberg, Doremus and Keslar. NAYS: none. ABSENT: Cline. Motion Carried.

**10. ORDINANCE TO FIX SALARIES OF EMPLOYEES.** After looking and discussing different ways of giving raises (set amount or percentage amount) it was moved by Doremus, with a second from Trustee Oberg to give a set amount of \$.50 to each full-time employee. The vote was then recorded as follows: AYES: Roe, Oberg, Doremus and Keslar. NAYS: none. ABSENT: Cline. Motion Carried.

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 5 -

9. and 10. Chairman Roe then indicated it was time to consider Ordinances 822 and 823.

**ORDINANCE NO. 822 – AN ORDINANCE CREATING A COMMUNITY DEVELOPMENT AGENCY  
ORDINANCE NO. 823 - AN ORDINANCE TO FIX SALARIES OF EMPLOYEES.**

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. 822 and No. 823 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, Doremus and Keslar. NAYS: None. ABSENT: Cline. 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. 822 and No. 823 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, Doremus and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.**

Following the reading of Ordinances No. 822 and No. 823 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. 822 and No. 823 and the following vote was recorded for Ordinance No. 822 and 823: **AYES: Roe, Oberg, Keslar and Doremus. NAYS: None. ABSENT: Cline. 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. 822 and No. 823 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. 822 and No. 823 be published in pamphlet form. **AYES: Roe, Oberg, Doremus and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.**

**14. ADJOURNMENT.** All agenda items having been considered, Trustee Doremus with a second from Trustee Roe moved to adjourn the meeting. **AYES: Roe, Oberg, Keslar and Doremus. NAYS: None. ABSENT: Cline. Motion Carried.** Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 9:08 P.M.

RESPECTFULLY SUBMITTED

---

BONNIE DOREMUS, MMC  
VILLAGE CLERK

APPROVED:

---

WILLIAM C. ROE  
CHAIRMAN

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 6 -

## 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 January 10, 2019 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 Village Clerk Lisa Smith at 10:45 P.M. on January 7, 2019 in five public places in the Village of Shelton, as follows: Village Office, Shelton Clipper, Post Office, Cornerstone Bank, and Larry's Market.

Dated this 14th day of January 14, 2019

---

BONNIE DOREMUS, MMC  
VILLAGE CLERK

# MINUTE RECORD

JANUARY 10, 2019

- PAGE 7 -

## CLAIMS:

BLACK HILLS ENERGY	DEC BILL	\$856.37
BUFFALO OUTDOOR POWER LLC	PARK EQUIP R/M	\$495.45
BUSINESS WORLD PRODUCTS	OFFICE SUPPLIES	\$294.94
CHARTER COMMUNICATIONS	MONTHLY BILL	\$154.99
CHEMSEARCH	SEWER MAINT PROGRAM (2 MOS)	\$1,420.00
CINDY BRANDT	FIRE HALL CLEANING	\$100.00
CLIPPER PUBLISHING, INC	PUBLICATIONS/SUBSCRIPTION	\$289.72
CONSTRUCTION RENTAL	SHOP SUPPLIES	\$60.60
CUTTING EDGE CLEANING	DEC COMM RM CLEANING	\$120.00
DATA TECHNOLOGIES, INC.	TAX FORMS	\$113.62
DEARBORN NATIONAL	NOV PREMIUM/FIREMEN	\$55.04
DIVERSIFIED DRUG TESTING, LLC	QTRLY DRUG TESTING	\$237.00
GALLS LLC	POLICE SUPPLIES	\$128.62
GODFREY ELECTRIC LLC	WATER R/M	\$84.25
JOHN DEERE FINANCIAL	REPAIRS	\$601.25
JUNIOR LIBRARY GUILD	NEW BOOKS	\$719.64
K & K CONVENIENCE STORE	DEC GAS	\$609.55
LARRY'S MARKET	SUPPLIES	\$91.40
LASERTEC OF NE, INC	PAGEPACK CONTRACT	\$73.86
MCI	MONTHLY BILL	\$27.17
MENARDS - KEARNEY	SHOP SUPPLIES	\$258.11
MUNICIPAL SUPPLY INC	WATER R/M	\$16.00
NE CENTRAL TELEPHONE CO	DEC SERVICE	\$504.71
NEBRASKA DEPT OF REVENUE	SALES TAX	\$1,939.78
NEBRASKA PUBLIC POWER DIST	MONTHLY SERVICE	\$5,848.84
ONE CALL CONCEPTS	DEC LOCATES	\$1.14
PETTY CASH	POSTAGE	\$175.71
PRESTO X	FIREHALL PEST CONTROL	\$35.00
TRACTOR SUPPLY CREDIT PLAN	STR REPAIR	\$75.96
TRUELL, MURRY & ASSOC	DEC ATTORNEY FEES	\$590.00
US BANK	LIBRARY SUPPLIES/POOL CANAPY R/M	\$71.33
VERIZON	MONTHLY SERVICE	\$419.02
WILLIS REPAIR	SAFETY EQUIP/SUPPLIES	\$187.34
TOTAL ACCOUNTS PAYABLE		\$16,656.41
DEC PAYROLL		\$27,242.53
***** REPORT TOTAL *****		\$43,898.94