

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
JANUARY 9, 2020 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 9, 2020. Chairman Roe 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: Roe, Keslar, Oberg and Doremus. Absent: Cline.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on January 2, 2020 and posting at 11:45 am on January 3, 2020 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 12, 2019**
 - B. **ACCEPT FINANCIAL REPORT**

It was moved by Trustee Keslar with a second from Trustee Oberg to approve the consent agenda as presented. Ayes: Roe, Oberg, Keslar and Doremus. Nays: None. Absent: Cline. Motion carried.

3. REPORTS

- A. **FIRE DEPARTMENT REPORT ON PRIOR MONTH'S ACTIVITIES.** A Verbal report given by Mr. Roe.
- B. **ATTORNEY REPORT ON PRIOR MONTH'S ACTIVITIES.** A verbal report was given by Attorney Truell.
- C. **ADMINISTRATIVE REPORT.** A written and verbal report was given by Administrative Clerk Doremus.
- D. **POLICE REPORT.** A written and verbal report was given by Police Chief Clark
- E. **UTILITY SUPERINTENDENT REPORT.** A written and verbal report was given by Utility Superintendent Sell.

4. **CEMETERY ADVISORY COMMITTEE.** Administrative Clerk Doremus reported to the board that the members of the unofficial committee considered themselves as the "Cemetery Beautification" organization and was therefore a non-profit, separate from the Village altogether and felt the Village did not need them to act as an advisory committee. After discussion, it was agreed that nothing needed to be done and the organization would still come to the board before doing anything – very similar to the Lion's Club for community projects.

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5. MANGANESE WATER TESTING. A letter had been received from Miller & Associates informing the Board of new policies and testing for manganese in drinking water. Currently there are no enforceable regulations for manganese. Utility Superintendent Sell also informed the board that the state is working to get a grant to allow them to test all the municipalities in Nebraska and then decide how big the problem might be in the state. Everything is in the early stages and if the EPA would rule to require testing for manganese it would take at least 15 years for it to come into effect.

6. SPECS FOR WATER PROJECT (REPLACEING WATER MAIN ON C STREET FORM 2ND TO 8TH STREET AND ON RAILROAD STREET PLUS VALVES AND FIRE HYDRANT REPLACEMENTS WITH MAPPING OF SYSTEM). Reed Miller from Miller & Associates, Consulting Engineers presented the Board with the specs for the project. After discussion, Trustee Doremus moved to approve the spec and advertise for bids. This was seconded by Trustee Keslar with the vote as follows: Ayes: Roe, Doremus, Keslar and Oberg. Nays: None. Absent: Cline. Motion Carried. Bid opening was set for February 11, 2020 at 2:00 pm.

7. NUISANCE COMPLAINTS REGARDING 605 PHELPS DRIVE. Police Chief Clark reported that some progress had been made but there still was more to do. The neighbors felt that their infestation of mice was directly related to the number of items stored in the back yard. The property owners indicated they did not have problems and did not feel they were the cause of the mice problem. After discussion it was agreed that Police Chief Clark would meet with the property owners and decide what exactly needed to be done to keep them in compliance with the nuisance ordinance.

8. SPECIAL DESIGNATED LIQUOR LICENSE FOR LUCKY DUCK. The Lucky Duck Bar & Lounge of Gibbon was requesting a recommendation from the Board for a special designated liquor license. This would be used to cater a Lions Club Fundraiser event for February 1, 2020 at the Trademark Event Center. After discussion, Trustee Doremus with a second from Trustee Oberg to recommend the issuance of the Special Designated Liquor License to T.C. Reeder Ventures, LLC dba Lucky Duck Bar and Lounge of Gibbon, Nebraska. Ayes: Roe, Doremus, Keslar and Oberg. Nays: None. Absent: Cline. Motion Carried.

9. POLICE OFFICER VACANCY/TRAINING CONTRACT. Police Chief Clark reported that he had requests for applications and have received a few back. He would like to keep applications until the end of January before going onto the next step of interviews. The subject of the unfulfilled contract of Officer Schmidt. Although the contract was clear as to liquidated damages if Mr. Schmidt left before fulfilling the two years of employment after graduating from the Academy, it was discussed that maybe a prorated amount of the money would be appropriate. Discussion also included not to pursue any damages for his early resignation. After much discussion it was moved by Trustee Keslar to direct Village Attorney Truell to write a letter to Mr. Schmidt on the Village's behalf to inform him he had not fulfilled the conditions of the contract and that the Village would be pursuing a collection of the prorated amount for the 4 ½ months he did not serve. This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Doremus, Keslar and Oberg. Nays: None. Absent: Cline. Motion Carried.

10. ASSISTANT UTILITY SUPERINTENDENT POSITION. Utility Superintendent Sell reported to the Board that Brett Gillming had passed the Water Operators test and once the

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background had been completed he will be receiving his Grade IV Water Operators License. Since he was not anticipating anything to prevent him from receiving the license, he was recommending Mr. Gillming to be promoted to Assistant Utility Superintendent with a \$1.00 raise. After discussion, it was moved by Trustee Roe, with a second from Trustee Doremus to adopt this recommendation. Ayes: Roe, Doremus, Keslar and Oberg. Nays: None. Absent: Cline. Motion Carried.

11. REVIEW WAGES/RAISES FOR FULL TIME STAFF. After discussion it was moved by Trustee Roe to do away with the 100-hour guarantee for the Police Department and base the hourly rate on 84 hour/2 week pay period and increase wages by \$.50 for all the employees. This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Doremus, Keslar and Oberg. Nays: None. Absent: Cline. Motion Carried.

12. ORDINANCES TO SET SALARIES/WAGES. 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. 833 and No. 834 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. 833 and No. 834 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. 833 and No. 834 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. 833 and No. 834 and the following vote was recorded for Ordinance No. 833 and 834: 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. 833 and No. 834 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. 833 and No. 834 be published in pamphlet form. AYES: Roe, Oberg, Doremus and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.

13. MIDWINTER CONFERENCE IN LINCOLN. Administrative Clerk Doremus informed the Board of the Conference scheduled for February 24th and 25th and encouraged members to attend.

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

15. ADJOURNMENT. All agenda items having been considered, Trustee Doremus with a second from Trustee Keslar 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 8:05 P.M.

RESPECTFULLY SUBMITTED

BONNIE DOREMUS, MMC
VILLAGE CLERK

APPROVED:

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 January 9, 2020 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 Village Clerk Bonnie Doremus at 11:45 A.M. on January 3, 2020 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, 2020

BONNIE DOREMUS, MMC
VILLAGE CLERK