

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
JANUARY 12, 2023 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 12, 2023. 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, Oberg, Keslar and Leibfarth  
Absent: Doremus.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on January 12, 2023 and by posting at 10:40 am on January 5, 2023 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.** It was then moved by Trustee Oberg to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of December 8, 2023 and B) Accept Financial Report. This received a second from Trustee Keslar with the vote as follows: Ayes: Roe, Leibfarth, Oberg and Keslar. Nays: None. Absent: Doremus. Motion Carried.

**3. REPORTS.** Written and verbal reports were received from the Attorney, Administrative Clerk, Police Department, Utility Department, and Library.

**4. APPROVE PAYMENT TO MILLER & ASSOCIATES FOR CONSTRUCTION PHASE SERVICES FOR WATER SYSTEM IMPROVEMENTS.** After discussion, it was indicated by Chairman Roe that it is now time to consider Resolution No. 23-01-12.

RESOLUTION No. 23-01-12:

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

1. The Engineers for the Village, Miller & Associates, have theretofore delivered to the Village their invoice No. 22 1150 consisting of construction phase services for the months of October and November 2022 for the Water System Improvements 2021, as per our Agreement dated November 4, 2021, is hereby approved.
2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$2391.40 to Miller & Associates of Kearney, Nebraska within ten days from the date thereof for the work performed as set forth and approved.

It was then moved by Trustee Oberg, with a second from Leibfarth to approve and adopt Resolution No. 23-01-12 as presented. Ayes: Roe, Leibfarth, Oberg and Keslar. Nays: None. Absent: Doremus. Motion Carried.

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**5. RESURFACING OF AYRES STREET.** Matt Ley and Ryan Krolikowski from Diamond Engineering admitted that the damage to the street was caused by their employees and were offering \$12,000 for the repairs. Tyler Hillmer from Miller & Associates had presented to the board a resurfacing quote to overlay the street for \$34,250. It was also discussed that milling the road surface before the overlay would be the best. The milling and overlay quote came in at \$51,974.50. Diamond Engineering felt that the street was getting “upgraded” at their expense and felt that the damage to fix was still closer to the \$12,000 that had been offered previously. After much discussion, it was agreed that an independent Engineering firm would be hired, the cost to be split between the Village and Diamond, to mediate and give a recommendation for the Street’s repair.

**6. AYRES STREET WATER/SEWER IMPROVEMENTS PAY REQUEST FROM DIAMOND ENGINEERING CO.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 23-01-12A.

RESOLUTION NO. 23-01-12A:

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

1. Diamond Engineering Company has theretofore delivered to the Village their invoice consisting of services and materials as of September 30, 2022 for the Ayres Street Water/Sewer Improvements and the invoice set out below is hereby approved, and the Governing Board finds services have been received by the Village and work has been performed and claims therefore are hereby allowed as follows:

DIAMOND ENGINEERING COMPANY	
Completed & Stored to date .....	\$170,280.21.
Less retainage of 40.5229%.....	(69,002.52)
Less prior payments .....	(0.00)
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Total claim	\$101,277.69

2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$101,277.69 to Diamond Engineering Company of Grand Island, Nebraska within ten days from the date thereof for the work performed as set forth and approved.

It was then moved by Trustee Keslar, with a second from Oberg to approve and adopt Resolution No. 23-01-12A as presented. Ayes: Roe, Leibfarth, Oberg and Keslar. Nays: None. Absent: Doremus. Motion Carried.

**7. ORDINANCE TO SET NEW WAGES FOR VILLAGE EMPLOYEES.** After discussion, it was moved by Trustee Keslar, with a second from Trustee Leibfarth to give each employee a \$.55 raise and in addition to give Lisa Smith \$1.00 raise due to obtaining her Certified Municipal Clerk certification from the International Clerks Association. Ayes: Roe, Leibfarth, Oberg and Keslar. Nays: None. Absent: Doremus. Motion Carried.

Chairman Roe then indicated it was time to consider Ordinance No. 856. 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 Ordinance No. 856 be preserved and kept in a separate and distinct volume known as “Ordinance Record, Village of

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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 Village Clerk to call the roll and the following was recorded as the vote on this motion: AYES: Roe, Keslar, Oberg and Leibfarth. NAYS: None. ABSENT: Doremus. Whereupon the chairman declared the 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 Ordinance No. 856 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 Village Clerk to call roll and the following was the vote on this motion: AYES: Roe, Keslar, Oberg and Leibfarth. NAYS: None. ABSENT: Doremus. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 856 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. 856 and the following vote was recorded: AYES: Roe, Keslar, Oberg and Leibfarth. NAYS: None. ABSENT: Doremus. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 856 and declared said Ordinance duly passed and adopted as an Ordinance of the Village of Shelton, Nebraska.

Whereupon, it was moved by Trustee Oberg, seconded by Trustee Keslar that said Ordinance No. 856 be published in pamphlet form. AYES: Roe, Keslar, Oberg and Leibfarth. NAYS: None. ABSENT: Doremus. Motion Carried.

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

**9. ADJOURNMENT.** All agenda items having been considered, Trustee Keslar, with a second from Trustee Oberg, moved to adjourn the meeting. Ayes: Roe, Leibfarth, Oberg and Keslar. Nays: None. Absent: Doremus. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:05 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 January 12, 2023 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 January 5, 2023 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 20<sup>th</sup> day of January, 2023.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK