

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
JULY 14, 2022

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 July 14, 2022. Chairman Roe then 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, Keslar, Oberg and Doremus. Absent: Reutzel.

Notice of this meeting was given in advance thereof by publishing July 7, 2022 in the Shelton Clipper and posting at 11:00 A.M. on July 1, 2022, in five (5) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, Cornerstone Bank, Post Office, 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 advance 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 Doremus to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of June 9, 2022 and Special meeting of June 21, 2022 and B) Accept Financial Report. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

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

5. PARK AND POOL ACTIVITIES. Pool Manager Moeller reported that the scheduled closing date for the pool this season was August 14, 2022. She also reported that the pool games on July 3rd were well received and that they had a record number of swimmers for the 4th. Village Clerk Doremus reported that the "Movie in the Park" (put on by the Lions Club) had been rescheduled for August 19th in the park.

It being of the hour of 7:10 pm, it was moved by Trustee Doremus, with a second from Trustee Oberg to adjourn the Board of Trustees meeting. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

4. BOARD OF ADJUSTMENT

The meeting of the Board of Adjustment 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 7:10 o'clock P.M. on July 14, 2022. Chairman Roe then 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, Keslar, Oberg and Doremus. Absent: Reutzel.

Chairman Roe then adjourn the Board of Adjustments meeting in order to hold a Public Hearing with regards to an application from Jonathan Heminger for a variance from the

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side yard set backs. Mr. Heminger explained that he was requesting the variance so that he could place his garage closer to the concrete drive he had already installed. After discussion and hearing no more comments from the public, Chairman Roe closed the Public Hearing and called the Board of Adjustments meeting back to order at 7:26 PM.

After reviewing the local zoning ordinance definition and the state's criteria for issuing a variance and taking into consideration the public comments of the Public Hearing, it was moved by Keslar to deny the request for a variance from Jonathan Heminger. This received a second from Doremus with the vote as follows: Ayes: Keslar, Oberg and Doremus. Nays: Roe. Absent: Reutzel. Motion Carried.

It was then moved by Oberg, with a second from Keslar to adjourn the Board of Adjustments meeting and reconvene as the Board of Trustees meeting with a roll call as follows: Present: Trustee Roe, Keslar, Oberg and Doremus. Absent: Reutzel.

6. PURCHASE OF NEW POOL VACUUM. Pool Manager Moeller explained to the Board that both of our vacuums were not working and they were doing what they could by hand to keep the pool clear of debris. Chairman Roe indicated it was time to consider Resolution No. 22-07-14.

RESOLUTION NO. 22-07-14:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the of certain equipment is necessary and essential to the efficient and proper operation of the Village.

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase the necessary equipment:

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

SECTION 1. That the Village of Shelton, Nebraska shall immediately acquire, for the purchase price not to exceed \$6,000.00 one Pool Vacuum from Deterdings of Kearney, NE.

SECTION 2. That the Chairman, Pool Manager and Administrative Clerk hereby are authorized, and directed to acquire the aforementioned equipment for and on behalf of, and in the name of the Village of Shelton, Nebraska, and to execute such documents, orders, and contracts in the name of the Village of Shelton, Nebraska, as may be necessary, proper, or convenient to undertake and complete such purchase.

It was then moved by Trustee Doremus, to approve and adopt Resolution No. 22-07-14 as presented. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

Pool Manage Moeller indicated that they would need to order this and that it would not be in for this season. She also encouraged the Board to begin thinking about the pool in the "long term". Things were beginning to wear out (pumps, plumbing, etc.) and felt that with the community interest now with the pool and the need for it in our town, this would be a good time to form a committee to begin at looking at options for a new pool.

7. PURCHASE OF A NEW LIFT STATION. Utility Superintendent Gillming explained that the grinder for the lift station was beyond repair and he was looking into replacement. One estimate came back as between \$35,000 and \$40,000. He was still getting quotes from other companies. Some options were to eliminate the grinder and put in a basket screening system, which would require lowing into the station to clean more frequently. The general consensus was that this would not be a good option. Another was to replace a pump with the grinder system attached to it. After discussion, it was decided to discuss it further at the August meeting.

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8. PURCHASE OF A GAS DETECTOR. It was explained to the Board that this was used for detecting gases in the lift station when the staff needed to work on it. Currently we are renting one to get us by. After discussion, Chairman Roe indicated it was now time to consider Resolution No. 22-07-14A.

RESOLUTION NO. 22-07-14A:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the maintenance of certain assets is necessary and essential to the efficient and proper operation of the Village.

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to have the necessary purchase of certain assets made.

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

SECTION 1. That the Village of Shelton, Nebraska shall immediately acquire, a gas detector from Ideal Calibrations for total cost not to exceed \$1,600.00.

SECTION 2. That the Chairman, Utility Superintendent and Village Clerk are authorized, and directed to acquire the aforementioned asset for and on behalf of, and in the name of the Village of Shelton, Nebraska, and to execute such documents, orders, and contracts in the name of the Village of Shelton, Nebraska, as may be necessary, proper, or convenient to undertake and complete such purchase.

It was then moved by Trustee Oberg, with a second from Trustee Keslar to approve and adopt Resolution No. 22-07-14A as presented. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

9. PURCHASE OF FENCE CAPS FOR PARK FENCES. Chairman Roe indicated it was now time to consider Resolution No. 22-07-14B.

RESOLUTION NO. 22-07-14B:

WHEREAS, a hailstorm on 06/07/22 damaged items "in the open" at the park and;

WHEREAS, fence caps (crowns) around the ball field and small playground area were part of the items which were damaged; and

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase fence caps to replace the ones damaged in the storm:

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

SECTION 1. That the Village of Shelton, Nebraska shall acquire for the purchase price not to exceed \$2,270.30 fence caps from SiteOne of Grand Island, Nebraska.

SECTION 2. That the Chairman, Utility Superintendent and Clerk be and hereby are authorized, and directed to acquire the aforementioned items for and on behalf of, and in the name of the Village of Shelton, Nebraska, and to execute such documents, orders, and contracts in the name of the Village of Shelton, Nebraska, as may be necessary, proper, or convenient to undertake and complete such purchase.

It was then moved by Trustee Keslar, with a second from Trustee Doremus to approve and adopt Resolution No. 22-07-14B as presented. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

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10. COMPLETION OF SIX-MONTH INTRODUCTORY PERIOD FOR KYLE WIEHN. Utility Superintendent Gillming recommended to the board that Mr. Wiehn receive his \$.50 raise for completing his six-month introductory period and an additional \$.50 for receiving his “spraying” license. After discussion Chairman Roe indicated it was time to consider Ordinance No. 853.

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 Ordinance No. 853 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 Village Clerk to call the roll and the following was recorded as the vote on this motion: **AYES:** Roe, Keslar, Oberg and Doremus. **NAYS:** None. **ABSENT:** Reutzel. Whereupon the chairman declared the 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 Ordinance No. 853 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 Doremus. **NAYS:** None. **ABSENT:** Reutzel. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 853 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. 853 and the following vote was recorded: **AYES:** Roe, Keslar, Oberg and Doremus. **NAYS:** None. **ABSENT:** Reutzel. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 853 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 Doremus that said Ordinance No. 853 be published in pamphlet form. **AYES:** Roe, Keslar, Oberg and Doremus. **NAYS:** None. **ABSENT:** Reutzel. Motion Carried.

11. PLATTE RIVER VALLEY MUTUAL AID DISTRICT MUTUAL AID AGREEMENT. After discussion, Chairman Roe indicated it was time to consider Resolution No. 22-07-14C.

RESOLUTION NO. 22-07-14C:

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

1. That the Platte River Valley Mutual Aid District Mutual Aid Agreement between the communities and rural fire protection districts of Hall, Hamilton, Howard, Buffalo and Merrick County (s), Namely: Alda, Aurora, Cairo, Chapman, Doniphan, Grand Island City, Grand Island Suburban, Phillips and Wood River and the Village of Shelton in the form presented to this Governing Body hereby is approved and accepted.

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2. That the Chairman of the Governing Body and Village Clerk hereby are authorized and directed to execute such Agreement, on behalf of, and in the name of the Village of Shelton, Nebraska and that an executed copy of said Agreement be affixed to this resolution and, by reference, made a part of these official proceedings.

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 22-07-14C as presented. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

12. AYRES STREET WATER/SEWER IMPROVEMENTS AGREEMENT WITH DIAMOND ENGINEERING CO. Chairman Roe indicated it was now time to consider Resolution No. 22-07-14D.

RESOLUTION NO. 22-07-14D:

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

1. That the Agreement for a Project generally described as Ayres Street Water/Sewer Improvements, between the Village of Shelton, Nebraska and Diamond Engineering Co. in the form presented to this Governing Body, be, and the same hereby is, approved and accepted.

2. That the Chairman of the Governing Body and Village Clerk be, and they hereby are, authorized and directed to execute such Agreement, on behalf of, and in the name of the Village of Shelton, Nebraska and that an executed copy of said agreement be affixed to this resolution and, by reference, made a part of these official proceedings.

It was then moved by Trustee Oberg, with a second from Trustee Keslar to approve and adopt Resolution No. 22-07-14D as presented. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried.

13. SALES TAX QUESTION ON NOVEMBER BALLOT. After discussion, it was decided to have a resolution prepared to address a question for or against a 1% sales tax for a period of five years, proceeds to go for street improvements.

14. RESIGNATION OF TRUSTEE REUTZEL AND VACANCY ON THE BOARD OF TRUSTEES. A letter of resignation had been received from Trustee Reutzel effective July 14, 2022 (today's date). After some discussion, it was moved by Trustee Doremus to accept Trustee Reutzel's resignation with regrets. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Reutzel. Motion Carried. Chairman Roe then declared there exist a vacancy on the Board and directed the vacancy to be advertised in the paper and posted. A special meeting was then scheduled for July 28, 2022 to fill this vacancy.

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

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16. ADJOURNMENT. All agenda items having been considered, Trustee Doremus, with a second from Trustee Keslar moved to adjourn the meeting. AYES: Roe, Keslar, Doremus and Oberg. NAYS: None. ABSENT: Reutzel. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 7:59 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 July 14, 2022 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/Treasurer Lisa Smith on July 1, 2022 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 18th day of July, 2022.

BONNIE DOREMUS, MMC
VILLAGE CLERK