

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
MARCH 12, 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 March 12, 2020. 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: Keslar, Cline, Oberg and Doremus. Absent: Roe.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on March 5, 2020 and posting at 10:30 am on March 10, 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 February 13, 2020**

**B. ACCEPT FINANCIAL REPORT**

**C. RESOLUTION TO PAY MILLER & ASSOCIATES JAN AND FEB WATER PROJECT WORK.**

**RESOLUTION NO. 20-03-12:**

**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. 20 0218 consisting survey and design services and preparation of bidding documents as delineated in Section 1.1 through 1.4, for the month of January and February 2020 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:

<b>MILLER &amp; ASSOCIATES INVOICE 20-0016</b>	
Design/biding service (Lum Sum Fee)	\$47,600.00
Less previous Invoices	(38,080.00)
Total	\$ 9,520.00

2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$9,520.00 to Miller & Associates of Kearney, Nebraska within ten days from the date thereof for the work performed as set forth and approved.

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

**3. REPORTS.** Fire Chief Wiehn and Village Attorney Truell gave oral reports to the Board. A written report was received from Utility Superintendent Sell and both an oral and written reports were received from Administrative Clerk Doremus. No report was available from Police Chief Clark.

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**PUBLIC HEARING REGARDING THE PLANNING COMMISSION'S RECOMMENDATIONS TO REVISE CERTAIN AREAS OF THE ZONING ORDINANCE.** Vice Chairman Keslar adjourned the Board of Trustees meeting at 7:10 pm in order to conduct a public hearing regarding rear setbacks for alley entrances to garages and delegation of Zoning Officer duties. Clark Plihal from the Planning Commission was present to explain the reasoning for these recommended changes. He also indicated that our Zoning Officer has not had a chance to look at the new setback recommendation and would like to have his input before the board acted on the change. Hearing no comments for or against from the public, Vice Chairman Keslar closed the public hearing at 7:15 pm.

## **CHAIRMAN ROE ARRIVED AT 7:15 PM.**

Vice Chairman Keslar call the Board of Trustees meeting back to order at 7:15 PM, informing the public of the Open Meetings Act posted on the bulletin board in the back of the room and asked the Clerk to take roll with the results as follows: Present: Roe, Keslar, Doremus, Oberg and Cline. Absent: None.

**4. ORDINANCE TO REVISE CERTAIN AREAS OF THE ZONING ORDINANCE.** Due to the Planning Commission's request no action was taken to allow the Zoning Officer to also approve the recommendations.

**5. ADJOURN TO FIRE HALL TO VIEW A NEWLY EQUIPED DEMO RESCUE UNIT.** It was moved by Trustee Keslar, with a second from Trustee Oberg to adjourn in order for the board to view a Demo Rescue Unit which was a across the street at the fire station. Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Motion Carried and the meeting was adjourned at 7:16 PM.

Chairman Roe call the Board of Trustees meeting back to order at 7:30 PM. He informed the public of the Open Meetings Act posted on the bulletin board in the back of the room and asked the Clerk to take roll with the results as follows: Present: Roe, Keslar, Doremus, Oberg and Cline. Absent: None.

**6. VILLAGE OF SHELTON ECONOMIC DEVELOPMENT PLAN.** Bobbi Pettit of Five Rule Rural Planning presented the final draft which she and the Shelton Economic and Community Development Board had been working on to present to voters on the November ballot. After answering questions and concerns of the Trustees relating to the plan, it was moved by Trustee Keslar to approve the Plan in its final draft. (This would allow for the promotion of the plan but to also allow for changes if necessary). This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Absent: None. Motion Carried.

**7. NUISANCE COMPLAINTS REGARDING 605 PHELPS DR.** Although Chief Clark was not in attendance at the meeting, Chairman Roe had received a text from him indicating that the property had been cleaned up and felt it no longer met the definition of a nuisance property. Based on this report, Chairman Roe declared the property was no longer a nuisance property and thanked the property owners for their efforts.

**8. UPDATE ON THE OWNER OCCUPIED REHAB PROJECT.** Chairman Roe reported that he had gone to the community meeting which informed the public of the qualifications of the project and had applications available to the public. He indicated it was well attended but until applications were received, we would not know much else.

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**9. INVESTING FUNDS IN NFIT.** Administrative Clerk Doremus explained to the Board that NPAIT (Nebraska Public Agency Investment Trust) had recently change management firm and are now being managed by one which headquarters are out of state. NFIT (Nebraska Federal Investment Trust) was created by the previous management firm (Union Bank & Trust) and are now wanting us to invest funds with them. Currently we have close to 1.24 million invested with NPAIT. After discussion, it was decided that dividing these funds between the two investment firms may be to our best advantage. Ms. Doremus will acquire the paperwork and present it at the next meeting for authorizing signatures.

**10. PURCHASE OF NEW LAWN MOWER.** After discussion, Chairman Roe indicated it was now time to consider Resolution No. 20-03-12A.

**RESOLUTION NO. 20-03-12A:**

**WHEREAS,** the Governing Body of the Village of Shelton, Nebraska has determined that the purchase 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 on Z-master 5000 27HP Mower from Buffalo Outdoor Power LLC with the cost to the Village of Shelton not to exceed \$7,633.41.

**SECTION 2.** That the Chairman, Clerk and Utility Superintendent are hereby authorized, and directed to acquire the aforementioned item 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. 20-03-12A as it is presented in its corrected state. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Absent: None. Motion Carried.

**11. PURCHASE OF NEW GATOR.** After discussion, Chairman Roe indicated it was now time to consider Resolution No. 20-03-12B.

**RESOLUTION NO. 20-03-12B:**

**WHEREAS,** the Governing Body of the Village of Shelton, Nebraska has determined that the purchase 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 \$5,200.00 (which includes the trade in) one 2020 John Deere Gator from LANDMARK IMPLEMENT of Shelton, Nebraska

**SECTION 2.** That the Chairman and Utility Superintendent 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.

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It was then moved by Trustee Doremus to approve and adopt Resolution No. 20-03-12B as it is presented in its corrected state. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Absent: None. Motion Carried.

**12. POLICE OFFICER VACANCY/TRAINING CONTRACT.** Chairman Roe reported that they had interviewed three candidates so far, but none seemed to be a “good fit” so they are continuing the search for candidates.

**13. SUMMER HELP.** Trustee Oberg and Cline indicated that they had received applications for Pool Manager and her assistants. After discussion Trustee Oberg moved to hire Brenda Moeller as 2020 Pool Manager and Sandy Sutton, Tonya Walton, McKenzie Sutton, and Lindsey Foster as Assistant Pool Managers. This received a second from Trustee Cline with the vote as follows: Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Absent: None. Motion Carried.

**14. WATER PROJECT LOAN.** It was explained that the State was now preparing the final loan documents for the water project. The loan is for up to \$700,000, with a 20% loan forgiveness and a rate of 1.5% plus .5% administration fee for a term of 30 years. After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-03-12C.

## RESOLUTION NO. 20-03-12C:

WHEREAS, the Village of Shelton, Nebraska recognizes that a properly functioning Public Water System is necessary to the health and welfare of the citizens of the Village; and

WHEREAS, the Chairperson and Village Board of Trustees have determined that portions of the Village Public Water System are in need of significant repair and improvement; and

WHEREAS, funding for the cost of the repair and improvement of portions of the Village Public Water System may be obtained by loan from the Nebraska Department of Environment and Energy, subject to certain requirements and obligations;

NOW, THEREFORE, BE IT RESOLVED by the Chairperson and Village Board of Trustees of the Village of Shelton, Nebraska that they should execute the contract for loan between the Nebraska Department of Environment and Energy and the Village of Shelton, Nebraska designated as Project No. D311631, incorporated by reference into this Resolution as if fully set forth; and

BE IT FURTHER RESOLVED, William C. Roe, Chairperson, is hereby directed to execute the contract and all other documents necessary to facilitate the loan between the Nebraska Department of Environment and Energy and the Village of Shelton, Nebraska for the purpose of repairing and improving the Village Public Water System; and

BE IT FURTHER RESOLVED THAT Bonnie Doremus, Administrative Clerk, be authorized and directed to sign all necessary documents, to furnish such assurances to the State of Nebraska as may be required by law or regulations, and to receive payment on behalf of the applicant.

It was then moved by Trustee Keslar, with a second from Trustee Doremus to approve and adopt Resolution No. 20-03-12C as presented. Ayes: Roe, Keslar, Doremus, Oberg and Cline. Nays: None. Absent: None. Motion Carried.

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

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**16. ADJOURNMENT.** All agenda items having been considered, Trustee Roe with a second from Trustee Doremus moved to adjourn the meeting. **AYES:** Roe, Cline, Oberg, Keslar and Doremus. **NAYS:** None. **ABSENT:** None. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:55 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 March 12, 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 Assistant Clerk/Treasurer Lisa Smith at 11:30 A.M. on March 10, 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 16th day of March, 2020.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK