

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
MAY 14, 2020 7:00 PM

The regular meeting of the Chairman and Board of Trustees of the Village of Shelton, Nebraska, was convened on May 14, 2020 as a virtual meeting via Zoom platform allowing such meeting open and available to the public. Chairman Roe called the meeting to order at 7:00 P.M. at which time he informed the public of the availability of the Open Meetings Act on the Village's website 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, Doremus and Oberg. Absent: Cline.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on May 7, 2020 and posting on May 11, 2020 in four (4) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, 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 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 March 13, 2020**
  - B. ACCEPT FINANCIAL REPORT**
  - C. APPROVAL OF BRETT STITTLE AND NICK HOOLEY AS NEW MEMBERS OF THE VOLUNTEER FIRE & RESCUE**

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

- 3. REPORTS.** Oral and written reports were received from Administrative Clerk Doremus and Utility Superintendent Sell. Oral reports were given by Fire Chief Wiehn, Village Attorney Truell, and Police Chief Clark.

**4. NUISANCE COMPLAINT REGARDING 104 C STREET.** A letter had been received from Dustin Limbach, owner of the apartment building sharing a common wall with 104 C Street. The letter indicated that his tenants had complained about hearing animals in this shared wall and one actually had a bat in the apartment. Justine Ellis (co-owner of 104 C Street) addressed the board and indicated that she had agreed to have the roof and brickwork in the front of the building repaired this spring but due to the cool weather the contractor has been unable to begin work on the property. After further discussion, Trustee Oberg moved to table and revisit this agenda item at the June regular meeting. This received a second from Trustee Keslar with the vote as follows: Ayes: Roe, Oberg, Doremus and Keslar. Nays: None. Absent: Cline. Motion Carried.

- 5. FIREWORKS CONTRACT FOR THE FOURTH OF JULY.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-05-14.

RESOLUTION NO. 20-05-14:

WHEREAS, the Shelton Recreation Association will be donating funds in the amount of \$4,800 for the purchase of fireworks; and

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WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase the fireworks.

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 \$4,800.00, fireworks from Wald & Co, Inc. of Greenwood, MO.

**SECTION 2.** That the Chairman, and Clerk be and hereby are authorized, and directed to acquire the aforementioned fireworks 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 accept Resolution No. 20-05-14 as presented. Ayes: Roe, Oberg and Doremus. Nays: None. Abstains: Keslar. Absent: Cline. Motion Carried.

**6. SUMMER PARK/POOL PREPERATIONS.** Pool Manager Brenda Moeller addressed the Board with some ideas and thoughts regarding a timeline to get the pool ready for guard certification, swimming lessons, etc. There was much discussion and consideration of the regulations for the Covid-19 situation as to when and how to open the pool. Trustee Roe moved to get the pool ready and meet for a special meeting after new regulations were released June 1<sup>st</sup> to determine if/how we would open to the public for the summer. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Oberg, Doremus and Keslar. Nays: None. Absent: Cline. Motion Carried.

Discussion was also had regarding the use of the playground equipment at the park. After this discussion, it was moved by Trustee Oberg to open the equipment to the public with signs posted to "use at your own risk due to the Covid-19 situation". This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Oberg and Doremus. Nays: Keslar. Absent: Cline. Motion Carried.

**7. ORDINANCE TO SET SUMMER HELP WAGES.** Chairman Roe indicated it was time to Consider Ordinance No. 835. 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. 835 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, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. 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. 835 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, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Whereupon, the Chairman declared the Motion Carried.

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Following the reading of Ordinance No. 835 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. 835 and the following vote was recorded: AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 835 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. 835 be published in pamphlet form. AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.

**8. MANGANESE LEVELS/LETTER TO PUBLIC.** Utility Superintendent Sell explained to the Board that the wells had been tested for the manganese concentrations. Of the three wells only the one at the water tower tested above the EPA lifetime health advisory of 300mg/L. He explained that once the water was blended from the three well at the tower, the concentration would be lower. The main concern of the EPA was for toddlers and infants which absorb the manganese at a higher rate than older children and adults. A letter informing the Public will need to be sent out this month. This is just an "Advisory" letter and the Village will not need to do anything else to comply with the State regulations.

**9. WEST ENTRANCE "WELCOME TO SHELTON" SIGN.** During the high winds, the sign on the west entrance had blown off the poles and it was not feasible to reattach the sign. It was determined that the sign was probably 18 years old. After discussion, Utility Superintendent Sell was directed to get some prices to replace the sign.

**10. CEMETERY BROCHURE/POLICIES.** A brochure which Assistant Clerk/Treasurer Smith and Utility Superintendent Sell worked on was presented to the board. It outlined some of the policies regarding decorations of the graves, etc. After discussion, it was moved by Trustee Doremus, with a second from Trustee Keslar to approve and distribute the brochures. AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.

**11. APPROVE PAYMENT TO CDS INSPECTIONS & BEYOND FOR OOR REHAB GRANT ADMINISTRATIVE SERVICES TO DATE.** An invoice from CDS Inspections and Beyond was presented in the amount of \$875. This included processing and income determination of 5 applications for the Owner-Occupied Housing Rehab Project. After discussion, it was moved by Trustee Keslar, with a second from Trustee Oberg to pay this invoice. AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.

**12. PURCHASE OF ADDITIIONAL OFFICE LAPTOP COMPUTER.** Administrative Clerk Doremus explained that due to the virtual meetings, Conferences being done as webinars, and safety films there was a need for an additional laptop for her office. The board members agreed and felt she should be able to purchase one for \$750 or less and therefore would not need the board's permission for the purchase.

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**13. POLICE OFFICER VACANCY/TRAINING CONTRACT.** Police Chief Clark reported that four applicants had been interviewed of which he brought three back for the further testing. He felt he would have a name by the June board meeting to submit for hire.

**14. POLICY/GUIDELINES FOR PARADES.** Fire Chief Wiehn explained that there has been an increase in the request for the Fire Department to lead parades around town and he would like to have some guidelines. After some discussion, it was expressed that the biggest concern was the lack of communications between organizers and the Fire and Police Department. It was then determined that a policy needed to be put in place. Such a policy will be considered at the June regular meeting.

**15. PAY REQUEST FROM MIDLAND CONTRACTING, INC.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-05-14B.

RESOLUTION NO. 20-05-14B:

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

1. Midland's Contracting, Inc. has theretofore delivered to the Village their invoice consisting of services and materials as of May 8, 2020 for the Water System Improvement Project 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:

|                                  |              |
|----------------------------------|--------------|
| MIDLAND'S CONTRACTING, INC       |              |
| Completed & Stored to date ..... | \$196,838.47 |
| Less 10% retainage .....         | (19,683.85)  |
| Less prior payments .....        | (0.00)       |
|                                  | <hr/>        |
| Total claim                      | \$177,154.62 |

2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$177,154.62 to Midland's Contracting 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 Doremus to approve and adopt Resolution No. 20-05-14B as presented. This received a second from Trustee Keslar with the vote as follows: AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Motion Carried.

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

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**14. ADJOURNMENT.** All agenda items having been considered, Trustee Doremus with a second from Trustee Keslar moved to adjourn the meeting. AYES: Roe, Doremus, Oberg and Keslar. NAYS: None. ABSENT: Cline. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:35 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 virtual regular meeting held on May 14, 2020 via Zoom format 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 May 11, 2020 in four public places in the Village of Shelton, as follows: Village Office, Shelton Clipper, Post Office, and Larry's Market.

Dated this 18th day of May, 2020.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK