

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
MAY 13, 2021

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 May 13, 2021. 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. In the absence of Village Clerk Doremus, he appointed Lisa Smith as Acting Village Clerk and directed her to call roll which reflected the following: Present: Trustee Roe, Doremus, and Reutzel. Absent: Oberg and Keslar.

Notice of this meeting was given in advance thereof by posting at 10:30 A.M. on May 11, 2021 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 Affidavit of Publication and 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 April 11, 2021; and B) Accept Financial Report.

This received a second from Trustee Reutzel with the vote as follows: Ayes: Roe, Doremus, and Reutzel. Absent: Oberg and Keslar. Motion Carried.

TRUSTEE KESLAR ARRIVED AT 7:10 PM

3. FINANCIAL STATEMENTS SEPTEMBER 30, 2020 (AUDIT). After a discussion and review of Audit report, Trustee Keslar moved to accept this report. This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Keslar, Doremus and Reutzel. Absent: Oberg. Motion Carried.

4. CEMETERY PERPETUAL CARE FUND CD RENWAL. After discussion, it was moved by Trustee Keslar, with a second from Trustee Doremus to add \$800.00 to CD #86027 and renew it for the 11 months at the interest rate of .40. Ayes: Roe, Reutzel, Keslar and Doremus. Nays: None. Absent: Oberg. Motion carried.

5. PARK & POOL SUMMER ACTIVITES/PREPERATIONS. Utility Superintendent Sell and Village Clerk Doremus (via written report) updated the board on the lights at the ball field, concession stand, pool, playground equipment and park pavilion.

6. REPORTS. Written and verbal reports were received from the Fire Department, Attorney, Administrative Clerk, Police Chief and Utility Superintendent.

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7. EQUIPING FIRE TRUCK #30 FOR ISO RATING. Fire Department President Marlin Schroeder presented to the board a list of equipment which was needed to pass the ISO inspection for Fire Truck #30. The total cost of this list was \$1390.60. After discussion, it was moved by Trustee Keslar with a second from Trustee Doremus to have these purchases made. Ayes: Roe, Reutzel, Keslar and Doremus. Nays: None. Absent: Oberg. Motion carried.

8. DECLARING 93 FORD EMERGENCY UNIT AS SURPLUS. After discussion, Chairman Roe indicated it was time to consider Resolution No. 21-05-13.

RESOLUTION NO. 21-05-13:

WHEREAS, the Village of Shelton is the owner of certain personal property described as 1993 Ford Cutaway Van E350 formally used as an emergency unit; and

WHEREAS, said personal property is no longer useful for the purpose for which it was intended; and

WHEREAS, it is the best interests of the Village of Shelton that such personal property be sold.

NOW THEREFORE, BE IT RESOLVED by the Chairman and Board of Trustees of the Village of Shelton, Buffalo County, Nebraska, as follows:

1. The surplus property described as 1993 Ford Cutaway Van E350 shall be sold in an "as is condition" without warranty, expressed or implied by private sale, by set price or negotiated offer through the Village Clerk;
2. The Village Clerk is hereby directed to post Notice of Sale in three prominent places within the Community and publish such Notice of Sale one time on or before June 1, 2021.

It was then moved by Trustee Doremus, with a second from Trustee Keslar to approve and adopt Resolution No. 21-05-13 as presented. Ayes: Roe, Reutzel, Keslar and Doremus. Nays: None. Absent: Oberg. Motion carried.

9. OWNER OCCUPIED REHAB (OOR) PROJECT STATUS/CHANGE. Lori Ferguson with South Central Economic Development District (SCEDD) addressed the board indicating to them that no demolition had been done and it was unlikely that any property would be available to qualify for this. With that in mind and since we had budgeted our matching funds to go toward demolition, she recommended that we revise the Original budget with a couple of alternatives to where to place the matching funds. She also informed the board that they do have another homeowner qualifying for the funds but due to the grant running out in July, it would be unlikely a contractor could be found, and the work be completed in time. After carefully consideration of all these factors, it was moved by Trustee Keslar to revise the original budget by eliminating the Demolition and moving those funds to the Housing Rehab area of the Budget and to ask the Department of Economic Development for a six month extension of time to complete the last rehab home. This received a second from Trustee Doremus with the vote as follows: Ayes: Roe, Keslar, Doremus and Reutzel. Nays: None. Absent: Oberg. Motion Carried.

10, 11, 12 AND 13. APPROVE PAYMENT TO CDS INSPECTIONS FOR HOUSING MANAGEMENT SERVICES RELATED TO #SHEL-HR-02, 04 and 07 APPLICATION/PROJECT; APPROVE PAYMENT TO PM RENOVATIONS FOR HOUSING REHAB WORK RELATED TO #SHELTON HR-02 APPLICATION; APPROVE PAYMENT TO BATES CONSTRUCTION FOR HOUSING REHAB WORK RELATING TO #SHEL-HR-04 APPLICATION; APPROVAL OF

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REQUEST FOR NAHTF FUNDS DRAWDOWN #8. After discussion it was moved by Trustee Doremus, with a second from Trustee Keslar to approve the payment to CDS Inspections, PM Renovations and Bates Construction and drawdown #8 as they relate to the NAHTF funds for the OOR grant. Ayes: Roe, Keslar, Doremus and Reutzel. Absent: Oberg. Motion Carried.

14. USE OF VILLAGE OWNED LOT ON HWY 30 AS PARKING AREA. After discussion, Chairman Roe indicated it was time to consider Resolution No. 21-05-13A presented in the following form:

RESOLUTION NO. 21-05-13A:

WHEREAS the Village of Shelton has adopted by Ordinance Section 5-03 authorizing the establishment of parking areas upon streets, alleys and public ways by resolution; and

WHEREAS it has been determined that public parking should be made available along Highway 30 on public lands maintained by the Village

NOW THEREFORE be it resolved by the Chairman and Board of Trustees of the Village of Shelton, as follows:

1. There is hereby established a public parking area at those locations of 305 and 307 West Highway 30, Shelton, Buffalo County, Nebraska between the hours of 7:00 o'clock A. M. and 10:00 o'clock P.M.

2. The street superintendent is hereby directed to post appropriate signs allowing said parking and any other directions to facilitate maximum usage of the designated parking areas.

It was then moved by Trustee Doremus, with a second from Trustee Keslar to approve and adopt Resolution No. 21-05-13A as presented. Ayes: Roe, Reutzel, Keslar and Doremus. Nays: None. Absent: Oberg. Motion carried.

15. RESOLUTION TO SUPPORT THE 2ND AMENDMENT. After discussion, Chairman Roe presented Resolution No. 21-05-13B for the board's consideration.

RESOLUTION NO. 21-05-13B:

WHEREAS, the Second Amendment to the Constitution of the United States of America states: "A well-regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms, shall not be infringed.", and

WHEREAS, the Second Amendment to the Constitution of the United States of America has been made applicable to the individual States pursuant to decisions of the Supreme Court of the United States; and

WHEREAS, the Supreme Court of the United States has rendered various opinions providing clarity in regards to the relationship between State's rights and Federal Regulations; and

WHEREAS, the Governor of the State of Nebraska has declared that the State of Nebraska will not enforce any Federal Regulation or law designed to infringe upon the Citizens of Nebraska as to the "right to bear arms" by declaring Nebraska a "Second Amendment Sanctuary".

NOW THEREFORE BE IT RESOLVED by the Chairman and Board of Trustees of the Village Shelton, Buffalo County, Nebraska, as follows:

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1. The Village of Shelton, Buffalo County, Nebraska, supports the decision of the Governor of the State of Nebraska in adopting a “sanctuary” position.
2. The Village of Shelton hereby adopts a position that any regulations or laws adopted by the Legislative Branch of the United States of America, or directed by Executive Order from the President of the United States of America shall not be enforced by any official, or employee of the Village of Shelton; that no resources of the Village of Shelton shall be used or applied to the enforcement of such Federal Regulations or Executive Orders; except as to: (a) those laws prohibiting convicted felons or convicted domestic abusers from possessing any firearms; (b) those laws involved in prosecuting individuals for crimes involving the use of, or possession of a firearm as an aggravating factor or enhancement to an otherwise independent crime; and (c) those laws associated with the permitting, licensing, registration or processing of applications for concealed carry permits; hunting licenses; fire arm, firearm accessory, or ammunition licensing or registration processes required by law, both federal and state.

It was then moved by Trustee Doremus, with a second from Trustee Keslar to approve and adopt Resolution No. 21-05-13B as presented. Ayes: Roe, Reutzel, Keslar and Doremus. Nays: None. Absent: Oberg. Motion carried.

16. ORDINANCE BOOK CHANGES. Village Attorney Truell presented the board with a list of sections in the ordinance book which needed to be updated. After discussion he was directed to make these update and present them at the next meeting.

17. ORDINANCE FOR NEW SUMMER HELP. Chairman Roe indicated it was now time to consider Ordinance No. 483. Whereupon, it was moved by Trustee Keslar, 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. 843 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 Acting Clerk to call the roll and the following was recorded as the vote on this motion: AYES: Roe, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: Oberg. Whereupon the chairman declared the Motion Carried.

Further, a motion was made by Trustee Keslar, seconded by Trustee Doremus that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinance No. 843 might be introduced, read by title, and approved and passed at the same meeting. Trustee Keslar called for the question. The Chairman put the question to the vote and instructed the Acting Clerk to call roll and the following was the vote on this motion: AYES: Roe, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: Oberg. Whereupon the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 843 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 Keslar called for the question as to the approval and passage of Ordinance No. 843 and the following vote was recorded: AYES: Roe, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: Oberg. Whereupon the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 843 and declared said Ordinance duly passed and adopted as an Ordinance of the Village of Shelton, Nebraska.

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Whereupon, it was moved by Trustee Keslar, seconded by Trustee Doremus that said Ordinance No. 843 be published in pamphlet form. AYES: Roe, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: Oberg. Motion Carried.

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

19. ADJOURNMENT. All agenda items having been considered, Trustee Doremus with a second from Trustee Keslar moved to adjourn the meeting. AYES: Roe, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: Oberg. Whereupon the Chairman declared the motion carried and the meeting duly adjourned at 8:11 P.M.

RESPECTFULLY SUBMITTED

LISA SMITH
ACTING VILLAGE CLERK

APPROVED:

WILLIAM C. ROE
CHAIRMAN

CERTIFICATION

I, the undersigned, Acting 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 May 13, 2021 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 May 11, 2021 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 May, 2021.

LISA SMITH
ACTING VILLAGE CLERK