

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
NOVEMBER 8, 2018 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 November 8, 2018. 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, Doremus and Keslar. Absent: Holley.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on November 1, 2018 and by posting at 9:30 am on November 1, 2018 in four (4) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, 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.

It being of the hour of 7:01 PM Chairman Roe indicated he would entertain a motion to adjourn in order to hold a Public Hearing. That motion was made by Trustee Doremus, with the second from Trustee Oberg and the vote was as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Holley. Motion Carried.

**PUBLIC HEARING REGARDING THE ADOPTION OF THE BLIGHT STUDY AND NEW REDEVELOPMENT PLAN.** Bobbi Pettit representing SCEDD was present to answer any questions regarding the study and plan. She explained that due to the average age of the housing in Shelton, they were able to declare the entire municipality as blighted which opened the door for grants and funding for affordable housing. After a brief discussion and hearing no further comments from the public, Chairman Roe closed the Public Hearing, and called the Board of Trustees meeting back to order at 7:05 PM.

Chairman Roe informed the public of the posting of the Open Meeting Act on the bulletin board in the back of the room and directed the Village Clerk to call roll which reflected the following: Present: Trustees: Roe, Keslar, Oberg and Doremus. Absent: Holley.

**2. ADOPTION OF BLIGHT STUDY AND A REDEVELOPMENT PLAN.** Chairman Roe indicated it was now time to consider Resolution No. 18-11-08.

**RESOLUTION NO. 18-11-08:**

A Resolution of the Village Board of Trustees for the Village of Shelton, Nebraska, declaring an area in the Village of Shelton, Nebraska, to be blighted and substandard.

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WHEREAS, it is desirable and in the public interest of the Village of Shelton, a municipal corporation, to undertake and complete redevelopment projects in areas of the Village that are declared as blighted and substandard and in need of redevelopment; and

WHEREAS, Sections 18-2101 to 18-2144 of the Nebraska Revised Statutes, known as the Community Development Law, provides the requirements and procedures for the planning and Implementation of redevelopment projects; and

WHEREAS, Nebraska Revised Statutes Section 18-2109, as amended, requires that, prior to the preparation by the Community Redevelopment Authority (CRA) of a Village of a redevelopment plan for a redevelopment project, the Board as the governing body of the Village, by resolution, shall find and determine that the area is a substandard and blighted area in need of redevelopment as defined in said Community Development Law; and

WHEREAS, the Board desires to determine whether a specific area is substandard and blighted and in need of redevelopment in accordance with the Nebraska Community Development Law; and

WHEREAS, following a hearing on November 8, 2018 at 7:00 p.m. to determine whether an area should be declared to be substandard and blighted and in need of redevelopment, as defined in and pursuant to the Community Development Law; and

WHEREAS, a notice of such hearing was published in the **Shelton Clipper on October 18<sup>th</sup> and October 25, 2018**, which was at least ten (10) days prior to the time of the public hearing, which Notice of Public Hearing described the time, date, place, and purpose of the hearing, and specifically identified the area to be considered as substandard and blighted and in need of redevelopment; and

WHEREAS, at the public hearing, all interested parties were afforded a reasonable opportunity to express their views relating to the designation of such area as substandard and blighted and in need of redevelopment, and the Board reviewed and discussed a Blight and Substandard Determination Study completed by South Central Economic Development District, Inc. (SCEDD), dated generally November 2018, a copy of which is on file with the Clerk of the Village of Shelton, Nebraska; and

WHEREAS, prior to the meeting and public hearing, the Board submitted the question of whether the area in question is substandard and blighted and in need of redevelopment to the Planning Commission of the Village of Shelton for its review and recommendation; and

WHEREAS, the Planning Commission of the Village of Shelton, Nebraska, reviewed the Blight and Substandard Determination Study and recommended that the area be declared as substandard and blighted as defined in the Nebraska Community Development Law; and

WHEREAS, the Board reviewed and discussed recommendations received from the Planning Commission,

NOW THEREFORE, be it resolved by the Village of Shelton, Nebraska, that the area within the Village of Shelton, identified as the Proposed Redevelopment Area #1, described on the attached Exhibit A, which is incorporated by this reference, which constitutes the entire corporate limits of the Village of Shelton as existing on November 8, 2018, is hereby declared to be a substandard area in need of redevelopment pursuant to the Community Development Law, in that conditions that now exist in said area meet the criteria set forth in Nebraska Revised Statutes Section 18-2103(10) as identified in the Blight and Substandard Determination Study received by the Village; and

BE IT FURTHER RESOLVED, that the above-described area is hereby declared to be a blighted area in need of redevelopment pursuant to the Community Development Law, in that conditions which now exist in said area which meet one or more of the factors set forth in Nebraska Revised Statutes Section 18-2103 (11)(a) and at least one of the factors set forth in (i) to (v) of Nebraska Revised Statutes Section 18-2103(11)(b), as described and set forth in the Blight and Substandard Determination Study received by the Village; and

BE IT FURTHER RESOLVED, that such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Community Development Law, and the elimination of said substandard and blighted condition

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under the authority of the Community Development Law is hereby found to be a public purpose declared to be in the public interest; and

BE IT FURTHER RESOLVED, that it is hereby found and determined that such substandard and blighted area is in need of redevelopment and is an eligible site for a redevelopment project under the provisions of the Community Development Law.

It was then moved by Trustee Doremus, with a second from Trustee Keslar to approve and adopt Resolution No. 18-11-08 as presented. AYES: Roe, Oberg, Doremus and Keslar. NAYS: None. ABSENT: Holley. Motion Carried.

**4. ENGINEER'S REPORT (WATER TOWER, PROPOSED APPLICATION TO SRF FOR FUNDING OF WATER PROJECTS, GPS MAPPING, ECT.)** Reed Miller from Miller & Associates presented the board with the Engineering Inspection Report on the painting of the water tower and reported it was back on line. He also asked permission from the board to prepare and submit the application to the SFR for funding of the water projects and the new software for the GPS mapping system. After discussion, Mr. Miller was directed by the board to proceed with the application and its submission.

**2. BLIGHT STUDY AND REDEVELOPMENT PLAN.** After discussion, Chairman Roe indicated it was now time to consider the Redevelopment Plan and Resolution No. 18-11-08A.

**RESOLUTION NO. 18-11-08A:**

A resolution of the Board of Trustees for the Village of Shelton, Nebraska, approving the General Redevelopment Plan for an area within the Village of Shelton.

WHEREAS, on November 8, 2018, at 7:00 p.m., a meeting of the Board of Trustees for the Village of Shelton, Nebraska, was held in order to conduct a hearing to determine whether an area within the Village should be declared substandard and blighted and in need of redevelopment, as defined in and pursuant to the Community Development Law; and

WHEREAS, a notice such hearing was published in the *Shelton Clipper* on **October 18<sup>th</sup> and October 25, 2018**, which was at least ten (10) days prior to the time of the public hearing, which Notice of Public Hearing described the time, date, place, and purpose of the hearing, and specifically identified the area to be considered as substandard and blighted and in need of redevelopment; and

WHEREAS, on November 8, 2018, the Board of Trustees for the Village of Shelton, Nebraska, declared that the area identified as Redevelopment Area #1, described and depicted on the map attached as Exhibit A, which is incorporated by this reference, to be a substandard area in need of redevelopment pursuant to the Community Development Law; and

WHEREAS, the Planning Commission of the Village of Shelton, Nebraska, reviewed the General Redevelopment Plan and recommended that the General Redevelopment Plan for Redevelopment Area #1 be submitted to the Village Board for approval and adopted for the Village of Shelton, Nebraska; and

WHEREAS, the Village Board of Trustees for the Village of Shelton has reviewed and discussed the recommendations received from the Planning Commission; and

WHEREAS, the General Redevelopment Plan is necessary for the redevelopment of Redevelopment Area #1 of the Village of Shelton, Nebraska, and to remove blight and substandard conditions identified in the Blight and Substandard Study prepared by South Central Economic Development District, Inc. (SCEDD), a copy of which is on file with the Shelton Village Clerk; and WHEREAS, the General Redevelopment Plan will, in accordance with the present and future needs of the Village of Shelton, promote the health, safety, morals, and the general welfare of the

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community in conformance with the legislative declarations and determinations set forth in Community Development Law; and

WHEREAS, the General Redevelopment Plan is feasible and is in conformance with the comprehensive plan for development of the Village of Shelton as a whole, as set forth in the Village of Shelton Comprehensive Plan; and

WHEREAS, the redevelopment projects generally identified in the General Redevelopment Plan would not be economically feasible without the use of tax increment financing; that redevelopment would not occur in Redevelopment Area #1 without the use of tax increment financing; and the costs and benefits of the redevelopment project have been preliminarily analyzed and are in the long-term best interest of the community; and

WHEREAS, as specific redevelopment projects are identified and refined, the Village Board shall conduct an additional hearing to determine the costs and benefits of using funds authorized by Community Development Law and that the plan would not be economically feasible without the use of tax increment financing; and

WHEREAS, pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the Village Board desires to adopt the General Redevelopment Plan for Redevelopment Area #1 for the Village of Shelton.

NOW THEREFORE, BE IT RESOLVED, the Village Board of the Village of Shelton, Nebraska, does hereby approve and adopt the General Redevelopment Plan. The General Redevelopment Plan applies to Redevelopment Area #1 as described and depicted in Exhibit A, which is attached and incorporated by this reference.

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 18-11-08A as presented. AYES: Roe, Oberg, Doremus and Keslar. NAYS: None. ABSENT: Holley. Motion Carried.

It being of the hour of 7:26 PM Chairman Roe indicated he would entertain a motion to adjourn in order to hold a Public Hearing. That motion was made by Trustee Doremus, with a second from Trustee Oberg and the vote was as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Holley. Motion Carried.

**PUBLIC HEARING REGARDING THE ADOPTION OF NEW ZONING ORDINANCE.** Bobbi Pettit representing SCEDD was present to answer any questions regarding the new zoning regulations. The Board Members expressed concern that they needed more time to look the regulations over and understand them more fully. They acknowledged and thank everyone who had worked on the regulations and this zoning ordinance but wanted to have the additional time to really look it over. After some discussion and hearing no further comments from the public, Chairman Roe closed the Public Hearing, and called the Board of Trustees meeting back to order at 7:47 PM.

Chairman Roe informed the public of the posting of the Open Meeting Act on the bulletin board in the back of the room and directed the Village Clerk to call roll which reflected the following: Present: Trustees: Roe, Keslar, Oberg and Doremus. Absent: Holley.

It was then moved by Trustee Doremus, with a second from Trustee Keslar to table action until time was allowed to look over and schedule a work session to go over the proposed regulations. Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Holley. Motion Carried.

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After further discussion a joint work session with the Planning Commission and the Board of Trustees was scheduled for November 15, 2018 to go over the proposed zoning regulations.

**5. 9<sup>TH</sup> STREET PAVING PROJECT.** Utility Superintendent Sell informed the Board that the County had contacted him to let him know that their engineers had missed some things and the bids for the project came in higher than planned. Originally, we were asked to cover \$84,000 for our half mile and now they are estimating an additional \$36,000. Village Clerk Doremus reported nothing had been received in writing – only the phone call to Mr. Sell. No action was taken at this time.

**6. LIONS CLUB “WELCOME TO SHELTON” SIGN.** Village Clerk Doremus indicated that there had been some concerns regarding the placement by the tank area since this was actually in the middle of town. Maybe a better placement would be further west. Utility Superintendent Sell indicated there maybe an issue with the setbacks from the Highway depending on its size. The Board directed the staff to keep the communications open with the Lions Club to keep everyone “on the same page”.

**7. PROPERTY ANNEXATION/ANNEXATION ORDINANCE.** Many of the Property Owners of the proposed annexation areas were present to protest the annexation. It was explained that having the land within the municipality would encourage developers to approach and offer to buy this land for development. After much discussion, it was moved by Trustee Doremus to table any action on this until the December regular meeting. This received a second from Trustee Keslar with the vote as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Holley. Motion Carried.

**8. WORKFORCE HOUSING INCENTIVES.** Village Clerk Doremus reported on the incentive programs of The Economic Development Council of Buffalo County and the South Central Development District. Affordable housing is defined for these programs as being less than \$200,000. EDC is offering a \$20,000 incentive to the Builder/Developer/Owner who commits to building a home less than \$200,000 in value in a CDA (Community Development Area). This \$20,000 would be paid back to the EDA over the course of 15 years either with TIF or sales tax from the village. The SCEED group has an incentive to loan moneys to the developer for a home less than \$200,000. It was the consensus of the trustees that at this time they were unable to take advantage of the incentive of the EDC program but the SCEED group had the potential of having a developer build on land which had been discussed in the past.

**9. TAX INCREMENT FINANCING (TIF).** After discussion it was directed to have the attorney prepare an ordinance to create a CRA (Community Redevelopment Agency) for the Village which would be able to accept, review and grant Tax Increment Financing funding for projects.

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**10. CONSENT AGENDA.** It was moved by Trustee Doremus with a second from Trustee Oberg to approve the consent agenda as presented which included; A) waive reading & approve minutes of the regular meeting of October 11, 2018; B) accept financial statement as presented; and C) Resolution No. 18-11-08B to approve of the Auditor's Engagement Letter.

RESOLUTION NO. 18-11-08B:

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

1. That the Engagement Letter with the Village of Shelton, Nebraska, and Dana F. Cole & Co. LLP of Grand Island for the audit for the 2017/2018 fiscal year 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 Engagement Letter, 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.

This motion received a vote as follows: Ayes: Roe, Keslar, Oberg and Doremus. Nays: None. Absent: Holley. Motion Carried.

**11. ATTORNEY REPORT/DEPARTMENT HEAD REPORTS.** Village Attorney Jim Truell gave the board a verbal report. Written and verbal reports were received from Utility Superintendent Sell and Village Clerk Doremus.

**12. FIRE DEPARTMENT COMMUNICATIONS.** Chairman Roe reported on the activities in the Fire Department over the past month.

**13. CLAIMS.** It was moved by Trustee Keslar with a second from Trustee Doremus to approve claims as presented. AYES: Roe, Keslar, Oberg and Doremus. NAYS: None. ABSENT: Holley. ABSTAINS: None. Motion Carried.

**8. WORK FORCE HOUSING.** Clark Plihal asked to address the board before adjournment with regard to the organization of the Shelton Economic and Community Development Board and work they are wanting to start. He was asking for the Board's support in the future as they begin to organize and work toward asking for an economic sales tax. It is the hope that this would appear on the ballot in two years and a plan would be worked out to also be on the ballot to explain where these funds would be used.

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**14. ADJOURNMENT.** All agenda items having been considered, Trustee Doremus with a second from Trustee Oberg moved to adjourn the meeting. **AYES:** Roe, Oberg, Keslar and Doremus. **NAYS:** None. **ABSENT:** Holley. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 9:19 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 November 8, 2018 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 Village Clerk Bonnie Doremus at 9:30 A.M. on November 1, 2018 in four public places in the Village of Shelton, as follows: Village Office, Shelton Clipper, Cornerstone Bank, and Larry's Market.

Dated this 12th day of November, 2018.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK

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## CLAIMS:

ALCO PRO	DRY GAS/POLICE	\$196.00
BETTER HOMES & GARDENS MAG	RENEWAL/LIBRARY	\$10.00
BLACK HILLS ENERGY	MONTHLY/LIBRARY	\$254.84
BUFFALO CO SHERIFF'S OFFICE	LAW ENFRMT/ANIM CONTROL	\$811.71
BUSINESS WORLD PRODUCTS	OFFICE SUPPLIES	\$53.44
CHARTER COMMUNICATIONS	INTERNET	\$154.99
CHEMSEARCH	MONTHLY BIO-AMP PROGRAM/SALT	\$854.97
CINDY BRANDT	NOV FIREHALL CLAEANING	\$100.00
CLIPPER PUBLISHING, INC	PUBLICATION	\$245.96
CNA SURETY DIRECT BILL	VICE CHAIR BOND	\$100.00
CORE & MAIN LP	ANNUAL SUPPORT/SENSUS	\$2,216.00
DEARBORN NATIONAL	NOV FIREMEN PREMIUM	\$55.04
GRAND ISLAND SOLID WASTE MGMT	TREE STUMPS	\$256.74
GODFREY ELECTRIC LLC	SEWER PUMP REPLACEMENT	\$300.00
HEARTLAND CLERK'S ASSOC	DUES	\$20.00
HEARTLAND DISPOSAL	SEPT CLEAN UP DAY	\$1,177.90
K & K CONVENIENCE STORE	OCT FUEL	\$815.89
K & K CONVENIENCE STORE	FIRE DEPT/FUEL	\$195.45
LARRY'S MARKET	LIBRARY/OP SUPPLIES	\$74.39
LASERTEC OF NE, INC	PAGEPACK CONTRACT	\$65.63
MAGUIRE IRON	REPLACE NO-FREEZE VALVE	\$3,500.00
MCI	MONTHLY SERVICE	\$27.47
MENARDS - GRAND ISLAND	SUPPLIES R/M	\$262.66
MENARDS - KEARNEY	SUPPLIES R/M	\$165.88
MID NE AGGREGATE	GRAVEL	\$539.91
NE CENTRAL TELEPHONE CO	MONTHLY SERVICE	\$497.99
NEB MUNICIPAL CLERK'S ASSOC	DUES	\$70.00
NEBRASKA DEPT OF REVENUE	SALES TAX	\$2,210.97
NE PUBLIC HEALTH ENVIRO LAB	WELL WATER SAMPLES	\$516.00
NMC EXCHANGE LLC	R/M GENERATOR	\$26.40
NEBRASKA PUBLIC POWER DIST	MONTHLY SERVICE	\$4,761.66
ONE CALL CONCEPTS	OCT LOCATES	\$15.90
PETTY CASH	POSTAGE	\$329.59
PRESTO X	PEST CONTROL/FIREHALL	\$35.00
REGISTER OF DEEDS	PLACE ON ACCOUNT	\$25.00
TRUELL, MURRY & ASSOC	OCT ATTORNEY FEES	\$290.00
US BANK	OPERATING SUPPLIES	\$1,062.66
VERIZON	MONTHLY SERVICE	\$416.26
WE CARE TREE CARE	PARK TREE REMOVAL (3)	\$1,650.00
WILLIS REPAIR	FIRE R/M SUPPLIES	\$252.42
WILLIS REPAIR	STREET R/M SUPPLIES	\$294.19
***** REPORT TOTAL *****		\$24,908.91