

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
NOVEMBER 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 November 12, 2020. 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, Doremus, Reutzel and Oberg. Absent: Keslar. Trustee Keslar was present via phone but due to the State Statues could participate as any member of the public but could not be counted toward the quorum count or vote as a Trustee.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on November 5, 2020 and by posting at 10:40 am on November 5, 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.

**7:00 P.M. ADJOURN BOARD OF TRUSTEES MEETING – CALL TO ORDER PUBLIC HEARING ON THE PROPOSED SORENSEN ACRES SUBDIVISION.** Trustee Oberg moved, with a second from Trustee Doremus to adjourn the Board of Trustees meeting to hold a Public Hearing. Ayes: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. The motion carried and Chairman Roe adjourned the Board of Trustee's at 7:01 to Hold a Public Hearing. Trent Snow was present and explained that the purpose of the subdivision was to separate the house from the farmland so it could be sold separately. Although this area was outside of the municipal boundaries, it still fell into the one-mile jurisdiction of the Village. After all questions were answered and hearing no further comments from the public, Chairman Roe closed the public hearing and call the meeting of the Board of Trustees back to order at 7:05 with a roll call reflecting the following: Present: Roe, Oberg, Reutzel and Doremus. Absent: Keslar.

**2. PROPOSED "SORENSEN ACRES" SUBDIVISION.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-11-12.

**RESOLUTION NO. 20-11-12:**

**BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF SHELTON, NEBRASKA,** that the plat of "SORENSEN ACRES", a subdivision being Part of the Northwest Quarter of the Southwest Quarter of Section 6, Township 9 North, Range 12 West of the Sixth principal Meridian, Hall County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved and accepted and ordered filed and recorded in the Office of the Register of Deeds of Hall County.

It was then moved by Trustee Doremus to approve Resolution No. 20-11-12 as presented. This received a second from Trustee Oberg with the vote as follows: Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

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**3. MILLING A PORTION OF RAILROAD STREET.** Utility Superintendent Sell reported to the Board that an area of Railroad Street in front of Ramos Construction was overlaid last month in order to repair the road. This was at Mr. Ramos' expense and has improved the driving experience in this area.

**13. RENEWAL OF HEARTLAND DISPOSAL CONTRACT.** Brett Darrough with Heartland Disposal presented the Board with an addendum for the renewal of our contract for five (5) additional years. After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-11-12F.

RESOLUTION NO. 20-11-12F:

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

1. The Addendum to the Contract with the Village of Shelton, Nebraska, and Heartland Disposal, Inc for solid waste collection dated December 10, 2015 which extends the contract for a period of five years beginning January 1, 2021 and ending December 31, 2025 in the form presented to this Governing Body, be, and the same here 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 Addendum on behalf of, and in the name of the Village of Shelton, Nebraska and that an executed copy of said Addendum 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. 20-11-12F as presented. Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**7:15 P.M. ADJOURN BOARD OF TRUSTEES MEETING – CALL TO ORDER PUBLIC HEARING ON THE ONE- AND SIX- YEAR STREET IMPROVEMENT PROGRAM.** Trustee Oberg moved, with a second from Trustee Doremus to adjourn the Board of Trustees meeting to hold a Public Hearing. Ayes: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. The motion carried and Chairman Roe adjourned the Board of Trustees at 7:17pm to hold a Public Hearing. Reed Miller with Miller & Associates presented to the Board a plan of maintenance for the first year and a plan to resurface areas or "A" and "B" streets and a few other areas of town to be done for the six year plan. After having all the questions answered 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 7:24 pm. A roll call reflected the following: Present: Roe, Oberg, Reutzel and Doremus. Absent: Keslar.

**4. RESOLUTION TO ACCEPT ONE- AND SIX- YEAR STREET IMPROVEMENT PROGRAM.** Chairman Roe indicated it was now time to consider Resolution No. 20-11-12A.

RESOLUTION NO. 20-11-12A:

BE IT RESOLVED by the Village Board of Trustees of Shelton, Nebraska that the attached One- and Six- Year Street Improvement Program is hereby approved and adopted by said Board of Trustees. The said Board of Trustees attests that the Notice of Public Hearing was posted in the following three public places:

Larry's Market  
Cornerstone Bank of Shelton  
Shelton Clipper.

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It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 20-11-12A as presented. Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**5. PAY REQUEST #5 FROM MIDLAND CONTRACTING, INC FOR WATER IMPROVEMENT PROJECT.** After much discussion, Chairman Roe indicated it was time to consider Resolution No. 20-11-20B.

RESOLUTION NO. 20-11-20B:

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 September 30, 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 .....	\$489,296.00
Less 5% retainage .....	(24,464.80)
Less prior payments .....	(334,330.97)
	<hr/>
Total claim	\$130,500.23

2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$130,500.23 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 Oberg to approve and adopt Resolution No. 20-11-12B as presented. This received a second from Trustee Doremus with the vote as follows: Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**6. CONSENT AGENDA.** The consent agenda was presented as follows:

- A. WAIVE READING AND APPROVE MINUTES OF SPECIAL MEETING OF OCTOBER 15, 2020.
- B. ACCEPT FINANCIAL REPORT

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

## 7. REPORTS.

**7A. FIRE DEPARTMENT.** Fire Chief Wiehn reported on activity in his department during the past month.

**7A(1). PURCHASE/LEASE OF STRYKER COT SYSTEM FOR NEW AMBULANCE.** After examining the contract presented by Stryker, questions were asked about certain areas which did not reflect what the salesman had stated to the fire department. After discussion, it was moved by Trustee Reutzler to table this to the next meeting to get some needed clarification on the contract. This received a second from Trustee Doremus with the vote as follows: Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

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**7A(2). AMBULANCE CERTIFICATE OF DEPOSIT #650246.** After discussion and it being determined that these funds needed to be available for the Ambulance purchase, it was moved by Trustee Oberg to cash CD #650246 in when it matured in December and place the funds in the NPAIT account. This received a second from Trustee Doremus with the vote as follows: Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**7B. ATTORNEY.** A verbal report was given by Attorney Truell.

**7C. ADMINISTRATIVE.** A written and verbal report was given by Administrative Clerk Doremus.

**7D. POLICE.** No report was available from Police Chief Ryan.

**7E. UTILITY SUPERINTENDENT.** A written and verbal report was given by Utility Superintendent Sell.

**8. PURCHASE OF NEW DEMO (CONCRETE) SAW.** After discussion it was indicated by Chairman Roe it was time to consider Resolution No. 20-11-12D.

RESOLUTION NO. 20-11-12D:

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 shall immediately acquire, for the purchase price not to exceed \$970.00 one Demo (concrete) saw from ACE Hardware of Kearney, Nebraska

SECTION 2. That the Chairman, and Utility Superintendent be and 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, seconded by Trustee Oberg to approve and adopt Resolution No. 20-11-12D as presented. Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**9. NUISANCE COMPLAINT REGARDING 163 C STREET.** Police Chief Clark had reported to the Chairman that the owner of the property was making progress. After discussion, it was moved by Trustee Roe to table any further action to the January 2021 meeting and evaluate the progress again. This received a second from Trustee Doremus with the vote as follows; Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**10. and 11. ISSUANCE OF PUBLIC SAFETY BONDS AND REFUNDING OF THE 2016 HIGHWAY BONDS.** After discussion, it was moved by Trustee Oberg, with a second from Trustee Doremus to table these agenda items to the December regular meeting. Yeas: Roe, Oberg, Reutzel and Doremus. Nays: None. Absent: Keslar. Motion Carried.

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**12. SURPLUS NON-OPERABLE FIRE HYDRANTS.** After some discussion, Chairman Roe indicated it was time to consider Resolution No. 20-11-12E.

RESOLUTION NO. 20-11-12E:

WHEREAS, the Village of Shelton is the owner of certain personal property previously used by the water department in the form of thirteen (13) fire hydrants; 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 thirteen (13) fire hydrants are to be sold individually by private sale for a sum of at least \$100.00 each.
2. The Village Clerk is hereby directed to post Notice of Sale in three Prominent Places within the Community no less than seven days prior to offering such for sale in accordance with Sec. 17-503.02 R.R.S 1943.

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 20-11-12E as presented. Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**14. SELLING OF 410 LINCOLN AVE.** The Economic Development Council of Buffalo County was inquiring if the Village would be willing to sell the lot at 410 Lincoln Ave. for workforce housing development. After discussion and sighting the fact this lot was a prime location if we were every to expand our park or pool, it was moved by Trustee Oberg not to sell this lot. This received a second from Trustee Doremus with the vote as follows: Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**15. APPROVE PAYMENT OT CDS INSPECTIONS FOR HOUSING MANAGEMENT SERVICES.**

**16. APPROVE PAYMENT TO BATES CONSTRUCTION FOR HOUSING REHAB WORK.**

**17. APPROVE PAYMENT TO ARENS ROOF DBA COMPASS ROOFING FOR HOUSEING REHAB WORK.**

**18. APPROVE REQUEST FOR NAHTF FUNDS RELATING TO THE OOR REHAB GRANT.**

After discussion it was moved by Trustee Doremus to approve agenda items #15, #16, #17 and #18 as presented. This received a second from Trustee Oberg with the vote as follows: Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**19. POSSIBLE TAX INCREMENT FINANCING (TIF) FUNDING FOR NEW SUBDIVISION.** No one was available to speak to this subject therefore Chairman Roe declared no action on this agenda item.

**20. RESOLUTION TO CLARIFY WORDING OF VACATION SECTION OF EMPLOYEE**

**HANDBOOK.** Administrative Clerk Doremus explained that there was some confusion with employees as to when they began receiving the increase in vacation time and was requesting that it be clarified. After discussion, Chairman Roe indicated it was time to consider Resolution 20-11-12G.

RESOLUTION NO. 20-11-12G:

WHEREAS, a revision to the Personnel Manual of the Village of Shelton has been reviewed by the Chairman and the Board of Trustees: and

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WHEREAS, the Chairman and the Board of Trustees of the Village of Shelton, Nebraska, hereby determine that it is in the best interest of the citizens of the Village of Shelton to revise the Personnel manual for its employees.

NOW, THEREFORE, BE IT RESOLVED by the Chairman and the Board of Trustees of the Village of Shelton, that the revision to the personnel manual with regards to "VACATION LEAVE" which currently reads "15 work days for 5-15 years of service and 20 work days for 16 or more years of service" shall be revised to read "15 work days after 5-15 years of service and 20 work days after 16 or more years of service."

It was then moved by Trustee Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 20-11-12G as presented. Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

**21. and 22. STATE OF NEBRASKA PUBLIC ROADS RESOLUTION FOR SIGNING CERTIFICATION COMPLIANCE FORM AND STATE OF NEBRASKA PUBLIC ROADS RESOLUTION FOR YEAR END CERTIFICATION OF CITY STREET SUPERINTENDENT.** Chairman Roe indicated it was time to consider Resolution No. 20-11-12H and Resolution No. 20-11-12I.

RESOLUTION NO. 20-11-12H:

WHEREAS: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2121, and 39-2520(2) requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards: and

WHEREAS: State of Nebraska Statute, section 39-2120 also requires that the annual certification of the program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

BE IT RESOLVED that the Village Board Chairperson of Shelton is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

RESOLUTION NO. 20-11-12I:

WHEREAS: State of Nebraska statutes, section 39-2302 and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment, and

WHEREAS: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent, and

WHEREAS: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes, showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment, and

WHEREAS: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

BE IT RESOLVED that the Village Board Chairperson of Shelton, Nebraska is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

It was then moved by Trustee Oberg, with a second from Trustee Doremus to approve and adopt Resolution No. 20-11-12H and Resolution No. 20-11-12I as presented. Yeas: Roe, Oberg, Reutzler and Doremus. Nays: None. Absent: Keslar. Motion Carried.

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

**24. ADJOURNMENT.** All agenda items having been considered, Trustee Roe with a second from Trustee Doremus moved to adjourn the meeting. **AYES:** Roe, Doremus, Reutzler and Oberg. **NAYS:** None. **ABSENT:** Keslar. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 9:04 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 12, 2020 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 published in the Shelton Clipper on November 5, 2020 and posted by Assistant Clerk/Treasurer Lisa Smith on November 5, 2020 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 16th day of November, 2020.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK