

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
NOVEMBER 9, 2023 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 9, 2023. 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, Anderson and Leibfarth  
Absent: Keslar.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on November 2, 2023 and by posting at 10:48 am on November 1, 2023 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.** It was then moved by Trustee Oberg to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of September 14, 2023; B) Accept Financial Report and C) Resolution No. 23-11-09.

**RESOLUTION NO. 23-11-09:**

**WHEREAS,** the Governing Body of the Village of Shelton, Nebraska has determined that the maintenance of properties 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 have the necessary maintenance done.

**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 services from Sal Ramos dba Ramos Construction of Shelton, Nebraska, to reconstruct and repair area inlets to the storm drains at First & B Street and Highway 30 & D Street for a cost not to exceed \$4,090.00.

**SECTION 2.** That the Chairman, Utility Superintendent and Clerk are hereby authorized, and directed to acquire the aforementioned services 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.

This received a second from Trustee Leibfarth with the vote as follows: Ayes: Roe, Leibfarth, Oberg and Anderson. Nays: None. Absent: Keslar. Motion Carried.

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**3. REPORTS.** Written and verbal reports were received from the Attorney, Administrative Clerk, Police Department, Utility Department and Library.

**4. RESOLUTION TO AUTHORIZE SIGNING OF YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT.** Chairman Roe indicated it was time to consider Resolution No. 23-11-09A.

**RESOLUTION NO. 23-11-09A:**

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for 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(s) of the City Street Superintendent(s) to the NDOT using the Year-End Certification of City Street Superintendent form; and

Whereas: The NDOT requires that each certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), and type of appointment, i.e., employed, contract (consult, 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 form shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Village Board Chairperson of Shelton is hereby authorized to sign the attached Year-End Certification of City Superintendent completed forms(s).

It was then moved by Trustee Anderson, with a second from Trustee Oberg to approve and adopt Resolution No. 23-11-09A as presented. Ayes: Roe, Leibfarth, Oberg and Anderson. Nays: None. Absent: Keslar. Motion Carried.

**5. LEASE AGREEMENT FOR NEW RURAL FIRE TRUCK.** Chairman Roe indicated it was time to consider Resolution No. 23-11-09B.

**RESOLUTION NO. 23-11-09B:**

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

1. That the Lease Agreement between the Village of Shelton, Nebraska, and Shelton Rural Fire Department, 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 Agreement, 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.

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It was then moved by Trustee Anderson, with a second from Trustee Oberg to approve and adopt Resolution No. 23-11-09B as presented. Ayes: Roe, Leibfarth, Oberg and Anderson. Nays: None. Absent: Keslar. Motion Carried.

**6. ATV REGULATIONS/APPLICATIONS TO RIDE WITHIN MUNICIPALITY.** After discussion, the Village Attorney was directed to write an ordinance for their consideration which would include drivers required to have valid driver's license, no riding after dark, a tag/annual permit, liability insurance and inspection of the ATV as well as other state requirements.

**7. DRAINAGE ISSUES/CULVERTS.** There was nothing new to discuss here so no discussion or action was needed.

**8. BUILDING/ZONING INSPECTIONS.** Utility Superintendent Gillming reported that he had been in contact with Hall County and their Building Inspector for our neighboring area. It had been indicated to him that they might be able to contract with us to do inspections in our municipality. We currently are waiting to hear back from the Hall County Board if they would consider it and to see what the cost would be.

**9. DECLARING 204 COADY STREET A NUISANCE PROPERTY.** It was reported that a letter had been sent to the owners indicating they needed a building inspector to determine that the structure was safe. No response has been received yet.

**10. DECLARING 314 FIRST STREET A NUISANCE PROPERTY.** It was reported that the property had been billed for mowing but as of this date, not paid. The attorney was asked to proceed with getting the proper procedure done in order to establish executives of the estate.

**11. AYRES STREET DAMAGE.** At this time, it was moved by Trustee Oberg to enter into executive session due to possible litigation. This was seconded by Trustee Leibfarth with the vote as follows: Ayes: Roe, Leibfarth, Oberg and Anderson. Nays: None. Absent: Keslar. Chairman Roe then declared the motion carried and that the Board was entering into executive session due to possible litigation. They then adjourned to executive session at 7:30 PM.

**TRUSTEE KESLAR ARRIVED AT 7:35 PM.**

The Board returned from executive session at 7:35 PM. Chairman Roe called the meeting back to order stating they were returning from executive session where only the possibility of litigation was discussed. He then asked the clerk to take roll which reflected the following: Present: Trustees: Roe, Oberg, Keslar, Anderson and Leibfarth Absent: None.

It was then moved by Trustee Keslar, with a second from Trustee Oberg to proceed with the litigation as discussed. Ayes: Roe, Leibfarth, Keslar, Oberg and Anderson. Nays: None. Absent: None. Motion Carried.

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

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**13. ADJOURNMENT.** All agenda items having been considered, Trustee Anderson, with a second from Trustee Leibfarth, moved to adjourn the meeting. Ayes: Roe, Oberg, Anderson, Leibfarth and Keslar. Nays: None. Absent: None. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 7:37 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 meetings held on November 9, 2023 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 Smith on November 1, 2023 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 13<sup>th</sup> day of November, 2023.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK