

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
NOVEMBER 14, 2024 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 at 7:00 o'clock P.M. on November 14, 2024.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on November 7, 2024, and by posting at 10:30 am on November 7, 2024 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.

1. CALL MEETING TO ORDER AND ROLL CALL Chairman Roe 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. He then directed the Village Clerk to call roll which reflected the following: Present: Trustee Roe, Oberg, Rabbe, Keslar and Anderson. Absent: None.

2. CONSENT AGENDA. It was then moved by Trustee Keslar to approve the consent agenda which included: A) Waive reading and approve minutes of the regular meeting of October 10, 2024 and; B) Accept Financial Report. This received a second from Trustee Rabbe with the vote as follows: AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

3. REPORTS: Written and verbal reports were received from the Administrative Clerk, Utility Superintendent, Police and Library.

4. BUFFALO COUNTY ARPA FUNDS LIBRARY PROJECT. An email from Tyler Hillmer of Miller & Associates was presented to the Board. This email indicated that he was planning to have completed documents for approval to bid for the installation of the chair lift and the new ADA parking.

5. PURCHASE OF NEW HVAC SYSTEM FOR LIBRARY. Librarian Crouse informed the board that he has received a grant from "Building for Tomorrow" in the amount of \$3,000 to replace the old HVAC system at the Library. That, with the amount budgeted from the Keno funds, would pay for the system. After discussion, Chairman Roe indicated it was time to consider Resolution No. 24-11-14.

RESOLUTION NO. 24-11-14:

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, a grant for \$3,000 from "Shelton-Building for Tomorrow" has been awarded to the Library to help pay for a new HVAC system;

MINUTE RECORD

NOVEMBER 14, 2024

- PAGE 2 -

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, Nebraska shall immediately acquire services Willis Heating & Cooling, LLC of Shelton to install a new HVAC system at the Library not to exceed \$13,000.

SECTION 2. That the Chairman, and Clerk hereby are 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.

It was then moved by Trustee Rabbe, with a second from Trustee Anderson to approve and adopt Resolution No. 24-11-14 as presented. AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

6. GAP IN PAVING AT 179 C STREET. In an email from Tyler Hillmer from Miller & Associates it was relayed that they would have something to present relating to the drainage in the area at the December meeting. It was then moved by Trustee Keslar, with a second from Trustee Anderson to propone any action on this and the ARPA Library funds to the December meeting. AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

7. & 8. DECLARING 505 A STREET AND 514 A STREET AS NUISANCE PROPERTIES. Police Chief Clark had reported to Chairman Roe that the property owners were cooperating and were working on the properties. With the winter coming soon it was his recommendation to revisit our concerns in the spring. After discussion, it was moved by Trustee Oberg to place these items on the March, 2025 regular meeting agenda. This received a second from Trustee Anderson with the vote as follows: AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

9. ZONING/INSPECTION/ENFORCEMENT. Village Attorney Truell relayed to Chairman Roe that he had not received any more communication from Hall County relating to our proposal to have them take these tasks over for us.

10. YEAR END CERTIFICATION OF CITY STREET SUPERINTENDENT. Chairman Roe indicated it was time to consider Resolution No. 24-11-14A.

RESOLUTION NO. 24-11-14A:

Whereas: State of Nebraska Statues, 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 31st 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

MINUTE RECORD

NOVEMBER 14, 2024
- PAGE 3 -

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 Rabbe to approve and adopt Resolution No. 24-11-14A as presented. This received a second from Trustee Keslar with the vote as follows: AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

11. FLOOD MITIGATION PROGRAM. A letter from the Nebraska Department of Natural Resources (NeDNR) was presented to the board members explaining that Federal Emergency Management Agency (FEMA) has funds available to help National Flood Insurance Program (NFIP) policyholders. The funds could pay for structure elevation, relocation or demolition, property acquisition and other mitigation efforts. They indicated that one property in our Zoning Jurisdiction qualified for funds to pay 90% of this cost. After discussion, it was moved by Trustee Rabbe, with a second from Trustee Anderson to participate in this program. AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

12. SATURDAY FUNERALS AND OVERTIME. Utility Superintendent Gillming was asking for the board to consider some changes to the policies relating to Saturday Burials. It was explained that there has been an increase in the number of Saturday burials and would like to request that the employees be paid at an overtime rate. He also would like to request that we limit the Saturday burials to the morning. After discussion, Chairman Roe indicated that it was time to consider Resolutions No. 24-11-14B and 24-11-14C.

RESOLUTION NO. 24-11-14B:

WHEREAS, a revision in the overtime pay policy within the personnel Manual of the Village of Shelton has been reviewed by the Chairman and Board of Trustees; and
WHEREAS, the Chairman and Board of Trustees of the Village of Shelton, Nebraska hereby determines that it is in the best interest of the citizens of the Village of Shelton, Nebraska to revise the overtime pay policy area of the personnel manual for its employees:

NOW THEREFORE, BE IT RESOLVED by the Chairman and Board of Trustees of the Village of Shelton, Nebraska that a revision to the area regarding "Overtime Hours and Workweek" within the Personnel Policy Manual to be made in order for it to read as follows:

OVERTIME HOURS AND WORKWEEK

Because Village employees are responsible for certain services provided by the Village that are operational 24 hours a day, it is expected that employees involved in providing or administering such services may be required to work beyond normal hours of employment. All salaried employees are expected to periodically work beyond normal hours of employment as required. Supervisors may grant additional time off for excessive hours beyond hours of employment.

MINUTE RECORD

NOVEMBER 14, 2024

- PAGE 4 -

All employees considered “non-exempt” under the Fair Labor Standards Act will be paid at the rate of time-and-one-half (1 ½) times their regular rate of pay for all hours worked in excess of 40 hours per week. Vacation, and unscheduled absences or time off for sickness, emergencies, or other personal reasons will not be considered hours worked for overtime purposes. All overtime must be approved in advance by the supervisor.

A non-exempt utilities employee who is called in for overtime work shall be paid for not less than one hour for each time he/she reports, unless such overtime commences less than one hour before the start of his/her regular scheduled working day. In which case, he/she shall be paid only for the time worked. Park employees shall be paid for not less than ½ hour when scheduled work is less than ½ hour in duration.

A non-exempt employee (Full or Part time) who is called in or scheduled to work a holiday or a weekend funeral shall be paid at the rate of time-and-one-half. (adopted 11/24)

RESOLUTION NO. 24-11-14C:

WHEREAS the Village of Shelton, pursuant to Section 3-706 of the Municipal Code and Section 3-17 of the Shelton Municipal Code is authorized to set places for the sale of plots or lots within the Village Cemetery, to establish fees associated with interment and disinterment as well as the setting of stones, by resolution; and

WHEREAS the Board of Trustees of the Village of Shelton after reviewing existing rate charges and further discussions wishes to establish necessary fees for the ongoing operation of the Village of Shelton Cemetery.

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

1. The sale of lots and plots within the Village of Shelton Cemetery shall be set as follows:

a) One lot (12 plots)	\$2,800.00
b) 3/4 lot (9 plots)	\$2,100.00
c) 1/2 lot (6 plots)	\$1,400.00
d) 1/4 lot (3 plots)	\$ 700.00
e) 2 plots	\$ 475.00
f) 1 plot	\$ 250.00

2. For purchasers of any one plot who has no connections to the Village of Shelton, a charge of an additional \$1,000.00 shall be levied, of which \$500.00 shall go to the Perpetual Care Fund and \$500.00 shall go to operating expenses. “No Connection to Village of Shelton” shall not include individuals who have other family members previously buried at the Shelton Cemetery, who graduated from Shelton High School, or who have family members living within the corporate limits of the Village of Shelton.

BE IT FURTHER RESOLVED that the charge levied for a burial shall be as follows:

1. Full Burial and Dis-internment: \$400.00 of which \$200.00 shall be charged to open the grave and close following services, \$150.00 deposited into the operating account for the cemetery, \$50.00 dedicated to the perpetual care fund.

2. Cremation Burial: \$200.00 of which \$100.00 shall apply to opening the grave and closing subsequent to services, \$50.00 shall be credited to operating expenses for the cemetery; and \$50.00 shall be dedicated to the perpetual care fund.

3. All charges for interment or dis-internment shall be increased by \$100.00 for any activities when the ground is frozen. (winter surcharge)

4. All charges for internment or dis-internment shall be increased by \$150.00 for any activities occurring on Saturday. No burial is authorized after 12:00 noon on a Saturday, on Sundays or on the following holidays, which shall include the business day before and the business day after said holiday:

MINUTE RECORD

NOVEMBER 14, 2024

- PAGE 5 -

- a. New Year's Day
 - b. Easter Sunday
 - c. Memorial Day
 - d. Independence Day (4th of July)
 - e. Labor Day
 - f. Thanksgiving Day
 - g. Christmas Day
5. The fee associated with the placement of stones is hereby set at \$50.00.

It was then moved by Trustee Keslar to approve and adopt Resolutions No. 24-11-14B and 24-11-14C as presented. This received a second from Trustee Anderson with the vote as follows: AYES: Roe, Oberg, Rabbe, Keslar and Anderson. NAYS: None. ABSENT: None. Motion Carried.

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

14. ADJOURNMENT. All agenda items having been considered, Trustee Keslar, with a second from Trustee Oberg, moved to adjourn the meeting. Ayes: Roe, Oberg, Anderson, Rabbe and Keslar. Nays: None. Absent: None. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 7:40 P.M.

RESPECTFULLY SUBMITTED

BONNIE DOREMUS, MMC
VILLAGE CLERK

APPROVED:

WILLIAM C. ROE
CHAIRMAN

MINUTE RECORD

NOVEMBER 14, 2024

- PAGE 6 -

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 14, 2024 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 7, 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 20th day of November, 2024.

BONNIE DOREMUS, MMC
VILLAGE CLERK