

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
October 11, 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 October 11, 2018. Vice Chairman Doremus 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: Keslar, Holley and Doremus. Absent: Oberg and Roe

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on October 4, 2018 and by posting at 10:00 am on October 2, 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 7:02 PM Vice Chairman Doremus indicated he would entertain a motion to adjourn in order to hold a Public Hearing. That motion was made by Trustee Keslar, with he second from Trustee Holley and the vote was as follows: Ayes: Keslar, Holley and Doremus. Nays: None. Absent: Oberg and Roe. Motion Carried.

**PUBLIC HEARING REGARDING THE ADOPTION OF A NEW COMPREHENSIVE DEVELOPMENT PLAN.** Bobbi Pettit representing SCEDD was present to answer any questions regarding the plan. After a brief discussion and hearing no further comments from the public, Vice Chairman Doremus closed the Public Hearing, and called the Board of Trustees meeting back to order at 7:09 PM.

Vice Chairman Doremus 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: Keslar, Holley and Doremus. Absent: Oberg and Roe.

**3. PLANNING COMMISSION COMMUNICATIONS/NEW ZONING AND SUBDIVISION REGULATIONS.** Dwight Walton reported on some of the items the Planning Commission has been working on and indicated they hope to have a recommendation to the Board with regards to the new Zoning and Subdivision Regulations by next month.

**CHARIMAN ROE ARRIVED AT 7:16 PM.**

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**4. TAX INCREMENT FINANCING (TIF).** Village Clerk Doremus asked the board if they wanted to begin working at getting set up to enable developers to take advantage of the TIF funding or did they want to wait until a developer approached the board for it. After discussion and the Village Attorney outlining the steps needed to be done, a directive was given to Village Attorney to proceed with getting the Village ready to offer Tax Increment Financing to developers.

**2. ORDINANCE TO ADOPT A NEW COMPREHENSIVE DEVELOPMENT PLAN FOR THE VILLAGE OF SHELTON, TO INCLUDE THE ONE-MILE EXTRA-TERRITORIAL JURISDICTION.** Chairman Roe indicated it was now time to consider Ordinance No. 818. Whereupon, it was moved by Trustee Keslar, seconded by Trustee Holley 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. 818 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 Clerk to call the roll and the following was recorded as the vote on this motion: **AYES:** Roe, Holley, Doremus 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. 818 might be introduced, read by title, and approved and passed at the same meeting. Trustee Doremus called for the question. The Chairman put the question to the vote and instructed the Clerk to call roll and the following was the vote on this motion: **AYES:** Roe, Holley, Doremus, and Keslar. **NAYS:** None. **ABSENT:** Oberg. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 818 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. 818 and the following vote was recorded: **AYES:** Roe, Holley, Doremus 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. 818 and declared said Ordinance duly passed and adopted as an Ordinance of the Village of Shelton, Nebraska.

Whereupon, it was moved by Trustee Keslar, seconded by Trustee Doremus that said Ordinance No. 818 be published in pamphlet form. **AYES:** Roe, Holley, Doremus, and Keslar. **NAYS:** None. **ABSENT:** Oberg. Motion Carried.

## **TRUSTEE OBERG ARRIVED AT 7:35 PM**

**5. PROPERTY ANNEXATION.** An update as to the process of the annexation was given. A letter would be sent out this month informing property owners of an inform Public Hearing to be held at the Regular meeting in November. The annexation ordinances would need to be read at three different meetings before passage.

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**6. SALE OF 419 LINCOLN AND OTHER VILLAGE LOTS.** It was reported that our properties were still listed with an agent for a term of one year. It was believed that the contract would end sometime toward the end of November. Bobbi Pettit informed the board that both SCEED and The Economic Development Council of Buffalo County both received funding from the state for Affordable Housing and we should look to see if we could qualify to construct a home on a vacant lot.

**7. REQUEST TO CHANGE ORDINANCE TO ALLOW COWS WITHIN THE MUNICIPALITY.** This request was from Wade Ellis who currently has “bottle calves” on his property at 220 North A Street. It had come to his attention that the Village did not allow livestock and he was requesting the board to consider changing the ordinances, so he could have them. He felt that since he was on the outskirts of the Municipality and had over an acre for them they were not a concern for the neighbors. It was reported that the new zoning regulations were trying to address the issue in some manner. It was the consensus of the board that at this time the ordinance would not be changed. After further discussion it was moved by Trustee Keslar to give Mr. Ellis ninety (90) days from today’s date to have the livestock removed and to be in compliance with the Village ordinance. This received a second from Trustee Holley with the vote as follows: Ayes: Holley, Oberg and Keslar. Nays: Roe and Doremus. Motion Carried.

**8. 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 August 9, 2018; B) accept financial statement as presented; C) approval of Kristen Brandt as new member of the Shelton Volunteer Fire and Rescue and D) Resolution No. 18-10-11 to amend Resolution No. 18-06-14A to clarify legal description of Viaero Tower Land:

**RESOLUTION NO. 18-10-11:**

WHEREAS, at the regularly scheduled meeting of the Shelton Planning Commission held May 17, 2018, a public meeting was held for purposes of approving the final plat of Viaero Shelton Southwest Subdivision comprising a tract of land described as: Part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section One (1), Township Nine (9) North, Range Thirteen (13) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning at a Concrete Stone with an Iron Pipe on the East side at the Northeast corner the Southwest Quarter of the Southwest Quarter of Section One (1), also being the Northwest corner of One (1), Block Sixteen (16) of Parkview Addition to Shelton, Buffalo County, Nebraska, and assuming the East line of said Southwest Quarter of the Southwest Quarter as bearing S 00 47’19” E and all bearings contained herein are relative thereto; thence S 00 47’19” E on said East line of the Southwest Quarter of the Southwest Quarter, also being the West line of said Parkview Addition, a distance of 220 feet to a 5/8” rebar with cap; thence S 88 47’56” W a distance of 143.14 feet to a 5/8” rebar with cap; thence N 00 47’19” W a distance of 220.00 feet to a 5/8” rebar with cap at the Southwest corner of Lot One (1), Block Thirty-three (33) of Union Pacific Railway Co’s Third Addition to Shelton, Buffalo County, Nebraska, also being the North line of said Southwest Quarter of the Southwest Quarter; thence N 88 47’56” E on said North line of the Southwest Quarter of the Southwest Quarter a distance of 143.14 feet to the Point of Beginning, containing 0.72 Acres, more or less; and now known as Lot 1, Viaero Shelton Southwest Subdivision being part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 9 North, Range 13 West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska

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WHEREAS, at a public meeting held before the Village Board of Trustees, Village of Shelton, Buffalo County, Nebraska, for purposes of approving the Final Plat, this Board has determined that it is in the best interest of the Village of Shelton to approve the final plat as Viaero Shelton Southwest Subdivision.

NOW THEREFORE be it resolved that the Chairman of the Village Board of Shelton, Buffalo County, Nebraska is hereby authorized to execute and approve the final plat of Viaero Shelton Southwest Subdivision upon execution by Viaero of a Subdivision Agreement.

The vote on this motion was recorded as follows: **AYES:** Roe, Holley, Oberg, Doremus, and Keslar. **NAYS:** None. **ABSENT:** None. Whereupon, the Chairman declared the Motion Carried.

**9. 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.

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

**11. HIRING OF MAINTENANCE WORKER WITH POTENTIAL ASSISTANT UTILITY SUPERINTENDENT QUALITIES AND ORDINANCE TO SET WAGE.** Utility Superintendent Sell recommended to the board to hire Brett Gillming for this position with a wage of \$15.00 per hour. After discussion, Chairman Roe indicated it was time to consider Ordinance No. 819. Whereupon, it was moved by Trustee Oberg, 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. 819 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 Clerk to call the roll and the following was recorded as the vote on this motion: **AYES:** Roe, Holley, Doremus, Oberg and Keslar. **NAYS:** None. **ABSENT:** None. Whereupon the chairman declared the Motion Carried.

Further, a motion was made by Trustee Oberg, seconded by Trustee Doremus that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinance No. 819 might be introduced, read by title, and approved and passed at the same meeting. Trustee Oberg called for the question. The Chairman put the question to the vote and instructed the Clerk to call roll and the following was the vote on this motion: **AYES:** Roe, Holley, Doremus, Oberg and Keslar. **NAYS:** None. **ABSENT:** None. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 819 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

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for final passage at the same meeting, Trustee Oberg called for the question as to the approval and passage of Ordinance No. 819 and the following vote was recorded: AYES: Roe, Holley, Doremus, Oberg and Keslar. NAYS: None. ABSENT: None. Whereupon, the Chairman declared that five members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 819 and declared said Ordinance duly passed and adopted as an Ordinance of the Village of Shelton, Nebraska.

Whereupon, it was moved by Trustee Oberg, seconded by Trustee Doremus that said Ordinance No. 819 be published in pamphlet form. AYES: Roe, Holley, Doremus, Oberg and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**12. SET DATE FOR SALES TAX QUESTION & ANSWER SESSION.** After discussion, a date of October 29<sup>th</sup> (Monday) at 7:00 pm in the community room was selected.

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

**14. ADJOURNMENT.** All agenda items having been considered, Trustee Holley with a second from Trustee Keslar moved to adjourn the meeting. AYES: Roe, Holley, Oberg, Keslar and Doremus. NAYS: None. ABSENT: None. Motion Carried. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:40 P.M.

RESPECTFULLY SUBMITTED

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BONNIE DOREMUS, MMC  
VILLAGE CLERK

APPROVED:

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WILLIAM C. ROE  
CHAIRMAN

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## 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 October 11, 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 Assistant Village Clerk Lisa Smith at 10:00 P.M. on October 2, 2018 in four public places in the Village of Shelton, as follows: Village Office, Shelton Clipper, Cornerstone Bank, and Larry's Market.

Dated this 15th day of October, 2018.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK

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## CLAIMS:

AURORA COOPERATIVE	FERTILIZER	478.80
BLACK HILLS ENERGY	MONTHLY SERVICE	107.58
BUFFALO CO SHERIFF'S OFFICE	LAW ENFORCEMENT/AM CONTROL	973.94
BUFFALO OUTDOOR POWER LLC	MOWER OIL	54.08
CENTRAL DIST. HEALTH DEPT	WATER TESTS	46.50
CHARTER COMMUNICATIONS	MONTHLY SERVICE	154.99
CINDY BRANDT	FIRE HALL CLEANING	100.00
CLIFF KESLAR	FIRE AWARENESS MATERIAL	544.16
CLIPPER PUBLISHING,INC	NOTICES/MINUTES	450.62
CONSTRUCTION RENTAL	SUPPLIES	284.63
CORE & MAIN LP	SUPPLIES	451.70
CUMMINS NE BRANCH	GENERATOR REPAIR	26.70
CUTTING EDGE CLEANING	OCT COMM RM CLEANING	120.00
DEARBORN NATIONAL	FIREMEN LIFE INS	55.04
DISPLAY SALES	XMAS LIGHT BULBS	156.00
FAIRBANKS FARM EQUIPMENT	MOWER BELTS	105.76
GODFREY ELECTRIC LLC	SHELTER REPAIR	198.28
GRAHAM TIRE KRNY	TIRES	738.10
HEARTLAND DISPOSAL	WATER TOWER DUMPSTERS	235.00
HEIMAN FIRE EQUIPMENT	BUNKER GEAR	2,550.00
JOHN DEERE FINANCIAL	R/M CEM EQUIP	18.29
MIDLAND CONTRACTING, INC	STORM SEWER REPAIR	3,450.00
K & K CONVENIENCE STORE	SEPT FUEL	1,275.09
K & K CONVENIENCE STORE	AUG FUEL	218.64
LEAGUE ASSOC OF RISK MNGMT	ADDED PROPERTIES	557.25
LARRY'S MARKET	SEPT SUPPLIES	65.70
LASERTEC OF NE, INC	PAGEPACK CONTRACT	62.87
LEAGUE OF NEB MINICIPALITIES	DOREMUS/SMITH CONF	840.00
LOOKOUT BOOKS	NEW BOOKS	80.87
MAGUIRE IRON	WATER TOWER REHAB PMT	52,680.00
MCI	MONTHLY SERVICE	44.67
MENARDS - KEARNEY	SHOP SUPPLIES	281.22
MUNICIPAL SUPPLY INC	WATER R/M	4,056.16
NE CENTRAL TELEPHONE CO	MONTHLY SERVICE	458.10
NEBRASKA DEPT OF REVENUE	SALES TAX	2,443.79
NE PUBLIC HEALTH ENVIRO LAB	WATER SAMPLES	48.00
NEBRASKA PUBLIC POWER DIST	MONTHLY SERVICE	5,111.84
ONE CALL CONCEPTS	SEPT LOCATES	9.06
PETTY CASH	SEPT POSTAGE	205.78
PLATTE VALLEY COMMUNI-KRNY	POLICE RADIO	729.95
UNITED STATES POST OFFICE	POSTAGE	200.00
PRESTO X	FIRE HALL PEST CONTROL	35.00
SOS PORTABLE TOILETS, INC.	CEMETERY	75.00
TRUELL, MURRY & ASSOC	ATTORNEY FEES	200.00
US BANK	BOOKS/SUPPLIES/R/M	413.50
VERIZON	MONTHLY SERVICE	403.24
WILLIS REPAIR	R/M SEWER LIFT STATION	157.12

\*\*\*\*\* REPORT TOTAL \*\*\*\*\*

81,953.02

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