

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
OCTOBER 12, 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 October 12, 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, Keslar and Leibfarth Absent: None.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on October 5, 2023 and by posting at 10:30 am on October 4, 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.

7:00 P.M. PUBLIC HEARING FOR THE ONE- AND SIX- YEAR STREET IMPROVEMENT PROGRAM. It was moved by Trustee Oberg, with a second from Trustee Leibfarth to adjourn the Board of Trustees meeting to conduct a public hearing relating to the One- and Six Year Street Improvement Program. Ayes: Roe, Oberg, Anderson, Keslar and Leibfarth. Nays: None. Absent: None. The motion carried and Chairman Roe adjourned the Board of Trustee's at 7:01 pm to hold a Public Hearing. Tyler Hillmer with Miller & Associates presented to the Board a plan of maintenance for the first year and a plan to resurface areas of "A" and "B" streets and a few other areas of town to be done for the six-year plan. After a discussion, 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 7:04 pm. A roll call reflected the following: Present: Roe, Oberg, Anderson, Keslar and Leibfarth. Absent: None.

2. RESOLUTION TO ACCEPT ONE- AND SIX- YEAR STREET IMPROVEMENT PROGRAM. Chairman Roe indicated it was now time to consider Resolution No. 23-10-12.

RESOLUTION NO. 23-10-12:

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.

It was then moved by Trustee Leibfarth, with a second from Keslar to approve and adopt Resolution No. 23-10-12 as presented. Ayes: Roe, Oberg, Anderson, Keslar and Leibfarth. Nays: None. Absent: None. Motion Carried.

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3. CONSENT AGENDA. It was then moved by Trustee Anderson to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of September 14, 2023 and B) Accept Financial Report. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Leibfarth, Oberg, Keslar and Anderson. Nays: None. Absent: None. Motion Carried.

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

5. PURCHASE OF NEW POLICE VEHICLE. Chief Clark reported that after looking at the State Bids for police vehicles, he had decided that the Durango Pursuit AWD vehicle would best suit the needs of the Village. This vehicle would replace the Dodge Charger which is over nine years old and is beginning to need repairs to make it more reliable as a Police Vehicle. After discussion, Chairman Roe indicated it was time to consider Resolution No. 23-10-12A.

RESOLUTION NO. 23-10-12A:

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, Nebraska shall immediately acquire, for the purchase price not to exceed \$ 42,977, one 2023 (or current production year) one Durango Pursuit AWD Police vehicle from Gene Steffy Auto Group of Fremont, NE.

SECTION 2. That the Chairman, Police Chief and Administrative Clerk 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 Leibfarth, with a second from Trustee Anderson to approve and adopt Resolution No. 23-10-12A as presented. Ayes: Roe, Leibfarth, Oberg, Keslar and Anderson. Nays: None. Absent: None. Motion Carried.

6. PURCHASE OF NEW LOADER. Utility Superintendent Gillming presented the board with three bids for a new wheel loader which included the trade in of the one we now have. He recommended that the lowest bid from NMC be accepted by the board. After discussion, Chairman Roe indicated it was time to consider Resolution No. 23-10-12B.

RESOLUTION NO. 23-10-12B:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that the maintenance of 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 have the necessary purchase of equipment made.

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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 a 920 Case Wheel Loader, not to exceed \$147,500.00 from NMC Cat of Doniphan, NE.

SECTION 2. That the Chairman, Utility Superintendent and Village Clerk 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 Keslar, with a second from Oberg to approve and adopt Resolution No. 23-10-12B as presented. Ayes: Roe, Leibfarth, Oberg, Keslar and Anderson. Nays: None. Absent: None. Motion Carried.

7. DRAINAGE ISSUES/CULVERTS. Utility Superintendent Gillming reported to the board that the culvert under the Railroad Tracks were going to need some repairs and that the engineers were attempting to get with the Union Pacific Officials to see how much they would be willing to assist us with them. He also reported that the inlets to the storm drains at First and B Street and Highway 30 and D Street needed to be replaced. A quote from Saul Ramos Construction for \$4,090 for the repairs. This was for the material only and he would donate the labor. After discussion, it was moved by Trustee Leibfarth to award the bid to Ramos Construction and have the repairs done. This received a second from Trustee Oberg with the vote as follows: Ayes: Roe, Leibfarth, Oberg, Keslar and Anderson. Nays: None. Absent: None. Motion Carried.

8. DECLARING 204 COADY STREET A NUISANCE PROPERTY. Village Attorney Truell reported that he has been unable to find a Building Inspector to inspect the property. Cindy Ryan presented the board with pictures as to the foundation and brick work that had been done and felt that it was not being done to safety codes. After discussion, it was directed to have Attorney Truell to send a letter giving the owners 60 days to prove by an inspector that the building was structurally sound to continue to build.

9. DECLARING 214 FIRST STREET A NUISANCE PROPERTY. It was reported that another mowing had been done and this would be billed to the registered owner (which is deceased). After our billing for mowing in 2021 and the current mowing of 2023 remains unpaid, we can have the court system assign someone to administer the estate to pay the billings.

10. PEDDLERS/HAWKERS: REGULATIONS AND PERMIT APPLICATION. Village Clerk Doremus explained to the Trustees that currently we are charging \$10/day/person and granting the permit at the same time as the application is submitted. Unfortunately, this does not give the Police Department time to run a background check before they are here and gone. She would like to have the board approve a new application which allowed time for the background check and also change the fee to \$25/day/person. After discussion Trustee Oberg moved to approve the new application for the Peddlers/Hawkers and raise the fee to \$25/day/person. This received a second from Trustee Anderson with the vote as follows: Ayes: Roe, Leibfarth, Oberg, Keslar and Anderson. Nays: None. Absent: None. Motion Carried.

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11. MASTER FEE SCHEDULE. The Master fee schedule was presented to the Trustees and recommended that the Utility Service Deposit be raised from \$150 to \$200 to help with any remaining bill if someone left town without paying. After discussion, Chairman Roe indicated it was time to consider Resolution No. 23-10-12C.

RESOLUTION NO. 23-10-12C:

BE IT RESOLVED by the Village Board of Trustees of Shelton, Nebraska that the attached Master Fee Schedule is hereby approved and adopted by said Board of Trustees.

MASTER FEE SCHEDULE

<u>APPLICATIONS</u>		<u>LAGOON DUMPING</u>	
ZONING COMPLIANCE PERMIT APPLICATION	\$ 20.00	UNDER 3000 LBS	\$ 125.00
VARIANCE PERMIT APPLICATION	\$ 25.00	OVER 3000 LBS	\$ 350.00
CONDITIONAL USE PERMIT APPLICATION	\$ 25.00		
<u>CEMETERY</u>		<u>YARD WASTE DISPOSAL SITE PERMIT</u>	
FULL BURIAL	\$ 400.00	RESIDENTIAL PERMIT	\$ 20.00
CREMATION BURIAL	\$ 200.00	COMMERCIAL PERMIT	\$ 50.00
ADDT'L CHARGE FOR SATURDAY BURIAL	\$ 150.00		
STONE SETTING FEE	\$ 50.00		
WINTER SURCHARGE	\$ 100.00		
<u>COMMUNITY ROOM</u>		<u>PET LICENSE</u>	
RENTAL FEE	\$ 25.00	SPAYED/NEUTERED	\$ 8.00
CLEANING DEPOSIT	\$ 25.00	NOT SPAYED/NEUTERED	\$ 12.00
<u>OTHER</u>			
RETURN CHECK FEE	\$ 35.00		
PEDDLER FEE	\$ 25.00	PER DAY/PER PERSON	
<u>UTILITY BILLING</u>			
UTILITY SERVICE DEPOSIT	\$ 200.00		
UTILITY CONNECTION FEE	\$ 25.00		
UTILITY DISCONNECT FEE	\$ 25.00		
UTILITY BILL LATE FEE	\$ 25.00		
UTILITY SHUT OFF/RECONNECT FEE	\$ 50.00		
UTILITY METER USAGE REPORT	\$ 50.00		
WATER USAGE RATE	\$ 0.195	PER 100/GAL	
CONTRACTOR CONNECTION FEE	\$ 25.00		
WATER TAP FEE	\$ 1,250.00		

It was then moved by Trustee Keslar, with a second from Trustee Anderson to approve and adopt Resolution No. 23-10-12C as presented. Ayes: Roe, Leibfarth, Oberg, Keslar 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 Keslar, with a second from Trustee Anderson, 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 7:54 P.M.

RESPECTFULLY SUBMITTED

BONNIE DOREMUS, MMC
VILLAGE CLERK

APPROVED:

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 special and regular meetings held on October 12, 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 October 4, 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 16th day of October, 2023.

BONNIE DOREMUS, MMC
VILLAGE CLERK