

MINUTE RECORD

REGULAR BOARD MEETING
VILLAGE BOARD OF TRUSTEES
SEPTEMBER 10, 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 September 10, 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.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on September 3, 2020 and by posting at 10:20 am on September 8, 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 FOR PROPOSED 2020/2021 BUDGET AND TO SET FORMAL TAX REQUEST. It being of the hour of 7:00 PM o'clock, Chairman Roe adjourned the Board of Trustees Meeting. Motion to adjourn was made by Trustee Oberg and seconded by Trustee Doremus. AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried. Chairman Roe then called to order a Public Hearing to hear comments for or against the proposed 2020/2021 budget.

2. ADJOURN PUBLIC HEARING – CALL BOARD OF TRUSTEES MEETING BACK TO ORDER – ROLL CALL/ACKNOWLEDGEMENT OF OPEN MEETING ACT POSTED. After discussion and addressing any concerns and hearing no further public comments, Chairman Roe declared the public hearing closed at 7:04 PM and called the Board of Trustees Meeting back 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 directed a roll call which reflected as follows: Present: Chairman Roe and Trustees Oberg, Doremus and Reutzel. Absent: Keslar.

2A. MOTION TO EXCEED ALLOWABLE GROWTH RATE 1% FOR 2020/2021 BUDGET. After discussion, it was moved by Trustee Oberg with a second from Trustee Doremus to exceed the allowable growth rate by an additional 1% for the 2020/2021 budget. AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

2B. APPROVAL AND RESOLUTION TO SET FORMAL PROPERTY TAX REQUEST FOR 2020/2021 BUDGET. Chairman Roe then indicated it was time to consider Resolution No. 20-09-10.

RESOLUTION NO. 20-09-10:

WHEREAS, Nebraska Revised Statue 77-1601.02 authorizes the Governing Body to set a final property tax request at an amount that differs from the prior year request.
WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request at a different amount; and

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WHEREAS, it is in the best interest of the Village of Shelton that the property tax request be set at an amount that differs from the prior year request;

NOW, THEREFORE, BE IT RESOLVED by The Governing Body of the Village of Shelton, by a majority vote, that the property tax request for the fiscal year 2020/2021 be set as follows:

General	\$290,297.00
Bond	103,412.00
Total	\$393,209.00

It was then moved by Trustee Oberg with a second from Trustee Doremus to approve and adopt Resolution No. 20-09-10 as presented. AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

3C. ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL AND TO APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITIES. Chairman Roe indicated it was now time to consider Ordinance No. 837. 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. 837 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, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. 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. 837 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, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 837 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 Oberg called for the question as to the approval and passage of Ordinance No. 837 and the following vote was recorded: AYES: Roe, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 837 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. 837 be published in pamphlet form. AYES: Roe, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

3. CONSENT AGENDA. The consent agenda was presented as follows:

- A. WAIVE READING AND APPROVE MINUTES OF REGULAR MEETING OF AUGUST 13, 2020 AND SPECIAL MEETING OF AUGUST 27, 2020
- B. ACCEPT FINANCIAL REPORT
- C. RESOLUTION TO ACCEPT ENGAGEMENT LETTER WITH JANET ROWLING FOR 2020/2021 BUDGET PREPERATION.

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RESOLUTION 20-09-10A:

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

1. That the Engagement Letter with the Village of Shelton, Nebraska, and Janet Rowling, CPA, PC of Kearney for the budget preparation of the 2020-2021 fiscal year 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 Engagement letter, 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.

D. STATE OF NEBRASKA PUBLIC ROADS RESOLUTION FOR SIGNING CERTIFICATION COMPLIANCE FORM

RESOLUTION NO. 20-09-10B:

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.

E. AUTHORIZING CHAIRMAN TO VOTE FOR THE PROPOSED AMENDMENTS TO THE LEAGUE "ARTICLES OF INCORPORATION" AND "BYLAWS" LEAGUE OF NEBRASKA MUNICIPALITY ON THE "REGULAR MEMBERSHIP BALLOT"

F. RESOLUTION FOR PURCHASE OF PLAYGROUND EQUIPMENT

RESOLUTION NO. 20-09-10C:

WHEREAS, the Governing Body of the Village of Shelton, Nebraska has determined that playground equipment is an essential element for the enjoyment of the Veteran's Park; and

WHEREAS, after investigation of the facts and discussion of the alternatives, the Governing Body has decided to purchase playground equipment with the help of Lion's Club donations, Park funds and Keno funds;

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

That the Village of Shelton, Nebraska shall immediately acquire, for the purchase price not to exceed a total of \$33,818.00 including shipping and handling for new playground equipment from Creative Sites, LLC of Omaha, NE.

It was moved by Trustee Oberg, with a second from Doremus to approve the consent agenda as presented. AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

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At approximately 7:15 PM the meeting was moved across the street to the Fire Hall where a potential ambulance purchase could be shown to the Board and Fire Department members. At approximately 7:30 PM the meeting moved back to the Community Room to here written and oral reports from the Attorney, Fire, Administrative and Utility Departments.

4A1. APPROVAL OF BRAYDEN KISER AS NEW MEMBER OF SVFR. Due to personal circumstances, Mr. Kiser asked that his application be withdrawn so no action was taken.

4A2. APPROVAL OF KACIE MILLER AS NEW MEMBER OF SVFR. It was moved by Trustee Doremus with a second from Trustee Oberg to approve Kacie Miller as a new member of the Shelton Volunteer Fire and Rescue Department. AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

5. UPDATE ON OWNER OCCUPIED REHAB GRANT. Lori Ferguson with South Central Economic Development District (SCEDD) reviewed the Board on the grant and reminded them that \$39,000 had been allocated for the demolition of old structures with the intent for new housing. The Village would need to own the property for use of the demolition funds.

6. DONATION OF PROPERTY BEHIND THE FIRE HALL. Sylvia Spellman was wanting to donate to the Village a small area (25' X 36') behind the Fire Hall. After discussion, it was moved by Trustee Doremus to accept this donation of land. This received a second from Trustee Oberg with the vote as follows: AYES: Roe, Oberg, Doremus and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

7. PURCHASE OF AMBULANCE AND RESCUE TRUCK. It was discussed as to if the vehicles needed to be purchased at the same time. Since the bonds would be tax anticipated bonds in nature, we could receive the money and spend on the vehicles within a reasonable period of time.

8. ORDINANCE AUTHORIZING THE ISSUANCE OF PUBLIC SAFETY TAX ANTICIPATION BONDS SERIES 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$310,000 FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING PUBLIC SAFETY EQUIPMENT (AMBULANCE & RESCUE TRUCK). Chairman Roe then indicated it was time to consider Ordinance No. 838.

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. 838 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, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. 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. 838 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, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Whereupon, the Chairman declared the Motion Carried.

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Following the reading of Ordinance No. 838 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 Oberg called for the question as to the approval and passage of Ordinance No. 838 and the following vote was recorded: AYES: Roe, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Whereupon, the Chairman declared that four members of the Board having voted in the affirmative for the passage and approval of Ordinance No. 838 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. 838 be published in pamphlet form. AYES: Roe, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

9. WATER PROJECT UPDATE AND ENGINEER'S INVOICE. It was reported that the water project was done, and we would have our final invoice from Midland's at our next meeting. After discussion, Chairman Roe indicated it was time to consider Resolution No. 20-09-10D.

RESOLUTION NO. 20-09-10D:

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

1. The Engineers for the Village, Miller & Associates, have theretofore delivered to the Village their invoice No. 20 0875 consisting of submittals, on-site construction observation services, review of contractor's payroll submittals as required by NDEE-SRF funding, as delineated in Section 1.5, for the months of June, July and August, 2020, per our Agreement dated March 21, 2019 is hereby approved.
2. That the Village Clerk be, and hereby is, authorized and directed to issue and deliver payment in the amount of \$15,470.20 to Miller & Associates 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. 20-09-10D as presented. This received a second from Trustee Doremus with the vote as follows: AYES: Roe, Doremus, Oberg and Reutzel. NAYS: None. ABSENT: Keslar. Motion Carried.

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

11. ADJOURNMENT. All agenda items having been considered, Trustee Doremus with a second from Trustee Oberg moved to adjourn the meeting. AYES: Roe, Doremus, Reutzel and Oberg. NAYS: None. ABSENT: Keslar. Whereupon, the Chairman declared the motion carried and the meeting duly adjourned at 8:25 P.M.

RESPECTFULLY SUBMITTED

BONNIE DOREMUS, MMC
VILLAGE CLERK

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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 regular meeting held on SEPTEMBER 10, 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 September 3, 2020 and posted by Assistant Clerk/Treasurer Lisa Smith on September 8, 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 15th day of September, 2020.

BONNIE DOREMUS, MMC
VILLAGE CLERK