

# MINUTE RECORD

REGULAR BOARD MEETING  
VILLAGE BOARD OF TRUSTEES  
SEPTEMBER 9, 2021

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 September 9, 2021. Chairman Roe then 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, Doremus, Reutzel, Oberg and Keslar. Absent: None.

Notice of this meeting was given in advance thereof by publication in the Shelton Clipper on September 2, 2021, and posting at 10:30 A.M. on September 1, 2021, in five (5) public places in the Village of Shelton, Nebraska, as follows: Larry's Market, Shelton Clipper, Cornerstone Bank, Post Office, and Village Office, all as shown by Affidavit of Publication and 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 advance 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 TO SET FORMAL TAX REQUEST.** It being of the hour of 7:00 PM o'clock, Chairman Roe indicated he would entertain a motion to adjourn the Board of Trustees Meeting. Motion to adjourn was made by Trustee Oberg and seconded by Trustee Doremus. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried. Chairman Roe then called to order a Public Hearing to hear comments for or against the proposed 2021/2022 Tax Request.

**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 7:03 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, Keslar and Reutzel. Absent: None.

**2A. MOTION TO EXCEED ALLOWABLE GROWTH RATE 1% FOR 2021/2022 BUDGET.** After discussion, it was moved by Trustee Keslar with a second from Trustee Oberg to exceed the allowable growth rate by an additional 1% for the 2021/2022 budget. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

**2B. APPROVAL AND RESOLUTION TO SET FORMAL PROPERTY TAX REQUEST FOR 2021/2022 BUDGET.** Chairman Roe then indicated it was time to consider Resolution No. 21-09-09.

RESOLUTION NO. 21-09-09:

WHEREAS, Nebraska Revised Statue 77-1601.02 provides that the Governing body of the Village of Shelton passes by a majority vote a resolution or ordinance setting tax request; and

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WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW, THEREFORE, The Governing Body of the Village of Shelton resolves that

- 1) The property tax request for the fiscal year 2021/2022 be set as follows:

General	\$297,312.37
Bond	\$123,586.63
Total	\$420,899.00

- 2) The total assessed value of property differs from last year's total assessed value by 2.42 percent
- 3) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be .66211 per \$100 of assessed value.
- 4) The Village of Shelton proposes to adopt a property tax request that will cause the tax rate to be .707836 per \$100 of assessed value.
- 5) Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Shelton will increase from last year's distributions by 38.98 percent
- 6) A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2021.

It was then moved by Trustee Oberg with a second from Trustee Doremus to approve and adopt Resolution No. 21-09-09 as presented. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

2C. AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL AND APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITIES. Chairman Roe indicated it was now time to consider Ordinance No. 844. Whereupon, it was moved by Trustee Oberg, seconded by Trustee Keslar 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. 844 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 Village Clerk to call the roll and the following was recorded as the vote on this motion: AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Whereupon the chairman declared the Motion Carried.

Further, a motion was made by Trustee Oberg, seconded by Trustee Keslar that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinance No. 844 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 Acting Clerk to call roll and the following was the vote on this motion: AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Whereupon, the Chairman declared the Motion Carried.

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Following the reading of Ordinance No. 844 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. 844 and the following vote was recorded: AYES: Roe, Oberg, Doremus, Reutzel 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. 844 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 Keslar that said Ordinance No. 844 be published in pamphlet form. AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Motion Carried.

**3. CONSENT AGENDA.** It was then moved by Trustee Doremus to approve the consent agenda which included: A) Waive Reading and approve minutes of Regular meeting of August 12, 2021 and Special meeting of September 8, 2021; and B) Accept Financial Report.

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

**5. REPORTS.** Written and verbal reports were received from the Fire Department, Attorney, Administrative Clerk, Police and Utility Superintendent.

**6. PURCHASE OF RESCUE SAW FOR FIRE DEPARTMENT.** After discussion, Chairman Roe indicated it was time to consider Resolution 21-09-09A.

RESOLUTION 21-09-09A:

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 \$1,750 plus shipping and handling one Rescue Saw from Heiman, Inc. of Ashton, IA.

SECTION 2. That the Chairman, Fire 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 Doremus, with a second from Trustee Oberg to approve and adopt Resolution No. 21-09-09A as presented. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

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**4. SHELTON LIBRARY ANNUAL REPORT.** Library Director Tony Crouse reported to the Trustees the progress the library is making on getting accredited and the number of patrons the library has had over the months, as well as other activities happening at the Library.

**7. RENTAL AGREEMENT FOR TRACK LOADER (SKID STEER).** After discussion, Chairman Roe indicated it was time to consider Resolution No. 21-09-09B.

RESOLUTION NO 21-09-09B:

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 John Deere for a 2020 John Deere 325G Compact Track Loader for the period August 10, 2021 to August 10, 2022 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.

It was then moved by Trustee Doremus to approve and adopt Resolution No. 21-09-09B as presented. This received a second from Trustee Keslar with the vote as follows: AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

**8. CEMETERY PURPETURAL CARE FUND.** After a review of the "Transfer Agreement" between the Cemetery Association and the Village it was determined that the fund could be used to repair grave markers and bases at the cemetery. After discussion, Utility Superintendent Sell was directed to contact some companies to get some estimates for the repairs.

**9. PARKING ON "D" STREET.** Police Chief Clark reported that at this time there was no ordinances being violated if parking occurred on "D" Street. He also felt that if the Board were to pass a Resolution to not allow parking there that they would need to also do it on other streets since "D" is not any narrower than others in town. After much discussion, no action was taken on this agenda item.

**10. AMERICAN RESCUE PLAN ACT (ARPA) FUNDS.** There was a short discussion as to when the funds needed to be obligated by (December of 2022) and expensed by (December of 2024).

**11. ORDINANCE RELATING TO WATER TURN OFF/ON.** A revision of the current ordinance was introduced. After discussion, it was directed to have a revised Section 3-108 ready for the next meeting.

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**12. CHANGING OF VACATION POLICY IN THE EMPLOYEE MANUAL.** After discussion, Chairman Roe indicated it was time to consider Resolution No. 21-09-09C.

RESOLUTION NO. 21-09-09C:

WHEREAS, a revision to the Personnel Manual of the Village of Shelton has been reviewed by the Chairman and the Board of Trustees: and

WHEREAS, the Chairman and the Board of Trustees of the Village of Shelton, Nebraska, hereby determine that it is in the best interest of the citizens of the Village of Shelton to revise the Personnel manual for its employees.

NOW, THEREFORE, BE IT RESOLVED by the Chairman and the Board of Trustees of the Village of Shelton, that the revision to the personnel manual with regards to "VACATION LEAVE" which currently reads "15 work days after 5-15 years of service and 20 work days after 16 or more years of service" shall be revised to read "15 work days after 5-14 years of service and 20 work days after 15 or more years of service."

It was then moved by Trustee Oberg to approve and adopt Resolution No. 21-09-09C as presented. This received a second from Trustee Doremus with the vote as follows: AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

**13. PAY RAISE FOR S. TYLKOWSKI (SPRAYING ENDORSEMENT).** Utility Superintendent Sell asked the board to consider a \$.50 raise for Skylar Tylkowski since he had passed all the tests and had received his Spraying Endorsement. After discussion, Chairman Roe indicated it was time to consider Ordinance No. 845. Whereupon, it was moved by Trustee Oberg, seconded by Trustee Keslar 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. 845 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 Village Clerk to call the roll and the following was recorded as the vote on this motion: AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Whereupon the chairman declared the Motion Carried.

Further, a motion was made by Trustee Oberg, seconded by Trustee Keslar that the statutory rules in regard to the passage and adoption of Ordinances be suspended, so that said Ordinance No. 845 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 Acting Clerk to call roll and the following was the vote on this motion: AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Whereupon, the Chairman declared the Motion Carried.

Following the reading of Ordinance No. 845 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. 845 and the following vote was recorded: AYES: Roe, Oberg, Doremus, Reutzel 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. 845 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 Keslar that said Ordinance No. 845 be published in pamphlet form. AYES: Roe, Oberg, Doremus, Reutzel and Keslar. NAYS: None. ABSENT: None. Motion Carried.

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**14. REQUEST TO WAIVE LATE FEE FROM M. JOHNSON.** After discussion and due to special circumstances (the bill had been returned to the office) it was moved by Trustee Keslar to waive the late fee this time for Mark Johnson of 119 East Third. This received a second from Trustee Doremus with the vote as follows: AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

**15. APPROVE PAYMENT TO CDS INSPECTIONS & BEYOND FOR OOR REHAB GRANT HOUSING MANAGEMENT SERVICES RELATING TO HR-02 & HR-07**

**16. APPROVE PAYMENT TO CDS INSPECTIONS & BEYOND FOR OOR REHAB GRANT FOR LEAD BASED PAINT SERVICES RELATING TO HR-08**

**17. APPROVE PAYMENT TO PM RENOVATIONS FOR REHAB WORK RELATING TO HR-02**

**18. APPROVE PAYMENT TO MID PLAINS ROOFING AND REMODELING FOR REHAB WORK RELATING TO HR-07**

**19. APPROVE FUTURE REQUEST FOR NAHTF FUNDS.**

After discussion it was moved by Trustee Oberg, with a second from Trustee Keslar to approve agenda items 15 through 19. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

**20. DESIGNATING A COMMUNITY REPRESENTATIVE/DELEGATE TO THE NEBRASKA COOPERATIVE GOVERNMENT ANNUAL MEETING.** After discussion, it was moved by Trustee Oberg with a second from Trustee Doremus to designate Administrative Clerk Doremus as the community representative/delegate to the Nebraska Cooperative Government Annual Meeting. AYES: Roe, Oberg, Doremus, Keslar and Reutzel. NAYS: None. ABSENT: None. Motion Carried.

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

**22. ADJOURNMENT.** All agenda items having been considered, Trustee Keslar with a second from Trustee Doremus moved to adjourn the meeting. AYES: Roe, Oberg, Reutzel, Doremus and Keslar. NAYS: None. ABSENT: None. Whereupon the Chairman declared the motion carried and the meeting duly adjourned at 8:21 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 September 9, 2021 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 2, 2021 and posted by Assistant Clerk/Treasurer Lisa Smith on September 1, 2021 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 13th day of September, 2021.

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BONNIE DOREMUS, MMC  
VILLAGE CLERK