

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 26, 2021 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 26, 2021 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Temme called the meeting to order and Commissioners present for roll call were Jon Lindgren, Larry Temme and Ben Rutten. Notice of the meeting was given in advance by publication in the Albion News and Boone County Tribune and the Petersburg Press on April 21, 2021 and the convened meeting was open to the public.

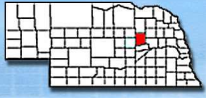
The agenda was posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Friday, April 23, 2021. Chairman Temme acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed the County Payroll Claims filed for the pay period of March 22, 2021 through April 21, 2021. The Board noted/questioned several hours of overtime for the pay period. Motion made by Rutten, second by Lindgren to approve the County Payroll Claims filed for payment from the various funds: General \$104,705.56, BCBS \$49,840.04, Ameritas Ret \$7,330.43, EFTPS \$7,806.08, LTD Premiums \$0.00, Section 125 Fees \$17.50, Wellness Program \$128.00; Road \$66,579.10, BCBS \$28,756.44, Ameritas Ret \$4,494.09, EFTPS \$5,004.35; Ambulance \$2,400.87, Ameritas Ret \$67.40, EFTPS \$183.67; and Public Defender Contract \$3,358.21. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of April 19, 2021 as presented. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

The Boone County Sheriff submitted a quote for the Board to review for the construction of walls inside a building at the fairgrounds to store law enforcement impounded items. Motion made by Rutten, second by Temme to approve the estimate from T & C Construction, LLC of Albion, Nebraska for approximately \$2,825.00 for the construction of walls inside a building at the fairgrounds to store law enforcement impounded items. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

An Interlocal Agreement between the County of Boone, Boone County Agricultural Society, Inc. and the City of Albion, all located in Nebraska in regard to construction of a municipal well upon property owned by the County and water for the fairgrounds was approved on March 19, 2018. The City of Albion Well #5 construction has been completed and the ownership of the property described in the March 2018 agreement has been transferred to the City of Albion. The Board reviewed an Interlocal Agreement with the City of Albion that updates the completed well construction, ownership of property and reflects the newly surveyed property legal descriptions. Motion made by Temme, second by Lindgren to approve Resolution No. 2021-15, Interlocal Agreement related to the municipal well site on County owned property with updated property legal descriptions and supersedes and replaces the March 2018 agreement between the County of Boone, Boone County Agricultural Society, Inc. and the City of Albion, all located in Nebraska. Roll call vote: Yeas: Temme Lindgren and Rutten. Nays: None. Motion carried.



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A County Weed evaluation report for the year 2020 was received from the Nebraska Department of Agriculture. The Board reviewed the report and discussed the current County Weed Superintendent vacancy. Motion made by Lindgren, second by Rutten to approve and authorize the Board Chairman to sign the County Weed evaluation report for the year 2020. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Tanya Sharp and Cindy Lesiak, Boone County Health Center, visited with the Board in regard to the County Ambulance Service rates. The service rates were last updated April 1, 2019. The Board, Sharp and Lesiak discussed the range of rates for transports and range of mileage rates per patient loaded miles charged by other ambulance service entities. The consensus was that overall the Boone County Ambulance Service is charging on the low end of the transport and mileage ranges. The consensus of the Board to table a decision to a later date in order to have time to review the information presented by Sharp and Lesiak.

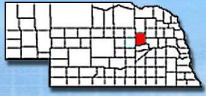
The Board reviewed a request for installation of a residential driveway on a minimum maintenance road with Jacqueline Prothman, landowner; Eric Prothman, driveway requestor; and legal counsel, Jeff Jarecki, Jarecki Lay & Sharp, PC LLO. Also, present for the discussion of a residential driveway were the Boone County Highway Superintendent; Boone County Zoning Administrator; and Brian McDonald, JEO Consultant Group. Items discussed included the Conditional Use Permit process and if it was needed in this instance, bringing the minimum maintenance road up to current Nebraska Department of Transportation (NDOT) road standards, and also the condition of the bridge on 270th Street west of 280th Avenue. The consensus of the Board was for Prothman and Jarecki to start the Conditional Use Permit process while waiting for an estimate from the County Highway Superintendent and JEO Engineer for bringing the minimum maintenance road up to NDOT standards. No action was taken at this time.

Two sealed quotes were received and opened by the Board for the Ridge Road Project No. C-6(411) and reviewed with Brian McDonald, JEO Consultant Group. Dennis Coufal, Midwest Service and Sales Co. of Schuyler, Nebraska was present for any questions regarding their quote for \$55,237.07 with a completion date of December 1, 2021. Contech Engineered Solutions of Lincoln, Nebraska mailed their quote for \$51,886.25 with completion date being 6 to 7 weeks after approval of shop drawings. Motion made by Lindgren, second by Temme to accept the Contech Engineered Solutions quote for \$51,886.25 with a completion date of 6 to 7 weeks after approval of shop drawings. Roll call vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.

Stacey Ziemba, Boone County Highway Superintendent, presented quotes for the Board to review in regard to purchasing a grapple fork for a Bobcat that the County rents. Ziemba informed the Board that it is \$2,500.00 to rent the Bobcat for a year, but \$100.00 a day to rent a grapple fork. The quotes received: Kayton International, Inc. of Albion - Bobcat 72" Root Grapple \$3,150.00 and Bobcat 82" Root Grapple \$3,450.00; and a new Monster Grapple Root Rake out of Columbus, Nebraska for \$1,650.00. The consensus of the Board to table a decision until Ziemba has time to look into the new vendor out of Columbus, Nebraska.

The County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance and projects. In addition, the following was discussed:

- Brian McDonald, JEO Consultant Group, updated the Board on the condition of three box culverts located along a Shell Creek tributary. Extensive work will need to be done on all three box culverts.
- McDonald updated the Board on what the culvert status is on the Kaufmann matter.
- The City of Albion is redoing their water meters and the location of the shut-off valve at the Albion road shop is unknown. The County has reached out to local plumbers for assistance.



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The Board has allowed smaller surplus county office equipment/furniture that is valued under \$100.00 to be tagged for sale in the hallway of the courthouse in past years. The Board discussed disposal of smaller county office equipment/furniture that is in storage or no longer in use by the county offices. The Board said that it is time to dispose of some of the items in storage that are not presently located in the courthouse and are being moved from one storage location to a new storage location. Motion made by Temme, second by Lindgren to allow smaller surplus county office equipment/furniture that is valued under \$100.00 to be tagged for sale by said office with tags identifying the office selling and dollar amount, all payable to the County Treasurer, in the hallway of the courthouse from April 28, 2021 through May 12, 2021 and authorized the County Highway Superintendent to advertise for sale any larger Road Department items. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Edmond Knott, Applied Connective Technologies, LLC (Applied) and the Board discussed the removal of the "Kohtz" tower, its guidewire anchors and cement building. Knott informed the Board that the tower was taken down on April 18, 2021 with no incidents. After a short discussion it was decided that Applied would remove the cement building and would also remove the cement slab that the tower stood on. The County would look into removing the guidewire anchors due to the removal of those may require larger equipment. If the cement slab the tower stood on requires larger equipment, Applied is to let the Board know. The consensus of the Board to table the Termination of Lease document to a later date.

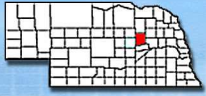
On April 12, 2021 the Board accepted the retirement resignation of Boone County Clerk, Kathy Thorberg effective April 30, 2021. The County Clerk office vacancy shall be filled by the County Board. Motion made by Temme, second by Rutten to appoint Lorrie Nicklasson, Deputy County Clerk from 2006 to mid-March 2021 to complete the vacancy term of Boone County Clerk. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Lorrie Nicklasson presented the Board with a letter declining the appointment of County Clerk. Motion made by Rutten, second by Lindgren to accept the letter from Lorrie Nicklasson declining the appointment of County Clerk. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to appoint Sarah Robinson, current Deputy County Clerk, to complete the vacancy term of Boone County Clerk effective May 1, 2021. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

The Board moved the Board meeting from the Commissioners Meeting Room to the County Courtroom to accommodate the public in attendance for the agenda item regarding quotes for removal and disposal of the former small livestock (hog/sheep) barn at the county fairgrounds.

A group of seven concerned citizens (three board members of the Boone County Agricultural Society, Inc.; UNL Extension Educator; a member of the Boone County Agricultural Education Center, Inc.; and two citizens) met with the Board to discuss the quotes for removal and disposal of the former small livestock (hog/sheep) barn. During several of the discussions prior to the construction of the new fairgrounds building known as Boone County Agricultural Education Center, the former small livestock building was in poor condition and no longer useable. Upon the completion of the new fairgrounds building the small animal (hog/sheep) barn would be removed to allow for additional parking space especially for the public attending events at the grandstand and event center. Chuck Rolf acknowledged that he was one of the new building committee members that agreed to the removal of said building to allow for additional parking space. Dave Noble informed the Board that the former livestock building is currently being used to stall horses during the horse events being held at the new fairgrounds building arena. Jeryl Kettelson informed the Board that they



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plan to move the County Fair small pet show to the former old indoor arena area. Rolf informed the Board that he estimates a renovation cost of approximately \$10,000.00 for additional horse stalls to be added in the former small livestock (hog/sheep) barn.

The group wanted to convey that prior to the new fairgrounds building construction, this interest and usage of horse events and stalling was not planned for or anticipated, but it is welcomed. The quotes for removal and disposal of the former small livestock (hog/sheep) barn were: Bygland Dirt Contracting, Inc. - \$5,850.00 and Seda Land Handling, LLC - \$6,450.00. The consensus of the Board that they want to see that the former small livestock (hog/sheep) barn appearance be improved, used and maintained and that the cost will not be at the expense of the County. Motion made by Lindgren, second by Rutten to reject the quotes submitted for removal and disposal of the former small livestock (hog/sheep) barn and re-address the removal of buildings and additional parking space at the expiration of the current three-year lease in December 2022. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

In 2019-2021 there were regulation changes and the Board approved various changes to the Boone County Employee Handbook. Updates to the Boone County Employee Handbook pages: Classification of Employees (Seasonal), Page 17; Work Hours (Road), Page 18; Salary Schedule (Remove Merit Program), Page 20; Programs Eliminated, Page 21; Safety Policy, Page 37; Drug-Free Workplace, Page 41 and Exhibit "L"; Nepotism, Page 51 and Exhibit "D"; Exhibit "F-1" (Mileage); and Remove Exhibit "F-3". In addition, the Employer Handbook 3.0 and remove 5.1. Motion made by Temme, second by Lindgren to approve and sign the Resolution No. 2021-16, the revised Boone County Employee Handbook and Employer Handbook portion as mentioned above. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

The Board discussed tabling a decision in regard to rescinding a resolution dated February 26, 2020. Motion made by Temme, second by Rutten to table any action regarding Resolution No. 2020-04 until the requested documentation is received. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Public Comments:

- Commissioner Rutten updated the Board regarding the Boone County Trails Systems and Northeast Nebraska Juvenile Services, Inc. meetings.
- Commissioner Temme updated the Board regarding the Boone County Agricultural Society, Inc. meeting.

Chairman Temme declared the meeting adjourned at 12:52 P.M., with the next Board meeting scheduled for Monday, May 10, 2021.

Sarah Robinson,
Deputy Boone County Clerk