

Boone County Board Minutes



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

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:01 A.M. on Monday, July 26, 2021, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Rutten called the meeting to order, and Commissioners present for roll call were Jon Lindgren and Ben Rutten. Commissioner Larry Temme was absent. Notice of the meeting was given in advance by publication in the Albion News and Boone County Tribune and the Petersburg Press on July 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, July 23, 2021. Vice Chairman Rutten acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

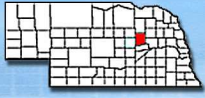
The Board reviewed the County Payroll Claims filed for the pay period of June 22, 2021 through July 21, 2021. Motion made by Rutten, second by Lindgren to approve the County Payroll Claims filed for payment from the various funds: General \$102,703.35; BCBS \$52,141.90; Ameritas Ret \$6,998.08; EFTPS \$7,625.26; LTD Premiums \$0.00; Section 125 Fees \$17.50; Wellness Program \$132.00; Road \$64,073.37; BCBS \$31,654.43; Ameritas Ret \$4,324.93; EFTPS \$4,812.71; Ambulance \$4,480.19; Ameritas Ret \$110.01; EFTPS \$342.73; Public Defender Contract \$3,358.21. Roll call vote: Yeas: Rutten and Lindgren. Nays: None. Absent: Temme. Motion carried.

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

Motion made by Rutten, second by Lindgren to approve the County Board of Equalization Meeting Minutes of July 19, 2021 and July 23, 2021, as presented. Roll call vote: Yeas: Rutten and Lindgren. Nays: None. Absent: Temme. Motion carried.

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

The County Treasurer submitted to the Board a list of delinquent 2017 real estate taxes not sold at the tax sale held in March 2021 as per Nebraska State Statute. Motion made by Lindgren, second by Rutten to approve Resolution No. 2021-26, hereby directing the Boone County Treasurer to issue Treasurer's Certificates of Tax Sale in favor of Boone County on all parcels of real estate with delinquent real estate taxes for 2017 and subsequent years offered for sale for less than three consecutive years that were not sold for want of bidders as presented. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.



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The possibility of dedicating a portion of Highway 56 as the “Sam Foltz Memorial Highway” was tabled at the July 19 Commissioner’s meeting for further review. Discussion was resumed and Ed Braun of Cedar Rapids was present to express his opposition on the proposed dedication. Commissioners thanked him for taking the time to attend the meeting. Motion made by Rutten, second by Lindgren to reject the Resolution for dedicating the portion of Highway 56 in Boone County, Nebraska for the “Sam Foltz Memorial Highway.” Roll call vote: Yeas: Rutten and Lindgren. Nays: None. Absent: Temme. Motion carried.

Motion made by Rutten, second by Lindgren to set the budget hearing for the Fiscal Year 2021-2022 County Budget on August 26, 2021 at 1:00 P.M. and the property tax request hearing for the Fiscal Year 2021-2022 County Budget on September 13, 2021 at 1:00 P.M. Roll call vote: Yeas: Rutten and Lindgren. Nays: None. Absent: Temme. Motion carried.

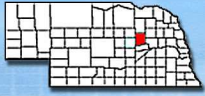
It shall also be the duty of the County Board of each county of this state to visit the jail of its county per Nebraska State Statute § 47-109. The Board conducted a routine walk through visit of the Boone County Jail per Nebraska State Statute.

Richard Martinsen, CPA, Schmeits, Mueller & Martinsen, P. C., prepared the annual county budget and submitted a preliminary 2021-2022 budget for the Board to review. The Board and Martinsen discussed the preliminary 2021-2022 budget requests submitted by the county departments. The Inheritance Tax Fund has been used for several years to reduce the county’s property tax request, resulting in a low levy. The County budget property tax request for 2019-2020 fiscal year was \$4,262,835.00 with a 2019 levy tax rate of 0.176883 and the property tax request for 2020-2021 fiscal year was \$4,432,628.00 with a 2020 levy tax rate of 0.192076. The preliminary property tax request for 2021-2022 fiscal year budget is \$3,922,588.00 which is a \$510,040.00 decrease from last fiscal year budget request. Motion made by Lindgren, second by Rutten to accept and file the preliminary County of Boone, NE fiscal year 2021-2022 budget per state statute with possible changes to be made on August 5 and 16, 2021 before budget publication and hearing. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.

Stacey Ziemba, County Highway Superintendent, updated the Board in regard to an underground irrigation pipe located in a general area around 315th Street and 210th Avenue that was damaged while doing maintenance on a minimum maintenance road. Ziemba reviewed the recorded easements and found one had been filed for that location, but the required signs were not posted by the applicant at the time of the incident. Motion made by Lindgren, second by Rutten to table any action on this topic to give the landowner time to contact the County if needed. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.

A drafted letter by Ziemba was presented to the Board to release Keystone Pipeline from any interest they may have had to two driveway approaches located in the SE1/4 of Section 4, Township 22, Range 5 in Boone County, Nebraska that were installed by Keystone Pipeline. Motion made by Rutten, second by Lindgren to approve and authorize the Vice Chairman to sign the drafted letter as presented. Roll call vote: Yeas: Rutten and Lindgren. Nays: None. Absent: Temme. Motion carried.

At this time Ziemba had no In-County tractor rental rates to present to the Board. She asked the Commissioners for additional time to contact Out-of-County companies for presentation. Motion made by Lindgren, second by Rutten to table the review of tractor rental rates to give the County Highway Superintendent time to get Out-of-County rates to present to the Board. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.



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Ziembra presented the following topics in her general report:

- Update on the 240th Avenue and Loretto Road projects.
- The Spud Mix product from Spud Construction Inc. could be a possible added finishing product to the Ridge Road and Loretto Roads projects.
- 170th Street and 280th Avenue maintenance issue.

Motion made by Lindgren, second by Rutten to accept and approve the County Highway Superintendent's general report as presented. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.

Discussion was held in regard to the termination of the Region 44 Emergency Manager. Denise Ziembra was notified by email on July 23, 2021 of this agenda item, but was not present for the meeting. Motion made by Lindgren, second by Rutten to terminate Denise Ziembra as Region 44 Emergency Manager effective July 26, 2021 per failure to uphold all of the Performance and Conduct Rules stated in the Boone County Employee Handbook. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Absent: Temme. Motion carried.

Public Comments:

- Commissioner Lindgren noted that he attended the Region 4 Behavioral Health meeting.
- Commissioner Rutten will be attending a NIRMA seminar in Norfolk, NE on August 4.

Vice Chairman Rutten declared the meeting adjourned at 11:12 A.M., with the next Board meeting scheduled for Thursday, August 5, 2021.

Sarah Robinson,
Boone County Clerk