

**BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS**  
**FEBRUARY 26, 2025**                      **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:04 A.M. on Wednesday, February 26, 2025, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Yosten called the meeting to order, and Commissioners present for roll call were Brian J. Yosten and Matt Niewohner. Commissioner Lindgren was absent. Notice of the meeting was posted on the Boone County Website-Public Notices, in the Courthouse north entrance, and at the Albion Post Office; and published in the Albion News/Boone County Tribune and Petersburg Press on February 12, 2025; 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 Monday, February 24, 2025. Vice Chairman Yosten acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public. All who were present participated in the Pledge of Allegiance.

Motion made by Niewohner, second by Yosten to approve the County Board Proceedings of February 18, 2025 as presented. Roll call vote: Yeas: Niewohner and Yosten. Absent: Lindgren. Nays: None. Motion carried.

Motion made by Yosten, second by Niewohner to approve the County Board One and Six Year Public Hearing Proceedings of February 18, 2025 as presented. Roll call vote: Yeas: Yosten and Niewohner. Absent: Lindgren. Nays: None. Motion carried.

The Board reviewed the County Payroll Claims filed for the pay period of January 22, 2025 through February 21, 2025. Motion made by Niewohner, second by Yosten to approve the County Payroll Claims filed for payment from the various funds: General \$151,296.70; BCBS \$55,704.70; Ameritas Ret \$10,769.15; EFTPS \$11,233.47; LTD Premiums \$0.00; Section 125 Fees \$90.00; HRA Admin Fees \$216.00; Funded HRA Fees \$4,095.00; BC/BS Deductible Buydown \$503.22; Wellness Program \$144.00; Road \$79,739.08; BCBS \$21,670.63; Ameritas Ret \$5,294.65; EFTPS \$6,003.62; HRA Admin Fees \$96.00; Funded HRA \$1,673.00; BC/BS Deductible Buydown \$3,679.80; Ambulance \$8,639.86; Ameritas Ret \$152.65; EFTPS \$660.95. Roll call vote: Yeas: Niewohner and Yosten. Absent: Lindgren. Nays: None. Motion carried.

Rod Nelson, Courthouse Maintenance, presented two quotes received for HVAC duct cleaning. Nelson met with both vendors, showed them the systems/offices and also showed them the blueprints for them to bid the project. The quotes were as follows:

- Kleinschmit Air Duct Cleaning, Wausa, NE
  - Unit #1 - \$890.00 (\$750.00 Cleaning / \$140.00 Mileage)
  - Unit #2 - \$1,500.00 (\$1,300.00 Cleaning / \$200.00 Mileage)
  - Unit #3 - \$1,750.00 (\$1,550.00 Cleaning / \$200.00 Mileage)
  - Unit #4 - \$1,700.00 (\$1,500.00 Cleaning / \$200.00 Mileage)
  - Unit #5 - \$790.00 (\$650.00 Cleaning / \$140.00 Mileage)
  - Unit #6 - \$890.00 (\$750.00 Cleaning / \$140.00 Mileage)
  - Unit #7 - \$890.00 (\$750.00 Cleaning / \$140.00 Mileage)
    - Note: Kleinschmit would do 1-2 unit per day and is the only employee, so would complete the unit when it worked with his scheduling.
- FloorTec Cleaning & Restoration, Yankton, SD
  - All units together - \$4,494.00
    - Each vendor was asked to break out the quote per unit.
    - This vendor would complete the entire project in 1-2 days, but would prefer to do it when the courthouse was closed.

Motion made by Yosten, second by Niewohner to approve the duct cleaning service from Kleinschmit Air Duct Cleaning for Units #6 and #7 only for approximately \$1,780.00 as presented. Roll call vote: Yeas: Yosten and Niewohner. Absent: Lindgren. Nays: None. Motion carried.

Motion made by Yosten, second by Niewohner to approve Resolution No. 2025-05, to amend the public hearing to be held on Monday, March 17, 2025 at 10:15 A.M. to hear comments in favor of or opposition to the vacation of said road known as 170th Avenue, between 220<sup>th</sup> and 230<sup>th</sup> Street, between Sections 5 and 6, Township 20 North, Range 7 West of the 6<sup>th</sup> P.M. for approximately one mile as presented. Roll call vote: Yeas: Yosten and Niewohner. Absent: Lindgren. Nays: None. Motion carried.

Public Comments:

- Margaret Valladao, Weed Superintendent updated the Board with upcoming meetings that include Region 3, Spring Training and the Sandhill Weed Management meeting that she plans to attend.
- District 1 Foreman updated the Board on a repair that was needed for the lowboy trailer.
- A county resident stopped to inform the Board that they had met a maintainer on 220<sup>th</sup> Street with their blades down and almost clipped the resident's car.
  - The Board stated that they would address the situation with the Foremen to see what employee it could be and address it with them at that time.
- The Board and those present discussed current Handbook policies, questions received from employees and upcoming changes that were previously discussed.
- Further discussed the 300<sup>th</sup> Street and 190<sup>th</sup> Avenue intersection that was brought up due to untrimmed trees interfering with visibility.
  - The Board stated that they would follow up with the County Attorney to address the issue.
- Zoning Administrator updated the Board on the Summit Carbon Solutions attending the Zoning meetings. She stated that the carbon dioxide pipeline will be discussed at the next couple Zoning meetings.

Chairman Lindgren declared the meeting adjourned at 11:58 A.M., with the next Board meeting scheduled for Monday, March 10, 2025.

Sarah Robinson,  
Boone County Clerk

ATTEST:

APPROVED:

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Sarah Robinson, Boone County Clerk

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Brian J Yosten, Vice Chairman

**MINUTES OF PUBLIC HEARING PROCEEDINGS  
ZONING APPLICATION FOR CONDITIONAL USE PERMIT**

Brian J Yosten, Vice Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, February 26, 2025 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Yosten and second by Commissioner Niewohner to open said public hearing. Commissioners present for said public hearing were Brian J. Yosten and Matt Niewohner. Commissioner Jon Lindgren was absent. Also present for said hearing to answer any questions were Michael and Dani O'Brien, Applicant; and Victoria Olson, Zoning Administrator. Vice Chairman Yosten read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the meeting was posted on the Boone County Website-Public Notices, in the Courthouse north entrance, and at the Albion Post Office; and published in the Albion News/Boone County Tribune and Petersburg Press on February 12, 2025. The public hearing notice and 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 Monday, February 24, 2025. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Michael and Dani O'Brien. The owner of the real estate referenced herein is Tim and Amy O'Brien. The application requested by O'Brien is to build a house on an already separated tract of land located in the Southeast Quarter (SE ¼) of Section Twenty-eight (28), Township Twenty-one (21) North, Range Eight (8) West of the 6th P.M., Boone County Nebraska.

O'Brien and Olson explained to the Board that the tract of land has been divided off since 2007, but the land use was never changed to residential through the permit process. The tract of land does have an older farmhouse was built before the Zoning Regulations were in place, but the O'Briens plan to demolish that existing structure and then build a new one. The Boone County Planning and Zoning regulations require conditional use permits to split off any parcels of less than 160 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval of the permit to build a house on the existing tract of land with the condition that the survey be submitted and accepted before the permit is issued.

Motion made by Yosten, second by Niewohner to close said public hearing at 10:05 A.M. Roll call vote: Yeas: Yosten and Niewohner. Nays: None. Absent: Lindgren. Motion carried.

Motion made by Niewohner, second by Yosten to approve the Conditional Use Permit and attachment submitted by Michael and Dani O'Brien to build a house on a tract of land located in the Southeast Quarter (SE ¼) of Section Twenty-eight (28), Township Twenty-one (21) North, Range Eight (8) West of the 6th P.M., Boone County Nebraska to change the land use with the condition that a completed survey be attached to the permit before it is issued. Roll call vote: Yeas: Niewohner and Yosten. Nays: None. Absent: Lindgren. Motion carried.

Sarah Robinson,  
Boone County Clerk

ATTEST:

APPROVED:

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Sarah Robinson, Boone County Clerk

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Brian J Yosten, Vice Chairman