

BOONE COUNTY COMMISSIONERS PROCEEDINGS
JULY 14, 2008 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, July 14, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

The Board held a monthly meeting with the County Officials and employees to discuss the revised courthouse construction and renovation plans with Buster Beckenhauer, Beckenhauer Construction. Buster discussed the new construction costs; cost perspective of renovation; public meetings to answer questions; visual aid of floor plans; bond provider; and the possibility of putting the issue on the November General Election ballot. Beckenhauer has set up a meeting on Wednesday, July 23, 2008 at 3:00 p.m. with the Board, department heads and two architects, so everyone is on the same page. Beginning April, 2009 the Driver Examiners will be taking the Driver License pictures instead of the County Treasurer Office.

Darrel Thorin, County Highway Superintendent, discussed the two bids received for a bridge replacement at 160th Avenue south of Highway 91 by Cedar Rapids. The lower bid from Husker Steel, Inc. of Columbus was accepted for the project. Thorin presented a copy of the new easement form that will need to be used when acquiring right-of-way from the Nebraska Department of Roads. Thorin has completed the Phase II application for a grant from the Federal Transportation Enhancement Program for the restoration of the historic bridge by Cedar Rapids. The grant application is 80% or \$132,988.40 and the county/local share is 20% or \$26,597.70 for a total restoration estimated cost of \$159,586.10. At times the truck traffic by VeraSun and Cargill is backed up and imposes a very dangerous situation on the roadways. It is a safety issue that needs to be addressed before school traffic resumes.

Bob Carey, EM/HS, reported that Hastings is currently using the portable hospital pod. Carey stated he has a signed LEOP Resolution from each of the City Councils or Village Boards within the County. Thirteen completed the CERT training held at the fairgrounds July 18-20, 2008.

The board discussed their options in regard to the County Surveyor position. Grant Miller, who was appointed Boone County Surveyor for the 2007-2010 term was present at the Board meeting. The counties of Clay, Nance and Thayer had appointed Miller as their surveyor while he was employed with the engineering firm of Kirkham Michael of York, Nebraska and they have made no changes in their appointment to date. Miller has taken a position with engineering firm Olsson Associates of Grand Island, Nebraska. Discussion with regard of the options were: County Surveyor is an elected position; when no resident in the County is a licensed surveyor or elected, then becomes an appointed position; there should be a signed contract for the surveyor position; more convenient when the surveyor and engineering firm are from the same location; no documentation found that says the surveyor and engineering firm need to be from the same location; if the board takes no action, Miller is the County Surveyor as stated in the January Reorganization Minutes. No motions were made to change the County Surveyor position. The consensus at this time is to continue with Grant Miller as County Surveyor and Kirkham Michael as the engineering firm. The State of Nebraska, Department of Roads request for a county surveyor to complete the re-monumentation for Project RD-32-5(1009) East of Petersburg-N-45-C.N. 31669A was given to Miller to complete.

Dan Staack, General Manager for Frontier Communications of Columbus, Nebraska visited with the Board to provide understanding on reporting trouble tickets and an escalation path of communication. Staack discussed the recent courthouse telephone problems and informed the Board that the upgrade project expenses have been waived due to the communication between Frontier and courthouse personnel. Frontier would like to build a stronger relationship with the area. Multiple offices have own ideas and different needs. The Board needs to have one point of communication contact for the courthouse phone system. Frontier and the Board agreed on continued support with no hard feelings. Frontier is currently understaffed in the technician field. The Board appreciated Staack's explanations and cooperation with regard to the phone system and thanked him for his time.

Chuck Rolf, Boone County Agricultural Society, Inc. thanked the Board for the new sewer system that is being installed at the fairgrounds. The new sewer system project will be finished following the fair. Rolf asked if an ambulance would be at the fairgrounds during the Boone County Fair July 19-24, 2008. The Board's consensus was an ambulance would be available.

Helen Preusser, County Treasurer, requested an executive session with regard to the functions of the County Treasurer's office. Motion made by Tisthammer, second by Schuele to go into executive session at 10:12 a.m. for evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried. Helen Preusser, County Treasurer and Laurie Krohn, Deputy County Treasurer discussed a personnel matter with the Board. Motion made by Thieman, second by Schuele to come out of executive session at 10:25 a.m. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried. No formal action was taken in closed session. The Board offered guidance to correct the problem and will monitor the situation.

Bill Rahder, Ramsey Enterprises, Inc. presented bid proposals for voice mail and caller ID that may be added to the present courthouse phone system. Rahder explained the operation of voice mailboxes and caller ID line cards. The Board will discuss the bid proposal with the department heads at the next Board meeting. Rahder said to keep in mind that the phone system needs software upgrades just like computers, in order for the new equipment to be compatible with the older equipment. The current courthouse phone system software is a 6.0 version, while the newer equipment and software versions are 7.0 plus and the immigration of software only works with the Nortel system that is connected to the E911 system. Ted Thieman asked Rahder about redundancy for the E911 system. Rahder replied that it has been taken care of with a battery backup and generator that is to keep the E911 system up during a power surge.

Greg Koetter discussed the possibility of moving a county road that is on his property located in Section 12, Township 20, Range 7 with the Board and County Highway Superintendent, Darrel Thorin. The field is currently gravity irrigated and Koetter would like to put in a pivot irrigation, which would run over part of the current county road. Thorin explained the process of petition signatures, hearings and the One and Six Year Road Improvement Plan. Koetter would like to move forward on the project if it is possible to move the road.

The primary use of the Visitor's Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. Upon the approval of the funding an acknowledgement must appear on promotional materials to read: "Funded in part by the Boone County Visitors Promotion Committee." The funds are disbursed upon submission of receipt showing the paid advertising. A request was submitted by Rae Valley Heritage Association for their annual event to be held on August 23 & 24, 2008. The Boone County Visitors Committee recommended approval of the application. Motion made by Schuele, second by Tisthammer to approve the recommendation for disbursement of funds from the Visitor's Promotion Fund as presented. Roll call Vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

The revised police protection agreement between the County of Boone and Village of Primrose was presented with an effective date of August 1, 2008. Effective with the new agreement, the village will continue to deposit \$100.00 per month with the Boone County Treasurer. Motion made by Schuele, second by Tisthammer to approve and authorize the Board Chairman to sign an Interlocal Police Protection Agreement between the County of Boone and Village of Primrose as written. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Boone County Ambulance Service submitted a financial statement for review from July 1, 2007 through June 30, 2008 per county audit requirements. Motion made by Tisthammer, second by Schuele to approve and accept the Boone County Ambulance Service report for fiscal year end June 30, 2008 as presented. Roll call Vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve Richard D. Martinsen, CPA to assist in preparing the annual county budget for the fiscal year 2008-2009. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to authorize the Board Chairman to sign a request from Loup Power District for a change in street lighting service at the intersection of Highway 39 and 260th Street, east of the railroad tracks. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

The fiscal year end audit of June 30, 2007 was received from Gary J. Pavel, CPA with a footnote, excess of expenditures over budgeted appropriations, for the Hospital Bond Fund. The Hospital Bond Fund exceeded its budgeted appropriations by \$80,628.00, which indicates they had the availability to pay off more bonds than they previously anticipated at the time of budget preparation. Motion made by Thieman, second by Schuele to accept and approve the fiscal year end county audit for June 30, 2007 as submitted by Gary J. Pavel, CPA. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to approve the following reports of the County Officials as presented for June 2008: Clerk \$6,335.47 Co. Treas., \$9,635.78 State of NE, Doc. Stamps, \$1,634.00 State of NE, DMV; Clerk of the District Court \$868.64; Sheriff \$1,140.84; Planning and Zoning \$170.00; Treasurer Fees \$18.00; Treasurer Office Miscellaneous Receipts Number 8625-8692 in the amount of \$156,257.60. Total collected at the County Treasurer Office \$412,805.99. Roll call vote: Thieman, Schuele and Tisthammer. Nays: None. Motion carried

Motion made by Schuele, second by Tisthammer to approve the Account Payable Vendor Claims filed for payment from the various funds: General \$103,914.36; Road \$121,939.26; Reappraisal \$18.78; Relief/Medical \$83.00; Institutions \$8,515.50; Boone County Economic Development \$486.63; 911 Emergency Management \$1,976.12; Weed \$3,120.34; Ambulance \$2,604.94; Boone County Fitness Center \$9,391.72, which is all reimbursed back to the County. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the County Board Proceedings of June 30, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Open discussion and miscellaneous public comments: Reviewed a general assistance utility request. Donna King discussed a prior issue recorded in the June 16 and 23, 2008 Board minutes regarding manure run off from a feedlot onto 190th Street and into a wetland area on her property. King stated that DEQ wasn't concerned that the run off spilled into certified wetlands. King feels that DEQ is totally ineffective and suggested the Board take action as the runoff washed out the county road and left manure in the ditches. The Board plans to contact Gayle Noble and discuss the problem. NIRMA is sponsoring a Self Defense Course for County Officials in Kearney, August 7-8, 2008. Officials attending need to register by July 30, 2008. NACO Board of Directors has issued a walking challenge to all 93 Nebraska Counties. Schuele reported of the July 8, 2008 public meeting of the proposed Keystone XL Pipeline Project between TransCanada and ConocoPhillips that was held at Broken Arrow Wilderness, Fullerton Nebraska. It will cross a very small portion of Boone County in the Southwest corner that may cross two county roads.

Motion made by Thieman, second by Tisthammer to adjourn said meeting at 12:20 p.m. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

MINUTES OF PUBLIC HEARING PROCEEDINGS

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, July 14, 2008 at 11:04 a.m. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was published in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Henry R. Thieman, Jerry L. Tisthammer, Tom Schuele; and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to and to answer questions in relation to the approval or denial of the application of a Conditional Use Permit by Michael Farms, Inc. for Scott Shriver. The application request is to divide 5.0 acres from a farm to build a new home, located on fraction of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 13, Township 20, Range 7, all in Boone County, Nebraska.

Dennis Michael and Scott Shriver were present for the hearing. Thieman noted the Planning and Zoning Commission recommended approval of the requested conditional use permit. The application request indicates Shriver will drill his own well, install sewer and survey to be furnished. The setbacks were discussed and Shriver stated no plans to complete a survey at this time. No opposition received with regard to the permit.

Motion made by Tisthammer, second by Thieman to close said hearing at 11:10 a.m. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve as written the application of a Conditional Use Permit by Michael Farms, Inc. for Scott Shriver to divide 5.0 acres from a farm to build a new home, located on fraction of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 13, Township 20, Range 7, all in Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Thieman to adjourn said public hearing at 11:12 a.m. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
JULY 21, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:35 a.m. on Monday, July 21, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

Darrel Thorin, County Highway Superintendent, discussed VeraSun's request to add two paragraphs to the original easement that has been filed. VeraSun is requesting to amend the easement basically eliminating them from any liability. The City of Albion has annexed VeraSun, with the original easement being with the County before the annexation. Thorin will visit with the Albion City Administrator and VeraSun with regard of the one-half mile of road. The armor coating crew plans to begin the first week of August. Thorin will be meeting with Nebraska Department of Roads, Cargill and VeraSun with regard to 260th Street and State Highway 39 junction to discuss turning from the south. Thorin discussed the product "Plateau" only licensed weed superintendents can purchase.

The Board held their monthly meeting with the County Officials and employees. The Board reminded the department heads of a meeting scheduled for Wednesday, July 23, 2008 at 3:00 p.m. with architects and Beckenhauer Construction for the courthouse expansion and renovation. Sheriff Spiegel reported the E911 updates are complete with several new options. Emergency Manager Carey reported that a NIRMA Defensive Driving four hour course is scheduled for 9:00 A.M. on August 4, 2008 at the Sheriff's Office for county employees. Shannon Landauer reported that the Economic Development booth at the fair has been well attended. The Board encouraged county employees to participate in the NIRMA University online continuing education courses. Office inventories are due in August. The new Open Meeting Laws poster has arrived.

David Medlin, County Attorney was updated on the prior noxious weed issue. County Attorney, Assessor and a Commissioner plan to attend the TERC hearings scheduled for August 5, 2008.

Bob Carey, EM/HS, reported a three day exercise held the past week for pandemic preparedness was sponsored by East Central District Health Department of Columbus at the Boone County Health Center. Carey said Elkhorn Logan Valley Public Health Department will reimburse the county mileage for transporting the portable training hospital pod to another town. Carey presented a logo design being made to identify the portable training hospital pod trailer. CERT training is being planned for December, 2008.

The Board discussed with Carey the complaints that have been received from the feedlot run off issue that was discussed in the June 16 and 23, 2008 minutes. Carey will gather the information from the time the conditional use permit was approved on February 23, 2004 to the present. After the information is gathered Carey, will schedule a meeting with Gayle Noble.

Steve Boyer, Third Planet Windpower, discussed an endorsement for a Windpower Farm east of Petersburg. Boyer explained the Community Based Energy Development (C-BED) project proposed east of Petersburg. C-BED legislation (LB629) provides for community ownership of wind farms. NPPD gives C-BED projects priority and a requirement is to apply to the Nebraska Department of Revenue to have the project certified. C-BED allows the landowners and the community opportunity for investment and to receive revenue. Boyer asked about county wide 501(c) 3 non-profit organizations. The non-profit is preferred to benefit the county as a whole and may possibly receive some revenue from the wind farm if it is built. The wind farm is contingent upon approval with Nebraska Public Power. The Board thanked Boyer for the company's visibility in the county.

Third Planet Windpower, LLC discussed constructing a wind conversion facility east of Petersburg, Nebraska along State Highway 32. If the facility is to be built the project will be comprised of approximately 55 to 65 GE 1.5MW turbines capable of producing up to 100MW of electricity from the entire facility. This project, if built, encompasses approximately 15,000 acres and 35 square miles. The facility is to be built within the next four years pending purchase power and interconnect agreements with Nebraska Public Power District.

Motion made by Tisthammer, second by Schuele to approve Resolution No. 2008-39 supporting the request of Third Planet Windpower, LLC (d/b/a TPW Petersburg, LLC) approval of a Community Based Energy Development (C-BED) wind conversion facility to be constructed east of Petersburg, Nebraska as written. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

The Reverse 911 was discussed with Sheriff Spiegel, Emergency Manager Carey, Bill Rahder, Ramsey Enterprises, Dan Staack, Frontier Communications, Tim Hofbauer, Platte County Emergency Manager, Joseph Mangiamelli, City of Columbus Administrator and Stacey Gross, GeoComm. Stacey Gross explained how a Reverse 911 system works and the capabilities it provides for alerting the public of a possible disaster. The Reverse 911 can also be an alert system for certain areas if flooding may be possible; where and when to receive medical attention after a disaster or flood; or a circle for the affected area can be plumed on the E911 map, then the call area is plugged into the system and everyone in that plumed area receives a phone call. If the lines are not all available not everyone will be able to pick up, but enough in the area will and can help notify surrounding neighbors. The system is web based and runs on a web secure system. Hybrid system needs internet connections plugged into a server. A local day to day message center can be hooked up to be level 12. Several details were discussed with regard to cellular phones, lack of land base phones, initial and yearly maintenance costs, long distance charges, and charges for the local day to day message center. It is suggested to refresh addresses on a quarterly basis to keep up with individual addresses for emergency calls. Manual can be made to work for backup if a power failure or internet failure occurs. Questions were asked with regard to redundancy and liability. Stacey answered the questions with manual backup; generator; and co-oping with another entity outside the immediate area. Frontier indicated that in any disaster the land line phone system will still operate 95% of the time, where portable and cellular phones will not work. The public is not to rely just on the reverse 911 for emergency contact.

City of Columbus would be the purchaser of which all entities involved would agree on the payments. GIS has 11 levels of which the State pays for maintenance. Hofbauer plans to apply for homeland security funds to help with the initial costs. The estimated initial cost for the four entities is \$78,000.00 and \$5,000.00 a year for maintenance and operation. Mangiamelli indicated receiving \$5,000.00 from East Central District health Department to help with the program. Stacey handed out a joint proposal sample that includes City of Columbus, Platte County, ADM plant near Columbus and Boone County. A remote system usually carries a charge 15 cents for a 30 second message. The system could possibly receive other revenue from entities like hospitals and large businesses that would use the systems on a daily bases as information to their employees. Mangiamelli will draft an agreement between the City of Columbus, Platte County, Boone County and ADM.

Bill Rahder, Ramsey Enterprises, Inc. discussed the voice mail, caller ID and Nortel trunk module bid proposals. The caller ID and voice mail will be up to each individual office. The present trunk modules are full with the existing phone and fax lines. Another trunk module needs to be added before additional phone or fax lines can be assigned to the present system. Rahder explained that Ramsey Enterprises is able to provide a similar product to update phone numbers and addresses for Reverse 911 systems. Rahder suggested that the Board look into other options for Reverse 911 data base costs of address locations.

Motion made by Thieman, second by Tisthammer to accept the bid for a Nortel 0x12 Trunk Module for additional phone lines for \$435.00; Nortel Call Pilot 100 (40 mailboxes) for \$1,250.00; Nortel CID Unv. Line Card (caller ID) for four lines for \$387.00; and estimated labor total \$260.00. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Tisthammer, second by Thieman to recess said meeting at 11:59 a.m. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to reconvene at 1:00 p.m. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the County Payroll Claims filed for payment from the various funds: General \$68,032.07, BCBS \$25,601.16, Ameritas Ret \$4,629.04, EFTPS \$5,135.83; Road \$40,684.83, BCBS \$15,065.99, Ameritas Ret \$2,702.73, EFTPS \$3,089.52; Boone Co Economic Dev \$3,652.00, BCBS \$18.14, Ameritas Ret \$202.50, EFTPS \$272.46; Law Enforcement \$5,355.00, BCBS \$2,290.55, Ameritas Ret \$415.01, EFTPS \$409.67; Weed \$1,073.45, Ameritas Ret \$72.46, EFTPS \$82.12; Ambulance \$1,105.00, Ameritas Ret \$61.77, EFTPS \$84.54; Public Defender Contract \$2,916.67; Boone County Fitness Center \$6,576.30, Ameritas Ret \$395.80, EFTPS \$503.11, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Board and Public Hearings Proceedings of July 14, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Open discussion and miscellaneous public comments: NIRMA is sponsoring a Self Defense Course for County Officials in Kearney, August 7-8, 2008. Officials attending need to register by July 30, 2008. NACO Board of Directors has issued a walking challenge to all 93 Nebraska counties of which the information was discussed at the officials and employees meeting with the Board. Commissioner Thieman acknowledged the letter from State of Nebraska, Department of Economic Development that the Boone County Application submitted for funds through the Nebraska Affordable Housing Program (NAHP) in the Central Investment Zone was not selected for funding. The Board and County Clerk discussed a letter received from the State of Nebraska, Department of Motor Vehicles with regard to one-stop motor vehicle processing. The DMV plans are for one county office to complete the title and registration for motor vehicles. DMV plans to reduce the duplicate equipment and will not replace the older set of equipment that quits, if the county is not a one-stop motor vehicle process. Our County Clerk's office has one of the oldest set of DMV equipment. Thirty-seven counties have transitioned to one-stop motor vehicle services with five more counties inquiring within the past few weeks. Jim O'Brien presented information for the Board to read that he received from Pacific Wind Energy Company and discussed the feed yard waste overflow in his area.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 3:00 p.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, July 28, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Tom Schuele and Jerry L. Tisthammer. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

Darrel Thorin, County Highway Superintendent, received approval to close Nebraska Central Railroad Company Crossing DOT No. 818026R, located on 265th Street east of the ethanol plant in Boone County, Nebraska. Thorin met with Nebraska Department of Roads on July 24, 2008 and discussed a right turn from the south onto 260th Street, located at the intersection of 260th and Highway 39, as a cost share project. Department of Roads will set up a permit and Thorin will set up a meeting with Cargill and VeraSun. VeraSun is preparing a revised easement to be recorded and to void a prior recorded easement with regard to the half mile road north of the plant.

David Medlin, County Attorney, was unable to attend the meeting.

Bob Carey, EM/HS, was unable to attend the meeting. Carey filed a weekly report and a report of his visit with Gayle Noble for the Board to review.

The Board received a written resignation from Boone County Planning Commission Board Member, Julie Baumgartner. The Board acknowledged with appreciation the volunteer time Baumgartner has contributed to the Planning and Zoning Board. The board member vacancy is to be advertised in the four county papers with an application deadline of August 15, 2008. Motion made by Schuele, second by Thieman to regretfully accept the written resignation of Julie Baumgartner, Boone County Planning Commission Board Member, effective date of July 21, 2008. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve as written Resolution No. 2008-40 a request by Doug Stuhr to trench an electrical cable for irrigation purposes under and across a certain county road known as Old Mill Road, beginning at an irrigation well located west of Old Mill Road to an irrigation pivot located east of Old Mill Road, all located in the N1/2NE1/4 of Section 2, Township 20, Range 7, Boone County, Nebraska. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Thieman to approve as written Resolution No. 2008-41 a request by Doug Stuhr to trench an electrical cable for irrigation purposes under and across a certain county road known as Old Mill Road, beginning at an irrigation well located west of Old Mill Road to an irrigation pivot located east of Old Mill Road, all located in the SE1/4 of Section 35, Township 21, Range 7, Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the Veteran Service Office report for the month of June, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Thieman to approve the County Board Proceedings of July 21, 2008 and the Board of Equalization Proceedings of July 7, 2008 continued through July 21, 2008 as presented. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments: NIRMA will be providing a four hour defensive driving training session for county employees that drive county vehicles on Monday, August 4, 2008 beginning at 9:00 a.m. at the Sheriff's Office; this is not a mandatory training. The Board suggested a 4% cost of living increase on the base salaries for the fiscal year 2008-2009 Budgets. The base salaries were set January 2008 and the cost of living is effective January 1, 2009. The January 2009 base salary changes are: clerical \$1,400.00 to \$1,500.00/mo; office manager \$1,550.00 to \$1,650.00/mo; jail dispatchers \$1,500.00 to \$1,600.00/mo; base salary is a full time new employee starting salary. The elected officials are limited to \$1,000.00 annual salary increase and deputies limited to 65% of the officials \$1,000.00. Thieman plans to attend the Northeast Economic Development banquet on July 30, 2008 in Columbus, Nebraska. The Board and department heads reviewed the courthouse construction and renovation plans with architects and Beckenhauer Construction on July 23, 2008. Renovation suggestions mentioned were: wall and doors due to relocation of offices; clear efficient windows; ceilings with better lighting; fire sprinkler systems now required; and heating and air that works efficiently. The revised plans and cost estimate is expected soon, in order for the Board to make a ballot decision on August 11, 2008. The last day for a political subdivision to submit a special issue for the general election ballot is September 2, 2008. The Board discussed the possibility of locating section corners in the Petersburg area for the wind energy companies, if wind farms become a reality. The locating of section corners is the County's financial responsibility and may require an increase in the County Surveyor budget.

The Board discussed the successful events held during the Boone County Fair from July 19 through 24, 2008. They want to recognize the present Boone County Agricultural Society, Inc. (Fair Board Directors) for their considerable volunteer time throughout the year for the various events and upkeep of the fairgrounds. The directors are as follows: Charles Rolf, President; Robert (Butch) Gray, Vice President; Dian (Dee) Schriver, Secretary; Dave Noble, Treasurer; Gale Carlson; Jeryl Kettelson; Phil Landauer; Mike Mapel; Monty Olson; Paul VanDeWalle; Dave Warner; and Mark Zentner.

Motion made by Thieman, second by Schuele to recognize and commend the Boone County Fair Board Directors past and present; all volunteers for events throughout the year; all volunteers and committees for a successful 2008 County Fair, and for all the many volunteer hours they provide all year, every year for the community. Roll call vote: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 11:05 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
AUGUST 11, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:45 a.m. on Monday, August 11, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

David Medlin, County Attorney, informed the Board that the August 5, 2008 TERC hearings have been rescheduled for September 11, 2008. One of the three TERC cases has been dismissed. Medlin researched the Nebraska State Statutes with regard to provide buildings; tax; levy authorized.

Bob Carey, EM/HS, reported on the Mass Fatalities Incident Management Course he attended in Norfolk July 28-31, 2008. The NIRMA Defensive Driving Course held on August 4, 2008 for county employees was attended by Carey, Dave Spiegel, Clint Zost and John Keck. Plan to meet with FEMA/NEMA on August 13, 2008 with regard to flood damage that occurred in the spring. Kinder Morgan is planning an onsite meeting for local Emergency Responders on August 26, 2008. Carey registered for an Incident Command Systems Course and Emergency Operations Center Course in Lincoln on August 18, 2008. Boone County received notice that they have been awarded a subgrant for FY2008 from the U.S. Department of Homeland Security Emergency Management Performance Grant (EMPG). A Mutual Finance Organization (MFO) meeting is scheduled for August 18, 2008 at 7:00 p.m. in the Boone County Courthouse Courtroom to decide on a procedure of distribution of the fiscal year MFO funds among the five fire districts located in the county.

Motion made by Tisthammer, second by Thieman to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General \$24,340.69; Road \$130,055.28; Visitor's Promotion \$126.20; Reappraisal \$371.73; Institutions \$270.00; Veteran's Aid \$500.00; Boone Co Economic Dev \$2,604.83; 911 Emergency Mgt \$4,082.28; County Building \$2,549.69; Weed \$461.25; Ambulance \$2,894.55. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Thieman, second by Tisthammer to approve the following reports of the County Officials as presented for July 2008: Clerk \$4,100.40 Co. Treas., \$3,510.60 State of NE, Doc. Stamps, \$1,874.25 State of NE, DMV; Clerk of the District Court \$625.63; Sheriff \$957.81; Planning and Zoning \$153.00; Treasurer Fees \$16.00; Treasurer Office Miscellaneous Receipts Number 8693-8777 in the amount of \$195,173.48. Total collected at the County Treasurer Office \$483,184.24. Veteran Service Office report of activities was submitted for July. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Board Proceedings of July 28, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Leon Magsamen, American Legion, was unable to attend the meeting.

Richard Martinsen, CPA, and the Board discussed budget issues with regard to substantial increases in fuel, oil, road materials and fees. Martinsen was asked to work the proposed 2008-2009 budget with a five to five-half percent increase. The FY 2008-2009 County Budget hearing date is set for September 8, 2008 at 11:00 a.m.

The County Board, officials, department heads and three public constituents discussed the revised courthouse construction plans and renovation costs with contractor Buster Beckenhauer. The deadline for a political subdivision to submit a special issue for the general election ballot is September 2, 2008. The time frame to prepare ballot language and hold the required hearings would be very close to the deadline. Medlin provided a copy of the Nebraska State Statute with the flexibility of a ballot issue or not. The Board did not make a motion to place the courthouse project before the voters in the November general election. The new judiciary construction was reduced from 7400 square feet to 4800 square feet for an estimate of \$1,932,000 and the renovation of the old courthouse went from \$800,000 to \$1,615,000. The FFE (fixture and furnishing expenses) of \$165,000 and the \$76,000 for paving, landscaping and site work may be completed by the county and outside of the contractors bid. Beckenhauer suggested it is best to stay with an architect that has expertise with the courthouse needs.

The primary reason for the new construction of a judiciary wing is security issues with prisoners. This wing would be connected to the Sheriff's office and jail with a secure corridor. The expansion is for the security and benefit of constituents and employees. We are not meeting the required security needs now and adjustments need to be made. A liability issue can become more expensive than meeting the security requirements.

The renovation costs increases with each wall or door that is changed. The renovation wish list will need to be revised. The renovation will need to meet ADA accessibility regulations and a fire suppression system throughout the building. The majority of the expense will be the renovation of restrooms and doors to meet ADA requirements; heat and air system; windows; electrical; lighting; and ceiling due to regulation changes. Work space is the issue due to new mandates of technology equipment by the state and federal government and added offices over the years.

A new census will be taken in 2010 and after the census is when boundary lines begin to change for entities. As the Nebraska population continues to move east so will the services everyone is used to locally. If Boone County doesn't move forward the constituents will be traveling to Columbus, Norfolk or Grand Island for services. The current building was built for the present and not for the future. The average person doesn't see all that occurs on a daily basis. The talk of county government consolidation has been in the legislature. Boone County is in a position to be a centrally located hub for county government and will need to be able to accommodate more constituents. Sheriff Spiegel cautioned the Board on building to small to utilize funds to meet the minimum requirements and not looking ahead for the needs of the future. Safety is an issue with the prisoners among the public is why several courthouses are in the process of space renovation. The new construction leaves plans for additional expansion. Ted Thieman would like to see long range planning; two separate projects; and informational meetings throughout the county to inform the public. Schuele supports the project that will meet the requirements and needs, but still feels it should be the vote of the people. New construction needs to be completed before renovation of the old courthouse can begin; you are looking at two or more years. Tisthammer has considered the possibility of placing some offices off campus from the courthouse, to help with the space issue. Thieman said the current total project estimate of \$3,547,000 is more than we want to spend. We are fairly comfortable with the new construction project, but the renovation needs some fine tuning.

Chairman Thieman stated the statutory authority for not proceeding with a ballot issue, as follows: Nebraska State Statute 23-120. Provide buildings; tax; levy authorized. (1) The county board shall acquire, purchase, construct, renovate, remodel, furnish, equip, add to, improve, or provide a suitable courthouse, jail and other county buildings and a site or sites therefore and for such purposes borrow money and issue the bonds of the county to pay for the same. The board shall keep such buildings in repair and provide suitable rooms and offices for the accommodation of the several offices mentioned in the statute. (3b) If a county on the day it first initiates a project for any of the purposes specified in subsection (1) of this section had no bonded indebtedness payable from its general fund levy, the county board may make an annual levy of not to exceed five and two-tenths cents on each one hundred dollars upon the taxable value of all the taxable property of the county for a project or projects for any of the purposes specified in subsection (1) of this section without the filing of a petition described in subdivision (3a) of this section. The county board shall designate the particular project for which such levy shall be expended, the period of years, which shall not exceed ten, for which the tax will be levied for such project, and the number of cents of the levy for each year thereof.

Darrel Thorin, County Highway Superintendent, discussed information received from the "Self Defense" course sponsored by NIRMA on August 7-8, 2008. The meeting was very informative with emphases on potential liability exposures. Thorin discussed a Sign Inventory Management Software program that may be beneficial for road sign locations and inventory, of which a NIRMA grant would provide some funding for the software program. Thorin discussed road maintenance requests and the closure of Nebraska Central Railroad Company Crossing DOT No. 818026R, located on 265th Street east of the ethanol plant. A minimum maintenance road needs to be reclassified to receive gravel, as state statute does not allow graveling of minimum maintenance roads. Thorin will be comparing the classifications of the county roads with what is on file with the state.

Motion made by Tisthammer, second by Schuele to approve as written Resolution No. 2008-42 a request by Great Plains Communications, Inc. to plow/bore a fiber optic cable beginning at the intersection of State Highway 56 and 170th Avenue, plowing south along the county road ROW on the West side of 170th Avenue (through Sections 7, 18, 19 and 30, all in Township 18, Range 7) over and across 380th Street to a point on the North side of 385th Street; thence plowing west along the county road ROW on the north side of 385th Street (through Section 30, Township 18, Range 7) to a point on the east side of 160th Avenue all in Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Thieman to approve as written Resolution No. 2008-43 a request by Great Plains Communications, Inc. to plow/bore a fiber optic cable beginning at the intersection of 385th Street (north side) and 160th Avenue (east side), plowing south along the county road ROW on the east side of 160th Avenue (through Sections 30 and 31, Township 18, Range 7) over and across 385th Street to the county line between Bone and Nance counties, all in Boone County, Nebraska. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve as written Resolution No. 2008-44 to direct the Boone County Treasurer to issue Treasurer's Certificates of Tax Sales for 2005 delinquent real estate taxes. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Open discussion and miscellaneous public comments: Marvin Richards discussed noxious weed control in his area and the rock on county roads. Vic Lee, Hospital Administrator, informed the Board the Boone County Health Center Phase II construction should be completed in a few weeks. A meeting will be set with contractor Buster Beckenhauer, Beckenhauer Construction; architects Cannon, Moss, Brygger & Associates of Grand Island, NE; and architecture, planning and interiors Goldberg, Sullivan & McCrerey of St. Joseph, MO with regard of the courthouse expansion and renovation projects.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 12:15 p.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
AUGUST 18, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, August 18, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted. Chairman Thieman asked all present to join in the Pledge of Allegiance.

The Board held their monthly meeting with the County Officials and employees. The Board and employees discussed the courthouse construction plans and renovation costs that were presented at the August 11, 2008 meeting. A meeting with the architects and contractor is scheduled for 1:00 p.m. today. Albion News was complimented with regard to the coverage of the courthouse projects. The proposed date is September 8, 2008 for Department of Health and Human Services (DHHS) online applications. The software programs are user friendly and the application is not sent until it receives the electronic signature.

David Medlin, County Attorney, discussed general issues with the Board.

Darrel Thorin, County Highway Superintendent, discussed minimum maintenance road classifications and a meeting with the Nebraska Department of Roads with regard to a turning lane from the south into Cargill/VeraSun at the 260th Street and State Highway 39 junction.

The Board received a written resignation from Boone County Planning Commission Board Member, John J. Matz, Jr. The Board acknowledged with appreciation the volunteer time Matz has contributed to the Planning and Zoning Board. The board member vacancy will be discussed at the August 25, 2008 Board meeting. Motion made by Tisthammer, second by Schuele to regrettfully accept the written resignation of John J. Matz, Jr., Boone County Planning Commission Board Member, effective date of August 15, 2008. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

The Board discussed the Boone County Planning Commission Board vacancies. The Planning and Zoning Board Member vacancy was advertised for two weeks in the four county papers and no applications were received. The vacancies will be an agenda item for the August 25, 2008 meeting.

Motion made by Schuele, second by Tisthammer to approve the County Board and Board of Equalization Proceedings of August 11, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Richard Martinsen, CPA, and the Board discussed the proposed 2008-2009 budget. The 2008-2009 Proposed Property Tax Request is 2,633,369.00, an increase of 5.025%. The FY 2008-2009 County Budget hearing date is set for 11:00 a.m. on September 8, 2008.

Open discussion and miscellaneous public comments: A teleconference was held with Shellie at Conrad Fire Equipment, with regard to the purchase, trade or lease of a new ambulance. Discussed the land owner responsibility with regard to mowing ditches per state statute and will be an agenda item for the August 25, 2008 meeting. Schuele reported on the meeting with Gayle Noble with regard to a complaint in June of feedlot waste over a road. Thorin and Carey met with FEMA last week with regard to flood damage that occurred in the spring.

A meeting was held with contractor Buster Beckenhauer of Beckenhauer Construction, Norfolk, NE; architect Brad Kessler of Cannon, Moss, Brygger & Associates, Grand Island, NE; and architecture, planning and interiors Larry Goldberg of Goldberg, Sullivan & McCrerey, St. Joseph, MO with regard of the courthouse expansion and renovation projects. The County Board, officials and department heads met to revise the courthouse construction and renovation plans. The architects informed the Board that sometime after January 1, 2009 the federal government will be releasing the new ADA guidelines. Any construction or renovation will need to be in compliance with ADA guidelines. A revised idea is to add the County Attorney onto the west side of the new addition, which would make an addition of approximately 650 square feet onto the new construction costs and to reposition offices to better utilize the existing space to lessen the renovation costs of moving doors and walls. The Board, officials and department heads fine-tuned the plans for a set of new drawings. The Board is looking at having informational meetings throughout the County in the near future to receive public comment and to have visual information as to the reasons for the changes.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 3:30 p.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
AUGUST 25, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, August 25, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

Darrel Thorin, County Highway Superintendent, discussed several road and bridge projects; hazard elimination program; transportation enhancement program; update on county road classifications; American Burying Beetle; motor grader and pickup information. The county received approval of a federal Hazard Elimination Program grant of \$50,000.00 for replacing horizontal curve warning signage with retro-reflectivity standards. The signs and posts have been ordered with installation provided by the county and viewed as the 20% match. Boone County received second phase grant application approval from the Nebraska Department of Roads Transportation Enhancement Program and on-site meeting of the historic Bridge No. C000605005P, east of Cedar Rapids is scheduled for September 4, 2008 with the Nebraska Department of Roads. Thorin plans to update the county road classifications with the state records. The endangered species list includes the "American Burying Beetle" whose habitat includes a portion of Boone County west of Highway 14 and north of Highway 91. The Army Corp. and US Fish and Wildlife have an impact on road and bridge projects. Trees cannot be removed between April and October due to nesting habitat; presence of otters and certain fish species can delay bridge replacement projects; it may take two to six weeks for research of endangered species to be completed further delaying project completion. Currently a project in Wheeler County has been put on hold because of the American Burying Beetle. Thorin will research motor grader used and new figures to replace a 1988 G series motor grader located in Road District Three. The state bids were reviewed for a new pickup and the Board directed Thorin to replace one at his discretion.

Bob Carey, EM/HS discussed meetings he attended and submitted a weekly report to the Board. Boone County will be hosting a Foreign Animal Disease workshop this fall as part of a pilot program for the State of Nebraska. A grant has been applied for through the Nebraska Public Service Commission to help with the costs of upgrading the E911 system at the Sheriff's Office. The Boone County CERT Team is very active and a Homeland Security Grant is being applied for a response equipment trailer.

David Medlin, County Attorney, discussed a letter from the Nebraska Bar Association's Minority Justice Committee with regard to equal employment and policies. Medlin will respond to the request after research is completed.

The Board discussed the Boone County Planning Commission Board vacancies. The Planning and Zoning Board Member vacancy was advertised for two weeks in the four county papers. The Board received one email and one phone contact.

Motion made by Schuele, second by Thieman to appoint Mark Wagner to fulfill the term of Julie Baumgartner effective August 25, 2008. Roll call vote: Yeas: Schuele, Thieman, and Tisthammer. Nays: None. Motion carried.

Motion made by Thieman, second by Tisthammer to appoint Hilary Maricle to fulfill the term of John Matz, Jr. effective August 25, 2008. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Thieman to approve the County Board Proceedings of August 18, 2008 as presented. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to approve the County Payroll Claims filed for payment from the various funds: General \$67,748.88, BCBS \$25,601.16, Ameritas Ret \$4,612.04, EFTPS \$5,109.65; Road \$42,464.83, BCBS \$15,065.99, Ameritas Ret \$2,702.73, EFTPS \$3,225.68; Boone Co Economic Dev \$3,964.00, BCBS \$18.14, Ameritas Ret \$202.50, EFTPS \$296.33; Law Enforcement \$5,355.00, BCBS \$2,290.55, Ameritas Ret \$415.01, EFTPS \$409.67; Weed \$2,073.10, Ameritas Ret \$139.94, EFTPS \$158.59; Ambulance \$1,557.50, Ameritas Ret \$89.61, EFTPS \$119.15; Public Defender Contract \$3,041.67; Boone Co Fitness Center \$5,398.78, Ameritas Ret \$285.53, EFTPS \$413.02, which is all reimbursed back to the County. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

The Board and County Highway Superintendent discussed a notice that is required by Section 39-1811, Revised Statutes of Nebraska for 1998, with regard to the duty of the landowners in this state to mow all weeds along public roads at least twice a year. Many areas of county road have not been mowed this year and may create problems with drifting snow this winter. Nance County charges \$450.00 per mile if the mowing is completed by county personnel. The Board decided to take no action at this time and will consider the issue in the spring providing the county has purchased equipment to mow roadsides.

Motion made by Tisthammer, second by Schuele to approve Resolution No. 2008-45 a request from Robert Thiele, Secretary of L. J. Meis Farms, Inc., to trench an electrical cable from a pole located in the county road right-of-way on the west side of 180th Avenue running east to a stock watering well located in the Southwest Quarter (SW1/4) of Section 28, Township 22, Range 7, Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve a Boone County Concrete estimate of \$1,228.50 for a twenty-one foot by thirteen foot (273 square feet) concrete pad behind the Sheriff's Office for the dumpster. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

The Board reviewed a general assistance utilities request.

Architect Larry Goldberg was unable to attend the meeting and has been rescheduled for 1:00 p.m. on September 8, 2008.

Open discussion and miscellaneous public comments: A Planning Commission meeting is scheduled for tonight. A Hospital Board meeting is scheduled for August 26, 2008. Thieman reported on the Mutual Finance Organization (MFO) meeting held on August 18, 2008, with the formula for distribution remaining the same as in the past years. The MFO funds are distributed each year by The State Treasurer in two payments; the first one-half by November 1st and the second one-half by May 1st with an estimated total for Boone County Fire Protection MFO of \$46,880.00 for fiscal year 2008-2009. Pierce County is interested in an interlocal agreement with a surrounding county for a Weed and Highway Superintendent. Boone County is not interested at this time. Polk County was inquiring if any surrounding counties designated an animal control authority per LB1055.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 12:05 p.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
SEPTEMBER 8, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, September 8, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele and Henry R. Thieman. Jerry L. Tisthammer was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

Bob Carey, EM/HS discussed meetings he attended and submitted a report to the Board. Carey reported an Ag Preparedness Emergency Responder Training for Foreign Animal Disease Response is scheduled for October 22, 2008 at the Boone County Fairgrounds from 8:00 a.m. to 5:00 p.m. East-Central District Health Department plans to furnish the noon lunch. Carey submitted a requested inspection report on Conditional Use Permits and found the measurements do fall in compliance with the applications.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects; new approved product list for erosion control; construction projects on the one year plan; motor grader bid for a 2009 140M Series from NMC; repair estimate for one of the crawler machines; new style of motor grader tires seem to relieve some of the vibration; updating the classifications of county roads; demonstration of a traffic counter that was used on Old Mill Road; and reported on the meeting held September 4, 2008 at Cedar Rapids with the Nebraska Department of Roads with regard to the historic bridge that was closed east of Cedar Rapids. When a traffic counter is connected to a computer it provides information on traffic counts, direction of travel, size and speed of vehicle. During the one-day August counter demonstration a total of 1,229 vehicles passed over the counter on Old Mill Road just west of Albion. A traffic counter may be beneficial in determining speed limits for county roads and where to place traffic control signs. The consensus of the Board is to purchase a traffic counter device and seek a NIRMA grant to defray some of the cost.

David Medlin, County Attorney, provided the Board with an opinion about the levy limitations set forth in Nebraska Revised Statute Section 23-120. Medlin corresponded with Craig Nelson, NIRMA, with regard to the letter received from the Nebraska Bar Association's Minority Justice Committee.

Steve Pritchard, Extension Educator; David Medlin, County Attorney; Josephine Weltruski, Extension Office Personnel; and Pam Jochum, Attorney Office Personnel discussed the base salary (starting salary for new employees) within the Office Manager title with the Board. The new base wage for January 2008 increased the Clerical from \$1,300.00 per month to \$1,400.00 per month and the Office Manager base wage remained the same at \$1,550.00 per month, being a difference of \$150.00 separating the two titles for Clerical employee's duties. The 2007 wage committee felt the \$150.00 difference is sufficient and is the same amount that separates the Road Foreman and Road regular employee job title and duties. The base salaries were based from the job title average means in 2007. The Board approved the following base salary changes at their July 28, 2008 meeting to be effective in January 2009; for Office Manager to be \$1,650.00; Clerical to \$1,500.00; and Jail Dispatcher to \$1,600.00. If a cost of living is given in January to the employees, the percent is figured on the designated base wage. The Board agreed to take the issue under advisement.

Motion made by Schuele, second by Thieman to go into executive session at 10:20 a.m. per request of David Medlin, County Attorney to discuss pending litigation of three Tax Equalization and Review Commission (TERC) hearings scheduled for September 11, 2008. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried. David Medlin, County Attorney; Joyce Sock, County Assessor; Commissioners, Henry R. Thieman and Tom Schuele discussed their preparation for the three TERC hearings scheduled in Lincoln on September 11, 2008. Motion made by Thieman, second by Schuele to come out of executive session at 10:45 a.m. Roll call vote: Yeas: Thieman and Schuele. Nays: None. Absent: Tisthammer. Motion carried. No formal action was taken in closed session and discussion was on the procedure to defend the TERC cases in Lincoln.

Motion made by Schuele, second by Thieman to approve the County Board Proceedings of August 25, 2008 as presented. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried.

Motion made by Schuele, second by Thieman to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General \$73,727.34; Road \$251,531.42; Visitor's Promotion \$514.30; Reappraisal \$15.96; Relief/Medical \$311.58; Institutions \$279.00; Boone Co Economic Dev \$1,681.93; 911 Emergency Management \$1,802.56; Weed \$4,713.25; Ambulance \$2,717.35. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried.

Motion made by Thieman, second by Schuele to approve the following reports of the County Officials as presented for August 2008: Clerk \$3,427.68 Co. Treas., \$2,625.07 State of NE, Doc Stamps, \$1,557.75 State of NE, DMV; Clerk of the District Court \$256.83; Sheriff \$1,142.53; Planning and Zoning \$250.00; Treasurer Office Miscellaneous Receipts Number 8778-8842 in the amount of \$165,884.11. Total collected at the County Treasurer Office \$2,727,995.09. Veteran Service Office report of activities was submitted for August. Roll call vote: Yeas: Thieman and Schuele. Nays: None. Absent: Tisthammer. Motion carried.

State Statute Section 23-347. Each county officer shall make, acknowledge under oath, and file with the County Board of his or her county an inventory statement of all county personal property in the custody and possession of said county officer after the close of each fiscal year. Motion made by Thieman, second by Schuele to approve the 2008 County Office Inventories as presented from the various offices. Roll call vote: Yeas: Thieman and Schuele. Nays: None. Absent: Tisthammer. Motion carried.

Larry Goldberg, Architect for Goldberg, Sullivan, McCreery of St. Joseph, Missouri met with the Board, department heads and the public at 1:00 p.m. to review the revised courthouse plans. The revised plan for the new judicial addition grew slightly to 5558 square feet when adding office space for the County Attorney and a secure law library/conference room to the west side of the new judicial building plans. The new construction estimate increased to \$1,999,932.00 and proposed less renovation to the existing courthouse lowered the estimated cost to \$1,334,160 for a total project estimate of \$3,334,092.00 being less than the previous estimate. The department heads reviewed and discussed the revised plans with Goldberg, with some suggested minor renovation changes. Goldberg discussed presentation for public informational meetings. The department heads and employees were asked to attend the informational meetings with the architects and Board. The project presentation will need to show the credibility and need for space among the offices. Local contractors will have the opportunity to bid on various portions of the project. Goldberg and the Board discussed a ten year bonding repayment for the courthouse project. Goldberg met with David Medlin, County Attorney, to discuss the bonding process and the preparation of a letter for Request for Public Finance Proposals. The approval of the 2008-2009 Budget and discussion of bonding for the project does not constitute a commitment to the courthouse project. The Board will set informational meeting dates throughout the county at the September 15, 2008 Board meeting, with the tentative dates of September 22 through October 2, 2008. After the public informational meetings the Board will decide on the courthouse proposed new construction and renovation project.

Open discussion and miscellaneous public comments: Gale Schafer discussed road maintenance for 210th Street and a driveway. Schuele reported on the Hospital Board meeting held on August 26, 2008. Thieman indicated a Wind Energy meeting is scheduled for September 15, 2008 at the Boone County Fairgrounds. Veteran Service Officer and several World War II Veterans from the area plan to travel aboard an Honor Flight to Washington D.C. on September 15 & 16, 2008. Freedom Walk is scheduled for September 11, 2008 in Albion. A get well card was signed for Commissioner Tisthammer.

Motion made by Thieman, second by Schuele to adjourn said meeting at 3:35 p.m. Roll call vote: Yeas: Thieman and Schuele. Nays: None. Absent: Tisthammer. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

MINUTES OF PUBLIC HEARING PROCEEDINGS

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, September 8, 2008 at 11:00 a.m. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was published in advance and the convened hearing was open to the public. Commissioners present for roll call were Henry R. Thieman and Tom Schuele. Absent was Commissioner Jerry L. Tisthammer. Richard Martinsen, CPA was present to answer budget questions. Chairman Thieman read the notice for the record.

The public hearing was for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2008-2009 Boone County proposed budget in compliance with the provisions of State Statute Sections 13-501 to 13-513. Also, to set the final tax request for the 2008-2009 Boone County proposed budget at a different amount than the prior year tax request in compliance with the provisions of State Statute Section 77-1601.02 The hearing was open for one hour and the proposed budget was published in the September 3, 2008 issue of the Albion News.

The Board and concerned citizens discussed with Martinsen the differences from last fiscal year's budget in the areas of asking dollar increase, land valuation, tax rate and property tax requirement. Martinsen answered and explained the questions with regard to the proposed budget and publication. The 2008-2009 proposed property tax request is \$2,890,965.00 with a proposed 2008 tax rate of .354407. Due to the absence of Commissioner Tisthammer today, you need to re-advertise the budget hearing or make a motion not to exceed the additional 1% lid. It takes a 75% vote to exceed the additional 1% lid. The allowable levy limit is 45 cents; Boone County is currently at .322834. The 2008 County valuation is \$815,717,906.00 compared to the 2007 valuation of \$691,869,306.00.

Ted Thieman asked for an explanation with regard to some of the funds within the County Budget. The County Budget expenses increase reflects the proposed Courthouse project over a 10 year period; possibility of receiving FEMA/NEMA funds up to \$200,000.00 for prior flood damage to County Roads; Law Enforcement is fuel estimate, payroll and insurance increases for the two sheriff deputies covering Cedar Rapids, Petersburg and Primrose of which the County is reimbursed \$31,200.00 from the three entities; 911 Emergency Management increased if Boone County participates in a Reverse E911 program with Platte County; the \$1.00 revenue collected on land line phones for this fund has been decreasing due to the increased use of cell phones, with the cell phone \$1.00 revenue collected being paid to the Nebraska Public Service Commission; the County has the availability then to apply for grant funds from Nebraska Public Service Commission to defray some E911 upgrade expenses.

Motion made by Schuele, second by Thieman to close said hearing at 12:01 p.m. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried.

Motion made by Schuele, second by Thieman to approve the 2008-2009 County Budgets as presented, except for the change in the Unused Budget Authority; Not to exceed the lid by an additional 1% growth for fiscal year 2008-2009, changing only the Unused Budget Authority created for next year from \$252,358.75 to \$213,310.00; and to set the 2008 County Tax Rate at .354407, which is different than the County Tax Rate of .362405 for 2007. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried.

The Board expressed their appreciation to Martinsen for his assistance with the County Budget preparation throughout the years.

Motion made by Schuele, second by Thieman to adjourn said public hearing at 12: 04 p.m. Roll call vote: Yeas: Schuele and Thieman. Nays: None. Absent: Tisthammer. Motion carried.

Kathy Thorberg, Boone County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
SEPTEMBER 15, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, September 15, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted. Chairman Thieman asked all present to join in the Pledge of Allegiance.

The Board held their monthly meeting with the County Officials and employees. Shannon Landauer reported that the City of Albion and Boone County received a Nebraska Diplomats Community of the Year Award at a banquet held on September 12, 2008. Landauer will be working with Northeast Economic Development on a county wide housing grant today. Joyce Sock and Tom Schuele reported of their learning experience at the TERC hearings on September 11, 2008. Jacqueline Wells will be transporting area World War II Veterans to Omaha today to board an Honor Flight to Washington D.C. with a van donated by Schalk Auto Inc. Wells estimated 115 participated in the first America Supports You Freedom Walk sponsored by the Boone County American Legions and VFW on September 11, 2008 in Albion. Dumpster pad has been poured north of the Sheriff's office. Steve Pritchard reported the end of the year 4-H achievement recognitions are scheduled for October 5th in Nance County and October 19th in Boone County. Sheriff Spiegel attended a domestic violence seminar; discussed reverse E911 with Platte County; a lot of cattle and horses have been out on the roads. The group present reviewed the latest revisions of the courthouse expansion and renovation plans. Tentative plans for County Government Day is November 26, 2008.

Darrel Thorin, County Highway Superintendent, submitted the Standardized System of Annual Reporting (SSAR) report for approval and the Board Chairman's signature before forwarding it to the State of Nebraska Board Classification and Standards for their approval. Road gravel is hard to locate and Thorin has been corresponding with outlying areas for possible railroad car transportation into the area.

Thorin is working on retrieving history for the historic bridge project located east of Cedar Rapids. There is six million available for the Transportation Enhancement Program Grant Fund with nine million in applications. An alternate list is kept, if an approved project does not progress. The estimate cost to restore the bridge has increased to \$200,000.00, with the grant share increased to 90% and the County share lowered to 10%. The grant determination is scheduled for December 9, 2008. They will reimburse on a monthly basis as bills are submitted. Motion made by Schuele, second by Tisthammer to approve and authorize the Board Chairman to sign Resolution No. 2008-46, to apply for assistance from the Transportation Enhancement Program for the purpose of the restoration of a registered historical Bridge Number C00605005P. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried. Application for this project is available for public review at the Boone County Courthouse.

Thorin discussed motor grader replacement. Thorin has a previous estimate for a used caterpillar with trade-in; a new 2009 Caterpillar with trade-in from NMC; and John Deere says they have a new improved machine coming in February 2009. Schuele suggested inquiring for another quote to include a new John Deere in order to compare the quality and workmanship of the machines.

Motion made by Schuele, second by Tisthammer to approve a general assistance request for rent. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

David Medlin, County Attorney, indicated they are waiting for the issuance of a ruling from TERC with regard to the three cases that were heard in Lincoln on September 11, 2008.

Steve Pritchard, Extension Educator; David Medlin, County Attorney; Josephine Weltruski, Extension Office Personnel; and Pam Jochum, Attorney Office Personnel continued the September 8, 2008 discussion of the base salary (starting salary for new employees) within the Office Manager title with the Board. They are asking that the \$250.00 difference for base wage between clerical and office manager titles be reinstated. The wage committee and Board had changed the base wage to reflect a \$150.00 difference between the title of office manager and clerical. A county benefit for full time employees also includes either the full single, family or employee/spouse BCBS health insurance with employee dental being paid by the county. If a cost of living is given in January to the employees, the percentage is figured on the designated base wage. The Board agreed to take the issue under advisement.

Motion made by Thieman, second by Schuele to approve the County Board and Budget Public Hearing Proceedings of September 8, 2008 as presented. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

The following dates were set for community informational meetings with regard to the courthouse expansion and renovation project: Monday, September 22, 2008 at 8:00 p.m. at the Boone County Courthouse Courtroom, Albion, NE; Tuesday, September 23, 2008 at 7:30 p.m. at the Community Center, Cedar Rapids, NE; Thursday, September 25, 2008 at 7:30 p.m. at the St. Edward Fire Hall, St. Edward, NE; Contractors and Suppliers (formatted for potential bidders or sub-contractors with everyone welcome) on Monday, September 29, 2008 at 2:30 p.m. at the Boone County Courthouse Courtroom, Albion, NE; Monday, September 29, 2008 at 7:30 p.m. at the Petersburg Legion Club, Petersburg, NE; Tuesday, September 30, 2008 at 7:30 p.m. at the Primrose Community Building, Primrose, NE; and Thursday, October 2, 2008 at 7:30 p.m. at the Akron School located at 220th & 130th Avenue, Albion, NE. A board member, county employees and architect or engineer plan to attend the informational meetings. Community input is very important and attendance at a meeting is encouraged. The dates will be advertised in all local papers and flyers posted. The approval of the 2008-2009 Budget and discussion of bonding for the project does not constitute a commitment to the courthouse project. After the public informational meetings the Board will decide on the proposed courthouse construction and renovation project.

Open discussion and miscellaneous public comments: Bill Rader, Ramsey Enterprises, was unable to attend the meeting. A courthouse bond bidding letter was prepared by Larry Goldberg for the "Request for Public Finance Proposals" and will be an agenda item with David Medlin, County Attorney at the September 22, 2008 Board meeting. This letter will be sent to various lending institutions to alert them of the possibility to bond purchasing and is non-binding if the project is not approved. Olsson Associates would like to propose a GIS estimate for Boone County survey markers. Ted Thieman suggested getting an estimate from Great Plains GIS Consulting and Olsson Associates for a comparison of the services.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 11:57 a.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried. Meeting adjourned.

Kathy Thorberg, County Clerk

MINUTES OF PUBLIC HEARING PROCEEDINGS

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, September 15, 2008 at 11:00 a.m. in the Boone County Courthouse Commissioners meeting room in Albion, Nebraska. Notice of the hearing was given in advance by publication and held in open session. Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer, Henry R. Thieman and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Paul J. and Brenda R. Kuhlman. The application request is to divide from an existing farmstead approximately 5.0 acres in order to replace the house with a new house to be located on a fraction of the Northeast Quarter (NE1/4) of Section 18, Township 22, Range 6, all in Boone County, Nebraska.

Paul Kuhlman was present for the hearing. The original home built in the 1900's was struck by lightning in May; new construction is to be located northwest of the existing house; set backs are met; driveway will remain the same; the real estate has been surveyed; and the applicant is the owner of the 160 acres. Thieman noted the Planning and Zoning Commission recommended approval of the requested conditional use permit. Attached to the application is a copy of the 5.0-acre survey. No opposition received with regard to the permit.

Motion made by Tisthammer, second by Schuele to close said hearing at 11:07 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Thieman to approve the Application for Conditional Use Permit submitted by Paul J. and Brenda R. Kuhlman to divide 5.0 acres from an existing farmstead in order to replace the existing house with a new house to be located on a fraction of the Northeast Quarter (NE1/4) of Section 18, Township 22, Range 6, all in Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
SEPTEMBER 22, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, September 22, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects. The final draft for the Transportation Enhancement Program grant was mailed on September 19, 2008. Thorin appreciated and acknowledged several helpful hands in gathering history of the bridge and writing letters of support for the restoration of the registered historic bridge project located east of Cedar Rapids. The grant determination is scheduled for December 9, 2008. Thorin was alerted that the Federal Transportation Computer System was hacked into and to make all aware not to answer the accounting questions. Thorin is completing grant fund request forms for FEMA due to spring flooding in the county. Decision to purchase a used or new motor grader has been continued until the October 14, 2008 meeting to allow John Deere additional time to submit a bid.

Steve Pritchard, Extension Educator; David Medlin, County Attorney; Josephine Weltruski, Extension Office Personnel; Pam Jochum, Attorney Office Personnel; Lisa Langan, County Court Clerk Magistrate; and Susan Frey, Extension Office Temporary Personnel continued the discussion of the base salary (starting salary for new employees) within the office manager title with the Board and some of the committee members. They presented a comparison from different areas of the state. The Board had a prior comparison from the Northeast District. They are asking for a \$250.00 difference for base wage between clerical and office manager titles as it was in 2003. A payroll/benefits committee appointed in 2007 completed considerable research, attempting to establish consistency and fairness with base wages and benefits for all areas of county employment. The payroll/benefits committee and Board had found that the previous difference was \$150.00 from 1998-2003. The committee decided that a tier of job title changes of \$150.00 for the base wage would reflect a comfortable difference. Examples: Road Operator to Road Foreman (Foreman starts at \$150.00 more); Clerical to Office Manager; Office Manager to Jail Dispatcher; Jail Dispatcher to Jail Supervisor. County benefits for full time employees also includes full family health/employee dental; BCBS deductible reimbursement up to \$1,000.00; longevity wage increases; vacation days plus increase with longevity; sick days; and twelve paid holidays. The committee discovered the lack of consistency over the years in all areas and still need to work on the fairness of the benefits. The committee was attempting to use the 2008 and 2009 years to get all areas caught up which means some would need to be on hold in order to justify the changes, so all areas would change when the Officials and Deputies salaries change every four years, which is January 2011. If a cost of living is given in January to the employees, the percentage is figured on the designated base wage. Commissioner Schuele suggested a base salary differential of \$200.00. The Board will have the base wage as an agenda item for the September 29, 2008 meeting.

David Medlin, County Attorney, reviewed the letter "Request for Public Finance Proposals" prepared by Architect Larry Goldberg and determined it to be satisfactory. The finance proposals are not binding until the Board makes a decision.

Bob Carey, Emergency Manager/Homeland Security reported that an AgPreparedness Emergency Responder Training is scheduled for October 22, 2008 from 8:00 a.m. to 5:00 p.m. at the Boone County Fairgrounds. Carey provided the Board with information from area meetings he attended.

Motion made by Tisthammer, second by Schuele to approve the County Board and Zoning Public Hearing Proceedings of September 15, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Thieman to approve the County Payroll Claims filed for payment from the various funds: General \$68,946.30, BCBS \$25,601.16, Ameritas Ret \$4,684.35, EFTPS \$5,201.23; Road \$40,514.83, BCBS \$15,065.99, Ameritas Ret \$2,708.13, EFTPS \$3,076.51; Boone Co Econ Dev \$3,845.00, BCBS \$18.14, Ameritas Ret \$259.54, EFTPS \$287.23; Law Enforcement \$5,355.00, BCBS \$2,290.55, Ameritas Ret \$415.01, EFTPS \$409.67; Weed \$1,381.20, Ameritas Ret \$93.24, EFTPS \$105.66; Ambulance \$1,375.00, Ameritas Ret \$79.99, EFTPS \$105.19; Public Defender Contract \$3,041.67; Boone Co Fitness Center \$4,787.42, Ameritas Ret \$254.27, EFTPS \$366.26, which is all reimbursed back to the County. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve as written Resolution No. 2008-47 a request from Great Plains Communications, Inc. to plow/bore a fiber optic/copper cable along the county road right-of-way between Section 8 and 9 on the west side of 180th Avenue; thence east on the south side of 360th Street between Section 9 and 16, all in Township 18, Range 7, Boone County, Nebraska. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Thieman, second by Tisthammer to approve Resolution No. 2008-48 to contribute from the Inheritance Tax Fund \$5,000.00 to the proposed College of Nursing Northern Division at Northeast Community College in Norfolk, Nebraska in one equal annual installment before November 1, 2008. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

MAXIMUS Financial Services, Inc. has contracted for several years with Boone County to provide cost allocation plan services. The central services cost allocation plan identifies the various costs incurred by the County to support and administer federal programs. Motion made by Tisthammer, second by Schuele to authorize the Board Chairman to sign a three year contract with MAXIMUS Financial Services, Inc. for the years of 2008, 2009 and 2010 for allocated costs services. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Leon Magsamen rescheduled for the September 29, 2008 Board meeting.

Randall Bruland, Boone County Ambulance Service Administrator, replaced the tires on the County Ambulance and inquired where the old tires could be disposed.

Open discussion and miscellaneous public comments: Bill Rader, Ramsey Enterprises, updated the Board on the phone voice mail and caller ID upgrades to the present system. Rader discussed the issue when one line is being used for both phone and fax and why it will not work with caller ID. The Board will review the issue at the next meeting. Boone County Government Day is set for November 26, 2008 at the Knights of Columbus Hall in Albion.

Motion made by Tisthammer, second by Thieman to recess said meeting at 12:15 p.m. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to reconvene said meeting at 7:25 p.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

The Board, Larry Goldberg, Architect for Goldberg, Sullivan, McCreary and Brad Kissler, Architect for Cannon Moss Brygger & Assoc. held an informational meeting for the public with regard to the courthouse expansion and renovation project. A news article and picture of the plans will appear in the September 24, 2008 edition of the Albion News.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 9:45 p.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
SEPTEMBER 29, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:35 a.m. on Monday, September 29, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public. Chairman Thieman asked all present to join in the Pledge of Allegiance.

Dave Spiegel, County Sheriff, discussed the purchase of a four wheel drive vehicle of which he contacted both Schalk Auto and Spiegel Automotive for vehicle bids. Spiegel said the 2008 state bids have expired and the 2009 state bids are not out yet. This purchase will replace the 2004 Dodge Intrepid. Motion made by Thieman, second by Schuele to allow the Sheriff Department to purchase a 2008 Ford Explorer from Spiegel Automotive with 10,700 miles in the amount of \$19,800.00 with delivery included from Denver, Colorado and the Sheriff may dispose of the 2004 Dodge Intrepid at his discretion. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Leon Magsamen, American Legion Commander for Albion and Jacqueline Wells, Veteran Service Officer discussed the new construction of the Albion Vets Club Memorial Building and the Memorial Wall for all area veterans. They presented memorial bricks with engraving for everyone present to view. Magsamen asked the Board if they would consider a contribution on behalf of all past and present county veterans. The Board thanked them for the information and will discuss the consideration of a contribution for the Memorial Wall project.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects. Thorin will be working with a FEMA representative today with regard to the documents requesting grant funds due to spring flooding in the county. Thorin informed the Board that FEMA has recently authorized him to sign the FEMA grant application forms in as much as he is the primary preparer of the documents, even though he is not the EM/HS appointed for the county. Thorin completed paperwork for NIRMA for reimbursement assistance towards the traffic counter purchase.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on meetings he attended. Fourteen participants are registered to participate in the October 22, 2008 AgPreparedness Emergency Responder Training scheduled at the Boone County Fairgrounds. Carey reported that Boone County will be with the Lower Loup Natural Resources District for litigation purposes and not with the Lower Elkhorn Natural Resources District. Carey reported on the statewide emergency radio communications network meeting he attended. If Boone County is chosen for one of the statewide sites the initial equipment will be funded through FEMA, but once it is in place then the upkeep may become the expense of the county.

Dave Ziska, engineer with Olsson Associates of Grand Island explained Geographic Information Systems (GIS). Ziska discussed the use of GIS for mapping surveyed corners. There are 692 sections in Boone County and 2232 section and quarter section corners. The more corners tied into the network the more accurate the GIS mapping would be. Olsson Associates plan to attend another Board meeting with a GIS mapping demonstration.

Bill Rader, Ramsey Enterprises, Inc. updated the Board at their last meeting with regard to the present phone system and presented a bid proposal to upgrade equipment in order for a one line phone/fax to operate with caller ID. Motion made by Thieman, second by Tisthammer to purchase like new Nortel 8 port analog station module from Ramsey Enterprises, Inc. for \$506.00 and labor estimate of \$260.00 to upgrade the current phone system. This would allow a one line phone/fax to operate caller ID. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Board Proceedings of September 22, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

A bridge between Section 16 and 17, Township 19 North, Range 5 West in Boone County, Nebraska is located two miles west and three miles north of St. Edward, may be eligible for federal funds. Thorin has prepared paperwork and a resolution to submit said project to the Federal Highway Administration for approval. Motion made by Schuele, second by Tisthammer to approve and authorize the Board Chairman to sign as written Resolution No. 2008-49 programming replacement bridge. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Real and Personal Taxes are collected in the General Fund, then a percentage of the month's collection is distributed monthly to the Road and Noxious Weed Funds. Motion made by Schuele, second by Tisthammer to approve as written Resolution No. 2008-50 to authorize the Boone County Treasurer, to transfer funds for the 2008-2009 Tax Year on a monthly basis from the General (0100) 53.3542% to the Road (0200) not to exceed \$1,302,000.00 and to transfer from the General (0100) .6147% to the Noxious Weed (5400) not to exceed \$15,000.00. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

David Medlin, County Attorney; Steve Pritchard, Extension Educator; Josephine Weltruski, Extension Office Personnel; Susan Frey, Extension Office Temporary Personnel; Lisa Wagner, 4-H Council Board Member continued the discussion of the base salary (starting salary for new employees) within the office manager title with the Board and some of the committee members. Frey and Wagner spoke on behalf of the Extension Office. Pritchard feels the office manager and a deputy have the same responsibilities and the base wage should be the same. The Board relayed a base wage is used for new employees and to figure a percentage for cost of living; the longevity and vacation days is for continued employment; where do we weigh the difference and we need to strike a balance. The Board noted that the committee had a big challenge in developing benefit fairness and salary schedules for all county job positions and departments. The prior inconsistency and needed changes cannot be completed in one budget year. All areas will need to be re-evaluated in 2009. Motion made by Schuele, second by Tisthammer to have a \$200.00 base wage difference between clerical base wage of \$1,500.00 and office manager base wage of \$1,700.00 effective January 2009 and to change the prior base wages set at the July 28, 2008 Board meeting. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Open discussion and miscellaneous public comments: Kate Sullivan, candidate for the 41st Legislative District, attended the Board meeting as a courtesy call. NIRMA provided coffee for the break room in recognition of their 20 year anniversary. A safety meeting is scheduled for 1:00 p.m. today. A courthouse project informational meeting is scheduled for 2:30 p.m. today. Tisthammer reported on the Hospital Board meeting he attended last week.

The Board attended the County Safety Committee meeting that was held at 1:00 p.m. in the Commissioners Meeting Room.

The Board, Bill Beckenhauer and Del Fuelberth of Beckenhauer Construction held an informational meeting at 2:30 p.m. for the public, contractors and bidders with regard to the courthouse expansion and renovation project. Beckenhauer explained the procedure for bidding out the construction managed project. There is flexibility to work with local contractors on parts of the project.

Motion made by Schuele, second by Tisthammer to recess said meeting at 3:35 p.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Thieman, second by Tisthammer to reconvene said meeting at 7:25 p.m. Roll call vote: Yeas: Thieman and Tisthammer. Nays: None. Absent: Schuele. Motion carried.

Commissioner Thieman, Commissioner Tisthammer and Del Fuelberth of Beckenhauer Construction held an informational meeting for the public with regard to the courthouse expansion and renovation project at the American Legion Club in Petersburg, Nebraska.

Motion made by Thieman, second by Tisthammer to adjourn said meeting at 8:45 p.m. Roll call vote: Yeas: Thieman and Tisthammer. Nays: None. Absent: Schuele. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
OCTOBER 14, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Tuesday, October 14, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects. Thorin discussed the quotes received to repair a dozer; the consensus was not to repair the machine. Thorin and a FEMA representative have completed the documents requesting grant funds with regard to spring flooding in the county. Thorin reported that if everything is approved the maximum the county could receive is \$96,000.00. The Board acknowledged Thorin for his cooperation and hours spent with FEMA.

Thorin recommended not approving a motor grader bid at this time. New revised models are scheduled for spring and the consensus is to wait for the new models in order to have comparable model year and features for bids.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on meetings he attended. Thirty-four participants are currently registered to participate in the October 22, 2008 AgPreparedness Emergency Responder Training scheduled at the Boone County Fairgrounds. Carey reported it appears favorable that Boone County could be a host site for one of the statewide emergency radio communications networks. The initial equipment for a host site is funded through FEMA/NEMA of \$63,000.00, but once the five years is complete then it all becomes the expense of the host county.

Present for the 10:00 a.m. courthouse project bond proposal opening were the Board; Helen Preusser, Treasurer; Joyce Sock, Assessor; Dave Medlin, Attorney; Bonding Company Representatives Craig Jones, Paul Grieger, Blaine Spady, Andy Snyder, Bill Abts; and Jim Dickerson, Albion News.

The Board reviewed the four bond proposals they received with regard to the courthouse project. A proposal was received by mail from Raymond James & Associates, Inc. of Chicago, Illinois. Three proposals were delivered by company representatives. D. A. Davidson & Co. of Omaha, Nebraska was represented by Craig Jones and Paul Grieger. Smith Hayes Financial Services Corporation of Lincoln, Nebraska was represented by Blaine Spady and Andy Snyder. Ameritas Investment Corp. of Omaha, Nebraska was represented by Bill Abts. The three companies' representatives individually presented their proposal to the Board. Their presentations focused on the finance of bonds, local opportunity is first to purchase the bond investments, recommended serial bond issuance and discussed the statute bond limitation of 10 years at five-cent (\$0.52/\$100.00 valuation) for each of the ten years. The Board took the four proposals under advisement with no decision being made at this time. A copy of the four proposals will be reviewed by David Medlin, County Attorney and Larry Goldberg, Architect. Everyone was reminded that no decision to date has been made with regard to the courthouse expansion and renovation project.

Motion made by Tisthammer, second by Schuele to approve a renewed contract as written with William Scarlett for annual reappraisal pick up work for the Assessor's office. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

David Medlin, County Attorney submitted a written opinion with regard to a contribution supporting the Veteran's Memorial Wall being built in Albion. The consensus of the Board is to contribute \$1,000.00 from the Inheritance Tax Fund to the Veteran's Memorial Wall, with two or three bricks engraved with the message "In Memory of and in Honor of all Boone County Veterans" donated by the County of Boone. Medlin reported that the Tax Equalization and Review Commission (TERC) hearings held on September 11, 2008 ruled in favor of the County and the appeal deadline of the TERC decision is 30 days from the TERC board decision. The Board asked Medlin to review the four bond proposals that were received with regard to the courthouse project.

Motion made by Tisthammer, second by Schuele to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General \$53,438.46; Road \$251,852.79; Reappraisal \$13.27; Relief/Medical \$69.00; Institutions \$6,146.50; Boone Co Economic Dev \$3,426.97; Inheritance Tax \$9,972.83; 911 Emergency Mgt \$12,143.75; County Building \$1,053.00; Weed \$4,308.57; Ambulance \$4,358.10; and Boone County Fitness Center \$210.93, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Dave Ziska and Adam Darbro, Olsson Associates of Grand Island; and Grant Miller, County Surveyor explained Geographic Information Systems (GIS). Darbro gave a visual presentation of GIS mapping and beneficial information available through the programs. There are 692 sections in Boone County and 2232 section and quarter section corners. The more corners tied into the network the more accurate the GIS mapping would be.

Motion made by Tisthammer, second by Schuele to approve the County Board and Board of Equalization Proceedings of September 29, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the following reports of the County Officials as presented for September 2008: Clerk \$2,768.13 Co. Treas., \$792.77 State of NE, Doc Stamps, \$1,763.25 State of NE, DMV; Clerk of the District Court \$327.86; Sheriff \$784.56; Planning and Zoning \$170.00; Treasurer Fees \$12.00; Treasurer Office Miscellaneous Receipts Number 8843-8895 in the amount of \$179,898.75. Total collected at the County Treasurer Office \$2,140,847.37. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

A temporary road closing request for October 26, 2008 was submitted by the Petersburg Community Club Punkin' Chunkin' Committee for their annual fall event for public safety. Motion made by Schuele, second by Thieman to approve as written Resolution No. 2008-51 to temporarily close 140th Street between 220th Avenue and 230th Avenue and with an alternate closure being 150th Street between 220th Avenue and 230th Avenue, all in Boone County, Nebraska. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

The primary use of the Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. Upon the approval of the funding an acknowledgement must appear on promotional materials to read: "Funded in part by the Boone County Visitors Promotion Committee." The funds are disbursed upon the submission of verifiable receipt(s) showing the paid advertising and that the acknowledgment appeared on the material. A request was submitted by Scrapbooking Paradise for a three-day scrapbooking weekend scheduled for November 7-9, 2008 was approved by the committee. A motion made by Schuele, second by Tisthammer to approve the recommendation for disbursement of funds from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Larry Goldberg, Architect from St. Joseph, Missouri, arrived at 4:45 p.m. to review the latest revised courthouse expansion plan with the Board and the Clerk of the District Court, Ellen Hirsch. Goldberg and the Board discussed the four bond proposals that were received with regard to the courthouse project. The Board asked Goldberg to review the four bond proposals. Goldberg will revise the courthouse expansion plans; review the bond proposals and plans to submit a copy of the revised expansion plan for review next week.

Open discussion and miscellaneous public comments: The Board reviewed a public assistance request for rent, with the Board suggesting alternative resources at this time. The Board discussed the seven informational meetings that were held throughout the county from September 22, 2008 through October 2, 2008 with regard to the courthouse project. Schuele attended the meetings held at Cedar Rapids, St. Edward, Primrose, Akron and the two at the courthouse. Tisthammer attended the meeting at Petersburg and the two at the courthouse. Thieman attended the meeting at Petersburg and the two at the courthouse. The public attendance at the informational meetings excluding the county employees and informational presenters was very minimal. Commissioner Schuele and Treasurer Preusser attended the Boone County Health Center mortgage burning event on October 9, 2008.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 6:10 p.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
OCTOBER 20, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, October 20, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public. Chairman Thieman asked all present to join in the Pledge of Allegiance.

The Board held their monthly meeting with the County Officials and employees. Plans are to replace the west entrance of the law enforcement building with a security door. County Government Day is scheduled for November 26, 2008 at the Knights of Columbus Hall in Albion. Nebraska Department of Health and Human Services will be reorganized and the tentative plans at this time are to have nineteen call center operation offices located across the state with an effective date of June 2010. A reminder of the Community Builders meeting scheduled for October 23, 2008 in Petersburg. A courthouse employee holiday meal was discussed. Early Voter Ballot request to date indicates a large voter turn out for the November 4, 2008 General Election. The Board reminded everyone of their expected dedication to their job; respect among all employees; expected to arrive on time and close the office at the scheduled hour on a daily basis; show respect and care of county equipment and budget; all counties or employees are affected by the reflection of county employee actions. The courthouse expansion plans are being revised. The courthouse renovation plans may be revised due to Health and Human Services no longer needing space in the courthouse as of June 2010.

Dave Spiegel, County Sheriff, submitted a proposal to replace the entrance door on the west side of the law enforcement building with a new secure door and frame that would be equipped with a locking device that can be operated from the dispatch center. An outside camera will be added to the front door and hooked up to the current video monitoring equipment. Motion made by Thieman, second by Schuele to approve the security door and camera proposal project cost of \$3,020.00 for the law enforcement building. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects. Thorin has been in contact with the railroad company and is waiting for their protocol with regard to barricading the closed railroad crossing DOT No. 818026R, located on 265th Street by the ethanol plant. Thorin is working with the road records to provide an updated map of all the county road structures. Thorin discussed paying an additional fee for a municipality license when he renews his highway superintendent license.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on meetings he attended. Forty-three participants are currently registered to participate in the October 22, 2008 AgPreparedness Emergency Responder Training scheduled at the Boone County Fairgrounds.

Motion made by Tisthammer, second by Schuele to approve the County Board and Board of Equalization Proceedings of October 14, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Bill Gumm, City of Columbus Police Chief; Tim Hofbauer, Platte County Emergency Manager; David Spiegel, Boone County Sheriff; and Bob Carey, Boone County Emergency Manager discussed a Reverse 911 Interlocal Agreement with the Board. Gumm explained the Interlocal Agreement includes the City of Columbus, Nebraska; Platte County, Nebraska, Boone County, Nebraska and ADM Corn Processors, Columbus, Nebraska to jointly share in the development of a reverse 911 communication systems in an effort to maximize the potential services of such system and reduce each entity's overall cost of providing said service. GeoComm, Inc., the emergency 911 communications consultant, will develop the necessary software and mapping improvements to the existing system to ensure that the proposed reverse 911 system additions is functional and serves its intended purpose for a fee not to exceed \$84,761.00 for the project. GeoComm will undertake to develop and install a web-based GeoLynx EOC software program with associated dialing system to serve the entities needs. The agreement is that the respective entities share the initial capital cost of installation and first year maintenance and any subsequent annual costs for said system shall be 46% (\$38,900.00 City of Columbus and Platte County), 27% (\$22,885.50 Boone County) and 27% (\$22,885.50 ADM) with an anticipated installation date of December 31, 2008. This agreement will be in effect from October 1, 2008 through September 30, 2013, with renewal increments of five years thereafter. The system is beneficial for public safety. Motion made by Thieman, second by Tisthammer to approve as written an Interlocal Agreement providing a reverse 911 system for public safety and authorize the Board Chairman and County Attorney to sign the original document. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

David Medlin, County Attorney, received a copy of the reverse 911 Interlocal Agreement for review on October 17, 2008. Medlin has a concern with the document and the consensus of the Board was for Medlin to visit with the Platte County Attorney with regard to part of the Interlocal Agreement language.

Motion made by Tisthammer, second by Schuele to go into executive session at 10:37 a.m. for evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried. The Board completed an employee performance evaluation. Motion made by Tisthammer, second by Schuele to come out of executive session at 11:07 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried. The Board completed a performance evaluation with regard to the probationary period of Emergency Manager, Bob Carey.

Open discussion and miscellaneous public comments: The Board reviewed a letter from the Boone County Health Center with regard to scheduling a flu shot clinic at your place of business. Doc Holladay discussed some issues with regard to the Visitor's Promotion Committee and fund disbursement. Ralph Schmadeke discussed a very good question regarding who provides the police liability insurance with regard to the interlocal police protection agreements between the county and villages.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 11:58 a.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
OCTOBER 27, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, October 27, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public.

Dave Spiegel, County Sheriff, reported on the Child Identification Program (CHIP) program that was held at the Boone Central School on Saturday, October 25, 2008 with approximately 115 youth participating.

Darrel Thorin, County Highway Superintendent, discussed road and bridge projects. Thorin has reviewed the road record books, road map showing closed roads and plans to review old commissioner records and resolutions. Thorin submitted a road status report of his review to date, with regard to the status of the county roads being open, closed, or vacated. Thorin plans to research the old commissioner records and resolutions before a decision is made on the status of certain county roads. Thorin submitted an updated map showing county road status with regard to hard surface, gravel, or minimum maintenance for GeoComm, Inc. in order to have some new updated maps printed for the road department and emergency equipment use. Thorin discussed a letter received from the Lower Loup Natural Resource District with regard to an early 1970's agreement with the county.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on the AgPreparedness Emergency Responder Training that was held at the Boone County Fairgrounds on October 22, 2008. Approximately forty-one people attended the statewide foreign animal disease workshop. John Carter of Kirkwood Community College in Iowa presented the session. The workshop was funded by Homeland Security funds and the meals provided by East-Central District Health Department. Carey said he would deliver the four signed copies of the Reverse 911 Interlocal Agreement to the City of Columbus on October 29, 2008.

Motion made by Schuele, second by Tisthammer to approve the County Board Proceedings of October 20, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Helen Preusser, County Treasurer discussed Nebraska State Statute 77-1738 with regard to collection of taxes; when stricken from tax list. The Boone County Treasurer's Office has used due diligence to collect such personal property taxes for the years 1998 and 1999 in the amount of \$2,431.26. Preusser is requesting to clear the books by applying the partial payment collected of \$1,373.03 and to write off the balance of \$1,058.23. The judgment filed will stand until 2012. Motion made by Tisthammer, second by Schuele to approve and authorize Helen Preusser, County Treasurer, to write off old personal property taxes from 1998 and 1999 in the amount of \$1,058.23 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$69,593.43, BCBS \$25,601.16, Ameritas Ret \$4,723.52, EFTPS \$5,250.76; Road \$41,369.83, BCBS \$15,065.99, Ameritas Ret \$2,708.13, EFTPS \$3,141.92; Boone Co Economic Dev \$4,587.50, BCBS \$18.14, Ameritas Ret \$309.66, EFTPS \$344.03; Law Enforcement \$5,355.00, BCBS \$2,290.55, Ameritas Ret \$415.01, EFTPS \$409.67; Weed \$1,245.95, Ameritas Ret \$84.11, EFTPS \$95.31; Ambulance \$1,068.00, Ameritas Ret \$59.27, EFTPS \$81.68; Public Defender Contract \$3,041.67; Boone Co Fitness Center \$5,815.00, Ameritas Ret \$281.20, EFTPS \$444.85, which is all reimbursed back to the County. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

The primary use of the Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. Upon the approval of the funding an acknowledgment must appear on promotional materials to read: "Funded in part by the Boone County Visitors Promotion Committee." The funds are disbursed upon the submission of verifiable receipt(s) showing the paid advertising and that the acknowledgment appeared on the material. A request was submitted by the St. Edward Community Club to promote a November 7, 8, and 9, 2008 "Holiday Extravaganza" to be held in the community of St. Edward was approved by the committee. Motion made by Schuele, second by Thieman to approve the recommendation for disbursement of funds from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

The Board decided not to approve a new resolution but to amend the prior Resolution No. 2008-51 to include an alternate date of November 2, 2008 for the temporary road closure for the Petersburg Community Club Punkin' Chunkin' annual event. The original resolution included an alternate location for the event but did not include an alternate date for the event. Motion made by Thieman, second by Schuele to amend Resolution No. 2008-51 a temporary road closure for the Petersburg Community Club Punkin' Chunkin' event to add an alternate date of November 2, 2008 due to inclement weather cancelling the original date of October 26, 2008 for the annual event. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

David Medlin, County Attorney, discussed four uncollected 2004 ambulance cases that were filed. A judgment expires after five years; the named cases will automatically expire November 8, 2009. Medlin informed the Board that Platte County was asking for an out of county fee of \$500.00 for each execution; he felt that was unreasonable especially if nothing is collected to pay the ambulance bill. Medlin plans to visit with Sheriff Spiegel with regard to execution fee reimbursement and certain items that cannot be seized from debtor. Medlin was asked to discuss with Sheriff Spiegel the concern of TeleBeep not paying rent for the use of the county tower.

The Board discussed revisions of the courthouse expansion and renovation plans with Brad Kissler, Cannon Moss Brygger & Assoc. of Grand Island, Nebraska. The Board plans to meet with the architects on November 10, 2008.

Open discussion and miscellaneous public comments: The Board recognized and commends the Boone County Health Center Board upon the completion of Phase II and the early bond pay off. Thieman received a response from Larry Pelan, NIRMA, to be forwarded to Ralph Schmadeke in regard to his prior question, regarding who provides the police liability insurance with regard to the interlocal police protection agreements between the county and villages. Schuele and Thieman reported on the zoning seminar that was attended in Aurora on October 23, 2008 with regard to TIF financing.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 2:30 p. m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
NOVEMBER 10, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, November 10, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public. Chairman Thieman asked all present to join in the Pledge of Allegiance.

The Board, Amy Zaruba, Paramedic; Bob Carey, Emergency Manager; and Randall Bruland, County Ambulance Administrator discussed a countywide paramedic program. Information is to be collected from Valley and Hamilton counties to see how their paramedic program works with their local hospitals and nursing staff. There are several unanswered questions before starting an ambulance/paramedic program such as funds to start the project and will it be self funding thereafter; is there enough ambulance calls for a paid staff; program monitor and bookkeeping service; type of ambulance service, will it include intercept service; and several other questions. Research by contacting successful programs in other counties will be brought back to the board at a later date.

Dave Spiegel, County Sheriff, reported that the Alltel tower east of Petersburg is erected and will be operational soon. Spiegel discussed the county tower by the Sheriff Office that TeleBeep has an antenna attached to for pager use. The County no longer uses pagers and Spiegel feels TeleBeep should pay a rental feed for use of the tower.

Darrel Thorin, County Highway Superintendent, discussed a bridge closing; FEMA funds received from spring flooding; removal of fences from County ROW; update on research of road status records; road gravel issues; and fuel budget. Thorin discussed the order from Nebraska Department of Roads to immediately close Bridge Structure C000653815 located on minimum maintenance road 280th Street approximately three tenths of a mile west of 320th Avenue due to deterioration. Thorin reported that FEMA funds of \$51,722.86 have been received to date for the spring flood damage. Thorin and a FEMA representative completed a grant request with regard to a bridge by Petersburg. A resolution dated February 7, 1978 gives the County Highway Superintendent authority with regard to traffic control devices. A resolution dated January 6, 1976 states Boone County will not furnish any construction materials for driveways onto county roads and the Board may regulate the type of driveway to be installed. Thorin received the protocol with regard to barricading the closed railroad crossing DOT No. 818026R, located on 265th Street by the ethanol plant and the material is ordered. The Genoa gravel pit has shut down causing the gravel trucks to travel farther causing 50% of the fuel budget to already be spent to date. Thorin and the Board discussed the removal of fences from the county road right-of-way. A notice will be published and letters sent to property owners in violation. Property owners will have 10 days to remove the fence from the county road right-of-way. If the county road department needs to remove the fence, the landowner will be billed for the cost of removal.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on the meeting he attended at East-Central District Health Department regarding public health preparedness for special needs population. Carey reported that the Reverse 911 Interlocal Agreement is signed by the City of Columbus, Platte County and Boone County. The agreement is pending execution by ADM Corn Processors of Columbus. Carey reported that NEMA grants may become a 25% match requirement by the County beginning in 2009. Carey plans to contact Chad Engle, NIRMA, to schedule CPR/AED training for county employees.

Dave Spiegel, Sheriff, and Helen Preusser, County Treasurer, discussed an employee catastrophic illness donation program. Employees may contribute accrued sick leave to benefit another County employee in suffering from a catastrophic illness. Catastrophic leave will be available only to employees who have exhausted their own paid leave through bona fide serious illness or accident. If the mentioned program is adopted into the employee handbook, the effective date is January 2009. The topic will be discussed at the November 17, 2008 meeting with other department heads and the Board.

Motion made by Schuele, second by Thieman to approve the County Board Proceedings of October 27, 2008 as presented. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Sue Warner, NACO BCBS Representative, updated the Board on BCBS premium options. The Board and Warner discussed the operational difference of the BCBS Health Savings Account (HSA) and Health Reimbursement Account (HRA). Warner plans to provide a comparison savings chart for the Board.

Motion made by Tisthammer, second by Schuele to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General \$41,902.72; Road \$91,100.85; Veteran's Aid \$500.00; Boone Co Economic Dev \$2,582.05; 911 Emergency Mgt \$988.84; County Building \$3,105.79; Weed \$1,715.08; Ambulance \$3,188.97. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to approve the following reports of the County Officials as presented for October 2008: Clerk \$4,931.88 Co. Treas., \$4,228.12 State of NE, Doc Stamps, \$1,372.75 State of NE, DMV; Clerk of the District Court \$795.00; Sheriff \$884.37; Planning and Zoning \$160.00; Treasurer Fees \$36.00; Treasurer Office Miscellaneous Receipts Number 8896-8964 in the amount of \$1,066,083.32. Total collected at the County Treasurer Office \$1,426,584.78. Roll call vote: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

David Medlin, County Attorney, was asked to draft a contract between County of Boone and TeleBeep Wireless of Norfolk, Nebraska with regard to their use of the county tower for one of their antennas.

The Board discussed the courthouse expansion and renovation plans with Buster Beckenhauer, Beckenhauer Construction, Inc. of Norfolk, Nebraska. Brad Kissler, Architect for Cannon Moss Brygger & Assoc. of Grand Island, Nebraska and Larry Goldberg, Architect for Goldberg, Sullivan, McCreary of St. Joseph, Missouri contacted the Board by telephone as they were unable to attend the meeting. A meeting is scheduled with the architects and Beckenhauer for 1:00 p.m. on November 17, 2008. The Board discussed alternative designs and the space in the existing courthouse currently used by the state office of Health and Human Services. Nebraska Department of Health and Human Services is being reorganized with a tentative effective date of June 2010 to implement call centers and internet web site services for clients. Currently a Nebraska State Statute requires the County to provide office space; however, that space is not required to be in the courthouse. Thieman discussed the conversation he had with a Maximus, Inc. representative, a service that coordinates state payments to counties of direct and indirect costs reimbursement for providing office space for state offices.

A fax was received to amend the original agreement of \$18,000.00 dated June 13, 2007 for master planning and feasibility study services for the courthouse expansion and renovation plans between the architects, Beckenhauer Construction and County of Boone. The amendment is to increase the existing agreement for master planning services on an hourly basis, not to exceed the amount of \$9,650.00 to develop and provide additional options for courthouse renovations and expansions at the west portion of the present site. Motion made by Thieman, second by Tisthammer to approve as written the amended agreement with a revised date of November 10, 2008 for master planning services on an hourly basis not to exceed the amount of \$9,650.00 for the courthouse project. Roll call vote: Yeas: Thieman and Tisthammer. Nays: Schuele. Motion carried.

Open discussion and miscellaneous public comments: The Board mailed a congratulatory letter to Senator Kate Sullivan. The Board acknowledged LeRoy Gerrard a newly elected Polk County Commissioner. Gerrard served Boone County from January, 1988 through December, 2007 as the appointed County Surveyor and Highway Superintendent.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 11:59 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
NOVEMBER 17, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, November 17, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public. Chairman Thieman asked all present to join in the Pledge of Allegiance.

The Board held their monthly meeting with the County Officials and employees. Clerk Thorberg stated that the General Election Day went smoothly and credit to efficient dedicated help. A reminder to employees that the County of Boone transactions are tax exempt by Nebraska State Statute, we should not be paying tax due to government budgets operate from taxes. The Board reminded employees not to be abusing meal expenses when attending meetings. Sheriff Spiegel presented an employee catastrophic illness donation program. Employees may contribute accrued sick leave to benefit another County employee in suffering from a catastrophic illness. Catastrophic leave will be available only to employees who have exhausted their own paid leave through bona fide serious illness or accident. If the above mentioned program is adopted into the employee handbook, the effective date will be January, 2009. A copy of the proposed information was given to department heads and the Board for review. Chad Engel, NIRMA, plans to conduct CPR classes for county employees beginning December 1, 2008. This is a service provided by NIRMA. Department Heads were reminded that County Government Day is set for Wednesday, November 26, 2008. Helen Preusser, County Treasurer, announced her retirement effective December 31, 2008. County Treasurer's office is keeping in contact with Vic Covalt, attorney in Lincoln with regard to VeraSun's Chapter 11 filing. Shannon Landauer, Economic Development, reported on the Wind Energy and Governors Conference she attended in Kearney. Landauer acknowledged Petersburg was a recipient of two NCIP awards. The Board informed the employees that they are asking BCBS for information on their HSA and HRA programs. The Board discussed the latest courthouse expansion and renovation project plan. Jackie Wells, Veteran Service Officer, plans to accompany two area WWII Veterans to the Omaha airport on November 18 and 19, 2008 for the November 19, 2008 Honor Flight. Wells reported that a plan for possibly the last WWII Veterans Honor Flight is scheduled for April 2009. If anyone knows of a WWII Veteran that would like to attend please contact the Veteran Service Office for an application.

Dave Spiegel, County Sheriff, discussed his contact with TeleBeep Wireless of Norfolk, Nebraska with regard to rent for their antenna that is located on the county tower. Spiegel gave the information to County Attorney, David Medlin for review. Spiegel asked for authorization to submit a grant application to the Nebraska Office of Highway Safety to receive an in-car digital video camera. The County will pay the full cost up front of \$3,995.00, and then apply for the grant, with the county cost net of \$998.75 after receiving the grant. Motion made by Thieman, second by Tisthammer to grant Dave Spiegel, County Sheriff, authorization to pursue a grant for the purchase of an in-car camera. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, discussed the order from Nebraska Department of Roads to immediately close Bridge Structure C000653815 located on minimum maintenance road 280th Street approximately three tenths of a mile west of 320th Avenue due to deterioration. Thorin presented resolutions to replace the structure with a low water crossing. Thorin continues to review the old road records. Thorin plans to compare county road records with the state standard records as to the Boone County Road Classifications. The Board and Thorin are reminding bus drivers and mail carriers they are not to be using a minimum maintenance road. A licensed bridge inspector needs five years of apprentice before doing bridge inspections on their own. Thorin has two years and will work with Kirkham Michael of York, Nebraska to obtain the necessary time. Kirkham Michael's proposal for professional services for bridge safety inspections will charge at an hourly rate of \$75.00 per hour for bridge inspections work, \$130.00 per hour for project management, \$60.00 per hour for clerical, plus direct project related expenses. The bridge inspections are a requirement per federal regulations.

Motion made by Thieman, second by Schuele to approve as presented Resolution No. 2008-53 a plan to replace Structure Number C000653815 between Section 3, Township 19, Range 5 and Section 34, Township 20, Range 5, with a low water crossing located in Boone County, Nebraska. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve as presented Resolution No. 2008-54 requesting the addition of a road project to the 2008 One Year Road Improvement Plan being Structure Number C000653815. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve and grant authority to Darrel Thorin, Boone County Highway Superintendent, to sign a proposal as written for Professional Services for Bridge Safety Inspections with Kirkham Michael. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

An annual certification of a County Highway Superintendent is due each year by December 31st to the Nebraska Department of Roads per Reference 39-2501 through 39-2505 Neb. Rev. Statute. The performance of the duties listed in the certification determines federal highway allocation funds incentive payments. Motion made by Schuele, second by Thieman to approve as presented the Certification for the Nebraska Department of Roads of Darrel Thorin, Boone County Highway Superintendent, for the calendar year 2008. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Bob Carey, Emergency Manager/Homeland Security submitted a weekly report and reported on the results of his contact with a private ambulance service Midwest Medical Transport Company regarding the use of a full-time paramedic for ambulance calls. Carey contacted Chad Engle, NIRMA, to schedule CPR/AED training for county employees.

Heather Elton, Director of Children and Health Services, filled in for Rebecca Rayman, East-Central District Health Department (ECDHD) to review the July-September 2008 quarterly report with the Board. ECDHD provides a variety of services for Platte, Colfax, Boone and Nance Counties. The ECDHD information may be found on their website: www.ecdhd.com or the Boone County website: www.co.boone.ne.us under links.

Steve Pritchard, Boone-Nance Extension Educator, presented a board member recommendation from the Boone-Nance County Extension Board. The Boone-Nance County Extension Board recommends Jim Carder of St. Edward, Nebraska to serve a three-year term on the Boone-Nance County Extension Board beginning January, 2009. This is Jim's first term on the board and he just completed serving on the Boone County 4-H Council. Jim will replace Sue Frey whose term has been completed. Motion made by Schuele, second by Tisthammer to approve Jim Carder of St. Edward to serve a three-year term on the Boone-Nance County Extension Board beginning January, 2009. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

County of Boone has been a member of The Nebraska Intergovernmental Risk Management Association (NIRMA) pool since November 1987. NIRMA was formed pursuant to the Intergovernmental Risk Management Act (Neb. Rev. Stat. 44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. 13-801 et seq.); and counties and other public agencies as defined in 44-4303 are allowed to participate in said cooperative undertakings. Motion made by Tisthammer, second by Schuele to approve as written Resolution No. 2008-52 extending a three year commitment to participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and authorize the Board Chairman to sign the commitment with NIRMA and NIRMA II through June 2012 Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Sue Warner, NACO BCBS Representative, presented information on a Health Reimbursement Account (HRA) plan for the Board to review. The plan presented referred to a \$1,500.00 deductible. HRA accounts are administered through Mid-American Benefits, Inc. with BCBS in compliance with HIPPA regulations. The Board requested information of a cost comparison with regard to the county's current \$1,000.00 deductible. Warner plans to provide a comparison savings chart for the Board.

Motion made by Schuele, second by Tisthammer to approve the County Board Proceedings of November 10, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Thieman, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$70,840.14, BCBS \$25,601.16, Ameritas Ret \$4,838.53, EFTPS \$5,346.12; Road \$40,204.83, BCBS \$15,065.99, Ameritas Ret \$2,713.87, EFTPS \$3,052.80; Boone Co Economic Dev \$3,835.00, BCBS \$18.14, Ameritas Ret \$258.86, EFTPS \$286.46; Law Enforcement \$5,355.00, BCBS \$2,290.55, Ameritas Ret \$415.01, EFTPS \$409.67; Weed \$540.00, Ameritas Ret \$36.46, EFTPS \$41.30; Ambulance \$1,050.00, Ameritas Ret \$66.50, EFTPS \$80.32; Public Defender Contract \$3,041.67; Boone Co Fitness Center \$4,412.53, Ameritas Ret \$228.18, EFTPS \$337.58, which is all reimbursed back to the County. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

The Board reviewed the latest courthouse construction and renovation plans with Buster Beckenhauer of Beckenhauer Construction. The revised plans were for construction of approximately 4,350 square foot to the west of the existing courthouse, relocate Health and Human Services outside the courthouse which would cost the county a monthly rent and increased the renovation costs. It appeared that less space for the new construction and the increased renovation costs continue to leave the project at an estimate over three million for the project. The architects were unable to attend the meeting and will be rescheduled at a later date.

David Medlin, County Attorney, was unable to attend the meeting due to court.

Open discussion and miscellaneous public comments: Thieman plans to attend a NIRMA and Nebraska Department of Roads meeting this week. Schuele reported on the Region IV North Star meeting he attended. Florian Luettel thanked the Board for the fence they reconstructed due to road construction by his property.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 11:15 a.m. Roll call vote: Yeas: Schuele, Tisthammer, and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
NOVEMBER 24, 2008 **ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:40 a.m. on Monday, November 24, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public. Chairman Thieman asked all present to join in the Pledge of Allegiance.

Darrel Thorin, County Highway Superintendent, and Andy Devine, City of Albion Administrator, discussed an Interlocal Agreement between the County of Boone and City of Albion. The City of Albion requires a street superintendent and desires the street superintendent to be licensed with the State of Nebraska. Darrel D. Thorin is a Class A Licensed County Highway Superintendent, a licensed street superintendent and a full time employee for the County of Boone. Thorin is a full time salaried County of Boone employee and Thorin will be an independent consultant contractor with the City of Albion through the approved Interlocal Agreement. The agreement is scheduled for review and approval at the meeting to be held on December 9, 2008 by the Albion City Council. The Board commended Thorin and Devine for working together to benefit both entities.

Motion made by Schuele, second by Tisthammer to approve as written and authorize the Board Chairman to sign Resolution No. 2008-55 an Interlocal Agreement between the County of Boone and City of Albion for licensed highway and street superintendent services effective January 1, 2009. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, discussed the research of finger print or card swipe time clocks for the road department. Time clock information is beneficial for completion of grant applications and payroll records. The Board authorized Thorin to order the type of time clock that fits his department's needs. More information will be received at a later date with regard to; low water crossing redesigned regulations and the possibility of required engineering expenses.

Bob Carey, EM/HS, submitted a weekly report and reported on meetings he attended. Carey reported that the FEMA/NEMA grant funds will be a 25% match for the county in 2009. Carey reported that ADM did sign the reverse 911 Interlocal Agreement and other entities are showing interest in the Reverse 911 services. Carey discussed the paramedic programs used by Hamilton and Phelps County. Carey will contact Midwest Medical Transport Company and ask if they would provide a presentation of their services at the Board meeting scheduled for December 8, 2008.

Dave Spiegel, County Sheriff, and Bob Carey, EM/HS, discussed the issue of no cell phone service in the basement of the law enforcement building. They have been in contact with Albion Communications for a quote on cell phone booster antennas for the building. The Board, Spiegel and Carey discussed the 260' tower the county owns that is located on the Kohtz property south of the fairgrounds. The county has been paying a yearly lease of \$1,000.00 each January since 1989 for the property the tower sits on. The family is requesting \$300.00 per month/\$3,600.00 per year for the property lease. A new lease agreement will need to be prepared or move the current tower to county owned property or purchase a new tower and place it on county owned property. Spiegel and Carey will contact Midwest Communications for an evaluation of the current tower construction and longevity.

David Medlin, County Attorney, reviewed and discussed with the Board a rough draft of an agreement he prepared at the request of Sheriff Spiegel with regard to TeleBeep Wireless of Norfolk, Nebraska. TeleBeep has an antenna located on the county tower by the Sheriff's office. The agreement is for TeleBeep to begin paying rent to the County of Boone for use of the tower. Medlin will revise the agreement as discussed and forward the agreement to TeleBeep for their approval and signature.

Motion made by Schuele, second by Tisthammer to approve as presented Resolution No. 2008-56 a request to bore an electrical cable for irrigation purposes under a county road known as 390th Street, beginning from a power pole located in the county right-of-way north of 390th Street in the SW1/4 of Section 26, Township 18, Range 8 running south to an irrigation well located in the NW1/4 of Section 35, Township 18, Range 8 all located in Boone County, Nebraska. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Helen Preusser, Boone County Treasurer, submitted a written resignation for retirement with an effective date of December 31, 2008. Preusser said it has been an honor and a privilege to serve the residents of Boone County for over 31 years. Motion made by Thieman, second by Tisthammer to regretfully accept as presented the written resignation of Boone County Treasurer, Helen Preusser with an effective date of December 31, 2008. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Thieman to approve the County Board Proceedings of November 17, 2008 as presented. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

The Board discussed revised courthouse construction and renovation plans with Buster Beckenhauer of Beckenhauer Construction. The Board suggested some different ideas with the possibility of redesigning the courthouse project plans.

Open discussion and miscellaneous public comments: County Government Day is scheduled for Wednesday, November 26, 2008. Thieman plans to attend the Planning and Zoning Board meeting tonight. Tisthammer plans to attend the Hospital Board meeting on November 25, 2008. TIF public meeting is scheduled for December 4, 2008 at the Albion Country Club. Thieman reported of the Nebraska Department of Roads and NIRMA meetings he attended on November 21, 2008. Laurie Krohn, Deputy Treasurer, discussed opening a separate account for direct deposit for ambulance payments. Thieman discussed the wind energy conference he attended in Kearney and commended county residents that attended the NPPD meeting in October in Columbus with regard to showing support for renewable energy. The renewable resources project proposals deadline is set for April 15, 2009 and includes a wind farm located in the Petersburg area.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 11:05 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
DECEMBER 8, 2008 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, December 8, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Tom Schuele, Jerry L. Tisthammer and Henry R. Thieman. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman suspended the reading of the agenda due to several topics and noted that the Open Meeting Laws are posted and available to the public.

Vic Lee, Boone County Health Center CEO, discussed the opportunity to purchase real estate with a house located south of the hospital for future potential improvements. The Boone County Health Center Board recommended the real estate purchase. The Boone County Health Center plans to reimburse the County of Boone for the real estate purchase. Motion made by Thieman, second by Tisthammer to approve the real estate purchase for future potential improvements for the Boone County Health Center. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, discussed erosion control training, federal aid transportation projects and setting up a time clock for the road department. The project by VeraSun is completed with the railroad track barricades. Thorin received notification that the grant request was approved for the traffic counter purchased by the county road department. The traffic counter will be beneficial when applying for federal aid grant funds.

The purchase of a time clock was discussed at a prior Board meeting. Time clock records will be beneficial when completing reports and grant applications. Motion made by Schuele, second by Tisthammer to approve the use and purchase of a time clock for the Boone County Road Department. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Bob Carey, EM/HS, submitted an activity report and reported that the Platte County Emergency Manager will prepare the paperwork for the East Central Regional group with regard to future FEMA funds. A CPR class for county employees that wish to participate has been scheduled with Chad Engle, NIRMA's Loss Prevention and Safety Specialist, for February 20, 2009.

Dave Spiegel, County Sheriff, discussed the law enforcement agreements the county has with the Villages of Cedar Rapids, Petersburg and Primrose. The inquiry is with regard to "Additional Insured" under the General Liability Insurance for law enforcement liability coverage. The liability coverage has been discussed with the county's insurance provider, NIRMA. The contract addendum was referred to County Attorney, Dave Medlin. Motion made by Thieman, second by Schuele to add an addendum Number 5C to the village agreements with regard to municipality protection policy liability. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Don Casper and Jenice Stevenson, representing Albion Fire & Rescue, discussed the Albion Rescue service. Casper explained the procedures with regard to rescue calls. Casper noted during a discussion of ambulance services at a prior meeting, it had been stated that it took the Albion Rescue forty-five minutes to respond to a call during bad weather and a name was mentioned. He felt the statement should be corrected with the log record indicating more than one page call with an approximate response time of fourteen minutes. The Board and County Clerk apologized for any misinformation and interpretation of a paramedic program discussion that may have come from the meeting and said no criticism was intended. The prior discussion involved questions on how an overall countywide paramedic rescue service response to a call would serve all the communities in the county vs. the volunteer rescue services. Appreciation was expressed for all volunteer fire and rescue squads.

Jeff Shullaw, regional manager and paramedic with Midwest Medical Transport Co., discussed their services with the Board, Boone County Health Center representatives and Boone County Ambulance representatives. Midwest Medical Transport Co. currently provides services from stations located in Columbus, Grand Island, Lincoln, Fremont, North Platte, Omaha, Lexington, Bellevue and recent services based out of Neligh. Shullaw stated they consider a surrounding radius of approximately sixty-five to seventy miles to locate a base for their services. Midwest has provided professional ambulance service statewide since 1987 and is headquartered out of Columbus, Nebraska with approximately fifty ambulances and five hundred employees. Shullaw answered questions and explained transfer, intercept and full-time county wide services. The information indicated it would take approximately thirty long distance transfers a month to feasibly operate a county ambulance paramedic program. Currently the estimated average is ten transfers per month for the county ambulance. The Board was appreciative of Shullaw's information and the Boone County Health Center appreciates their transfer services when they have called them for assistance.

The Boone County Ambulance is a transfer service. A county ambulance paramedic program has been an ongoing discussion since 2006. Discussion was held on future possible changes to the service areas for each communities rescue service in order to reduce distance for response time coverage. The training of EMT's for emergency services is an ongoing challenge. The EMT certification hours keep increasing.

David Medlin, County Attorney, discussed with the Board an agreement prepared with regard to an antenna TeleBeep Wireless of Norfolk, Nebraska has that is located on the county tower. The Board asked Medlin to review an Interlocal Agreement proposal with regard to zoning matters with the City of Albion. The Board asked Medlin to review the three law enforcement agreements and prepare language for an addendum to the agreements.

Sue Warner, Nebraska Association of County Officials (NACO) Blue Cross Blue Shield (BCBS) Regional Service Representative, discussed with the Board a third party administrator with regard to deductible reimbursement. The current deductible is \$1,000.00 and will increase to \$1,500.00 effective January 1, 2009. Currently the county insures back to a \$500.00 deductible. The maximum reimbursement is \$500.00 for a single policy and \$1,000.00 for a family or employee/spouse or employee/children BCBS policy. Mid-American Benefits, Inc. is a third party administrator for NACO BCBS and charges \$6.50 per member policy holder per month for their services. The employee deductible will continue to be insured back to a \$500.00 deductible with a third party administrator. Motion made by Thieman, second by Tisthammer to approve Mid-American Benefits, Inc. as a third party administrator for the NACO BCBS reimbursed deductible plan, increase the deductible from \$1,000.00 to \$1,500.00 effective January 1, 2009 and authorize the Board Chairman to sign the BCBS subgroup application change form. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Jacqueline Wells, Veteran Service Officer, discussed the need for some part time/temporary assistance when she is out of the office to attend meetings or providing assistance for a veteran. A motion made by Schuele, second by Thieman to authorize part time/temporary assistance for the Veteran Service Office at the Veterans Service Officer's discretion. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve as presented Resolution No. 2008-57 a request to trench a water line under a county road known as 340th Street, beginning from a well in the SW1/4 of Section 33, Township 19, Range 8 running south to a hydrant located in the NW1/4 of Section 4, Township 18, Range 8 all located in Boone County, Nebraska. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the following reports of the County Officials as presented for November 2008: Clerk \$3,878.12 Co. Treas., \$4,551.88 St of NE, Doc. Stamps, \$1,129.00 St. of NE, DMV; Clerk of the District Court \$624.20; Sheriff \$430.10; Planning & Zoning \$220.00; Treasurer Fees \$8.00; Treasurer Office Miscellaneous Receipts Number 8965-9016 in the amount of \$153,296.63. Total collected at the County Treasurer Office \$340,578.96. Roll call vote: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Board and Board of Equalization Proceedings of November 24, 2008 as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Thieman to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General \$46,400.44; Road \$112,235.08; Visitor's Promotion \$500.00; Relief/Medical \$185.50; Institutions \$279.00; Boone Co Economic Dev \$1,750.39; Inheritance Tax \$11,715.25; Law Enforcement Operations \$195.70; 911 Emergency Mgt \$1,845.96; County Building \$2,860.00; Weed \$306.00; Ambulance \$2,449.43. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve and authorize Commissioner Thieman to be a signatory for bank accounts administered by the Boone County Treasurer after the retirement of Helen Preusser on December 31, 2008. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

The Board tabled an Interlocal Agreement proposal with the City of Albion with regard to sharing the services of a zoning and building code enforcement officer with the county. The Board asked County Attorney, David Medlin, to review the proposal. The Board will invite Andy Devine, Albion City Administrator, to the December 15, 2008 Board meeting to discuss the proposal.

No action was taken with regard to a general assistance rent request.

Open discussion and miscellaneous public comments: The Board discussed revised courthouse construction and renovation plans with Buster Beckenhauer of Beckenhauer Construction. The Board suggested some different renovation ideas with the possibility of redesigning the courthouse project plans. John Keck, Deputy Sheriff, presented information on a grant application from the U. S. Department of Justice to cover partial costs for bullet-proof vests for the sheriff's department. The consensus of the Board is to allow Keck to pursue the grant. The Board discussed Christmas holiday closing with the consensus being open all day on December 26 and 31, 2008 and closing at 3:00 p.m. on December 24, 2008, with an ad in all county papers the week of December 15, 2008. Discussed "Partners in Safety" a program designed for NIRMA members, with more information to follow at a later date. Nebraska Association of County Officials (NACO) convention is scheduled for December 10-12, 2008 in Lincoln. The IRS has decreased the reimbursable mileage rate to be 55 cents per mile effective January 1, 2009 and the Department of Administrative Services has implemented the rate change per State Statute 23-112.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 12:55 p.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
DECEMBER 15, 2008 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, December 15, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public.

The Board held their monthly meeting with the County Officials, Department Heads and employees. Commissioner Schuele acknowledged with appreciation and thanked all that were involved with regard to the holiday meal and event. Sheriff Spiegel thanked the Board for the new security door on the law enforcement building. Thieman acknowledged Sheriff Spiegel and Highway Superintendent Thorin with regard to the time involved when applying for grant funds for various equipment purchases and projects and being recipients of recent grant awards. The Treasurer Office went online today with motor vehicle registrations. The State of Nebraska will receive the processing online fee that is charged to the customer. Allow for a five day turn around before you receive your new registration in the mail. A retirement open house will be held on Friday, December 19, 2008 from 3:00 to 5:00 p.m. at the courthouse for Boone County Treasurer, Helen Preusser. The County Assessor has set the new land values and would appreciate reviewing them with the Board. It was suggested to set up a holiday committee at the reorganizational meeting in January. Nebraska Public Power District has scheduled a informational meeting in Petersburg for December 16, 2008. A reminder to department heads that Shredding Solutions plans to be of service to the courthouse on December 22, 2008. The Board reminded all departments that the reimbursable mileage rate decreases from 58.5 cents to 55 cents effective January 1, 2009. The Board discussed the BCBS changes that were made at the last meeting with regard to the deductible and reimbursable deductible effective January 1, 2009. The Board discussed participating in the NACO "Walk for your Life Challenge" in 2009. Plan to visit with the architects later this month with regard to the courthouse project.

Andy Devine, Albion City Administrator; Larry Bird, Albion City Legal Counsel; David Medlin, Boone County Attorney and the Board discussed an Interlocal Agreement proposal between the City of Albion and County of Boone with regard to combining the duties of a county zoning administrator and Albion city zoning inspector duties. Several issues were discussed with regard to creating a possible full-time position to handle the combined county-city duties. The Board asked the city for more time to work out details and redraft the Interlocal Agreement proposed language. The Board and Albion City Administrator plan to meet together and work on a combined job description before advertising for the position.

Motion made by Thieman, second by Schuele to designate the official county newspapers for 2009 to include the Albion News, Cedar Rapids Press, Petersburg Press and The St. Edward Advance. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

According to the by-laws of Northeast Nebraska Area Agency on Aging Board of Directors, the number of members on the Governing Board shall be one from each county or its sub entities. Representation of participating counties shall appoint one member of its board to serve as a board member of NENAAA. The individual shall be appointed to serve a three-year term. Motion made by Tisthammer, second by Schuele to reappoint Henry R. Thieman as a board member to the Northeast Nebraska Area Agency on Aging for a three-year term effective January 2009. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

David Medlin, County Attorney, and the Board discussed the county and villages law enforcement agreements. The Board asked Medlin to finalize the addendum on liability insurance so the agreements could be presented to villages at their respective January meetings.

Motion made by Tisthammer, second by Schuele to approve the County Board Proceedings of December 8, 2008 as presented. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, had no report for the Board meeting.

Bob Carey, EM/HS, was unable to attend the meeting.

Open discussion and miscellaneous public comments: The NIRMA “Partners in Safety” program will be discussed and reviewed for implementation at a scheduled county safety committee meeting. The Board acknowledged receipt of a letter from NIRMA for extending a three year membership with NIRMA/NIRMA II insurance services. On December 12, 2008, President Bush signed an executive order to excuse federal employees from duty for the day after Christmas, Friday, December 26, 2008. According to Nebraska State Statute 84-1001 (3) “For purposes of this section, paid holidays shall include all of the days enumerated in section 25-2221 and all days declared by law of proclamation of the President or Governor to be holidays”. Motion made by Thieman, second by Tisthammer to acknowledge President Bush’s order and reverse the Board’s decision made at the December 8, 2008 Board meeting to be open regular hours on December 24, 2008 and closed for the Christmas Holiday on December 25 and 26, 2008 per state statutes 84-1001 (3) and 25-2221. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to adjourn said meeting at 10:55 a.m. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

MINUTES OF PUBLIC HEARING PROCEEDINGS

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, December 15, 2008 at 11:00 a.m. in the Boone County Courthouse Commissioners meeting room in Albion, Nebraska. Notice of the hearing published in advance and said hearing was open to the public. Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer, Tom Schuele and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Carolyn and Alvah Ranslem and Clark and Diane Hendrickson. The application request is to divide 6.0 acres from a farm consisting of an existing schoolhouse to be converted into a residential home, located on a fraction of the Northeast Quarter of Northeast Quarter (NE1/4NE1/4) of Section 9, Township 21, Range 5, all in Boone County, Nebraska.

Carolyn and Alvah Ranslem and Cheryl Stevenson-Pilkington, Realtor, were present for the hearing. The real estate inherited by Carolyn Ranslem and Clark Hendrickson included the schoolhouse upon the dissolution of the school district. There is interest in the purchase of the brick schoolhouse to make it into a home which includes a well and septic tank. The acreage is to be surveyed and a copy of the survey to be furnished to the county and attached to the application. Thieman noted the Planning and Zoning Commission recommended approval of the requested Conditional Use Permit. The Board of Commissioners received no opposition with regard to the permit.

Motion made by Tisthammer, second by Schuele to close said hearing at 11:05 a.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Tisthammer, second by Schuele to approve the Application for Conditional Use Permit request submitted by Carolyn and Alvah Ranslem and Clark and Diane Hendrickson. The approval is to divide 6.0 acres from a farm consisting of an existing schoolhouse to be converted into a residential home, located on a fraction of the Northeast Quarter of Northeast Quarter (NE1/4NE1/4) of Section 9, Township 21, Range 5, all in Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

MINUTES OF PUBLIC HEARING PROCEEDINGS

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, December 15, 2008 at 11:15 a.m. in the Boone County Courthouse Commissioners meeting room in Albion, Nebraska. Notice of the hearing published in advance and said hearing was open to the public. Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer, Tom Schuele and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Timothy Shanle, Terrance Shanle, Larry Shanle and Daniel Shanle. The application request is to divide an existing 5.0 acre building site from the acreage described as a fraction of the South Half of Southwest Quarter (S1/2SW1/4) of Section 36, Township 19, Range 7, all in Boone County, Nebraska.

Tim Shanle and Dick Wallick, Realtor, were present for the hearing. The request is to divide off the existing building site which includes a well and septic tank to be used for a saleable acreage site. The acreage is to be surveyed and a copy of the survey to be furnished to the county and attached to the application. In addition, waiver of distance needs to be completed. Thieman noted the Planning and Zoning Commission recommended approval of the requested Conditional Use Permit. The Board of Commissioners received no opposition with regard to the permit.

Motion made by Schuele, second by Thieman to close said hearing at 11:20 a.m. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to approve the Application for Conditional Use Permit request submitted by Timothy Shanle, Terrance Shanle, Larry Shanle and Daniel Shanle contingent upon completion of a survey and waiver of distance. The approval is to divide an existing 5.0 acre building site from the acreage described as a fraction of the South Half of Southwest Quarter (S1/2 SW1/4) of Section 36, Township 19, Range 7, all in Boone County, Nebraska. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

NOTICE OF PUBLIC HEARING

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, December 15, 2008 at 11:30 a.m. in the Boone County Courthouse Commissioners meeting room in Albion, Nebraska. Notice of the hearing published in advance and said hearing was open to the public. Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer, Tom Schuele and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Jerome J. Tenski and Debra S. Tenski for Chris Tenski. The application request is to divide an existing 3.5 acre building site from the acreage described as a fraction of the Northeast Quarter (NE1/4) of Section 29, Township 19, Range 5, all in Boone County, Nebraska.

Jerome Tenski was present for the hearing. The request is to divide off the existing building site, excluding the grain bins. The acreage includes a well and septic tank. The acreage is to be surveyed and a copy of the survey to be furnished to the county and attached to the application. Thieman noted the Planning and Zoning Commission recommended approval of the requested Conditional Use Permit. The Board of Commissioners received no opposition with regard to the permit.

Motion made by Thieman, second by Tisthammer to close said hearing at 11:35 a.m. Roll call vote: Yeas: Thieman, Tisthammer and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the Application for Conditional Use Permit request submitted by Jerome J. Tenski and Debra S. Tenski for Chris Tenski. The approval is to divide an existing 3.5 acre building site from the acreage, excluding the grain bins, described as a fraction of the Northeast Quarter (NE1/4) of Section 29, Township 19, Range 5, all in Boone County, Nebraska. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

NOTICE OF PUBLIC HEARING

The Boone County Board of Commissioners Chairman, Henry R. Thieman called to order a public hearing on Monday, December 15, 2008 at 1:00 p.m. in the Boone County Courthouse Commissioners meeting room in Albion, Nebraska. Notice of the hearing published in advance and said hearing was open to the public. Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer, Tom Schuele and Planning and Zoning Administrator, Janet Lawson.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Ted Pelster, on behalf of LTP Farms, LLC. The application request is to build a Class I Livestock Feeding Operation Hog Confinement Unit (301-1000 Animal Units), located on the Southwest Quarter of Northwest Quarter (SW1/4NW1/4) of Section 11, Township 22, Range 6, all in Boone County, Nebraska.

Ted Pelster, Ralph Pelster and Dean Settje, Agri-Services & Engineering, Inc. were present for the hearing. The request is to construct a facility that will consist of a single deep pit swine-finishing barn. Ted Pelster owns the real estate for the construction site. Ralph Pelster owns the two quarters used for the nutrient management plan. Billy Pelster plans to manage the facility. Thieman noted the Planning and Zoning Commission recommended approval of the requested Conditional Use Permit. The Board of Commissioners received no opposition with regard to the permit.

The Board of Commissioners attached the following factual findings to the requested permit.

- Instructed the Zoning Investigator to visually inspect the proposed building site and report his findings back to this Board; which has been done;
- Reviewed the County's Comprehensive Zoning Manual to make sure the application met all the guidelines that are required and found that the application meets the County's Standards; and
- Read the proceeding and recommendations from the Zoning Board on this matter.

The Board of Commissioners attached the following conditions to the requested permit.

- The deep pit manure holding design shall have a Bio-curtain installed or a design equivalent, which has the most recent technology;
- All slurry nutrients from the pits shall be knifed into the farm ground using the **latest technology available** or incorporated into the soil the same day;
- The operation shall handle the carcasses of dead animals in accordance with the regulations of the State of Nebraska;
- Management shall provide to the County Zoning Administrator on or before February 1st of each year, the same nutrient management plans that DEQ requires;
- Setbacks must be verified prior to construction and met at all time;
- Trees shall be planted around the LFOs. Proper placement of trees shall be determined at each site and agreed upon by the Boone County Zoning staff;
- A DEQ permit must be provided to the Boone County Zoning office prior to use; and
- Violations of these conditions may result in the suspension of the Conditional Use Permit.

Motion made by Tisthammer, second by Schuele to close said hearing at 1:15 p.m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Motion made by Thieman, second by Schuele to approve the Application for Conditional Use Permit request submitted by LTP Farms, LLC with the attached factual findings and conditions. The approval is to build a Class I Livestock Feeding Operation Hog Confinement Unit (301-1000 Animal Units), located on the Southwest Quarter of Northwest Quarter (SW1/4NW1/4) of Section 11, Township 22, Range 6, all in Boone County, Nebraska. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
DECEMBER 22, 2008 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, December 22, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public.

Andy Devine, Albion City Administrator, and the Board discussed a Zoning Administrator job description to cover the requirements for both entities. The job description is with regard to creating a possible full-time position to handle the county-city duties. Devine presented a general job description for chief building inspector and a city inspector. The combined job description needs to include the city building code official duties and the duties for a County Planning and Zoning Administrator and County Zoning Investigator. The Board and Devine will draft their job descriptions and then discuss the combined requirements at a later date.

Bob Carey, EM/HS, made a report regarding a meeting he attended last week with regard to FEMA/NEMA changes and regulations. The FEMA/NEMA paper work and disbursement of grant funds will be completed by the Platte County Emergency Manager for the Ten County East Central region. The plans are for the Reverse 911 system to be in operation in February/March 2009 along with completing the training of the dispatchers. The county tower will receive an assessment to see if there is a need for a generator for back up power. Carey said there is a continued interest for a paramedic staffed ambulance among the local doctors. The medical staff will do their research and present a program to the Board at a later date.

Motion made by Tisthammer, second by Thieman to approve the County Board and Public Hearing Proceedings of December 15, 2008. Roll call vote: Yeas: Tisthammer, Thieman and Schuele. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve the County Payroll and Vendor Claims filed for payment from the various funds: General \$72,182.86, BCBS \$22,885.24, Ameritas Ret \$4,866.57, EFTPS \$5,448.82, NE Law Enforcement Training Center \$300.00; Road \$41,320.29, BCBS \$13,463.91, Ameritas Ret \$2,789.16, EFTPS \$3,138.12, Jason Hoefer Trucking \$1,575.58; Boone Co Economic Dev \$4,677.50, BCBS \$18.14, Ameritas Ret \$315.73, EFTPS \$350.92; Law Enforcement \$5,829.88, BCBS \$2,046.43, Ameritas Ret \$451.81, EFTPS \$445.99; Weed \$790.70, Ameritas Ret \$53.38, EFTPS \$60.49; Ambulance \$855.00, Ameritas Ret \$53.33, EFTPS \$65.41; Public Defender Contract \$3,041.67; Boone Co Fitness Center \$5,723.20, Ameritas Ret \$275.81; EFTPS \$437.81, which is all reimbursed back to the County. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

Joyce Sock, County Assessor, reviewed the preliminary property valuations for 2009 with the Board. Sock needs to submit the valuation report by March 19, 2009 to the Nebraska Department of Revenue. The Tax Equalization and Review Commission (TERC) are to review the report by the first week of April. Any changes directed by TERC will be implemented by June 1, 2009. Protests of real property valuations must be filed on Form 422 before June 30, 2009.

Darrel Thorin, County Highway Superintendent, reported receiving a check from NIRMA assist program for the traffic counter; attended class in Grand Island with regard to contract administration for federal aid projects, which included transportation enhancement funding; sent information to Nebraska Department of Roads on two projects that may qualify for the federal stimulus package that the Congress is presently considering; working with Dan Nichols and Dave Brokow, Nebraska Department of Roads, regarding updating the status of country roads; and received another \$17,000.00 of FEMA funds for a total of \$68,000.00 to date for the spring flood damage, with anticipation of receiving additional funds relating to the spring flooding.

David Medlin, County Attorney, was unable to attend the meeting due to court.

Open discussion and miscellaneous public comments: Schuele plans to attend the zoning meeting scheduled for tonight. The ad in the newspapers included closing the courthouse at 5:00 p.m. on December 24, 2008. Due to some employees asking for an earlier closing on Christmas Eve, the consensus of the Board is to close the Courthouse at 3:00 p.m. on December 24, 2008 instead of 5:00 p.m. A safety committee meeting is scheduled for today. The NIRMA "Partners in Safety" program was discussed at the safety meeting and information will be discussed with officials, department heads and employees at a later date. Carey plans to schedule a three hour CPR class for county employees with Chad Engel, NIRMA, for the week of February 16-20, 2009. The cost of the CPR class is \$20.00 per employee participating with NIRMA paying half of the fee and the employee paying half of the fee. The "Partners in Safety" program provides various educational safety information and the safety committee discussed meeting with each department in 2009 with regard to their safety needs.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 11:20 a.m. due to the cold conditions in the courthouse. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk

BOONE COUNTY COMMISSIONERS PROCEEDINGS
DECEMBER 29, 2008 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 8:30 a.m. on Monday, December 29, 2008, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Thieman called the meeting to order and Commissioners present for roll call were Henry R. Thieman, Jerry L. Tisthammer and Tom Schuele. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Thieman read the agenda for the record and noted that the Open Meeting Laws are posted and available to the public.

Darrel Thorin, Boone County Highway Superintendent, is working extensively with the Nebraska Department of Roads with regard to the county's road standards. Thorin discussed road projects to be considered for the One and Six Year Road Improvement Plan. The Hazard Elimination Program grant for replacing horizontal curve warning signage with retro-reflectivity standards has been approved and the signs are ordered. The county has eighteen months to install the signs upon their arrival. Thorin and the Board discussed the recent snow removal and noted that each county plow has approximately 60 miles of road to cover.

Bob Carey, EM/HS, reported that CPR training for interested county employees is scheduled for Tuesday, February 3, 2009 with Chad Engle, NIRMA, in the Boone County Courthouse Courtroom from 9:00 a.m. to 12:00 p.m. The fee for each employee participating is \$4.75 with the remaining fee for each employee of \$15.25 being paid by NIRMA. Carey scheduled a Storm Spotters Training for March 24, 2009 at the Albion Fire Hall.

Motion made by Tisthammer, second by Schuele to approve the County Board Proceedings of December 22, 2008. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

The Boone County Board of Commissioners adopted the 2008-2009 County Budget on September 8, 2008. The County Budget was adopted to include revenue transfers from the Inheritance Tax Fund (2700) to the Road Fund (0200) as needed. Motion made by Schuele, second by Thieman to approve as written Resolution No. 2008-58 authorizing the Boone County Treasurer to transfer up to \$200,000.00, as needed, for the fiscal year 2008-2009 from the Inheritance Tax Fund (2700) to the Road Fund (0200), with said transfer being made as a result of a revenue shortfall for the Road Fund. Roll call vote: Yeas: Schuele, Thieman and Tisthammer. Nays: None. Motion carried.

Motion made by Schuele, second by Tisthammer to approve as written Resolution No. 2008-59 to accept and approve the written applications as the following designated County Depositories of the County Funds for the year 2009: Boone County Bank, Albion; Cedar Rapids State Bank, Cedar Rapids; Cornerstone Bank of York, Albion and St. Edward Branches; First National Bank & Trust of Fullerton, St. Edward Branch; First National Bank of Schuyler, Albion Branch; Petersburg State Bank; TierOne Bank of Lincoln, Albion Branch; and alternate investment NPAIT, Lincoln. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

When all collection options for unpaid ambulance accounts appear to be exhausted, the accounts shall be turned over to the County Attorney for further possible collection. Motion made by Tisthammer, second by Schuele to write off uncollectible ambulance accounts dated June 2007 and September 2008, in the amount of \$1,975.00. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Janet Lawson, Boone County Planning and Zoning Administrator, submitted a written resignation for retirement with an effective date of February 26, 2009. The Board acknowledged Lawson's service to the County since 2000. Motion made by Thieman, second by Schuele to regretfully accept as presented the written resignation of Boone County Planning and Zoning Administrator, Janet Lawson with an effective date of February 26, 2009. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

Aaron Gilson, US Bank of Omaha, Nebraska explained and discussed the web based NACO Purchasing Card Program. Shannon Landauer, Darrel Thorin, and the Board discussed the Nebraska Association of County Officials (NACO) new purchasing card program for member counties with Gilson. The program allows each county to sign their own agreement and manage their own program. The card participants will still need to carry and provide the Nebraska Exempt Sale Certificate Form 13 when using the new card. Motion made by Thieman, second by Schuele to approve the NACO Purchasing Card Program for use by County of Boone employees. Roll call vote: Yeas: Thieman, Schuele and Tisthammer. Nays: None. Motion carried.

David Medlin, County Attorney, submitted an addendum to be added to the original Law Enforcement Agreements with the Villages of Cedar Rapids, Petersburg and Primrose. The addendum adds the additional language: "Boone County shall add the Villages of Cedar Rapids, Petersburg and Primrose as additional insured on its insurance policy for any liability related to the terms contained in the referenced agreement regarding law enforcement activity". The addendums to the original agreements will be signed by the Board Chairman, County Sheriff and each respective chairperson of the Village Board of Trustees. Motion made by Schuele, second by Tisthammer to approve as written and authorizes the Board Chairman to sign the addendums to the original agreements for the Villages of Cedar Rapids, Petersburg and Primrose as presented. Roll call vote: Yeas: Schuele, Tisthammer and Thieman. Nays: None. Motion carried.

The Board asked Medlin to prepare the documents with regard to the purchase of property for the Boone County Health Center. Medlin was also asked to prepare a new lease agreement with regard to the county owned communications tower, as the present lease agreement with Harlan Kohtz expires in 2009.

The Board discussed advertisement for the vacancy of the office of Boone County Treasurer. A box ad will be prepared to advertise in all four papers the weeks of January 5th and 12th, 2009 with the applications being due in the Boone County Clerk's office by 5:00 p.m. on Friday, January 23, 2009.

Open discussion and miscellaneous public comments: Schuele plans to attend the Hospital Board meeting scheduled for tonight. The Board will prepare a Planning and Zoning Administrator job description at a later date. The Board reviewed revised courthouse project plans with Brad Kissler, Architect with Cannon Moss Brygger & Assoc., county officials and department heads.

Motion made by Tisthammer, second by Schuele to adjourn said meeting at 12:55 p. m. Roll call vote: Yeas: Tisthammer, Schuele and Thieman. Nays: None. Motion carried.

Kathy Thorberg, County Clerk