



# Boone County Board Minutes



## **2015 REORGANIZATIONAL MEETING BOONE COUNTY BOARD OF COMMISSIONERS ALBION, NEBRASKA**

The Boone County Board of Commissioners of Boone County, Nebraska convened at 10:30 A.M. on Thursday, January 8, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Tisthammer called the Reorganizational Meeting to order as required by State Statute 23-153. Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting given in advance by publication and the convened meeting was open to the public. Vice Chairman Tisthammer noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to appoint Jerry L. Tisthammer as Chairman of the Boone County Board of Commissioners for the year, 2015. Roll call vote: Yeas: Luettel and Maricle. Abstain: Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to appoint Hilary K. Maricle as Vice Chairman of the Boone County Board of Commissioners for the year, 2015. Roll call vote: Yeas: Tisthammer and Luettel. Abstain: Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to appoint the following to be on the Health Board for Boone County as required by State Statute: County Sheriff, County Clerk and Boone County Health Center Chief of Staff for 2015.

Motion made by Tisthammer, second by Luettel that the budget committee for the ensuing 2015-2016 budget year is the Boone County Board of Commissioners, Boone County Clerk and Boone County Treasurer.

Motion made by Maricle, second by Tisthammer to reappoint Richard D. Martinsen, Certified Public Accountant, Albion, Nebraska, to prepare the County Budget for the 2015-2016 budget year, to be paid from the County General fund.

Motion made by Tisthammer, second by Luettel to reappoint Darrel Thorin, Bartlett, Nebraska, as full time County Highway Superintendent under the supervision of the County Board for 2015.

Motion made by Luettel, second by Maricle to reappoint Christopher C. Hays, of Osceola, Nebraska, as Boone County Surveyor for a four year term commencing January 8, 2015 through December 31, 2018, per contract for services as provided in State Statute Section 23-1901.01.

Motion made by Luettel, second by Tisthammer to reappoint Jacqueline Lynne Wells as full time Boone County Veteran Service Officer under the supervision of the County Board for 2015. On August 26, 2014 the Board of Commissioners approved the appointed position of Boone County Veteran Service Office/Officer to be a full time (40 hour week) position effective August 22, 2014 with office hours 8:00 A.M. to 12:00 P.M. and 1:00 P.M. to 5:00 P.M., Monday through Friday and a part-time administrative assistant (20 hours per week) from 8:00 A.M. to Noon.



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Motion made by Tisthammer, second by Maricle to continue the contract for the services of Public Defender for Boone County with Jeffrey C. Jarecki of Jarecki Law PC LLO, Albion, Nebraska, pursuant to the terms of an Agreement dated October 15, 2013 that shall commence on January 1, 2014 and continue until December 31, 2015.

Motion made by Maricle, second by Luettel to reappoint Randall Bruland as the Administrator and Maintenance Director of the Boone County Ambulance Service under the supervision of the County Board for 2015.

Motion made by Tisthammer, second by Maricle to continue the agreement for patient billing and collection services for the Boone County Ambulance Service with EMS Billing Services, Inc. of Omaha, Nebraska pursuant to an Agreement effective March 1, 2014 that continues to termination by one of the parties. Nicole Levander, Boone County Health Center, to serve as liaison for the Boone County Ambulance Service/EMS Billing Services for 2015.

Motion made by Luettel, second by Tisthammer to reappoint Todd Buettner as Boone County Weed Superintendent on a part time basis under the supervision of the County Board for 2015. Buettner was appointed part time Weed Superintendent (less than twenty hours per week) effective March 17, 2014 and to receive \$350.00 per month beginning April 2014 for paperwork/meetings and \$15.00 per hour for time clocked in for spraying hours.

Motion made by Tisthammer, second by Maricle to reappoint Mary Ziemba as County Zoning Administrator and Regulatory Zoning Investigator under the supervision of the County Board for 2015. The road clerical duties for the County Highway Superintendent's office are also included as part of the County Zoning Administrator duties.

Motion made by Tisthammer, second by Luettel to reappoint the Boone County Clerk as the Title VI representative for 2015.

Motion made by Maricle, second by Luettel to reappoint the Boone County Veterans Service Officer as the American with Disabilities Act (ADA) Coordinator for 2015.

Motion made by Tisthammer, second by Luettel to appoint the Boone County Sheriff and his staff to be the E911 Coordinator for 2015.

Motion made by Tisthammer, second by Maricle to appoint Ken Luettel as Courthouse Custodian Supervisor for 2015.

Motion made by Luettel, second by Maricle to reappoint Jerry Tisthammer as Chairman of the County General Assistance Program with the emergencies being handled by a Commissioner. The County Clerk or Deputy County Clerk shall contact the assistance program chairperson or a Commissioner when there is a request on a day there is no scheduled Board meeting.

Motion made by Tisthammer, second by Maricle to appoint the Boone County Clerk as the contact person for Boone County for the NIRMA Insurance for 2015.

Motion made by Luettel, second by Tisthammer to give the County Clerk's office the authority to sign any documents that pertain to the office of the County Superintendent of Schools after June 30, 2000 under the supervision of the County Board for 2015.



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Motion made by Luettel, second by Maricle that the depository for the Boone County Clerk account will be the Boone County Bank, A Division of Madison County Bank, Albion with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account; and depository for the Boone County Imprest Vendor account will be the Boone County Bank, A Division of Madison County Bank, Albion with Commissioners Jerry L. Tisthammer, Hilary K. Maricle, Ken Luettel and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account.

Motion made by Luettel, second by Maricle that the depository for the Boone County Imprest Payroll account will be the Cornerstone Bank of York, Albion Branch, with Commissioners Jerry L. Tisthammer, Hilary K. Maricle, Ken Luettel and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account.

Motion made by Luettel, second by Maricle that the depository for the Clerk of the District Court will be the Cornerstone Bank of York, Albion Branch with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account.

Motion made by Tisthammer, second by Maricle that the depositories for the County Treasurer are as follows: Boone County Bank, A Division of Madison County Bank, Albion, NE; Cedar Rapids State Bank, Cedar Rapids, NE; Cornerstone Bank (Albion Branch and St. Edward Branch), York, NE; First Bank & Trust (St. Edward Branch), Fullerton, NE; Homestead Bank (Albion Branch), Cozad, NE; Petersburg State Bank, Petersburg, NE; and Alternate Investment is Nebraska Public Agency Investment Trust (NPAIT), Lincoln, NE. The County Board authorizes and empowers the Boone County Treasurer to invest any surplus funds in the custody of the office. Any surplus funds shall be invested to assure a beneficial rate of return to the County and confirmation of all pledged securities are on file.

Motion made by Tisthammer, second by Luettel that all County Officials and Department Heads must contact the County Board, as an agenda item, before buying or doing any major maintenance to equipment or furniture over \$800.00.

Motion made by Tisthammer, second by Luettel that the courthouse hours shall be 8:00 AM to 5:00 PM with a one-hour unpaid break, and that all offices will post their hours, including the lunch break; and notice shall be posted if an office is to be closed when it otherwise would be open.

Motion made by Tisthammer, second by Maricle that the Boone County full time employees are to receive twelve paid holidays which include the observed nine holidays as set forth in the NIRMA Guide to Creating a Personnel System for Nebraska Counties Handbook together with Martin Luther King, Jr. Day and Columbus Day; and that Arbor Day shall be a floating holiday to be designated for Thursday, December 24, 2015. The Courthouse "Closed" notices will be posted by Board directive.

Motion made by Tisthammer, second by Luettel that full time employees are to receive vacation and sick leave as set forth in the Boone County Employee Handbook. The employee's vacation and sick leave records are recorded with the time clock/attendance system effective January 2014.

Motion made by Maricle, second by Luettel that agenda items must be provided to the Boone County Clerk's Office no later than noon on the Friday preceding a Board meeting in order to be considered for said Board meeting.



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Motion made by Luettel, second by Maricle that the Boone County Board of Commissioners will hold their Board meetings on every Monday except for the first Monday of each month in the year, 2015, commencing at 9:00 A.M. Meeting dates/times are subject to change due to state statute regulations. Monday meetings that are on holidays will be held on Tuesday. The Accounts Payable Vendor meeting will be on the second Monday of the month and other Mondays will be regular public meetings. The Payroll meetings are subject to change from Monday to a different day for approval by the Board with the implementation of the time clock/attendance system and the 22/21 pay period. The Board meeting dates for payroll approval are as follows: January 26, February 25, March 25, April 27, May 27, June 24, July 27, August 26, September 28, October 26, November 25 and December 28, 2015. The County Clerk's office has charge and authority of the agenda for all meetings. The agenda will be made available for all meetings on the Boone County Website and the bulletin board located in the north courthouse entrance. Also, the following will be used to post notices in advance for emergency meetings and meetings that cannot be published in the legal newspaper(s): Boone County Website; Boone County Courthouse; lobbies of the Boone County Bank; Cornerstone Bank; Homestead Bank; and Albion News Office, all located in Albion, NE. In addition, the Cedar Rapids State Bank, Cedar Rapids, NE. Cornerstone Bank, St. Edward, NE and Petersburg State Bank, Petersburg, NE.

As required by law (Neb. Rev. Stat. §48-443), each Nebraska county must have a working safety committee. Motion made by Luettel, second by Tisthammer that (1) the following will serve on the Safety Committee for 2015: Region 44 Emergency Management Director; County Sheriff; Board of Commissioners; County Highway Superintendent; County Treasurer; County ADA Coordinator; Custodial Maintenance Supervisor; Boone County Fitness Center Manager; and (2) the Safety Committee meetings are tentatively scheduled for February 17, 2015, May 18, 2015, August 17, 2015 and November 16, 2015, commencing at 9:00 A.M.

The Grievance Procedure in the Employee Handbook on page 13 says the County will use a Grievance Board consisting of five people. The Commissioners shall create the pre-designated list of ten impartial members to serve on the Grievance Board. The Board visited with county residents to create a pre-designated list. A motion made by Schuele, second by Tisthammer adopted and approved the 2013 and 2014 pre-designated list on December 16, 2013 at their Board of Commissioners meeting and are as follows: Elva Bartels, Albion; Jodie Borer, Albion; Kevin Cruise, St. Edward; Mark Jensen, St. Edward; Charles Krohn, Albion; Steve Lordemann, Petersburg; Mike Morgan, Cedar Rapids; Bill Schriver, Albion; Lonnie Smith, Albion; and Dennis Tyson, Albion. Motion made by Tisthammer, second by Luettel to make no changes in 2015 to the above adopted pre-designated list approved in December, 2013.

Motion made by Tisthammer, second by Luettel to approve all motions for the respective appointments above as presented unless specifically noted. Roll call vote: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle, that the following be appointed to the various boards that Boone County is associated with for 2015:

## Americans with Disabilities Act Board:

- (1) Third Member of the Boone County Board of Commissioners
- (2) Jeff Noble, Albion, NE, Representative for the disabled community
- (3) Boone County Highway Superintendent
- (4) County Attorney, as the legal advisor for the committee





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Boone County Fitness Center

Hilary K. Maricle  
Jerry L. Tisthammer - Alternate  
Ken Luettel - Alternate

Central Nebraska Joint Housing Authority, Loup City

Hilary K. Maricle  
Ken Luettel - Alternate

East-Central District Health Department, Columbus

Jerry L. Tisthammer  
Hilary K. Maricle - Alternate

Northeast Nebraska Area Agency on Aging, Norfolk

Ken Luettel  
Hilary K. Maricle - Alternate

Northeast Nebraska Economic Development District

Ken Luettel - Elected Official

Northeast Nebraska Juvenile Services, Inc., Madison

Ken Luettel  
Hilary Maricle - Alternate

Region 4 Behavioral Health System, Norfolk

Jerry L. Tisthammer  
Ken Luettel - Alternate

Region IV, Inc., Wayne

Hilary Maricle  
Jerry L. Tisthammer - Alternate

Motion made by Luettel, second by Tisthammer to accept the resignation of Hilary K. Maricle as a member of the Boone County Extension Board and the Boone County Planning and Zoning Board, effective January 8, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Abstain: Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to name the following people to serve on the Boone County Extension Board as recommended by Steve Pritchard, Boone/Nance County Extension Educator. A term is three years with a maximum of six years. The terms are as follows: Jane Prothman (2014-2016) – 2nd term; Mark Grundmayer (2015-2017) – 2nd term; Ken Schriver (2015-2017) – 1st term; and vacancy (2013-2015) – 1st term. This board is in accordance with an Interlocal Agreement with the University of Nebraska for Cooperative Extension Services signed on December 14, 1998.

Motion made by Tisthammer, second by Maricle that the following Boone County Planning and Zoning Board members are appointed to the following terms of office to represent the Boone County Joint Planning Commission, effective January 1, 2015:

Justin Frey, Mark Jensen and Morgan Mogensen	(2015)
Chris Baum, Mark Wagner and Shelley Towey	(2015-2016)
Paul Groeteke, Brad Stephens and vacancy	(2015-2017)

Motion made by Tisthammer, second by Maricle that the following members of the Boone County Board of Adjustment are appointed to the following terms of office, effective January 1, 2015:



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Ray Merrell	(2015)
H. Thomas Fick and Deb Mitchell	(2015-2016)
Paul Kettelson and Mark Jensen	(2015-2017)

Motion made by Luettel, second by Tisthammer that the following members of the Boone County Visitors Committee are appointed to four-year terms per Nebraska State Statute with each term to start January 1<sup>st</sup> each year. The terms are as follows:

Ardys Choat	(2013-2016)
Mary Jeanne Stokes	(2013-2016)
Irene Dresch	(2015-2018)
Walt Hoefer	(2015-2018)
Brian Yosten	(2015-2018)

Motion made by Luettel, second by Tisthammer that the following members of the Park and Recreation Board for the Boone County Fitness Center are appointed to three-year terms per Resolution No. 2006-24 with each term to start January 1st each year. The terms are as follows:

Jay Wolf (12-01-2001)	Foundation Board Member
Richard Heidemann (12-14-2010)	(2013-2015)
Tracy Brodersen (12-15-2009)	(2013-2015)
Heather Skillstad (12-15-2014)	(2014-2016)
Dennis Tyson (01-01-2014)	(2014-2016)
Nancy Soll (01-01-2012)	(2015-2017)
Paulette Clark (01-01-2015)	(2015-2017)

Nebraska State Statute 28-1439.03 requires the continuation of a County Drug Law Enforcement and Education Fund Board. The Resolution No. 2012-35, dated August 20, 2012 was the last appointment of a County Drug Law Enforcement and Education Fund Board. On January 6, 2014 John Morgan, County Attorney, said that the drug board may be appointed at the County Board's reorganizational meeting each year in order to be kept current. Motion made by Maricle, second by Luettel that the following be appointed to serve on the County Drug Law Enforcement and Education Fund Board:

Boone County Attorney, shall serve as Chairperson	
Investigator Tim Stopak, Nebraska State Patrol, shall serve two years	(2015-2016)
Boone County Sheriff's Department, shall serve two years	(2015-2016)
Brent Lipker, Albion Chief of Police, shall serve one year	(2015)

An Interlocal Agreement for Emergency Management Services, known as Region 44 Emergency Management, is between the County of Boone, Nance and Merrick beginning on July 1, 2014 through June 30, 2018.

Motion made by Tisthammer, second by Luettel that the following are appointed to the Local Emergency Planning Committee for 2015:



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Region 44 Emergency Manager  
Rich Good – St. Edward Fire Department  
Jenice Stevenson – Albion Rescue  
Amy Zaruba – Boone County Health Center/Albion Rescue  
Sarah Moeller – Private Industry-Valero  
Denny Johnson – Boone County Sheriff  
Bruce Benne – Albion Fire Department  
Jim Dickerson – Albion News  
Dr. Anthony Kusek – Boone County Health Center  
Jerry Tisthammer – Boone County Board of Commissioners  
Darrel Thorin – Boone County Highway Superintendent  
Justin Ranslem – Private Industry/Helena Chemical

All motions for the respective appointments at the Reorganizational Meeting approved as presented unless specifically noted. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Chairman Tisthammer declared the Reorganizational meeting adjourned at 11:15 A.M.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 12, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, January 12, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, Attorney, met with the Board regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC to construct a hog confinement facility. The Board tabled a decision to their November 10, 2014 Board meeting due to a court hearing scheduled for November 4, 2014. The Board tabled a decision on November 10, 2014 to their November 25, 2014 Board meeting; November 25, 2014 Board meeting to their December 8, 2014 Board meeting; December 8, 2014 Board meeting to their December 22, 2014 Board meeting; December 22, 2014 Board meeting to their January 12, 2015 Board meeting. Jarecki said that the judge is still reviewing the case and asked the Board to table a decision to their January 26, 2015 Board meeting due to no court ruling. Motion made by Tisthammer, second by Luettel to table/postpone a decision until the January 26, 2015 Board meeting in regard to the public hearing held on October 14, 2014 concerning an Application for Conditional Use Permit filed by MSJM Properties, LLC to construct a hog confinement facility. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Jeff Jarecki, Public Defender, has presented quarterly reports to the Board regarding the status of court cases since his appointment to the position in August of 2012. Jarecki reported that he was assigned approximately forty cases in 2014. Jarecki said that two of the cases were conflicts of interest and twenty-one of the cases are completed. Jarecki said he has been assigned two cases to date for 2015. Jarecki answered the Board's questions regarding closed/open cases and the conflict of interest cases. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved or has a client connection. Motion made by Tisthammer, second by Luettel to accept the 2014 Public Defender report as submitted. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Jeff Jarecki, Public Defender, and the Board discussed amending the Public Defender Agreement signed on October 15, 2013. Jarecki said that the Public Defender may employ an Assistant Public Defender that is a member in good standing of the Nebraska State Bar Association in the Amended Agreement. In addition, the Amended Agreement includes reimbursement for the annual continuing legal education in the area of criminal law for the Public Defender and Assistant Public Defender. Motion made by Luettel, second by Tisthammer to approve the Amended Agreement between the County of Boone and Jeffrey C. Jarecki, Public Defender as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Aubrey Schriver, BCDA, Inc. Executive Director, introduced BCDA's new employee Mitchell Glesinger of Spalding to the Board. Schriver updated the Board regarding economic development activity, B & I Day for middle/high school students and BCDA website changes.





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Ed Knott, Tom Krings, and Will Zoucha, Applied Connective Technologies, presented a new telephone system proposal for the courthouse. Employees in attendance asked questions regarding the type of service and the fiber optic connection capabilities. Several items discussed included the disposal of the old telephone equipment; fax numbers needing to be a separate number from the telephone number; faxes may come in as an email; email addresses of frontiernet.net may need to change to county-org; and all telephones will have hands free, call forward, caller ID and intercom capabilities. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign the Masters Services Agreement between the County of Boone, Nebraska and Greenfly Networks, Inc. dba Clearfly Communications and the Applied Complete Program Agreement between Applied Connective Technologies, LLC and Boone County, Nebraska regarding a new telephone system for the courthouse. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$47,572.68; Road - \$87,972.97; Boone County Visitor's Promotion - \$1,000.00; Reappraisal - \$7,418.95; Inheritance Tax - \$158,390.17; 911 Emergency Management (2910) - \$210.49; 911 Wireless Service (2913) - \$841.95; Ambulance - \$4,593.37. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the following reports of the County Officials as presented for December, 2014:

- Clerk - \$14,351.50 (State of Nebraska \$9,583.27)(County of Boone \$4,768.23)
- Clerk of the District Court - \$1,627.42 (State of Nebraska \$1,247.00)(County of Boone \$380.42)
- Sheriff - \$1,068.86
- Planning & Zoning - \$186.25
- Treasurer - Treasurer's Fees - \$12.00; Miscellaneous Receipt Nos. 13990-14063 - \$226,071.60; Total Collections - \$4,127,040.96
- County Veteran Service Officer submitted a report of activity for December, 2014.

Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The County Treasurer submitted a Semi Annual Statement for July 1, 2014 through December 31, 2014. Motion made by Tisthammer, second by Luettel to accept and approve the County Treasurer's Semi Annual Statement as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of December 31, 2014. Motion made by Luettel, second by Tisthammer to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings and Board of Equalization Public Hearing Proceedings of December 29, 2014 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



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Motion made by Tisthammer, second by Luettel to approve the County Board Reorganizational Proceedings and Board of Equalization Reorganizational Proceedings of January 8, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, presented the December road maintenance, repair and project report to the Board for their review. Thorin updated the Board regarding road/bridge maintenance, materials and projects. Thorin attended the January 9, 2015 pre-construction meeting for the Cedar Rapids Historical Bridge Project. The contractor plans to begin construction the first week of February.

Thomas R. Hartford, Silver Valley LLC, requested permission to trench a natural gas line to a grain dryer across a county road commonly known as 270<sup>th</sup> Street. The natural gas line commences from a gas line located on the south side of said road in the NE1/4 of Section 35; thence running north to a grain dryer located in the SE1/4 of Section 26, all in Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2015-01, granting permission to trench a natural gas line to a grain dryer across 270<sup>th</sup> Street to the SE1/4 of Section 26, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Barb Hanson, Assessor, and the Board discussed assessment requirements and the hiring of personnel. Hanson informed the Board that a state liaison has worked with her to set priorities and a time line to complete the assessment requirements.

Denny Johnson, Sheriff, updated the Board regarding law enforcement activities and the Nebraska Law Enforcement Training Center's regulations/training for certification.

Denny Johnson, Sheriff, and the Board discussed the purchase of a law enforcement vehicle. Johnson submitted information regarding new and used law enforcement vehicles. The required vehicle lettering, light bars and equipment are not included in the purchase prices. Motion made by Luettel, Second by Tisthammer to approve and authorize Denny Johnson, County Sheriff, to sign the necessary papers for the purchase of a 2015 Dodge pickup from Gene Steffy's for \$26,358.00 less the trade in of the 2008 Ford Explorer. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Megan Marcum, The SpyGlass Group, LLC Associate Director, visited with the Board by telephone. Megan scheduled a teleconference call with the Board for 11:00 A.M. on Tuesday, January 20, 2015.

Mary Ziemba, Zoning Administrator, asked the Board for a closed session with legal counsel in attendance, per Open Meeting Act §84-141(C), Investigative proceedings regarding allegations of criminal misconduct. Motion made by Luettel, second by Tisthammer to go into executive session at 10:44 A.M. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried. The Board, Zoning Administrator and County Attorney discussed possible allegations. Motion made by Tisthammer, second by Luettel to come out of executive session at 11:14 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried. The Board is turning a case over to the County Attorney for investigation for possible prosecution.

All County Officials and Department Heads must contact the County Board, as an agenda item, before buying or doing any major maintenance to equipment or furniture over \$800.00, per the January 2015 Board Reorganizational Meeting Proceedings.



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Kathy Thorberg, County Clerk ex officio Clerk of the District Court, presented quotes from Albion News for an electronic date/time stamp machine. The electronic date/time stamp machine is for the County Clerk to use for the Clerk of the District Court filings. Motion made by Luettel, second by Tisthammer to approve the purchase of a Rapidprint Electronic Date/Time Machine (ARC-E) for \$975.00 from Albion News for the Clerk of the District Court filings. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Mark E. Johnson, Keystone XL Pipeline, updated the Board regarding recent developments and the next steps of the pipeline construction project. Johnson estimated that approximately 85% of land owners have signed easements. The easements are completed for Montana and South Dakota. County Attorney Ely asked Johnson who is responsible for cleanup if an oil spill occurs. Johnson said that Keystone pays for cleanup, repair and compensation to landowners if any damage occurs.

Open Discussion and miscellaneous public comments:

- The Board discussed the various meetings scheduled this week.
- The Board thanked Jim Ely, County Attorney, for attending the Board meeting today.
- Commissioner Hilary Maricle could not be at the Board meeting due to a prior commitment and listened to a portion of the Board meeting by speaker phone.

Chairman Tisthammer declared the meeting adjourned at 12:36 P.M. with the next Board meeting scheduled for Tuesday, January 20, 2015.

Kathy Thorberg,  
Boone County Clerk



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## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 20, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, January 20, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of January 12, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board regarding the following topics:

- Thorin updated the Board regarding road/bridge and equipment maintenance/repairs.
- Thorin updated the Board regarding the Cedar Rapids Historical Bridge Project.
- Thorin discussed the possibility of eliminating the road foreman position and have a contact person for each road shop instead.
- Thorin reported that the road crew had some issues with snow removal where hay bales were stacked in the county road right-of-way.
- Thorin presented preliminary road and bridge projects to be listed on the 2015 One & Six Year Road Improvement Program.

Each county is to annually prepare and file on or before the anniversary date of the filing of its One and Six Year Road Improvement Program, a plan for specific road improvements for the current year. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-02, to set a public hearing for 10:00 A.M. on Tuesday, February 17, 2015 for the County One and Six Year Road Improvement Program. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board held their monthly meeting with the officials, department heads, or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials/department heads reported on activities with regard to their respective office.
- A reminder to employees/department heads that the employees Payroll Request for Leave/Absence forms for the December 22, 2014 through January 21, 2015 pay period are to be completed and delivered to the County Clerk's office no later than January 21, 2015.
- The group present discussed information received from Wellness Partners of McCook, Nebraska. County Clerk, Kathy Thorberg, will contact Wellness Partners to set up a date and time for their health screening services for the county employees that are interested in participating.
- The group discussed possible email and telephone line changes before installation of the new phone system scheduled to be installed on February 16, 2015.
- Sheriff Johnson suggested various changes to the employee handbook for his department due to differences in employee work shifts.





# Boone County Board Minutes



Mary Ziemba, County Zoning Administrator, submitted to the Board the name of Clyde Stuhr for the current board member vacancy on the Boone County Planning and Zoning Commission. Clyde Stuhr of Petersburg was present to accept the position. Motion made by Tisthammer, second by Luettel to appoint Clyde Stuhr to complete the term of Hilary Maricle as a member of the Boone County Planning and Zoning Commission effective January 20, 2015. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board discussed who will represent Boone County on the Region 44 Emergency Services Supervisory Committee. Motion made by Luettel, second by Tisthammer to appoint Hilary Maricle as the representative and Ken Luettel as the alternate to represent Boone County on the Region 44 Emergency Services Supervisory Committee for the year 2015. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager, updated the Board regarding emergency management activities. In addition, Smith and the Board discussed the replacement of the Paraclete computer that is located in the Boone County Sheriff's office. The quotes for a new computer are approximately \$800.00. Smith is working with the East Central Regional Governance Board to assist with funding for the purchase of a new Paraclete computer. Motion made by Luettel, second by Maricle to approve and authorize Tom Smith, Region 44 Emergency Manager, to sign the necessary papers for the purchase of a new Paraclete computer as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Barb Hanson, County Assessor, and the Board discussed deadlines and an employment agreement regarding expectations/requirements for County Assessor's office staffing.

A teleconference scheduled with Megan Marcum, Associate Director for SpyGlass Group, LLC, will be rescheduled for a later date.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 11:44 A.M. with the next Board meeting scheduled for Monday, January 26, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 26, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, January 26, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, Attorney, met with the Board regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC to construct a hog confinement facility. The Board tabled a decision to their November 10, 2014 Board meeting due to a court hearing scheduled for November 4, 2014. The Board tabled a decision on November 10, 2014 to their November 25, 2014 Board meeting; November 25, 2014 Board meeting to their December 8, 2014 Board meeting; December 8, 2014 Board meeting to their December 22, 2014 Board meeting; December 22, 2014 Board meeting to their January 12, 2015 Board meeting; January 12, 2015 Board meeting to their January 26, 2015 Board meeting. Jarecki said that there is no court ruling to date. Jarecki asked the Board to table a decision to their April 27, 2015 Board meeting with the understanding that the Board may make a decision sooner if the Court enters an Order prior to April 27, 2015. Motion made by Tisthammer, second by Luettel to table/postpone a decision until the April 27, 2015 Board meeting or sooner if the Court enters an Order prior to April 27, 2015 in regard to the public hearing held on October 14, 2014 concerning an Application for Conditional Use Permit filed by MSJM Properties, LLC to construct a hog confinement facility. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings and Board of Equalization Public Hearing Proceedings of January 20, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board of Commissioners received a letter from the Northeast Nebraska Area Agency on Aging regarding the appointment of a representative for Boone County on the Advisory Board. In the 22 county service area, the senior center(s) in the county nominate a person to represent them on the Advisory Board. Arlene Nissen was appointed on January 28, 2013 to serve a three-year term. Arlene Nissen has resigned from the position. The Board of Commissioners received a letter of nomination of Wilma Rankin. Motion made by Luettel, second by Tisthammer to approve the nomination as submitted and appoint Wilma Rankin to represent the County of Boone, NE and to complete the vacated term on the Advisory Board of the Northeast Nebraska Area Agency on Aging. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are appointed or reappointed for a term of five years. Robert Watts of Cedar Rapids has resigned from the Boone County Veterans Service Board. Motion made by Luettel, second by Tisthammer to accept the resignation of Robert Watts, Boone County Veterans Service Board member effective January 26, 2015. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are appointed or reappointed for a term of five years. The term of Robert Watts expires in June 2017. Motion made by Tisthammer, second by Luettel to appoint Ronald Braun of Cedar Rapids to complete the term of Robert Watts effective January 26, 2015 with the term expiring in June 2017 to the Boone County Veterans Service Board. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Boone County Agricultural Society, Inc. requested assistance to advertise the 5<sup>th</sup> Annual Boone County Home, Farm & Garden Show event scheduled for March 27 and 28, 2015. Motion made by Luettel, second by Tisthammer to approve the advertisement request for disbursement of funds from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. Thorin and the Board discussed the Cedar Rapids Historical Bridge project as construction is attentively set to start February 2, 2015. Thorin received an email from Nebraska Department of Roads, NDOR, that they may delay the construction start until they do some environmental studies. The studies are for lead paint and asbestos on the bridge and the habitat area for River Otter, Northern Long Eared Bat and Bald Eagle. Thorin said just another added expense to the project. Thorin has been on the telephone with them and suggested they arrive today to complete their inspections as the contractor plans to start on February 2, 2015.

Thorin reported receiving \$4,500.00 from NIRMA ASSIST for the road department sign truck. NIRMA (Nebraska Intergovernmental Risk Management Association) ASSIST (Award Scholarship Safety Incentive Safety Training) is a grant/aid program to help fund and recognize the safety/risk management/loss control efforts of the NIRMA members.

The Board approved an Agreement for Engineering Services with Wilson & Company in November 2014. The Boone County Bridge No. C0000601010 is located west of Petersburg on Beaver Valley Road. The Agreement stated that the attached Standard Terms and Conditions are satisfactory. The Standard Terms and Conditions were not attached to the Agreement. Motion made by Luettel, second by Tisthammer to accept and approve the Standard Terms and Conditions attachment to the original Agreement for Engineering Services with Wilson & Company. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Vic Lee and Tanya Sharp, Boone County Health Center, presented the Boone County Health Center audit report for year ending September 30, 2014 to the Board for their review. Lee reviewed areas of the financial audit in regard to the daily operations and cash on hand graphs, financials on page 9 and component units on page 23 with the Board. Lee said that the health center remains in a strong financial position. Lee said that the new Cerner System software conversion in 2014 significantly decreased the number of patients that providers were able to schedule daily and that decreased the cash flow. Lee said the health center has no long term debt and activity is increasing at the hospital and clinics. Motion made by Tisthammer, second by Luettel to accept the Boone County Health Center audit report for year ending September 30, 2014 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Motion made by Tisthammer, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$93,259.57, BCBS \$45,195.41, Ameritas Ret \$6,423.49, EFTPS \$6,959.97, Section 125 Fees \$20.00; Road \$49,231.84, BCBS \$23,566.64, Ameritas Ret \$3,323.14, EFTPS \$3,715.04; Ambulance \$1,850.00, Ameritas Ret \$65.48, EFTPS \$141.52; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,390.18, Ameritas Ret \$325.17, EFTPS \$488.86, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board conducted a quarterly visit of the county jail. In addition, the Board inspected the jail cells since the cells were empty at the time of inspection. It shall also be the duty of the County Board of each county of this state to visit the jail of its county once during each of its sessions in January, April, July and October of each year per Nebraska State Statute 47-109.

An annual Weed Superintendent report is due January 31<sup>st</sup> each year and is submitted to Nebraska Department of Agriculture, Animal and Plant Health Protection. The Boone County Weed Board is the same members as the Boone County Board of Commissioners. The Board reviewed the 2014 year-end weed report that was prepared by Todd Buettner, Boone County Weed Superintendent. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the 2014 year end weed reports as presented. Roll call vote: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Todd Buettner, County Weed Superintendent, was unable to attend the Board meeting. Therefore, no action regarding the purchase of a new laptop computer for the weed department was taken.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- The Board Chairman signed an Application for Eligibility to acquire federal surplus property from the Nebraska Department of Correctional Services.

Chairman Tisthammer declared the meeting adjourned at 11:15 A.M., the next Board meeting is scheduled for Monday, February 9, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 9, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 9, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$45,940.52; Road - \$82,229.41; Boone County Visitors Promotion - \$400.00; Reappraisal - \$6,270.42; Veteran's Aid - \$2,000.00; Inheritance Tax - \$114,807.61; 911 Emergency Management (2910) - \$533.84; 911 Wireless Service (2913) - \$2,111.33; Ambulance - \$2,627.01. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the following reports of the County Officials as presented for January, 2015:

- Clerk - \$20,500.75 (State of Nebraska \$13,855.15)(County of Boone \$6,645.60)
- Clerk of the District Court - \$935.34 (State of Nebraska \$564.00)(County of Boone \$371.34)
- Sheriff - \$2,451.47
- Planning & Zoning - \$230.00
- Treasurer - Treasurer's Fees - \$14.00; Miscellaneous Receipt Nos. 14064-14121 - \$1,174,645.18; Total Collections - \$2,208,257.81
- County Veteran Service Officer submitted a report of activity for January, 2015.

Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of January 26, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received two requests for advertisement funding.

The Faith Lutheran Church of St. Edward requested assistance to advertise the Faith Lutheran Church Steak & Burger Feed fundraiser event scheduled for March 14, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Cedar Cares for Kids requested assistance to advertise the annual Toma Rutten Memorial Polar Bear Dip fundraiser event scheduled for February 28, 2015. Motion made by Tisthammer, second by Luettel to approve



# Boone County Board Minutes



the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Aubrey Schriver, BCDA, Inc., updated the Board regarding Boone County Development Agency activities. Schriver invited the Board to the AEDC Strategic Planning Meeting scheduled for Tuesday, February 24, 2015 at 6:30 P.M. – 8:00 P.M. at the Cardinal Inn Event Center in Albion.

David H. Figgner presented to the Board "Petition to Re-classify a County Road" for their review. The three petitions were signed by voters residing within ten (10) miles of the road requested to be re-classified from a minimum maintenance road to a local road. The request is for a one-half mile of road located between the Northwest and the Southwest Quarter of Section 23, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The one-half mile of road is known as 255<sup>th</sup> Street between 140<sup>th</sup> and 145<sup>th</sup> Avenue. Darrel Thorin, County Highway Superintendent, explained the protocol procedure regarding the re-classification of roads. When a petition has been filed with the Board of Commissioners, the protocol procedure is as follows: (1) the Board of Commissioners have a feasibility study completed; (2) the Board reviews the feasibility study; (3) the Board sets a date for a public hearing; (4) if approved by the Board of Commissioners then a resolution is sent to the State of Nebraska, Department of Roads (NDOR) for approval or denial; and (5) if approved by NDOR the project is placed on the County One and Six Year Road Improvement Program. Motion made by Tisthammer, second by Luettel to appoint Darrel Thorin, Boone County Highway Superintendent, to complete a feasibility study regarding a request to re-classify a one-half mile of road known as 255<sup>th</sup> Street between 140<sup>th</sup> and 145<sup>th</sup> Avenue from a minimum maintenance road to a local road as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his January report. In addition, the following topics were discussed:

- The new motor grader arrived at the road department shop in Petersburg on Friday, February 6, 2015.
- Thorin updated the Board regarding road/bridge and equipment maintenance/repairs.
- Thorin received materials from Invenergy Corporation regarding Prairie Breeze II wind farm. The project would include 14 new wind towers in the northeast corner of Boone County.
- Thorin reported that construction started today on the Cedar River Historic Bridge restoration project.
- Thorin reported on legislative bills to watch that may have an impact on county road right-of-ways, bridges and the mowing of ditches.

Andy Roberts, Valero, presented information to the Board and Darrel Thorin, County Highway Superintendent, regarding the possibility of additional lighting at the junction of State Highway 39 and 260<sup>th</sup> Street. Roberts said that Loup Power District has an existing pole in the southeast corner of the intersection located in the state right-of-way. Roberts said that the \$135.00 yearly cost to the county covers operation and maintenance of the light. The Board asked Roberts to contact Nebraska Department of Roads regarding their requirements. Roberts plans to contact Loup Power District for more information.

James W. Ely, Jr., County Attorney, Lisa Langan, County Court, and Darren Wright, Attorney, discussed with the Board the procedure to appoint a Special Appointed Attorney for Inheritance Tax matters when the County Attorney has a conflict in said estate for determining Inheritance Tax. The Resolution No. 2005-38 dated October 17, 2005 appointed John Morgan at a rate of \$40.00 for each probate case to represent the County of Boone on the inheritance tax matters when the Boone County Attorney had a conflict of interest. Darren Wright has represented the County of Boone on inheritance tax matters for the years 2010-2014 when John



# Boone County Board Minutes



Morgan, County Attorney, had a conflict of interest. Wright asked that the rate be changed from \$40.00 for each probate case to the current hourly rate for court appointed counsel. The current hourly rate for 5<sup>th</sup> District Court Appointed Counsel is \$95.00 per hour. The County Attorney's office plans to prepare a resolution for the next Board meeting.

Jacqueline Wells, County Veteran Service Officer, and the Board discussed leasing a paper shredder from Eakes Office Solutions for a term of 60 months. The Board suggested that the County Veteran's office continue to utilize the paper shredder located in the County Clerk's office or box up the records that are ready for shredding for when the Shred Monster Truck is scheduled to come to the courthouse. Wells said that the Veteran's office documents need a Security Level P5 or higher for document shredding. In addition, the Board and Wells discussed her plans to attend a national certification training session from May 31 to June 6, 2015 in Appleton, Wisconsin. Wells said if she attends the national conference, then she would not plan to attend the spring and fall conferences in Nebraska.

An Agreement was entered into by and between Boone County, Nebraska and the Boone County Fitness Center and Amy Flanagan, Yoga Instructor. The Agreement is in regard to general liability insurance coverage when providing yoga classes at the Boone County Fitness Center. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign an Agreement between Boone County, Nebraska, and the Boone County Fitness Center and Amy Flanagan, Yoga Instructor as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Open Discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Tom Smith, Region 44 Emergency Manager, updated the Board regarding emergency management activities.
- James W. Ely, Jr., County Attorney, updated the Board regarding the James Majerus horse matters.
- Denny Johnson, Sheriff, updated the Board regarding law enforcement activities.

Chairman Tisthammer declared the meeting adjourned at 12:22 P.M. with the next Board meeting scheduled for Tuesday, February 17, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 17, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, February 17, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The County Safety Committee met at 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Jerry L. Tisthammer and Ken Luettel, Denny Johnson, Mike McDermott, Rod Nelson, Tom Smith, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding the road department signage compliance and the issues that have been corrected in the law enforcement building. The Board of Commissioners approved the addition of a representative from the Boone County Fitness Center to be a member of the County Safety Committee at their Reorganizational Meeting in January. The group welcomed Mike McDermott, Boone County Fitness Center Manager. Tom Smith, Region 44 Emergency Manager, updated the group regarding the NIRMA ASSIST Program Grant. Smith applied for weather radios to be placed in the courthouse and fans/lights to be placed in the courthouse vaults. The county pays the matching share of \$155.92 for weather radios and \$111.84 for fans/lights. The committee discussed preventability and safety suggestions were addressed by the committee regarding worker's compensation claims. The committee discussed the overall condition of sidewalks and the use of the sloped sidewalk on the east side of the courthouse during winter weather conditions. The Safety Committee meeting was adjourned at 9:16 A.M.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- Commissioner Tisthammer emphasized that the Courthouse West Parking Lot-2 HR needs to be honored. The West Parking Lot is the best access entrance to the courthouse for the public and citizens with disabilities. County employees are asked not to park in the West Parking Lot during regular courthouse hours from 8:00 A.M. to 5:00 P.M., Monday through Friday.
- Shred Monster, Inc. of Columbus, Nebraska provides shredding of documents and computer hard drives. Rod Nelson, Maintenance, said that the shredding is 35 cents per pound and \$5.00 disposal fee per hard drive. Shred Monster will also dispose of printers, monitors, etc. at a fee per pound. Nelson plans to contact Shred Monster for a disposal date.
- Kathy Thorberg, County Clerk, asked if other offices would be interested in the installation of a Drop Box at the Courthouse North Entrance. Interested offices felt it would be beneficial for the public to





# Boone County Board Minutes



have access to a drop box when they are not able to complete their transactions during regular business hours.

- Kathy Thorberg, County Clerk, addressed the Accounts Payable Vendor Claims Budget Codes. The codes are provided by the State Auditor's office. Thorberg explained the code categories and why at times the submitting office will see a budget code changed on their claims.
- Commissioner Tisthammer addressed the Time Clock/Attendance System. He said the Courthouse hours are 8:00 A.M. to 5:00 P.M. Employees are here to serve the public during courthouse opened hours. Courthouse employees should have no problem following the handbook and clocking in at 8:00 A.M. to begin work; clocking out for lunch and breaks and clocking out at 5:00 P.M. at the end of the day. There is no need to clock in before 5 minutes of start time or clock out more than 5 minutes at the end of the day. Occasionally there may be times when the department head asks and approves an employee to work more than the scheduled 40 hours per week due to office work structure. The road crew adjusted to a time clock in 2010 so all other county employees should be able to adjust.
- Tom Smith, Region 44 Emergency Manager, submitted a copy of the Mass Warning and Notification System Policy to the Board. Smith addressed Siren Activation Protocol on page 11. Siren activation may be for more than tornado warnings, such as high winds, tennis ball size hail and hazard materials spill.
- Tom Smith, Emergency Manager, updated the Board regarding the purchase of a different Emergency Management Vehicle. The Region 44 Supervisory Committee will review the vehicle request at their March 4, 2015 meeting at the Nance County Courthouse in Fullerton.
- Northeast NACO Workshop is scheduled for Friday, March 20, 2015 at the Lifelong Learning Center in Norfolk.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Albion Area Arts Council requested assistance to advertise the Miles From Dublin concert scheduled for March 15, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings and Board of Equalization Proceedings of February 9, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. Thorin and the Board discussed the construction progress of the Cedar Rapids historical bridge renovation project.

Darrel Thorin, County Highway Superintendent, presented the 2015 One and Six Year Road Improvement Program for Boone County, Nebraska at the 10:00 A.M. public hearing. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2015-03, adopting the 2015 One and Six Year Road Improvement Program for Boone County, Nebraska as presented at the public hearing. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



James W. Ely, Jr., County Attorney, presented Resolution No. 2015-04 appointing Darren Wright as Special Appointed Attorney for Inheritance Tax matters when the County Attorney has a conflict in said estate for determining Inheritance Tax. A rate change from \$40.00 for each probate case to a new rate of \$95.00 per hour was discussed with the Board on February 9, 2015. The rate of \$40.00 for each probate case was set in 2005. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2015-04, appointing Darren Wright as Special Appointed Attorney for Inheritance Tax matters when the County Attorney has a conflict in said estate for determining Inheritance Tax at a rate of \$95.00 per hour as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The state statutes require the Sheriff to make quarterly reports to the County Board describing fees and activities. Motion made by Tisthammer, second by Luettel to accept and approve the County Sheriff's 2014 fourth quarter report as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Leo Reilly, Greeley County Commissioner, met with the Boone County Board of Commissioners to discuss Veteran's Service Office matters. In addition, Jacqueline Wells, Boone County Veteran Service Officer and Richard Good, Boone County Veterans Service Committee Board Member, were in attendance for the discussion. The Greeley County Veteran Service Officer is retiring. The Greeley County Board of Commissioners may possibly have interest in an Interlocal Agreement with Boone County Board of Commissioners regarding services for veterans. Greeley County has approximately 206 veterans and several of the veterans already go to other counties for services. Wells said she already is providing services for 100 of the Greeley County Veterans. Reilly and the Board asked Wells if she would have time to serve one day a week or less in Greeley County to assist the Greeley County Veterans. Wells said that would be no problem. Copies of Interlocal Agreements regarding the sharing of the Veteran Service Officer and services were received from other counties. The example agreements will be reviewed by Jim Ely, Boone County Attorney; Boone County Board of Commissioners; Greeley County Attorney; and Greeley County Board of Commissioners. In the discussion, Greeley County would possibly like to pay a set amount to Boone County to help cover the payroll hours and travel expense of the Boone County Veteran Service Officer for the hours spent in Greeley County. Boone County Veteran Service Officer is a full time employee that would possibly travel one day a week or less to Greeley County to assist Greeley County Veterans. The Greeley County Board of Commissioners plan to discuss Veteran Service Office matters at their Board meeting on February 24, 2015.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Denny Johnson, Sheriff, informed the Board that they have applied for a grant that pays half of the purchase of two new bullet proof vests. The County will pay the portion not covered by the grant.
- Commissioner Hilary Maricle could not be at the Board meeting due to a prior commitment and listened to a portion of the Board meeting by speaker phone.

Chairman Tisthammer declared the meeting adjourned at 11:57 A.M. with the next Board meeting scheduled for Wednesday, February 25, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## **PUBLIC HEARING PROCEEDINGS**

### **2015 ONE AND SIX YEAR ROAD IMPROVEMENT PROGRAM BOONE COUNTY, NEBRASKA**

Jerry L. Tisthammer, Boone County Board of Commissioners Chairman, called for a motion to open a public hearing on Tuesday, February 17, 2015 at 10:00 A.M. in the County Commissioners Meeting Room, Boone County Courthouse in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Luettel to open said public hearing. Commissioners present for said public hearing were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Darrel Thorin, Highway Superintendent, was present to answer the 2015 Road Improvement Program questions. Notice of the hearing given in advance by publication and the convened hearing was open to the public.

The public hearing is for the purpose of hearing testimony in favor of, or opposition to, and to answer questions in relation to the proposed 2015 One and Six Year Road Improvement Program for Boone County, Nebraska. The hearing is to remain open for one hour.

Darrel Thorin, Boone County Highway Superintendent, presented the 2015 One and Six Year Road Improvement Program for Boone County, Nebraska. The one-year road improvement plan consists of seven projects and the six-year plan consists of six projects. Thorin discussed each of the projects with the public, Board and Jim Dickerson, Albion News. The Board received no opposition at the hearing.

Thorin acknowledged that Project No. 337, Cedar Rapids historic bridge renovation, required federal matching funds and has been pending for several years. The federal and state regulations regarding bridge and road construction project funding is pushing more of the burden onto the county. Thorin suggested that the Board should start considering the replacement of at least one county timber bridge a year.

Attached hereto as part of the proceedings is a copy of the 2015 proposed projects one-year plan and six-year plan as presented by Boone County Highway Superintendent, Darrel Thorin.

Motion made by Tisthammer, second by Luettel to close said hearing at 11:00 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the 2015 One and Six Year Road Improvement Program for Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 25, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, February 25, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$90,737.60, BCBS \$44,418.77, Ameritas Ret \$6,237.21, EFTPS \$6,761.75, Section 125 Fees \$0.00; Road \$46,828.39, BCBS \$23,566.64, Ameritas Ret \$3,160.92, EFTPS \$3,531.23; Ambulance \$2,240.00, Ameritas Ret \$76.96, EFTPS \$171.35; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,694.51, Ameritas Ret \$323.95, EFTPS \$512.16, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings and One and Six Year Road Improvement Program Public Hearing Proceedings of February 17, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

James W. Ely, Jr., County Attorney, presented quotes from Eakes Office Solutions for a new desk. The quotes were for a Hon/lifetime warranty for \$2,007.28 and OTG/five year warranty for \$1,056.20. The Board and Ely discussed the differences between the desks/warranties and Ely said his preference is the Hon desk. Motion made by Maricle, second by Luettel to approve the purchase of a new Hon desk for \$2,007.28 from Eakes Office Solutions for the County Attorney's office as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

An Agreement with Donna Johnson to provide meals for the prisoner(s) held in the Boone County Jail expires February 28, 2015. Denny Johnson, Sheriff, and the Board discussed the Agreement. There is no change at this time to the daily meal fees that were set in 2012. This Agreement shall be effective for one year beginning March 1, 2015 and ending February 29, 2016. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Agreement with Donna Johnson to provide meals for the prisoner(s) effective March 1, 2015 through February 29, 2016 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, projects and equipment. Thorin updated the Board regarding the Cedar Rapids historic bridge renovation project. The paperwork for the historic bridge renovation project began in March of 2008. Thorin said he is pleased with the renovation construction to date.





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Marlin Conry and Dariusz Stachowiak, Invenergy representatives, and Darrel Thorin, County Highway Superintendent, presented a Road Agreement for the Board to review. Conry and Thorin said the Road Agreement is the same language that was prepared for the first Prairie Breeze Wind Farm. Conry addressed the Board's questions. Thorin said that JEO drives the road/routes and prepares a CD of the road conditions before the project begins and when the project is completed, the roads are to be returned to the same condition. Thorin said that in the past the construction crews have left the roads in better condition. Conry said that the towers belong to Invenergy and that the easement lease stays with the property. The project has three route designs due to more impact on Boone County roads and bridges with this project. The plans are to build the proposed Prairie Breeze Wind Farm II east of the first Prairie Breeze Wind Farm along the Antelope/Boone/Madison County line. Conry said the second wind farm proposal is for 41 turbines with one full circuit (approximately 14 turbines) to be located in Boone County. The plan is for the Prairie Breeze Wind Farm II to be in operation this fall. Motion made by Tisthammer, second by Maricle to approve a Road Agreement by and between Boone County, Nebraska and Prairie Breeze Wind Energy II LLC in c/o Invenergy LLC 1 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Prairie Breeze Wind Energy II LLC asked permission to install 35kv electrical cable on the north side of 120<sup>th</sup> Street within the Boone County right-of-way beginning six and one-half miles west of the Boone-Madison County boundary and running west. The easement being the south thirty-three feet of the SW1/4 of Section 12, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-05, granting permission to Prairie Breeze Wind Energy II LLC to bore/install 35kv electrical cable on the north side of 120<sup>th</sup> Street within the Boone County right-of-way in part of the SW1/4 of Section 12, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Rod Nelson, Maintenance, provided information regarding Shred Monster, Inc. of Columbus, Nebraska. Shred Monster is certified to shred paper documents and electronic hard drive files. The shredded paper is baled and remains in their warehouse until a semi load is ready for distribution. The bales are transformed into wet pulp which is then made into paper towels, etc. None of their shredding is used for bedding or insulation. The Shred Monster truck is scheduled for the courthouse shredding for late afternoon on Monday, March 30, 2015 or the morning of Tuesday, March 31, 2015. The disposal of computer equipment, hard drives, etc. will be scheduled for a Friday at the end of March or early April. County employee(s) will deliver the electronic items to the Shred Monster location in Columbus and they will remain at the sight for the disposal of the hard drives. Disposal fees are 35 cents per pound and \$5.00 per hard drive.

The Clerk of the District Court office furnishings and files have moved to the former Board of Commissioners room. The Boone County Clerk's office became ex-officio Clerk of the District Court on January 8, 2015 via a vote of the registered voters in 2012. The office moving next to the County Clerk's office will provide better organization and efficiency for the office personnel. The Commissioner's Meeting Room will be where space is available on their scheduled meeting days until a decision is made. The Board discussed occupied and unoccupied office space within the courthouse. Lisa Langan, County Court, expressed her concerns of other offices using the courtroom for meetings and moving the furniture around to accommodate their meetings, especially the tables with the attached microphones. Langan said that if a court matter came into her office while the Board is meeting in the courtroom they would have to pick up and move. There has never been a nice sized meeting room within the courthouse. Jim Ely, Lisa Langan and Rod Nelson expressed their opinions of why not to be in a hurry to move walls, etc. to make a meeting room for the Board at this time. The Department of Motor Vehicles (DMV) is located in the courthouse multipurpose room for Driver's license exams. The DMV prefers different accommodations. The DMV will have a representative evaluate available office space



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on February 26, 2015. The office space evaluation discussion will be continued at the March 9, 2015 Board meeting.

In May of 2002 Northeast Nebraska Juvenile Services, Inc. (NNJS) assessed the thirteen member counties a special assessment in the sum of \$10,000.00. The special assessment was used to help pay down an operative loan. It was determined that those counties who paid the special assessment would in time receive \$1,000.00 of credit to utilize for the purpose of housing youth at NNJS. The financial position of NNJS is at the point where the remainder of these funds can be returned to the said county either by credit or by check. Boone County paid the special assessment of \$10,000.00 and to date has received \$2,000.00 credit. The remaining balance owed to Boone County is \$8,000.00. Motion made by Luettel, second by Tisthammer to approve and request that the remaining 2002 special assessment balance of \$8,000.00 be returned to Boone County via check. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The general assistance requestor did not appear before the Board. No action was taken by the Board.

James W. Ely, Jr., County Attorney, asked the Board for a closed session per Open Meeting Act §84-141(C), Investigative proceedings regarding allegations of criminal misconduct. Motion made by Tisthammer, second by Maricle to go into executive session at 12:10 P.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. The County Attorney updated the Board and Zoning Administrator regarding allegations that were filed. Motion made by Tisthammer, second by Luettel to come out of executive session at 12:57 P.M. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried. No action was taken by the Board and only the allegations were discussed.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Commissioner Maricle updated the Board members regarding the NorthStar/Region IV meeting and AEDC meeting she attended.
- Commissioner Luettel updated the Board members regarding the Northeast Nebraska Juvenile Services meeting he attended.
- Open house is scheduled for Saturday, February 28, 2015 for the new Law Enforcement Center built in Antelope County, Neligh, Nebraska. Sheriff Johnson plans to attend.

Chairman Tisthammer declared the meeting adjourned at 1:17 P.M., the next Board meeting is scheduled for Monday, March 9, 2015.

Kathy Thorberg,  
Boone County Clerk



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## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 9, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 9, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$26,863.21; Road - \$275,192.30; Boone County Visitors Promotion - \$1,251.90; Reappraisal - \$6,907.39; Inheritance Tax - \$3,478.35; 911 Emergency Management (2910) - \$171.87; 911 Wireless Service (2913) - \$687.47; Ambulance - \$1,103.89. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the following reports of the County Officials as presented for February, 2015:

- Clerk - \$16,757.75 (State of Nebraska \$12,057.84)(County of Boone \$4,699.91)
- Clerk of the District Court - \$837.62 (State of Nebraska \$371.00)(County of Boone \$466.62)
- Sheriff - \$2,658.98
- Planning & Zoning - \$122.50
- Treasurer - Treasurer's Fees - \$26.00; Miscellaneous Receipt Nos. 14122-14169 - \$704,891.14; Total Collections - \$1,215,606.25

Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of February 25, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Steve Pritchard, Boone-Nance Extension Educator, presented a board member recommendation from the Boone-Nance County Extension Board. The Boone-Nance County Extension Board has four representatives from each county. The board members may serve two consecutive three-year terms. The board meets quarterly, alternating the meetings between the counties.

Hilary Maricle was appointed in 2012 to serve a three-year term from 2013-2015. Maricle resigned the appointed position on January 8, 2015 after taking the oath of office for Boone County Commissioner. The Boone-Nance County Extension Board recommends the appointment of Tim Laughlin of St. Edward to complete the remaining term of Hilary Maricle. Motion made by Maricle, second by Luettel to appoint Tim Laughlin of St. Edward to complete the 2013-2015 term of Hilary Maricle on the Boone-Nance County Extension Board effective March 9, 2015. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



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The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received six requests for advertisement funding.

The American Legion Post #226 of St. Edward requested assistance to advertise their Pancake Feed Fundraiser scheduled for March 7, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise their Pancake Feed Fundraiser scheduled for June 2015 alumni weekend. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise the Rhythm & Ribs event scheduled for August 22, 2015. Motion made by Tisthammer, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise the Halloween Parade event scheduled for October 30, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise the Albion Downtown Holiday events scheduled for November 19, 2015 through December 24, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise a Chamber Easter Egg Hunt at the Good Samaritan Society-Samaritan Estates located in Albion on April 4, 2015. The Board discussed the Visitors Promotion Fund. The Visitors Promotion Fund is in regard to attracting visitors to patronize the businesses and use of lodging facilities. Motion made by Maricle, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle. Nays: Tisthammer and Luettel. Motion: Not approved.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his February report. In addition, the following topics were discussed:

- The Cedar River Historic Bridge restoration project is nearing completion with tentative plans to be open to the public the middle of April.
- Thorin is drafting an Interlocal Agreement to present to surrounding counties regarding maintenance on county line roads.
- Thorin and the Board discussed signage funding for bridges and railroads concerning federal regulations.
- Thorin plans to attend a bridge conference in April in Kearney, NE.





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Darrel Thorin, Highway Superintendent, presented an agreement between Boone County, Nebraska and the State of Nebraska, Department of Roads regarding surveying services. The State desires the County to provide a Registered Land Surveyor to tie out land monuments prior to the construction of Project No. STPD-91-5(114)/Albion - N-45 and to tie out and re-establish monuments after construction. The State agrees to reimburse the County for the actual cost of the survey work. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Agreement as presented for Project No. STPD-91-5(114). Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, Highway Superintendent, presented an agreement between Boone County, Nebraska and the State of Nebraska, Department of Roads regarding surveying services. The State desires the County to provide a Registered Land Surveyor to tie out land monuments prior to the construction of Project No. STP-39-3(105)/St. Edward – Albion and to tie out and re-establish monuments after construction. The State agrees to reimburse the County for the actual cost of the survey work. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign the Agreement as presented for Project No. STP-39-3(105). Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, was appointed at the February 9, 2015 Boone County Board of Commissioners meeting to study the feasibility of re-classifying a certain county road. The feasibility study concerns the re-classification of one-half mile of road known as 255<sup>th</sup> Street between 140<sup>th</sup> and 145<sup>th</sup> Avenue from a minimum maintenance road to a local road. The estimated cost to bring the one-half mile of road up to a local gravel road standard is \$64,594.01. Thorin said that this evaluation is a very basic estimate and if the County Board of Commissioners would like to pursue this road re-classification any further, he would recommend a complete Hydraulic Analysis to determine a more exact drainage structure sizing at both locations. A complete Hydraulic Analysis may show that additional drainage will be required to meet the requirements of the flood plain regulations. The cost of a Hydraulic Analysis runs between \$4,000.00 and \$5,000.00 dollars. Preliminary data indicates that the west drainage area of the road is in a Class A Flood Plain and an Army Corps of Engineers Section 404 Permit would be required for any construction done on this portion of the road. The Board and Thorin discussed the state statutes protocol procedure for re-classification of roads and who pays for the construction upgrade.

Thorin submitted three options for the Board to consider regarding the re-classification request. (1) Leave the road as Minimum Maintenance and require the fence to be moved to the right-of-way line and stop watering the county road; (2) Request the road to be re-classified by the state with the cost of construction to be paid by those requesting the upgrade or (3) Request the road be re-classified by the state at county expense. Motion made by Luettel, second by Tisthammer to leave the road as minimum maintenance. Amendment by Commissioner Maricle to add the language, due to the cost and need for Army Corps of Engineers approval because of location in flood plain area. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to follow up the road re-classification request with a letter of explanation to be sent to all legitimate petitioners that they have the opportunity to pay for the Hydraulic Analysis and all of the construction upgrade costs to re-classify the road per State Statute. Roll call vote: Yeas: Maricle and Luettel. Nays: Tisthammer. Motion carried.



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Darrel Thorin, County Highway Superintendent, presented a resolution requesting a public hearing for March 30, 2015 regarding narrowing a portion of 190<sup>th</sup> Avenue. Due to bank erosion of the Cedar River in the northeast corner of the NE1/4 of Section 16, Township 18 North, Range 7 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, the county road known as 190<sup>th</sup> Avenue is in jeopardy of being impassable. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-06, that a public hearing be held on March 30, 2015, to hear comments in favor of or opposition to narrowing the county road right-of-way to forty (40) feet, beginning at a point at the intersection of 360<sup>th</sup> Street and 190<sup>th</sup> Avenue, thence southeasterly for one-thousand three hundred and twenty (1,320) feet, known as a portion of 190<sup>th</sup> Avenue. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Andy Roberts, Valero, regarding additional lighting at the junction of State Highway 39 and 260<sup>th</sup> Street contacted Darrel Thorin, County Highway Superintendent. Loup Power District has an existing pole at the intersection of State Highway 14 and Fairview/260<sup>th</sup> Street on the east side of State Highway 14. Loup Power District has the availability to install a 250W HPS unmetered rental area light on the existing pole for a monthly billing of \$11.03. Thorin and the Board discussed that the lighting of the intersection is a safety issue. Motion made by Luettel, second by Maricle to approve an Equipment Use Contract between the County of Boone and Loup Power District for an unmetered rental area light and the monthly rental fee to be paid from the Road Fund as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Vic Lee, Boone County Health Center CEO, informed the Board that the terms of Tim Kayton and Janet Groeteke, Boone County Health Center Board of Trustee members, expire at the end of June and replacements are needed. The Board will place an ad in the local newspapers to accept applications from interested persons in Boone County to serve on the Boone County Health Center Board of Trustees. The appointment is for a six-year term effective July 1, 2015. Motion made by Maricle, second by Tisthammer to place an application ad for interested persons in Boone County to serve on the Boone County Health Center Board of Trustees in the four county newspapers the weeks of March 16 and 23, 2015 with the application deadline at 4:00 P.M. on Friday, March 27, 2015. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board heard a general assistance request regarding utilities. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Tisthammer, second by Luettel to approve a portion of a utility bill payable directly to the entity. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board and Rod Nelson, Maintenance, discussed courthouse lawn care for 2015. The 4-Step Lawn Care Application has been alternated between the two local businesses for the last several years. The Board discussed consistency and that advertising for proposals should be addressed every five years. Motion made by Maricle, second by Luettel to advertise for two weeks requesting proposals for the 4-Step Lawn Care Application for the 2015 courthouse lawn care. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Commissioner Maricle attended the Region 44 Emergency Management Committee meeting. Maricle shared the committee meeting information with the Board members. Maricle and the Board members discussed the concerns regarding health insurance, employee evaluation and vehicle. The consensus of the Board was for committee member Maricle to complete the employee evaluation, trade in/sell the vehicle when the purchase of a different vehicle takes place and to compensate a third of the health insurance increase.



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The Board discussed office space for the Board of Commissioners. Luettel met with the Department of Motor Vehicles supervisor from Grand Island last week. The Department of Motor Vehicles is interested in moving into the former Clerk of the District Court space in the courthouse. Luettel will contact the supervisor regarding their move from the multi-purpose room to the former Clerk of the District Court office. The Board of Commissioners will move their office space to the north end of the multi-purpose room.

Open discussion and miscellaneous public comments:

- Denny Johnson, Sheriff, and Sheryl Machacek, Communications, updated the Board regarding the Communications Tower project. Machacek said that the Federal Aviation Administration has approved the new tower location in the southwest corner of the Boone County Fairgrounds. The next step is the soil test.
- Jim Ely, County Attorney, updated the Board regarding the horses' situation. Ely updated the Board regarding an Interlocal Agreement with Greeley County for Boone County Veteran Service Officer to provide services for veterans in Greeley County.
- The Board discussed attendance to the Northeast Nebraska Association of County Officials spring workshop scheduled for March 20, 2015 at the Northeast Community College, Norfolk, NE.
- The Board discussed disposal of county owned vehicles.

Chairman Tisthammer declared the meeting adjourned at 12:51 P.M. with the next Board meeting scheduled for Monday, March 16, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
MARCH 16, 2015  
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 16, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of March 9, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- Denny Johnson, Sheriff, addressed the issue of spectators and people driving through a fire zone. There has been several fires the past weeks and there is state law regarding the issue of spectators in a fire zone. The fire department and law enforcement need the cooperation of the public, which are not authorized in the fire zone, to please stay home.
- Northeast NACO Workshop is scheduled for Friday, March 20, 2015 at the Lifelong Learning Center in Norfolk.
- Wellness Partners is scheduled for Tuesday, March 17, 2015 at the Boone County Courthouse for county employees that registered for the health screening.

Todd Buettner, County Weed Superintendent, presented a quote from Applied Connective Technologies for a new Latitude Laptop Computer. Buettner said he wanted a smaller touch screen computer to be able to take pictures of the weed problem areas. Motion made by Luettel, second by Tisthammer to approve the purchase of a 5<sup>th</sup> Generation Intel Inspiron 13 7000 Series Latitude Laptop Computer for \$1,071.31 from Applied Connective Technologies to be used by the County Weed Department as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Mark T. Headrick, Washington National Insurance Company, presented information regarding a supplemental insurance for accident, heart/stroke and cancer. Headrick said that the supplemental insurance was only for the agricultural industry since the 1970's. The insurance company opened up to businesses and government entities in 2014. Headrick said Washington National offers a premium-return option that returns all of the premium you pay over the term of your policy. Headrick said it is unlimited, tax free with no cap and is per cause payments. Headrick said that Washington National pays more than the GAP insurance companies. (Example of GAP is: AFLAC and Colonial) The age you are when taking out the premium locks in the premium rate for as long as you pay the premium. The supplemental insurance is not a payroll deduction. The premium is automatically deducted monthly from an individual's checking/savings account. Headrick asked the Board permission to present the supplemental insurance to county employees. Motion made by Tisthammer, second by Luettel to approve Mark Headrick, Washington National, to present the supplemental insurance to the county employees at a later date. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.





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Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, projects and equipment. Thorin updated the Board regarding the Cedar River Historical Bridge project. Thorin and the Board discussed legislative bills.

The Board reviewed a feasibility study on March 9, 2015 submitted by Darrel Thorin, County Highway Superintendent. The feasibility study concerned the re-classification of one-half mile of road known as 255<sup>th</sup> Street between 140<sup>th</sup> and 145<sup>th</sup> Avenue from a minimum maintenance road to a local gravel road. Petitions to re-classify a county road known as 255<sup>th</sup> Street were submitted on February 9, 2015 by the petition circulator and the petition language requested that a date and time be set for a public hearing. Thorin prepared a resolution to set a public hearing concerning the petition request. Thorin visited with the petition circulator regarding the feasibility study and the Board's discussion that was held on the March 9, 2015 Board meeting.

The petition circulator signed and submitted the following statement to be attached to the Resolution No. 2015-07:

To the Boone County Board of Commissioners:

A petition was submitted to the county requesting the Board of Commissioners hold a public hearing to consider the re-classification of a County Road from Minimum Maintenance to Local Gravel; (255<sup>th</sup> Street, between 140<sup>th</sup> Avenue and 145<sup>th</sup> Avenue).

As the circulator of the petition, I, David H. Figgner, state that those residents that signed the petition would like to forego the Public Hearing, but request the Board of Commissioner's require that the adjoining landowners abide by Nebraska State Highway and Bridge Laws Chapter 39.

39-301 Roads: Injuring or obstructing; penalties; exceptions.

In-Part: Any person who injures or obstructs a road by encroaching upon the same with any fence, by diverting water onto or across such road so as to saturate, wash or impair the maintenance, construction, or pass ability of such public road, or by allowing water to accumulate on the roadway or traveled surface of the road for more than five days shall upon conviction thereof, be guilty of a Class V misdemeanor.

39-302 Roads; sprinkler irrigation system; restrictions; violations; penalty.

In-Part: A sprinkler irrigation system which due to location or design diverts, or is capable of diverting, water onto or across a public road so as to saturate, wash or impair the maintenance, construction, or pass ability of such public road or allows water to accumulate on the roadway or traveled surface of the public road shall be equipped with a device which will automatically shut off the end gun of the irrigation system causing such diversion or accumulation of water. Any person who fails to comply with this section shall, upon conviction thereof, be guilty of a Class IV misdemeanor, except that section 39-301 shall be controlling with respect to mechanical malfunctions and normal weather conditions.

Motion made by Tisthammer, second by Luettel to forego/deny Resolution No. 2015-07 requesting to set a public hearing date for the re-classification of a portion of a county road known as 255<sup>th</sup> Street and require that the adjoining landowners abide by Nebraska State Highway and Bridge Laws Chapter 39 as in the statement attached to the resolution. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



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Motion made by Luettel, second by Tisthammer to approve the Boone County Veterans Service Office report for the month of February 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Jim Ely, County Attorney, presented an Interlocal Agreement between County of Greeley and County of Boone for Veterans Service Officer services for the Board to review. Greeley County Attorney prepared the Interlocal Agreement. Richard Good, Boone County Veteran Service Office Board Member, and Jacqueline Wells, Boone County Veteran Service Officer were present for the discussion. Good said that the Boone County Veteran's Board has not met to review the agreement to date. Good said he will schedule a meeting. Wells said she inserted some changes to the agreement that was presented from Greeley County. Motion made by Luettel, second by Tisthammer to table the Interlocal Agreement regarding Veteran Service Officer services to a later date. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board and Darrel Thorin, County Highway Superintendent, discussed the county automobile fleet. The annual FFA auction is scheduled for April 12, 2015. Thorin said that the road department has a pickup and dump truck to consign. The Board has two cars they plan to consign. Luettel said he would be available on April 12, 2015 to represent the county vehicles. Motion made by Luettel, second by Tisthammer to consign the four said vehicles on the FFA auction scheduled for April 12, 2015. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The County Clerk and Treasurer's offices would like a courthouse drop box for the public to use for ballots, taxes and court documents that may be dropped off when the individual is unable to conduct their business during regular courthouse hours. Motion made by Luettel, second by Tisthammer to approve the purchase and installation of a free standing courthouse drop box to be located by the west courthouse doors. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board discussed the SpyGlass information they received the past few months. The consensus of the Board was that a new telephone/internet system has been installed and the SpyGlass services are no longer needed.

Chairman Tisthammer declared the meeting adjourned at 11:40 A.M. with the next Board meeting scheduled for Wednesday, March 25, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 25, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, March 25, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of March 16, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$86,226.52, BCBS \$44,418.77, Ameritas Ret \$5,932.71, EFTPS \$6,416.67, Section 125 Fees \$10.00; Road \$42,623.52, BCBS \$23,566.64, Ameritas Ret \$2,877.09, EFTPS \$3,209.50; Ambulance \$3,650.00, Ameritas Ret \$90.12, EFTPS \$279.22; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,472.41, Ameritas Ret \$320.69, EFTPS \$495.13, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Jim Ely, County Attorney, asked that the Interlocal Agreement between County of Greeley and County of Boone for Veterans Service Officer services be tabled until the March 30, 2015 Board meeting. Greeley County Board asked the Greeley County Attorney to revise the agreement to be more specific on the issue of mileage. Motion made by Maricle, second by Tisthammer to table the Interlocal Agreement regarding Veteran Service Officer services to the March 30, 2015 Board meeting. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Randall Bruland, Boone County Ambulance Administrator, asked the Board if the Boone County Ambulance may have a fuel charge card to use at a facility where the fuel is available 24 hours. There are times when the Ambulance arrives back in Albion and is unable to refuel at an early morning hour. The Ambulance needs to be ready at all times to make an on call transport. Motion made by Tisthammer, second by Maricle to approve a charge card for fuel only for the Boone County Ambulance. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted an application to the Board for permission for a Special Designated License (SDL) to serve alcohol at the Boone County Fair from July 11-14, 2015. Chuck Rolf informed the Board that the July 11-14, 2015 SDL request is for under the grandstand for Boone County Fair events. Motion made by Luettel, second by Maricle to approve, as presented, the Application for a Special Designated Liquor License request from the Boone County Agricultural Society, Inc. for the Boone County Fair. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted an application to the Board for permission for a Special Designated License (SDL) to serve alcohol at the Boone County Fair for July 15, 2015. Chuck Rolf informed the Board that the July 15, 2015 SDL request is for under the grandstand and includes an additional fenced off area outside the grandstand during the concert. He also indicated that individual security people had been hired in addition to law enforcement coverage provided by the Boone County Sheriff's Department and that IDs will be checked and arm bands issued at the point of purchase. Motion made by Maricle, second by Tisthammer to approve, as presented, the Application for a Special Designated Liquor License request from the Boone County Agricultural Society, Inc. for the Boone County Fair. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted an application to the Board for permission for a Special Designated License (SDL) to serve alcohol at the Boone Central Schools Alumni event for June 13, 2015. Chuck Rolf informed the Board that the June 13, 2015 SDL request is for the buildings and a fenced off area outside between the buildings. He also indicated that law enforcement coverage will be provided by the Boone County Sheriff's Department and that IDs will be checked and arm bands issued at the point of purchase. Motion made by Tisthammer, second by Luettel to approve, as presented, the Application for a Special Designated Liquor License request from the Boone County Agricultural Society, Inc. for the Boone Central Schools Alumni event. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, projects and equipment. Thorin and the Board discussed the issue of no gravel from the area gravel pits. Central Sand and Gravel has shut the counties off from gravel purchase.

Paul Kettelson requested permission to trench an electrical cable for irrigation purposes across a county road commonly known as 170<sup>th</sup> Street. The electrical cable commences from a pole located in the SE1/4 of Section 1, Township 22 North, Range 6 West; thence running South across 170<sup>th</sup> Street to an irrigation pivot to be located in the NE1/4 of Section 12, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-08, granting permission to trench an electrical cable for irrigation purposes across 170<sup>th</sup> Street to the NE1/4 of Section 12, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a resolution regarding tonnage Load Limits on county bridges and road. Nebraska Revised Statute Section 60-681 provides for limitations and restrictions for operation of vehicles, including trucks and commercial vehicles, on county roads for a total period of 90 days in any one calendar year when operated upon any highway under the jurisdiction of and for the maintenance of which local authorities are responsible whenever such highway by reason of deterioration, rain, snow or other climatic condition will seriously damage or destroy said highway unless use of vehicles, including trucks and commercial vehicles thereon are limited, prohibited or allowable weight restrictions are receded. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2015-09, authorizing the Boone County Road Department to erect and maintain signs designating the particular restrictions to a county road at each end of the portion of the road affected thereby, and this resolution shall not take effect until such signs are erected and maintained. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.





# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, presented a resolution to reduce the load rating on a timber bridge for safety concerns of the traveling public. Bridge Number C000601010, a timber bridge, located on the Beaver Valley Road one-quarter mile west of 170<sup>th</sup> Avenue, between the SE1/4 of Section 19 and the NE1/4 of Section 30, Township 22 North, Range 7 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, currently has a load rating of type 3: 15.2 tons, type 3S2: 22.9 tons and type 3-3: 31.8 tons and is on the one year road plan to be replaced in 2015. The bridge is located on Beaver Valley Road. Unexpected heavy truck traffic has caused excessive deterioration to the abutment caps and timber stringers. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-10, to set the load rating of said Bridge Number C000601010 at four ton until such time as the bridge is replaced. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board discussed county surplus property. The Board consigned two cars, one truck and one pickup on the Boone Central FFA auction scheduled for April 12, 2015. Jim Ely, County Attorney, has someone interested in purchasing his old office desk after the arrival of the new desk that he ordered. Rod Nelson, Maintenance, will be delivering several old electronic items such as computers, printers, etc. to Shred Monster, Columbus, Nebraska on Friday, March 27, 2015. Shred Monster will crush the hard drives. Shred Monster is scheduled to be at the courthouse to shred paper documents on Monday, March 30 or 31, 2015. The department heads are to make a list of surplus items they are no longer using.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Commissioner Tisthammer reported on the Boone County LEPC meeting he attended last week.
- The Board discussed office space with Janie Johannes, Department of Motor Vehicles (DMV). The teleconference was in regard to DMV moving into the former Clerk of the District Court space within the courthouse. Johannes informed the Board that the request to move their equipment to a different location within the courthouse has been filed.

Chairman Tisthammer declared the meeting adjourned at 11:59 A.M., the next Board meeting is scheduled for Monday, March 30, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
MARCH 30, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:01 A.M. on Monday, March 30, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings and Board of Equalization Proceedings of March 25, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Greeley County Board asked the Greeley County Attorney to revise the agreement to be more specific on the issue of mileage. The Boone County Board has not received or reviewed the changes made to the Interlocal Agreement with regard to the Veteran Service Office services. Motion made by Luettel, second by Tisthammer to table the Interlocal Agreement regarding Veteran Service Office services to the April 13, 2015 Board meeting. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Jim Ely, County Attorney, presented a resolution for the Board to review regarding a Juvenile Diversion Program. The eligibility guidelines for the Boone County Juvenile Diversion Program were updated and adopted in March 2008 with Resolution No. 2008-15. Ely informed the Board that changes to the guidelines for juvenile diversion program eligibility are necessary in order to utilize grant funding available from Nebraska Crime Commission. The Nebraska Crime Commission grant funding will be beneficial for the law enforcement to provide educational presentations in the county school systems regarding substance abuse and supervision for those in the diversion program. Motion made by Tisthammer, second by Luettel to approve and adopt Resolution No. 2015-11 to supersede all prior eligibility guidelines and that the modified eligibility guidelines for the Boone County Juvenile Diversion Program be effective immediately as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Barb Hanson, County Assessor, updated the Board regarding the valuation abstract submitted to the county liaison that was due on March 26, 2015. Hanson said that the residential homes in the villages, rural homes and farm buildings valuations are below the minimum market value. Hanson informed the Board that the best way to correct the issue is to have re-evaluations completed of all the residential homes in the villages, rural homes and farm buildings.

Lisa Langan, County Court Clerk Magistrate, presented quotes from Eakes Office Solutions for file cabinets to store probate records. The 42" file cabinets are \$1,884.00 each and the 36" file cabinets are \$1,561.00 each. Langan said that the County Court vault and file cabinets are full with no space left. Langan asked the Board if the County Court office may have the new file cabinets placed in the former Clerk of the District Court vault. The Board and Langan discussed the available space within the former District Court vault. Motion made by Luettel, second by Tisthammer to approve the purchase of two 36" file cabinets from Eakes Office Solutions for the County Court office. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



The Board, Darrel Thorin, Highway Superintendent, and Jim Ely, County Attorney, discussed the reclaiming of county road right-of-ways. The County Road Department installed curve signs, etc. and some of the signs have already been removed in order to plant crops beyond the boundaries of the landowner. Some fields are being planted too close and encroaching on county road right-of-ways. The planting of crops and fences that have been installed along county road shoulders and in road ditches can have serious consequences for the safety of those traveling county roads, as well as making the maintenance of county roads by road employees more difficult. Neb. Rev. Stat. 39-301 provides in part that “any person who injures or obstructs a public road by placing or leaving any other obstruction thereon, by encroaching upon the same with any fence, shall upon conviction thereof, be guilty of a Class V misdemeanor.

Denny Johnson, Sheriff, and the Board discussed safety concerns during visitation of prisoners. Johnson asked the Board to consider a monitoring system for communications with prisoners and visitors each in separate locations. Johnson said that the new Law Enforcement Center in Antelope County is set up for the public to visit with prisoners by voice through computer technology and the visitors are not allowed in the prisoner cell area. Prisoner visitations in Boone County are currently inside the jail facility through a doorway and is not safe for the prisoner, visitor or law enforcement staff. Johnson and office staff will continue to look at other law enforcement building settings to see if there is a way to move equipment or re-arrange space in the law enforcement building without adding an addition to the current building.

Open discussion and miscellaneous public comments:

- Commissioner Luettel delivered the music records left from the Class 1 Schools to the Boone County Historical Society Museum for display in the museum school house.
- The Office of the Chief Information Officer (OCIO) of the State of Nebraska is in the process of updating its records regarding the county owned devices connecting to the state network. The state will charge the rate of \$13.00 per month, per county device. Applied Connective Technology has been contacted to review what needs to be completed in order for the County to not be using the State network.

Chairman Tisthammer declared the meeting adjourned at 12:01 P.M., the next Board meeting is scheduled for Monday, April 13, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS

Jerry L. Tisthammer, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, March 30, 2015 at 10:00 A.M. in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Luettel to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Also present was Darrel Thorin, County Highway Superintendent.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and answer questions in relation to the proposed reduction of a county road right-of-way. The hearing is to consider narrowing the right-of-way of a certain county road located in the NE1/4 of Section 16, Township 18 North, Range 7 West, Boone County, Nebraska running in a southeasterly direction, commonly known as 190<sup>th</sup> Avenue.

Darrel Thorin, County Highway Superintendent, said that the proposed reduction of a county road right-of-way is due to erosion of the Cedar River bank. The Boone County Road Department will do the construction work. Thorin said that Boone County and the Natural Resources Conservation Service are working together on said project. After the county road is re-located, the ground to the east will be back slopped to the river for stream bank stabilization, with erosion control measures installed. The reduction request is on the existing road known as 190<sup>th</sup> Avenue for narrowing the county road right-of-way from sixty-six feet to forty feet. The request legally described as a section of road beginning at a point between the NE corner of the NE1/4 of Section 16 and the SE1/4 of Section 9, all in Township 18 North, Range 7 West, of the 6<sup>th</sup> P.M., Boone County, Nebraska, thence southeasterly one-quarter mile. Thorin said that the East edge of the county road right-of-way is to be moved twenty-two feet to the Southwest on 190<sup>th</sup> Avenue for approximately one-quarter mile. The project is awaiting Army Corps of Engineers approval. No cost estimate is available at this time. No opposition or public testimony was received or present at the hearing.

Motion made by Luettel, second by Tisthammer to close said hearing at 11:00 A.M. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to authorize Darrel Thorin, County Highway Superintendent, to prepare a resolution for the April 13, 2015 Board meeting for approval to narrow the road right-of-way from sixty-six feet to forty feet on the existing road known as 190<sup>th</sup> Avenue as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 13, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 13, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, Public Defender, presented a report to the Board regarding the status of court cases since his appointment to the position in August 2012. Jarecki reported that the cases assigned in 2012 and 2013 are all completed. Jarecki reported that the cases assigned in 2014 are completed with the exception of three juvenile cases. Jarecki reported that he has been assigned twelve new cases to date in 2015. Jarecki answered the Board's questions regarding closed/open cases and conflict of interest. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved or has a client connection. Motion made by Tisthammer, second by Maricle to accept the 2015 first quarter Public Defender report as submitted. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the following reports of the County Officials as presented for March, 2015:

- Clerk - \$5,238.75 (State of Nebraska \$1,618.80)(County of Boone \$3,619.95)
- Clerk of the District Court - \$673.16 (State of Nebraska \$364.00)(County of Boone \$309.16)
- Sheriff - \$1,327.78
- Planning & Zoning - \$874.25
- Treasurer - Treasurer's Fees - \$226.00; Miscellaneous Receipt Nos. 14170-14234 - \$377,841.34; Total Collections - \$1,072,508.41
- Boone County Veterans Service office activity report for the month of March, 2015.

Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board reviewed the County Board Proceedings of March 30, 2015. Commissioner Luettel asked that the phrase "behind the minimum market value" be changed to "below the minimum market value" in paragraph six regarding the County Assessor update to the Board. Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings with the change from "behind" to "below" of March 30, 2015 and the Public Hearing Proceedings of March 30, 2015 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Commissioner Maricle received a phone call regarding a request for the possibility of a mediator. The individual was asked to address the request in writing to be presented to the Board. Jerry Niewohner for MSJM Properties LLC attended the Board meeting and submitted a request that Boone County Court Case No. CR14-33 be referred to mediation. The Board asked County Attorney, Jim Ely, for guidance regarding the protocol procedure for a mediation request. Ely said that he knows mediation has been used for civil cases but not criminal cases. The Board suggested that Niewohner ask his legal counsel to discuss the issue with Jim Ely, County Attorney, due to the issue being a court matter.



# Boone County Board Minutes



The Board opened two proposals submitted for the courthouse lawn care at 10:00 a.m. The proposals were received from Jarecki Lawncare Greenhouse, LLC and Schrad's KLawn. The Board noted that the last several years the lawn care services have been alternated between the two businesses. Commissioner Luettel addressed the alternating of services each year due to the businesses both being located in Boone County and do a good job. The ad for bids described the request as a 4-Step Lawn Care Application. Steve Schrad was present at the Board meeting to present and answer questions regarding his proposal. Rod Nelson, Maintenance, called Jim Jarecki, Jarecki Lawncare Greenhouse, LLC on speaker telephone, in order for Jarecki to answer questions from the Board regarding his proposal. The prepay 4-Step application with grub control proposals were Schrad's KLawn for \$1,425.00 and Jarecki Lawncare for \$920.99. Maricle said it is challenging to compare the bids due to Schrad using liquid material and Jarecki using dry material. Nelson said that the ad for proposals should be more detailed and not just say 4-Step Lawn Care Application. Maricle and Luettel are comfortable with the continuance of alternating years for lawn care services. The Board asked that the communication between Nelson and Schrad be open so that the mowing and water correspond timely with the lawn care applications. Motion made by Luettel, second by Maricle to approve with the option to take lawn care bids and/or rotate the lawn care services each year and approve the 2015 lawn care proposal for the courthouse lawn care from Schrad's KLawn for \$1,425.00. Roll call vote: Yeas: Luettel and Maricle. Nays: Tisthammer. Motion carried.

Aubrey Schriver and Mitchell Glesinger, BCDA, Inc., updated the Board regarding BCDA activities. Schriver informed the Board that she has resigned from her position with BCDA, Inc. effective May 1, 2015. Schriver informed the Board that she did not feel there would be an increase to the BCDA, Inc. budget request for the next year. Schriver said that BCDA, Inc. received their Federal 501C-3 Non-profit status with an effective date of August 30, 2013.

Denny Johnson, Sheriff and Sheryl Machacek, Communications Director, updated the Board in regard to a new County Communications Tower. Machacek provided the Board a copy of a Geotechnical Engineering Report. Machacek said that the soil testing is completed and the project has received approval from the Nebraska Department of Aeronautics. The next steps are to work with a consultant for specs and advertisement for tower bids. Darrel Thorin, County Highway Superintendent, reminded Machacek of advertisement procedures if federal funds are involved in the purchase of a new tower. The Board suggested that Machacek ask Tom Smith, Region 44 Emergency Manager, for assistance regarding possible federal funds and advertisement for construction of a new communications tower. Motion made by Maricle, second by Luettel to authorize Sheryl Machacek, Communications Director, to move forward with bids for the design/development of a new County Communications Tower to be located in the southwest corner of the Boone County Fairgrounds. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his March report. In addition, the following topics were discussed:

- The load testing was completed on the Cedar River Historic Bridge last week. Thorin said he is waiting for the results before opening the bridge up for public use.
- Several concrete culverts are cracking and need to be replaced. The concrete culverts will probably be replaced with steel culverts.
- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, presented a resolution regarding the narrowing of a county road right-of-way. Thorin said due to bank erosion of the Cedar River, a portion of a county road will be lost. The county road is described as beginning at a point between the NE1/4 of Section 16 and the SE1/4 of Section 9, Township 18 North, Range 7 West, of the 6<sup>th</sup> P.M., Boone County, Nebraska, thence southeasterly one thousand three hundred twenty feet, known as 190<sup>th</sup> Avenue. The said county road will need to be moved twenty-two feet to the southwest to allow for river bank stabilization to be completed. The adjoining landowner is willing to allow said road to be moved twenty-two feet to the southwest if said right-of-way is reduce from sixty-six feet to forty feet. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-12, that said road right-of-way be reduced from the current sixty-six feet to forty feet on a portion of the county road known as 190<sup>th</sup> Avenue as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Niewohner Bros., Inc. requested permission to bore a gas line for irrigation purposes over and across a county road commonly known as 240<sup>th</sup> Avenue. The gas line commences from a natural gas line located in the NE1/4 of Section 20, Township 21 North, Range 6 West; running thence East to the NW1/4 of Section 21, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., all in Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-13, granting permission to bore a natural gas line across 240<sup>th</sup> Avenue for irrigation purposes to the NW1/4 of Section 21, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Delmar Real Estate, LLC/Niewohner Grandchildrens, LP requested permission to trench a gas line for irrigation purposes over and across a county road commonly known as 250<sup>th</sup> Avenue. The gas line commences from the NW1/4 of Section 22, Township 21 North, Range 6 West; running thence West to the NE1/4 of Section 21, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., all in Boone County, Nebraska. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-14, granting permission to trench a natural gas line across 250<sup>th</sup> Avenue to the NE1/4 of Section 21, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Niewohner Grandchildrens, LP/Delmar Real Estate, LLC/JSMM Farms, LLC requested permission to bore a gas line for irrigation purposes over and across a county road commonly known as 260<sup>th</sup> Avenue. The natural gas line commences from the NW1/4 of Section 22, Township 21 North, Range 6 West; thence North to the SW1/4 of Section 15, Township 21 North, Range 6 West; thence East across the SW1/4 and SE1/4 of Section 15, Township 21 North, Range 6 West; thence running diagonally across 260<sup>th</sup> Avenue to the NW1/4 of Section 23, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., all in Boone County, Nebraska. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-15, granting permission to bore a natural gas line across 260<sup>th</sup> Avenue for irrigation purposes to the NW1/4 of Section 23, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

JSMM Farms, LLC requested permission to trench a water line for stock well purposes over and across a county road commonly known as 180<sup>th</sup> Street. The water line commences from the SE1/4 of Section 11, Township 21 North, Range 7 West; running thence South to the NE1/4 of Section 14, Township 21 North, Range 7 West of the 6<sup>th</sup> P.M., all in Boone County, Nebraska. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-16, granting permission to trench a water line across 180<sup>th</sup> Street for stock well purposes to the NE1/4 of Section 14, Township 21 North, Range 7 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



The Boone County Board of Commissioners accepted applications from interested persons in Boone County to serve on the Boone County Health Center Board of Trustees. The trustees will be appointed for a six-year term effective July 1, 2015. The Board received three applications for the interview process. The Board, Vic Lee and Tanya Sharp, Boone County Health Center, interviewed Paul Groetke, Kim Beierman and Jolynn Groetke. The Board will appoint two new Boone County Health Center Board of Trustees at their April 20, 2015 Board meeting.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received two requests for advertisement funding.

The Petersburg Community Club submitted an application requesting assistance to advertise the Bash in the Burg event scheduled for August 8, 2015. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the Bash in the Burg event as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Albion Area Arts Council submitted an application requesting assistance to advertise the humanities speaker, Andrew Jewell scheduled for May 2, 2015. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the humanities speaker, Andrew Jewell as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board looked at a Dodge Grand Caravan to purchase for county employees to use for meeting transportation. The Board felt that when more than one employee is attending the same meeting a van may be beneficial for transportation. The Board decided not to trade in a vehicle and purchase the van outright. Motion made by Tisthammer, second by Luettel to purchase a 2014 Dodge Grand Caravan from Schalk Auto, Inc. for \$19,750.00. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Boone County Ambulance Service billing services have been processed by EMS Billing Services, Inc. of Omaha, Nebraska in accordance with an agreement signed in March 2014. The EMS policy is to send a bill notification two/three times regarding an ambulance transport. If the bill is not paid after the third notice of balance due after insurance or a bill not paid after a second notice when the patient had no insurance on record, EMS will write that portion off their books and notify the county. Nicole Levander, Boone County Health Center, is the liaison for the Boone County Ambulance Service billings. The Board needs to address the process for handling ambulance service collections when EMS receives no response. The Board discussed having the liaison send a bill on behalf of the county with the balance due and that the patient is welcome to use a payment plan of a minimum of \$100.00 per month. If there is no response in thirty days the bill will be turned over to the County Attorney for collection. Motion made by Maricle, second by Tisthammer to continue the services with Nicole Levander, Boone County Health Center, as liaison for Boone County Ambulance Service; send a balance due on behalf of the county payable in thirty days; option of a payment plan of a minimum of \$100.00 per month; no response in thirty days the bill will be turned over to the County Attorney for collection. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.





# Boone County Board Minutes



Motion made by Luettel, second by Maricle to table the discussion regarding the pop machine that is located in the multi-purpose room to the April 20, 2015 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Barb Hanson, County Assessor, presented two proposals from Stanard Appraisal Services, Inc. for revaluations for Boone County. The cost to complete the reappraisal of 1,086 Ag Improved, Rural Residential and IOLL properties in Boone County is in a range of \$135-\$145 per parcel for a range total of \$146,610.00-\$157,470.00. The cost to complete the reappraisal of 180 Residential properties for Petersburg is in a range of \$140-\$155 per parcel for a range total of \$25,200.00-\$27,900.00. The bids include Stanard Appraisal Services conducting the informal hearings prior to valuations being sent out and being present at the Boone County Board of Equalization hearings. Motion made by Luettel, second by Maricle to approve and authorize Barb Hanson, County Assessor, to correspond with Stanard Appraisal Services, Inc. for the acceptance of the proposals and preparation of the contracts for their services. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board reviewed and discussed the final draft of an Interlocal Agreement between the County of Greeley and the County of Boone in regard to the Boone County Veteran Service Officer also serving as the Greeley County Veteran Service Officer. Greeley County will pay Boone County a total amount of \$7,500.00 a year payable in quarterly payments. The Boone County Veteran Service Officer will spend approximately six hours one day a week in Greeley County. Motion made by Luettel, second by Tisthammer to approve the Interlocal Agreement between County of Greeley and County of Boone for Veteran Service Officer services as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$51,095.22; Road - \$107,164.54; Boone County Visitors Promotion - \$878.95; Reappraisal - \$6,507.80; Inheritance Tax - \$19,819.20; 911 Emergency Management (2910) - \$374.38; 911 Wireless Service (2913) - \$1,017.52; Ambulance - \$1,568.93. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board did not take up the agenda item relating to the county general assistance request, because the requestor did not appear before the Board. The Board discussed with the County Attorney the need to review and update the county general assistance guidelines.

Motion made by Luettel, second by Maricle to go into executive session at 12:27 p.m., per the Open Meeting Act §84-141(D), 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: Luettel, Maricle and Tisthammer. Nays: None. Motion carried. James Ely, County Attorney asked for the executive session and asked to have Denny Johnson, Sheriff and Steve Pritchard, Boone-Nance Extension Educator, to join the discussion. Motion made by Tisthammer, second by Maricle to come out of the executive session at 1:22 p.m. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. Personnel issues were discussed, no action was taken by the Board.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.



# Boone County Board Minutes



Chairman Tisthammer declared the meeting adjourned at 1:46 P.M. with the next Board meeting scheduled for Monday, April 20, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 20, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:01 A.M. on Monday, April 20, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective offices.
- The group discussed the use of the old pop machine that is noisy and located in the multi-purpose room. The pop machine will be moved into the hallway between the restroom entrances. An electrical outlet needs to be installed in the hallway area.
- Laurie Krohn, Treasurer, informed the group that beginning June 1, 2015 the Nebraska Driver's License Examiners schedule for Boone County will change from Thursday to Wednesday. They will be in Boone County every other Wednesday, beginning June 10, 2015 from 9:30 A.M. to 4:15 P.M. and open over the noon hour.
- The county telephone in the multi-purpose room is for in-house transfers only and will be moved to the new location on May 15, 2015 for the Nebraska Driver's License Examiners use in the former Clerk of the District Court office. The in-house transfer line is for the convenience of the public when they call another office and need to be transferred to the Driver's License Examiners.
- The new Boone County Courthouse Collection Box is installed by the courthouse west entrance. The collection box is in a location where lights and a camera are located for coverage. All offices may have items dropped off in the collection box. The collection box will be checked each morning during the work week at 8:00 A.M. by maintenance and throughout the day during election and tax times.
- The Board was asked if there is a possibility that the county would pay for an employee membership or half of an employee membership to the Boone County Fitness Center as a wellness benefit program. Questions: Is there a decrease in the health insurance premium if one participates in a wellness program; if the county pays all or half of the fitness center fee for employees, is it a taxable benefit income?
- Denny Johnson, Sheriff, informed the group that the Mobile Food Pantry will be at the Boone County Fairgrounds Casey's Building on Saturday, May 2, 2015. All volunteer help is appreciated.



# Boone County Board Minutes



- Steve Pritchard, Extension, informed the group that an intern from UNL will be working in the Boone-Nance County offices this summer. Anyone with knowledge of temporary housing facility for approximately three months for the intern is asked to contact Pritchard.
- Kathy Thorberg, County Clerk, Jim Ely, County Attorney, and Denny Johnson, County Sheriff, attended the Human Resources Employment Practices Seminar sponsored by NIRMA on April 8, 2015. NIRMA provides the county insurance and they provide the NIRMA counties a Guide to a County Personnel System to help assist the counties with their county employee handbook/updates and updates for federal/state posters.
- Employees are reminded to re-fuel the county vehicles after each use. A vehicle log is in each of the county vehicles and sign the fuel ticket at White Star Oil Company.
- The elected/appointed officials present were asked to put together a list of surplus items for the Albion Garage Sale date of May 9, 2015.

The Board of Commissioners plan to move their meeting room space into the north end of the multi-purpose room in the middle of May 2015. Commissioner Maricle visited with Western Office Products Plus in regard to tables, filing cabinets, etc. on rollers and are stackable. Maricle suggested furnishings for the multi-purpose room that would make it more functional for different types of meetings. Maricle has not received the quotes to date and will also visit with Eakes Office Solutions.

Barb Hanson, County Assessor, presented the Agreements for Appraisal Services from Stanard Appraisal Services, Inc. of Central City, Nebraska. The Board reviewed the proposed agreements for appraisal services at their April 13, 2015 Board meeting. The compensation to Stanard Appraisal will be \$27,000.00 based on 180 parcels of Residential properties in Petersburg at a rate of \$150.00 per parcel. The compensation to Stanard Appraisal will be \$152,040.00 based on 1,086 parcels for Rural Residential, Ag Improved and IOLL sites at a rate of \$140.00 per parcel. Any parcels in addition to the parcel numbers shown, will be billed separately. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the two Agreements for Appraisal Services with Stanard Appraisal Services, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, and Tony Lampert, NRCS, and the Board discussed the Cedar River Bank stabilization project. The county road is described as beginning at a point between the NE1/4 of Section 16 and the SE1/4 of Section 9, Township 18 North, Range 7 West, of the 6<sup>th</sup> P.M., Boone County, Nebraska, thence southeasterly one thousand three hundred twenty feet, known as 190<sup>th</sup> Avenue. The said road is being moved twenty-two feet to the southwest and the county road right-of-way being reduce from sixty-six feet to forty feet. The county cost for materials is estimated at \$25,086.00 and the estimated county labor and equipment is worth \$49,500.00. The Lower Loup Natural Resources District and Natural Resource Conservation Services are providing an estimated \$49,934.00 to the project. The consensus of the Board is to proceed with the project.

Ted and Ramona Thieman met with the Board to discuss animal cruelty cases. Thieman felt that cruelty/starving of the horses is a long time standing problem. Thieman felt that the plea agreement for the court case is too lenient. Thieman said that the cruelty to the horse's case has been broadcasted nationwide and now Boone County, Nebraska is in danger of becoming known as a county where animal cruelty and neglect occur. Thieman hopes that the county will do all they can to work with the Nebraska Humane Society to solve the animal cruelty matter. Thieman urged that felony prosecution be pressed where warranted. Denny Johnson, Sheriff, said that the Board of Commissioners are kept informed in regard to the Majerus horse cases.





# Boone County Board Minutes



Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of April 13, 2015 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board, Vic Lee and Tanya Sharp, Boone County Health Center, interviewed Paul Groeteke, Kim Beierman and Jolynn Groeteke for the Boone County Health Center Board of Trustees positions on April 13, 2015. Vic Lee and Tanya Sharp, were present at the Board meeting to answer any questions in regard to the appointments to the Boone County Health Center Board of Trustees. The trustees are appointed for a six-year term beginning July 1, 2015. Tim Kayton and Janet Groeteke, Boone County Health Center Board of Trustees, have completed their terms of service. Motion made by Maricle, second by Luettel to appoint Paul Groeteke and Kimberly Beierman for a six-year term each to the Boone County Health Center Board of Trustees, effective July 1, 2015. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Boone County Ambulance Services Resolution 2012-07, needs to be reviewed and updated. The County of Boone DBA Boone County Ambulance Service and EMS Billing Services, Inc. of Omaha, Nebraska approved an Agreement effective March 1, 2014 for EMS Billing Services to provide the bookkeeping services for the county ambulance transports. Therefore, the resolution regarding transport services, bookkeeping services and base ambulance rates needs to be reviewed. The Board, Vic Lee and Nicole Levander, Boone County Health Center, will review the county ambulance services resolution for additions/ deletions/changes to be considered at the April 27, 2015 Board meeting.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Commissioner Maricle updated the Board members regarding the NorthStar/Region IV meeting she attended.
- Ted Thieman and the Board discussed the bridge at the Olson Nature Reserve, in regard to the riverbank movement.

Chairman Tisthammer declared the meeting adjourned at 11:54 A.M. with the next Board meeting scheduled for Monday, April 27, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 27, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 27, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$89,387.02, BCBS \$44,418.77, Ameritas Ret \$6,153.16, EFTPS \$6,664.53, Section 125 Fees \$10.00; Road \$47,807.60, BCBS \$23,566.64, Ameritas Ret \$3,227.01, EFTPS \$3,606.11; Ambulance \$2,505.00, Ameritas Ret \$82.69, EFTPS \$191.62; Public Defender Contract \$3,000.00; Boone County Fitness Center \$8,943.61, Ameritas Ret \$485.66, EFTPS \$684.19, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Petersburg Volunteer Fire Department submitted an application requesting assistance to advertise the Fireman's Dance & Cruise Night fundraiser scheduled for June 13, 2015. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the Petersburg Fireman's Dance & Cruise Night event as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of April 20, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Jeff Jarecki, Attorney, met with the Board regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC to construct a hog confinement facility. The Board tabled a decision to their November 10, 2014 Board meeting due to a court hearing scheduled for November 4, 2014. The Board tabled a decision on November 10, 2014 to their November 25, 2014 Board meeting; November 25, 2014 Board meeting to their December 8, 2014 Board meeting; December 8, 2014 Board meeting to their December 22, 2014 Board meeting; December 22, 2014 Board meeting to their January 12, 2015 Board meeting; January 12, 2015 Board meeting to their January 26, 2015 Board meeting; January 26, 2015 Board meeting to their April 27, 2015 Board meeting. Jarecki said that there is no court ruling to date. Jarecki asked the Board to table a decision to their Wednesday, June 24, 2015 Board meeting with the understanding that the Board may make a decision sooner if the Court enters an Order prior to June 24, 2015. Motion made by Tisthammer, second by Maricle to table/postpone a decision until the June 24, 2015 Board meeting or sooner if the Court enters an Order prior to June 24, 2015 in regard to the public hearing held on October 14, 2014 concerning an Application for Conditional Use Permit filed by MSJM Properties, LLC to construct a hog confinement facility. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



The Board heard a general assistance request regarding transportation for medical treatment. The Board explained the protocol procedure and guidelines regarding general assistance. The Board suggested other entities services for future needs. Motion made by Maricle, second by Luettel to approve a set amount for groceries/food only and fuel payable directly to the entities. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Steve Pritchard, Boone-Nance Extension, and the Board discussed leased equipment used in the Boone-Nance Extension offices from University of Nebraska Lincoln (UNL). Pritchard said that the leases are on a three/four year rotation and that the cost share is split between Boone, Nance and UNL. The laptop Pritchard is presently using is a 2011 lease. Pritchard said that the Boone/Nance County cost share of the laptop will be approximately \$1,350.00 and UNL will pay approximately \$1,000.00. The Board asked Pritchard what happens to the equipment when the lease has expired and new replacement equipment is leased. Pritchard said that the prior leased equipment is returned to UNL. The approximate cost includes compatible software with the State UNL system and technical support. Motion made by Maricle, second by Luettel to approve a lease agreement for the Boone/Nance Extension office with UNL for a new Dell M2800 laptop computer for approximately \$2,350.00 as presented by Steve Pritchard, Boone-Nance Extension. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Jacqueline Wells, Veteran Service Officer, has registered to attend a National Association of County Veterans Service Officers training conference to be held in Appleton, Wisconsin from May 30, 2015 to June 6, 2015. Wells asked the Board if County Veteran Service Officers from other Nebraska counties may carpool with her to Wisconsin. Wells said that the fuel and room will be split between the counties that carpool. The Board contacted Nebraska Intergovernmental Risk Management Association (NIRMA) regarding the request. Motion made by Luettel, second by Maricle to approve other Nebraska County Veteran Service Officers to occupy/operate the Boone County vehicle that is being used to carpool to the national meeting in Wisconsin from May 30, 2015 through June 6, 2015. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Boone County Ambulance Services Resolution 2012-07, was reviewed by the Board, Vic Lee and Nicole Levander, Boone County Health Center, regarding additions/deletions/changes considered for the county ambulance services. The County of Boone DBA Boone County Ambulance Service and EMS Billing Services, Inc. of Omaha, Nebraska approved an Agreement effective March 1, 2014 for EMS Billing Services to provide the bookkeeping services for the county ambulance transports. The following changes/additions:

- Effective March 1, 2014 an Agreement was approved and signed between the County of Boone DBA Boone County Ambulance Service and EMS Billing Services, Inc. of Omaha, Nebraska.
- The Boone County Health Center (BCHC) will provide liaison bookkeeping services and shall not be held liable for any ambulance charges that are not collectible.
- EMS Billing Services will send a notification to the BCHC liaison regarding uncollectible services billed. The BCHC liaison will send a bill on behalf of the county with the balance due and that the patient is welcome to use a payment plan of a minimum of \$100.00 per month. If there is no response in thirty days, the bill will be turned over to the County Attorney for collection.
- ALS/Emergency Level 1 - \$600.00; ALS Emergency Level 2 - \$700.00 and Specialty Care Transport - \$850.00.
- Dated this 27<sup>th</sup> day of April, 2015.

Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-17, to take precedence over all prior resolutions that pertain to the operation of the Boone County Ambulance Service with the



# Boone County Board Minutes



changes/additions as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board discussed disposal of county surplus equipment/fixtures. The consensus of the Board is that each office will make a list and the County Clerk's office will email the list to the department heads to see if another county office can use the items. The Board plans to dispose of the items by participating in the Albion city wide garage sales on May 9, 2015 with the items to be located in the old Albion fire hall. Maricle said she would be able to monitor the items on May 9, 2015.

Motion made by Tisthammer, second by Maricle to go into executive session at 10:32 a.m., per the Open Meeting Act §84-141(D), 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, Maricle and Luettel. Nays: None. Motion carried. James Ely, County Attorney asked for the executive session to discuss personnel issues. Motion made by Tisthammer, second by Maricle to come out of the executive session at 11:23 p.m. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. Personnel issues were discussed, no action was taken by the Board.

It shall also be the duty of the County Board of each county of this state to visit the jail of its county once during each of its sessions in January, April, July and October of each year per Nebraska State Statute 47-109. The Board visited the Boone County Jail per Nebraska State Statute.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Steve Pritchard, Boone County Extension, and the Board discussed copy paper supply order/costs for the Boone County Extension office.
- Mary Ziemba, County Zoning, informed the Board that the alternate board member position on the County Zoning Board of Adjustments is vacant and that an appointment for the position should be addressed.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Juvenile Services.
- Jim Ely, County Attorney, informed the Board that he asked Applied Connective Technologies to provide a quote for Wireless/Wi-Fi connection availability in the Courthouse.
- Commissioner Maricle updated the Board regarding office furnishings for the multi-purpose/commissioners room.
- Jacqueline Wells, Veteran Service, informed the Board that her daughter is a Veteran with four years of service in the Navy. Wells said that her daughter may be riding in the county vehicle occasionally to Greeley County to volunteer her services to help Wells in the Greeley County Veteran office.

Chairman Tisthammer declared the meeting adjourned at 12:01 P.M., the next Board meeting is scheduled for Monday, May 11, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 11, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, May 11, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$30,376.09; Road - \$116,770.19; Boone County Visitors Promotion - \$175.60; Reappraisal - \$24,465.52; County Veteran's Aid - \$2,000.00; Inheritance Tax - \$57,342.40; 911 Emergency Management (2910) - \$2,226.76; 911 Wireless Service (2913) - \$8,907.05; Ambulance - \$1,502.12. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for April, 2015:

- Clerk - \$5,407.50 (State of Nebraska \$2,049.31)(County of Boone \$3,358.19)
- Clerk of the District Court - \$652.38 (State of Nebraska \$225.25)(County of Boone \$427.13)
- Sheriff - \$848.18
- Planning & Zoning - \$3,235.00
- Treasurer - Treasurer's Fees - \$14.00; Miscellaneous Receipt Nos. 14235-14307 - \$1,349,942.30; Total Collections - \$8,093,200.82

Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of April 27, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board reviewed a letter of resignation from Natalie Pugh, a full time employee in the County Assessor's office. Motion made by Tisthammer, second by Luettel to accept the letter of resignation from Natalie Pugh effective May 14, 2015. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his April report. In addition, the following topics were discussed:

- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.
- A road department payloaders need tire replacement. The average price per tire is \$2,553.00.
- Thorin visited with Jeff Temme, Petersburg Community Club, regarding a maintainer being on display during the Petersburg Carnival Days youth events in June.
- Several concrete culverts are cracking and need to be replaced. The concrete culverts will probably be replaced with steel culverts.
- Thorin updated the Board regarding the road department's FCC radio license.

Thorin presented a sample letter to the Board, if approved, to be sent to county landowners regarding crop encroachment/obstruction on County right-of-way that pose a liability problem for both the landowner and the County by creating drainage problems, road sign visibility issues, etc. Thorin explained the protocol procedure to the Board. Thorin



# Boone County Board Minutes



has sent the letter to Nebraska Intergovernmental Risk Management Association (NIRMA) for review. Motion made by Tisthammer, second by Maricle to approve the letter pending the approval of NIRMA as to form. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Fred Bader, Bader's Highway & Street of Norfolk, Nebraska, and Darrel Thorin, County Highway Superintendent, presented estimates for crack sealing for several county asphalt roads. The estimate #68 for \$9,670.00 includes part of 255<sup>th</sup> Avenue, Mill Road (5 miles) and Raeville Road. The estimate #74 for \$3,750.00 includes part of St. Edward Central Highway and Cargill Road. Bader's Highway will remove all weeds, blow out all cracks, clean, seal and squeegee all cracks. Motion made by Tisthammer, second by Luettel to approve the Estimate #68 for \$9,670.00 and Estimate #74 for \$3,750.00 from Bader's Highway & Street as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a quote from Sta-bilt Construction Company of Harlan, Iowa for armor coating asphalt roads. The quote is for 140<sup>th</sup> Street West of Highway 14; 140<sup>th</sup> Street East of Highway 14; 145<sup>th</sup> Street West of Highway 14; Fairgrounds Road South of Highway 91; 260<sup>th</sup> Street & Country Club Drive; Hill View Drive; 250<sup>th</sup> Avenue to 265<sup>th</sup> Street; and 265<sup>th</sup> Street/250<sup>th</sup> Avenue to Highway 14 for \$157,384.23. The County will furnish the granite chips to include compaction. Motion made by Luettel, second by Maricle to approve the armor coating quote of \$157,384.23 from Sta-bilt Construction Company as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding driveways for the Prairie Breeze II wind towers. Thorin said that the driveway permits will be available for the Board to review at their May 18, 2015 Board meeting.

The Boone County Board of Commissioners agreed to guarantee a loan up to \$50,000.00 to the Boone County Agricultural Society, Inc. for the development of a business plan and promotional material for a fund raising campaign regarding a proposed new multi-purpose building to be located on the fairgrounds property. The authorized representatives of the Boone County Agricultural Society, Inc. agreed that the loan for up to \$50,000.00 is to be repaid from private donations from the fund raising campaign to the County of Boone Inheritance Tax Fund on or before June 1, 2015. Chuck Rolf, Boone County Agricultural Society, Inc., asked the Board for a year extension regarding the loan repayment. Rolf said that they have not received the feasibility study to date. The Boone County Agricultural Society expense to date is \$11,498.24 for the development of a business plan and promotional material. Motion made by Luettel, second by Maricle to prepare a resolution for the May 18, 2015 Board meeting to extend the repayment date to June 1, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Members of the Boone County Historical Society, Inc. have contacted the Board regarding roof repairs and maintenance/preservation for the Boone County Museum. The last budget filed by the Boone County Historical Society, Inc. was for the 1998-1999 fiscal year and last levy was in 1998. They have been operating with volunteers and donations since 1999-2000 fiscal year. In June of 2010 the Historical Society Board asked the Board of Commissioners for \$2,000.00 for the purpose of installing a telephone line and internet service in the museum. The Board has budgeted \$2,000.00 each fiscal year since 2010-2011 payable to the Boone County Historical Society, Inc. from the County General Fund to help cover the telephone/internet expenses. In order for the Boone County Historical Society, Inc. to submit a separate budget/levy for improvements it would need to be an Election approval by the vote of the citizens of Boone County. The Board of Commissioners may approve an amount each fiscal year for maintenance for a nonprofit county historical association or society that is not receiving funds from a levy. Commissioner Tisthammer suggested to invite the Boone County Historical Society, Inc. members to a Commissioners Board meeting to discuss the maintenance needs and funding options.

Vic Lee and Tanya Sharp, Boone County Health Center, and James Ely, County Attorney, updated the Board regarding a new medical clinic building to be located in Spalding. Lee said that the real estate for the construction of a new clinic building is being donated by a Greeley County resident. In exchange, the Greeley County resident will receive a deed to the property of the present/old medical clinic after the new clinic is completed. Lee said that they are working on the new Spalding Medical Clinic and an addition to the Boone County Medical Clinic this year. Lee said the plans are that both clinic facilities would be in operation as early as January 2016. Ely said he is working with Cindy Bassett, Greeley County Attorney, regarding the real estate transaction for the Spalding Medical Clinic. Lee asked the Board to cover the



# Boone County Board Minutes



title insurance fees for the Greeley County property. Motion made by Luettel, second by Maricle to approve James Ely, County Attorney, to obtain a title insurance estimate for the Greeley County real estate transaction as discussed. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to go into executive session at 10:57 a.m., per the Open Meeting Act §84-141(D), 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, Luettel and Maricle. Nays: None. Motion carried. James Ely, County Attorney asked for the executive session to discuss personnel issues. Motion made by Tisthammer, second by Maricle to come out of the executive session at 11:29 p.m. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. Personnel issues were discussed, no action was taken by the Board.

The Board discussed office furnishings for the multi-purpose room/commissioners room. No decision has been made at this time.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Darrel Stanard, Stanard Appraisal, and the Board discussed reappraisal of properties. Stanard said that his crew plans to start today in Petersburg according to the agreement.
- Steve Pritchard, Boone-Nance Extension, introduced Erica Peterson of Waverly, Nebraska an UNL intern student. Peterson said she will be working in the Boone-Nance Extension offices from May 11, 2015 through July 24, 2015.
- Commissioner Maricle reported on the following meetings she attended: Region 44 Emergency Management, North Star/Region IV and Boone County Health Center.

Chairman Tisthammer declared the meeting adjourned at 12:17 P.M. with the next Board meeting scheduled for Monday, May 18, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## **MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR A CHANGE OF ZONING**

Jerry L. Tisthammer, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Monday, May 18, 2015 at 10:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Maricle to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Commissioners present for said public hearing were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Mary Ziemba, County Zoning Administrator and applicant representative, Ron Rutten, were present to answer any questions. Chairman Tisthammer acknowledged the notice for the record.

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 a Change of Zoning submitted by Country Partners Cooperative by Scott D. Haller, Energy Manager, and an amendment to the official zoning map. Spalding Cooperative Elevator Company d/b/a Country Partners Cooperative is the property owner of the real estate referenced herein.

- The application request is to Re-zone 25.428 acres in the SE1/4SE1/4 of Section 20, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska from A-1 Agricultural – Primary District to I-2 Heavy Industrial and to re-zone the remaining 14.572 acres as A-1 Agricultural – Primary District; and
- Amend the Boone County Official Zoning Map to reflect said Re-zoned parcels regarding the SE1/4SE1/4 of Section 20, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska.

Ron Rutten explained to the Board that they applied for a sign permit from the State of Nebraska when Ziemba discovered errors regarding the 2007 re-zoning process. Ziemba explained to the Board the procedure that JEO Consulting Group suggested in order to correct/complete the 2007 re-zoning request and amendment to the Boone County Official Zoning Map. The Boone County Planning and Zoning Commission approved the Application for a Change of Zoning.

Motion made by Maricle, second by Luettel to close said hearing at 10:37 A.M. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the Application for a Change of Zoning and Resolution No. 2015-20 to re-zone 25.428 acres in the SE1/4SE1/4 of Section 20, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska from A-1 Agricultural – Primary District to I-2 Heavy Industrial; to re-zone remaining 14.572 acres as A-1 Agricultural – Primary District; and to amend the Boone County Official Zoning Map to reflect said re-zoned parcel as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Kathy Thorberg,  
Boone County Clerk





## ALBION, NEBRASKA

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- Commissioner Tisthammer emphasized that the 2 hour parking signage located in the courthouse west parking lot needs to be honored by county employees. The West Parking Lot is the best access entrance to the courthouse for the public and citizens with disabilities. County employees are asked not to park in the West Parking Lot during regular courthouse hours from 8:00 A.M. to 5:00 P.M., Monday through Friday.
- Stanard Appraisal started their contracted re-valuation work in the Village of Petersburg.
- Department Heads present were reminded to complete the “Transfer of Equipment from Inventory” forms regarding the exchange of furniture/equipment between the county offices for the respective county office inventory records.
- Denny Johnson, Sheriff, informed the group that a Mobile Food Pantry will be at the Boone County Fairgrounds on June 6, 2015. Johnson said that volunteers are appreciated.
- Tom Smith, Emergency Manager, updated the Board regarding the purchase of a different Emergency Management Vehicle.



# Boone County Board Minutes



The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Petersburg Community Club requested assistance to advertise the Petersburg Carnival Days scheduled for June 23-25, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings and Board of Equalization Proceedings of May 11, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve a Payroll Claim filed for payment from the General Fund in the amount of \$1,561.11 and the Accounts Payable Vendor Claims filed for payment from the General Fund for Ameritas Ret \$105.37 and EFTPS \$119.42. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board reviewed a letter of resignation from Jane Klassen, a part-time employee in the County Veteran's Service office. Jane Klassen has been working 20 hours a week for the Veteran's Service Office and an average of 18 hours a week for the County Assessor's office. Klassen submitted a two week resignation letter for the County Veteran's Service office part-time position effective May 22, 2015 in order to accept a full time position with the County Assessor's office. Motion made by Luettel, second by Tisthammer to accept the letter of resignation from Jane Klassen as a part-time employee in the County Veteran's Service office effective May 22, 2015 and approve full time employee status for the County Assessor's office beginning May 18, 2015. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Barb Hanson, County Assessor, presented two quotes for the purchase of two file cabinets for the Assessor's office. The quotes were from Eakes Office Solutions and Western Office Products. Motion made by Luettel, second by Maricle to approve two 3-drawer lateral file cabinets for \$475.00 each from Eakes Office Solutions. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Randall Bruland, Boone County Ambulance, submitted two quotes for a new computer for the Boone County Ambulance. The computer unit in the ambulance transmits patient transport data. The present computer was purchased in 2010 and is not working properly. The quotes are a Lenovo ThinkPad for \$1,137.96 and a Dell Inspiron for \$1,145.61. Motion made by Maricle, second by Luettel to approve and authorize Randall Bruland to order a new Lenovo ThinkPad Touchscreen Notebook PC for \$1,137.96 from Applied Connective Technologies as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board reviewed the following quotes for 40 cases of 20 lb., 8 1/2 x 11 copy paper, 92 bright for the courthouse: Albion News for \$31.65 a case; Eakes Office Solutions for \$29.99 a case; and Western Office Products for \$32.00 a case. The Board discussed the difference of \$1.66 between a local business and non-local business. Motion made by Maricle, second by Tisthammer to approve the purchase of 40 cases of copy paper at \$31.65 a case from Albion News as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. The load testing was completed on the Cedar River Historic Bridge the week of April 6, 2015. Thorin said he is waiting for the results before opening the bridge up for public use.

Bader's Highway & Street of Norfolk, Nebraska will be working with the road department regarding crack sealing for several county asphalt roads. Darrel Thorin and Rod Nelson, Maintenance, visited with Fred Bader regarding crack sealing for the courthouse driveway and parking lots. Motion made by Luettel, second by Tisthammer to approve the Estimate No. 75 for \$2,720.00 from Bader's Highway & Street for the courthouse driveway and parking lots as presented. Roll call vote: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a resolution for the Board to review. The State of Nebraska, Department of Roads submitted an Agreement for consultant inspection and load re-rating on county fracture critical bridges. Thorin said that Boone County has five fracture critical bridges that are checked every twelve months. The cost for the bridge inspections is estimated at \$7,878.08 for 2015. The state share is 80% and the county share 20% of the estimated costs. Thorin said that Boone County has soft match funds available to cover the 20% share. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-18, an Agreement between the Nebraska Department of Roads and Boone County for Project No. STP-NBIS (102), Control No. 00924 Fracture Critical Bridge Inspections and Load Re-rating as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a resolution for the Board to review. Marlin Conry, Prairie Breeze Wind Energy II, LLC, submitted easement requests to bore three wire power conductor with ground and a fiber optic cable in innerduct under several county roads for wind towers. The wind tower project is located in the northeast portion of Boone County. The request is to bore under a portion of the following roads as described in the resolution: 100<sup>th</sup> Street; 110<sup>th</sup> Street; 270<sup>th</sup> Avenue and 290<sup>th</sup> Avenue. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-19, to bore three wire power conductor with ground and a fiber optic cable in innerduct under several county roads as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, presented a resolution for the Board to review following the public hearing. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-20, to Re-zone 25.428 acres in the SE1/4SE1/4 of Section 20, Township 20 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska from A-1 Agricultural – Primary District to I-2 Heavy Industrial; to re-zone remaining 14.572 acres as A-1 Agricultural – Primary District; and to amend the Boone County Official Zoning Map to reflect said Re-zoned parcel. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested a loan from the County Inheritance Tax Fund for up to \$50,000.00 on April 28, 2014 and the Board of Commissioners approved the request with Resolution No. 2014-24 dated May 12, 2014 to be repaid from private donations from the fund raising campaign to the County of Boone Inheritance Tax Fund on or before June 1, 2015. The Boone County Agricultural Society, Inc. requested a year extension of the loan repayment on May 11, 2015, due to that they have not received the feasibility study to date. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-21, to extend the Boone County Agricultural Society, Inc. loan for up to \$50,000.00 to be repaid from private donations from the fund raising campaign to County of Boone Inheritance Tax Fund on or before June 1, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Rod Nelson, Maintenance, presented a proposal for a new cooling/heating courthouse rooftop unit for the Board to review. Nelson said that there are seven cooling/heating rooftop units for the courthouse. Presently four rooftop units are considered the new ones that were installed during the courthouse remodeling and three units are the old ones before the remodeling. The Rooftop Unit #1 (RTU 1) that needs replacing is one of the new units installed during remodeling and the warranty has expired. Nelson informed the Board that Eller Heating, Air Conditioning & Plumbing, LLC estimated \$3,000.00 to repair RTU 1. Nelson asked the company to quote a new cooling/heating unit. The proposal for a new cooling/heating RTU 1 that includes freight is for \$5,120.00. Motion made by Luettel, second by Tisthammer to approve and authorize the Chairman to sign the proposal for a new cooling/heating rooftop unit to replace the Courthouse Rooftop Unit #1 from Eller Heating, Air Conditioning & Plumbing, LLC for \$5,120.00. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board reviewed the information provided by NACO BC/BS regarding the employee health/dental insurance. The NACO BC/BS overall rates for groups with both health and dental plans will decrease by 3.15% for fiscal year 2015-2016. The sub-group application/coverage election form needs to be received at BC/BS Nebraska no later than May 29, 2015. The County Clerk's office plans to distribute a copy of the premium rate changes with the employees' May payroll. The County of Boone pays all of the health insurance premiums and employee only dental premium. An employee has the option to pay dental coverage for their spouse/children. Motion made by Maricle, second by Luettel to approve the NACO BC/BS Blue Preferred PPO Health Plan with \$1,500.00 individual deductible and Dental PPO Plan (Premier Option 3) for the period of July 1, 2015 through June 30, 2016 and authorize Jerry Tisthammer, Board Chairman, to sign the 2015 NACO Subgroup Application Coverage Election Form. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Barb Hanson, County Assessor, presented information for the Board to review regarding the contracts with GIS Workshop, LLC. The Board reviewed a Maintenance and Support Services Contract between GIS Workshop, LLC and Boone County, NE Assessor and a Subscription Contract between GIS Workshop, LLC and Boone County, NE Assessor WebGIS Subscription. Hanson said that both contracts are up for renewal and that the proposals are for three years. The Maintenance and Support Services Contract is for \$8,000.00 per year and due July 1, 2015, 2016 and 2017. The Subscription Contract is for \$4,800.00 per year and due July 1, 2015, 2016 and 2017. Motion made by Maricle, second by Luettel to approve and authorize Barb Hanson, County Assessor to sign the Maintenance and Support Services Contract and the Assessor WebGIS Subscription for July 1, 2015, 2016 and 2017 with GIS Workshop, LLC as presented. Roll call vote: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg, County Clerk, presented a quote from Mobile Binders of South Dakota to replace/repair binders/jackets on 18 of the older volumes of the Register of Deeds record books for \$3,525.00. A certain amount from the Register of Deeds document recording fees is set aside each month, per state statute, for preservation and modernization of the Register of Deeds books. Motion made by Tisthammer, second by Maricle to approve and authorize Kathy Thorberg, County Clerk, to contact Mobile Binders to proceed with the repair/replacement of the Register of Deeds books as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Barb Hanson, Assessor, prepared a handout for the Board to review regarding the land value changes.





# Boone County Board Minutes



- Jim Ely, County Attorney, and the Board discussed the purchase of property for the Boone County Health Center in Albion. Ely said he asked Jan Howard, Valley Title & Abstract of Ord, Nebraska to complete a title insurance document for the Boone County real estate purchase and the Greeley County real estate donation. Ely asked the Board what dollar amount of title insurance they thought would be appropriate to purchase for each transaction \$5,000.00 or \$10,000.00.
- Tom Smith, Region 44 Emergency Manager, updated the Board regarding the new Communications Tower. Smith asked if the Boone County Road Department would be able to complete an access road to the new tower location. Darrel Thorin, County Highway Superintendent, said that should be no problem.
- Smith informed the Board that there will be a need to purchase some aggregate ground cover around the base of the tower.
- Smith informed the Board that the plan is for East Central Region to purchase the utility building. Smith plans to contact the gas companies for a LP tank donation.
- Smith informed the Board that Homeland Security funds may be available to help fund approximately one-third of the costs of the new Communications Tower, providing the tower project is completed around August 15, 2015. He said that NEMA is aware of the impact of this tower for the state wide communications project and will be on board with the Army Corps of Engineer to complete their environmental assessment.

Chairman Tisthammer declared the meeting adjourned at 12:27 P.M. with the next Board meeting scheduled for Wednesday, May 27, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
MAY 27, 2015  
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, May 27, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings and Board of Equalization Proceedings of May 18, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the two County Board Zoning Public Hearing Proceedings of May 18, 2015 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General - \$88,001.26, BCBS - \$42,668.19, Ameritas Ret - \$6,050.46, EFTPS - \$6,561.88, Section 125 Fees - \$10.00; Road - \$47,615.16, BCBS - \$23,566.64, Ameritas Ret - \$3,214.04, EFTPS - \$3,591.36; Ambulance - \$1,880.00, Ameritas Ret - \$39.49, EFTPS - \$143.80; Public Defender Contract - \$3,000.00; Boone County Fitness Center - \$8,241.70, Ameritas Ret - \$450.11, EFTPS - \$630.50; which is all reimbursed back to the county. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Barb Hanson, County Assessor, appeared before the Board to request approval to hire part-time help. Hanson indicated that in order to get caught up for the current valuation cycle that she would need part-time help for data entry purposes for approximately the next two years. Hanson also indicated that the County Treasurer said that her office could help with data entry as well when time permitted. The part-time position would consist of 20 or fewer hours per week. The Board indicated that they would like to review the budget first before making a decision. In the meantime, the Board suggested Hanson review the situation with NACO and Nebraska Department of Revenue with regard to the Treasurer's Office helping with data entry and if there is no problem, to proceed with their help until the Board can review the budget figures and make a decision regarding part-time help.

Jacqueline Wells, Veterans Service Officer, talked to the Board regarding obtaining locked shredder containers from Shred Monster in Columbus for the courthouse. The containers would be located in the courthouse for all offices to use and when they are full, then Shred Monster would be contacted to empty the containers. The cost for a 65 gallon container is \$39.00 and \$19.00 for a second bin. The county would be billed at the time the bins are emptied and the shredded material picked up by Shred Monster. The Board reviewed the information presented and indicated that they would like to discuss the matter at the meeting with the elected officials and department heads before making a decision.

Jacqueline Wells, Veterans Service Officer, also asked for the Board's permission to take a desk from the Boone County Courthouse to Greeley County to use in her office there on Tuesdays. The Board reviewed the contract with Greeley County for Veterans Service Officer services and it states that Greeley County is to provide all equipment. The Commissioners indicated that they would contact Greeley County regarding this matter.

Tom Smith, Region 44 Emergency Manager, appeared before the Board for the purpose of opening bids for the County Communications Tower. Five bids were received as follows:



# Boone County Board Minutes



- Allstate Tower - \$307,476.00
- Electronic Engineering - \$362,243.84
- World Tower Company Inc. - \$227,449.00
- Sabre Industries - \$256,209.00
- Platte Valley Communications - \$259,407.68

Smith indicated that he would review each of the proposals and meet with Sheryl Machacek, E911 Communications Manager, and they would prepare a presentation for the June 8, 2015 Board Meeting for review by the Board prior to making their decision. Several additional matters were discussed with Smith regarding the new tower including a road to the site, groundwork and leveling, transfer of antennas and removal of the old tower.

Open discussion and miscellaneous public comments:

- Mary Jane Noble, Patsy Boilesen and Paul Hosford, on behalf of the Boone County Historical Society, Inc., attended the Board meeting and discussed with the Board the possibility of the County providing financial assistance with regard to repairs and upgrades at the Boone County Museum. The Historical Society would like to repair the roof and provide additional insulation in addition to upgrading the heating/air conditioning system. The Historical Society provided information and bids with regard to the repairs contemplated. The Board reviewed the information presented and indicated that they would like to review the information further and consult with the County's accountant as to the budget ramifications.
- Darrel Thorin, Highway Superintendent, presented a final draft of a letter and newspaper notice prepared with the help of the County Attorney and Craig Nelson, NIRMA counsel, with regard to planting crops in the county road right-of-way for the Board's information.
- Commissioner Maricle presented information for the Board's review regarding office furniture for the County Commissioners' Room.
- Denny Johnson, County Sheriff, presented the Board with information regarding deputy/dispatcher wages. Sheriff Johnson indicated that with the scheduled increase in the minimum wage to \$9.00, he feels the wages for the deputies and dispatchers should be increased. The Board advised that he needs to include this in his upcoming budget and they will review it at that time. Sheriff Johnson said he would contact the County Clerk about getting on the agenda regarding this. Sheriff Johnson also visited briefly with the Commissioners regarding the purchase of body cameras.
- Jim Ely, County Attorney, advised the Board that he is contemplating putting an informational article in the newspaper once a month regarding judicial matters that would concern Boone County citizens.
- Commissioner Luettel indicated that he would be attending the Economic Development meeting the evening of May 27, 2015.

Chairman Tisthammer declared the meeting adjourned at 11:53 A.M. with the next Board meeting scheduled for Monday, June 8, 2015.

Lorrie Nicklasson,  
Deputy Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 8, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 8, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Randall Bruland, Ambulance Administrator, and the Board discussed disposal of the laptop computer that was purchased in 2010 for data use during patient transports. A new computer was installed in the county ambulance unit in May of 2015. Bruland informed the Board that Applied Connective Technologies destroyed the 2010 hard drive. In addition, Applied Connective Technologies offered to apply credit to the county ambulance account for the old laptop. Tisthammer suggested that Bruland contact the hospital for adequate destruction of the old hard drive in regard to HIPPA compliance. Motion made by Tisthammer, second by Maricle to approve and authorize Randall Bruland to accept the credit for the old laptop from Applied Connective Technologies as discussed. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of May 27, 2015 and the Board of Equalization Proceedings of June 1, 2015 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Emily Kobylarczyk, Nichole Goodman and Luke Hinkle, Invenergy, were present to commemorate the Prairie Breeze Wind Energy Center's 2014 Projects 1<sup>st</sup> year tax payment that includes nameplate tax and real estate tax. The first year payment for the 19 Prairie Breeze wind turbines in Boone County is for May through December 2014 in the amount of \$103,146.00. Hinkle said that the construction has started for Prairie Breeze Wind Farm II and that there are plans for Prairie Breeze Wind Farm III.

Vic Lee and Tanya Sharp, Boone County Health Center, and the Board discussed the purchase of a residential dwelling for the Boone County Health Center to use for internship students. The Boone County Health Center is interested in purchasing Lot 5, Block 1, South Fairview Addition to Albion, Boone County, Nebraska. The Boone County Health Center cannot own real estate, therefore, the real estate is owned by the County of Boone, Nebraska. The Boone County Health Center plans to reimburse the County of Boone for the real estate purchase. Lee said that there would be occupancy/renter insurance processed today with the present owners, due to the residential dwelling changing ownership. Lee said that the present owners may continue to occupy the residential dwelling until the residential dwelling they are purchasing is ready for occupancy. Lee said that the plan is to advertise the residential houses, known as Fox and Hellbusch, for sale to be removed from the property. Lee said there is future plans for expansion to the medical clinic. Motion made by Maricle, second by Luettel to approve the purchase of Lot 5, Block 1, South Fairview Addition to Albion, Boone County, Nebraska in the amount of \$150,000.00 plus \$450.00 appraisal fee with issuance of a check to Denny L. and Melinda L. Johnson and \$195.00 title insurance fee with issuance of a check to Valley Title & Abstract Inc. of Ord, Nebraska as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.





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In addition, two real estate lots that are empty have been donated to the county for the construction of a new medical clinic facility in Spalding. The County of Boone, Nebraska has received Lots 3 and 4, Block 52, First Addition to the Village of Spalding, Greeley County, Nebraska. The individual that donated the real estate will receive possession of the old medical clinic/real estate after construction of the new medical clinic facility is completed. Motion made by Maricle, second by Luettel to accept the donated lots and issue a check to Valley Title & Abstract, Inc. of Ord, Nebraska for \$175.00 title insurance fee for Lots 3 and 4, Block 52, First Addition to the Village of Spalding, Greeley County, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for May, 2015:

- Clerk - \$11,057.75 (State of Nebraska \$6,779.69)(County of Boone \$4,278.06)
- Clerk of the District Court - \$510.16 (State of Nebraska \$228.25)(County of Boone \$281.91)
- Sheriff - \$932.66
- Planning & Zoning - \$351.50
- Treasurer - Treasurer's Fees - \$2.00; Miscellaneous Receipt Nos. 14308-14371 - \$296,291.52; Total Collections - \$1,390,738.75

Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received four requests for advertisement funding.

The Boone County Historical Society, Inc. requested assistance to advertise the Boone County Museum with tri-fold brochures and newsletters. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Cedar Rapids Community Club requested assistance to advertise the Cedar Rapids Community Picnic event scheduled for June 20, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The American Legion Post 162 and VFW Post #736 requested assistance to advertise the American Legion VFW fundraiser event scheduled for June 20, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Albion Area Arts Council, Inc. requested assistance to advertise the Missoula Children's Theater scheduled for June 22-27, 2015. Motion made by Tisthammer, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service submitted four uncollectible ambulance accounts, as all methods of collection have been exhausted.



# Boone County Board Minutes



The recommendation for the February 2014 account balance of \$93.04 is to write-off the balance, due to a Medicare payment that was received and the individual is deceased. Motion made by Tisthammer, second by Maricle to write-off the February 2014 account balance of \$93.04 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The recommendation for the February 2014 account balance of \$1,113.75; the August 2014 account balance of \$1,375.00; and the August 2014 account balance of \$2,185.00 is that the three account balances be turned over to the County Attorney to attempt further collection. Motion made by Luettel, second by Tisthammer to write-off three uncollectible ambulance accounts in the sum of \$4,673.75, pursuant to the recommendation received from the ambulance service and turn the files over to the County Attorney for further collection. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The service agreement between Applied Connective Technologies and Boone County Courthouse expired on May 31, 2015. The agreement covers the Gateway AV/Anti-Spyware/Intrusion Prevention subscription and on-site service to the county's network equipment and internet connection. The cost has remained the same for the year June 2015 through May 2016. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Managed Network/Firewall Services Agreement with Applied Connective Technologies, LLC as presented. Roll call vote: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Ken McIntyre, Boone County American Legion Commander, phoned the County Clerk's office to have the County Clerk ask the Board if the date of Wednesday, October 21, 2015 would work for County Government Day. McIntyre said he has visited with the schools and that date works for the schools. The Board plans to discuss it with the officials/departments heads at the Board meeting scheduled for June 15, 2015.

Commissioner Maricle invited Boone-Nance County Extension Board Members, Boone County 4-H Council Board Members and Boone County 4-H parents to attend the Board meeting today to discuss compensatory time vs. overtime pay for the extension office employee during the months of June and July in regard to county fair activities. There were eight representatives present for the county extension 4-H program. Commissioner Maricle proposed a temporary compensatory time system that could be used by the extension office during county fair time and other departments as needed during busy times. The draft proposal submitted for consideration by Maricle is for limited compensatory time for unique/specific circumstances with paper documentation allowed by the department heads. It was pointed out that the extension office is unique due to the extension educators being state employees and the office assistant/clerical is a county employee. Maricle said that the extension office assistant averages eighty extra hours in June and July regarding 4-H fair work. Several addressed the extra work hours for county fair preparation and the smooth flow provided by the extension office during county fair week.

Commissioners Luettel and Tisthammer commented that the new time and attendance clock system implemented in January 2014 will log the overtime hours at the end of each 40 hour week. The Labor/Wage laws provide time and half pay over forty hours in each designated work week. The employee will be paid the overtime hours at the end of each pay period. Commissioner Luettel said that compensatory time allows 1½ hours of time off for every hour worked over 40 hours per week by the employee and therefore the employer loses ½ hour of productive time by the employee and is not an efficient use of taxpayer money. When an employee is absent from work due to use of compensatory time another employee needs to cover their duties or



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someone is usually being paid to sit in the office or the office is closed and the work still needs to be completed when they return to work.

The county clerk addressed the group with an example of county employee's paid benefits. The 2015 calendar year based on 40 hour work weeks is 2088 hours of paid work time. The county employees receive 96 hours per calendar year of paid holiday time. The county has a longevity program regarding vacation time and hourly wages. A county employee that has been continuously employed for 28 years receives 168 hours of vacation time. A county employee receives 56 hours of sick leave each calendar year that may be accumulated to 240 hours. Employee example: say the employee has 112 hours of sick leave available for use this year. If the employee decides to exhaust all available paid benefit hours of 376 less the 2088 hours for the year, that leaves the employee physically working 1712 hours on the job. Compensatory time adds to more time an employee is not present on the job working the scheduled hours the entity is open as a service to the public.

Motion made by Maricle, second by Tisthammer a request to allow the Boone County Extension office employee to utilize temporary compensatory time in lieu of being paid overtime for the months of June and July, 2015 in regard to county fair activities. Roll call vote: Yeas: Maricle. Nays: Tisthammer and Luettel. Motion did not carry.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his May report. In addition, the following topics were discussed:

- Thorin said he is waiting for the Nebraska Department of Roads to finalize the load rating of the Cedar Rapids Historic Bridge in order to open it to the public. Thorin expects the bridge to have a 15 ton weight limit and 15 mile per hour limit.
- Thorin said he is still waiting for the Army Corps of Engineers permit to build the shu-fly in order to start construction on the bridge west of Petersburg.
- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.

Darrel Thorin, County Highway Superintendent, appeared before the Board to discuss the heating systems in the county road buildings. Thorin informed the Board that his office and the county clerk's office have spent many hours the past several years on the phone discussing the billings with SourceGas. Several times the checks have been posted to accounts that are not even a Boone County account. Thorin said he would like to look into alternative systems for more efficient heating for the county road buildings. Thorin plans to research alternative heating systems and will report to the Board at a later date.

The state statutes require the Sheriff to make quarterly reports to the County Board describing fees and activities. Motion made by Luettel, second by Maricle to accept and approve the County Sheriff's 2015 first quarter report as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The County Clerk submitted a copy of pledged security (collateral) for \$350,000.00. The increase of the pledge collateral from \$350,000.00 to \$700,000.00 is needed in order to pay the June Accounts Payable Vendor Claims that were filed for payment. Motion made by Tisthammer, second by Maricle to acknowledge and approve the pledged security (collateral) as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are five-year terms. The term of Raymond Thieman expires in June 2015. Motion made



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by Luettel, second by Tisthammer to reappoint Raymond Thieman of Petersburg to a five-year term expiring in June 2020 to the Boone County Veterans Service Board. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The County of Boone's fiscal year budget ends on June 30 each year. The Board reviewed several Accounts Payable Vendor Claims filed on the various funds for payment. The Board discussed the purchase of a paper shredder with the department head and partially rejected one of the Vendor Claims, #556, in the amount of \$742.99. The Board said that they had not approved the request of a paper shredder purchase for another department head last month. The Board is reviewing the Shred Monster, Inc. locking containers program. Motion made by Tisthammer, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds less the paper shredder amount of \$742.99: General - \$210,840.88; Road - \$254,535.32; Boone County Visitors Promotion - \$400.00; Reappraisal - \$28,650.67; Inheritance Tax - \$150,817.50; 911 Emergency Management (2910) - \$549.42; 911 Wireless Service (2913) - \$2,197.64; Ambulance - \$2,583.85; Boone County Fitness Center - \$9,321.00, which is all reimbursed back to the county. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to recess said Board meeting at 12:19 P.M. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried. Motion made by Tisthammer, second by Maricle to reconvene said Board meeting at 12:59 P.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager; Sheryl Machacek, Sheriff Communications; Denny Johnson, Sheriff, and the Board reviewed and discussed the five bids that were received and opened on May 27, 2015. Smith updated the Board regarding the meetings held to evaluate the bids since May 27, 2015. The Board and Smith thanked Machacek for assembling the bids into a packaged format for easier review. The group felt that the bids from World Tower Company, Inc. of Mayfield, Kentucky and Electronic Engineering Co. of Sioux City, Iowa did not provide sufficient material. The group felt that the bid from Allstate Tower, Inc. of Henderson, Kentucky did not include/specify answers regarding the specifications document. The group felt that the two contingent bids were Sabre Industries, Inc. of Sioux City, Iowa for \$256,209.00 and Platte Valley Communications, Inc. of Grand Island, Nebraska for \$259,407.68. Sabre Industries bid set out a nice time line for completion of the work. All five of the bids had pluses and minuses. The group telephoned Platte Valley Communications to address the volume of concrete and receive assurance that the tower structure bid is for Structure Class III. Smith said that Homeland Security Funds may be available to cover a third of the costs providing the tower is completed by a certain date. The shelter/building may be provided by East Central District Health. The County Road Department will provide a road to the site, groundwork and leveling. The group discussed concerns regarding the project and removal of the current tower. Commissioner Luettel felt that no more difference than there is between the bids submitted by Sabre Industries, Inc. and Platte Valley Communications, Inc., that he favors keeping the business in Nebraska. Motion made by Luettel, second by Tisthammer to approve and award the contract bid for a new free standing Structure Class III County Communications Tower to Platte Valley Communications, Inc. of Grand Island, Nebraska for \$259,407.68 to be located in the southwest corner of the Boone County Fairgrounds. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Jeff Rauh, TransCanada, introduced Georgia Parment and updated the Board regarding the Keystone XL pipeline project. The Board and Rauh discussed the Boone County right-of-way agreements. Rauh said that about 90 percent of the right-of-way agreements are completed in Nebraska and nearly completed in Boone County. The eminent domain cases remain on hold until a ruling on a lawsuit is completed and there is a federal decision on the project. Rauh said that there is a continuing demand from refineries in Louisiana and Texas to process the heavy crude being produced in Canada.





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Denny Johnson, Sheriff, and the Board briefly discussed dispatch and deputy wages due to the Nebraska minimum wage to increase to \$9.00 per hour on January 1, 2016. The wages for all departments will be discussed during the 2015-2016 budget preparation.

The Board continued their discussion regarding furniture/chairs for the multi-purpose/commissioners room. The Board plans to discuss the matter with department heads at the Board meeting on June 15, 2015. Eakes Office Products may be contacted to bring one of the folding tables on rollers for the group to view before a decision is made.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 2:55 P.M. with the next Board meeting scheduled for Monday, June 15, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
JUNE 15, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 15, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective offices.
- Boone County Government Day is set for Wednesday, October 21, 2015.
- The group present discussed informational articles from each of the county offices for the Albion News. The County Sheriff's office periodically has informational articles for the public. The Board asked the group if informational articles are prepared, do they plan to send it to all four county newspapers. Some said they only provide news articles to the papers that call and ask for news worthy items/information. Some offices said they send the informational articles to all four county newspapers. No formal decision was made addressing informational articles submitted by county offices.
- The Board was asked by some county employees if they would consider the possibility that the county would pay for an employee membership or half of an employee membership to the Boone County Fitness Center as a wellness benefit program. The group present discussed the benefit for employees. There is no decrease in the health insurance premium for an employee participating in a wellness program. The idea of a wellness program is to help an individual manage their health with less claims and emergency room visits. A membership fee by an employer is taxable to an employee as wages, to be included on their W-2 and subject to Federal, Social Security and Medicare Tax. The Board plans to make a decision regarding a wellness benefit plan at a later date.
- Shred Monster, Inc. of Columbus, Nebraska has a "Locking Containers" program. A 65 gallon locked bin rental is \$39.00 each time the Shred Monster truck is in the Albion area to shred the contents. Motion made by Luettel, second by Tisthammer to approve the services of Shred Monster, Inc. for a 65 gallon locking container bin, to use for the security of documents from all of the county offices, until the shred truck arrives to Albion on their scheduled route. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.
- The Nebraska Public Employees Retirement Systems announced that employees vested in the "Cash Balance Fund" as of December 31, 2014 will be receiving a dividend of 5.8% either in the second or third quarter of 2015.



# Boone County Board Minutes



- Denny Johnson, Sheriff, informed the group that the Mobile Food Pantry will be at the Boone County Fairgrounds Casey's Building on Saturday, June 27, 2015. Johnson said that there is no Mobile Food Pantry in July, due to July 4, 2015 being a Saturday. All volunteer help is appreciated.
- Employees are reminded to re-fuel the county vehicles at White Star Oil Co. and sign the fuel ticket after each use of the vehicles. A vehicle log is in each of the county vehicles to be completed by the employee using the vehicle. There is three county vehicles that may be used for county business/meetings vs. the county paying employee's mileage.
- Commissioner Maricle asked the group present for input on suggested furnishings for the multi-purpose/commissioners room. The Board is looking at tables that foldup with rollers for easier storage. The tables are either four foot or six foot and to justify a purchase, should some of both sizes be purchased or all the same size and how many. Eakes Office Products may be bringing a table for demonstration.

The Board reviewed the County Board Proceedings of June 8, 2015. Commissioner Luettel asked that the phrase "the employer loses 1 1/2 hours of productive time by the employee" be changed to "the employer loses 1/2 hour of productive time by the employee" in paragraph twenty regarding compensatory time for employees. Motion made by Luettel, second by Maricle to approve the County Board Proceedings with the change from "1 1/2 hours" to "1/2 hour" of June 8, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Barb Hanson, County Assessor, and the Board discussed part-time help for the Assessor's office in order to equalize the values of county property. Hanson informed the Board that she discussed the possibility of another county office providing data entry services into the Assessor's programs with MIPS and Wendy, State Field Liaison. The State and MIPS said there is no problem if another county office provides data entry services into the Assessor's programs. Hanson then asked for permission to advertise for a full time clerical position for the office. Motion made by Luettel, second by Maricle to approve another county office providing data entry services into the Assessor's programs and authorize Barb Hanson, County Assessor, to advertise for a full time position in order for the office to complete the equalization of values of county properties. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

An Agreement with Donna Johnson to provide meals for the prisoner(s) held in the Boone County Jail was signed February 25, 2015. At that time there was no change to the daily meal fees that were set in 2011. Denny Johnson, Sheriff, asked the Board to review the prisoner meal agreement due to the increase of food costs. The present amounts are \$22.00 a day for the first prisoner and \$14.00 a day for each additional prisoner. The requested amount is \$25.00 a day for the first prisoner and \$16.00 a day for each additional prisoner. Johnson plans to collect data from other counties for comparison of prisoner meal services. The Board and Johnson plan to discuss the prisoner meal agreement at the Board meeting on June 24, 2015.

The County of Boone and the City of Albion Police Department has had an Interlocal Agreement for several years with regard to a one-mile radius jurisdiction of the city limits of the City of Albion. It is a joint jurisdiction of the two law enforcement agencies for the one-mile radius outside the City of Albion. This agreement is reviewed on an annual basis. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign Resolution No. 2015-22, an Interlocal Agreement between the County of Boone and City of Albion for law enforcement purposes commencing on April 1, 2015 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



Denny Johnson, Sheriff, presented a written resignation for the Board to review from a full time jail dispatcher employee. Motion made by Tisthammer, second by Maricle to regretfully accept the resignation of Kathy Parker, full time jail dispatcher, effective June 30, 2015. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Paul Hosford and Patsy Boilesen, on behalf of the Boone County Historical Society, Inc., and the Board discussed the water found inside the museum is from the recent rains and possibly coming through the windows/door on the north side. Hosford informed the Board that the members of the Boone County Historical Society have a meeting scheduled for this week and plan to prioritize the repairs/upgrades that are in need for the Boone County Museum.

Jessica Hendricks, Community Liaison, for the Honorable Adrian Smith office and the Board discussed several areas of concerns. Hendricks gave a brief update regarding the Medicare hospital care/doctor supervision regulations through the affordable care act program. Hendricks updated the Board on trade negotiations. Concerns that Hendricks will take back to Congressman Smith is postal service, broadband/telecommunications for rural areas, environmental assessments when trying to complete road and communications projects and economic growth. Hendricks was available until noon to hear concerns from the public.

Tom Smith, Region 44 Emergency Manager, updated the Board in regards to the new County Communications Tower. Smith prepared an Agreement and Notice of Award draft for the Board and County Attorney to review regarding the new County Communications Tower. Smith plans to review the agreement draft with the County Attorney today. Smith and the Board discussed the electrical portion of the project, environmental assessment, driveway access and funding.

As provided by State Statute, Section 23-1302, the County Clerk shall certify to the County Treasurer as of June 15 and December 15 each year the total amount of unpaid claims of the county. Motion made by Tisthammer, second by Maricle to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Nebraska Auditor of Public Accounts established Fund 2914 "911 Wireless Service Holding Fund" to receive a percentage of funds received each year from the Public Service Commission. The Public Service Commission funding is received into the Fund 2913 "911 Wireless Service Fund" each year from July through May. The set aside percentage is for equipment and software purchases as required by the Public Service Commission. The set aside amount designated from the Public Service Commission funding received into Fund 2913 is to be transferred to Fund 2914 as of June 30<sup>th</sup> each year. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-23, to transfer the sum of \$27,483.10 for fiscal year 2014-2015 from 911 Wireless Service Fund 2913 to the 911 Wireless Service Holding Fund 2914 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Tom Smith, Region 44 Emergency Manager, updated the Board regarding office activities.

Chairman Tisthammer declared the meeting adjourned at 11:58 A.M. with the next Board meeting scheduled for Wednesday, June 24, 2015.

Kathy Thorberg, Boone County Clerk





# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING CONDITIONAL USE PERMIT

Jerry L. Tisthammer, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, June 15, 2015 at 11:10 A.M. in the Boone County Courthouse Commissioners Room in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Maricle to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Chairman Tisthammer read the notice for the record. Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Applicant Jim Novacek and Mary Ziemba, County Zoning Administrator, were present to answer any questions.

The public hearing is for the purpose of hearing testimony in favor of, opposition to, and answer questions in relation thereto the approval or denial of an Application for a Conditional Use Permit. The applicant Jim Novacek filed an Application for Conditional Use Permit and paid the application fee on April 29, 2015. The Conditional Use Permit application is to construct a Class I Open Livestock Feeding Operation to be located on a Fraction of the SW1/4SE1/4 of Section 35, Township 19 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. James J. Novacek is the owner hereinto referenced. After receiving testimony from the proponents and opponents the Board has the option to approve, deny or postpone the decision.

Mary Ziemba, Zoning Administrator notified surrounding landowners. The County Planning Commission recommended approval of the request. No opposition was present at the hearing. Applicant Jim Novacek explained that he plans to add an additional pen in order to increase the head of cattle on feed from 299 to 700 head. The location of the feeding operation is approximately two miles northwest of Cedar Rapids, Nebraska. Attached to the Application for Conditional Use Permit is the Nebraska Department of Environmental Quality conditional requirements.

Motion made by Tisthammer and second by Maricle to close said hearing at 11:15 A.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Commissioner Tisthammer asked for any additional comments, before the Board either approves, denies or postpones their decision. No additional comments.

Motion made by Maricle, second by Luettel to approve the Application for Conditional Use Permit submitted by Jim Novacek to construct a Class I Open Livestock Feeding Operation to be located on a Fraction of the SW1/4SE1/4 of Section 35, Township 19 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING CONDITIONAL USE PERMIT

Jerry L. Tisthammer, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, June 15, 2015 at 11:16 A.M. in the Boone County Courthouse Commissioners Room in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Luettel to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Chairman Tisthammer read the notice for the record. Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Applicant representative, Jack Dailey, and Mary Ziemba, County Zoning Administrator, were present to answer any questions.

The public hearing is for the purpose of hearing testimony in favor of, opposition to, and answer questions in relation thereto the approval or denial of an Application for a Conditional Use Permit. The applicant JSMM Farms, LLC signed by Jerry Niewohner, filed an Application for Conditional Use Permit and paid the application fee on April 21, 2015. The Conditional Use Permit application is to transport livestock waste and compost into Boone County in a manner consistent with Nebraska Department of Environmental Quality licensing and Boone County Planning and Zoning regulations. After receiving testimony from the proponents and opponents the Board has the option to approve, deny or postpone the decision.

Mary Ziemba, Zoning Administrator, said that the County Planning Commission recommended approval of the request. Ziemba said that the County Planning Commission attached a list of conditions to the Application for Conditional Use permit. In addition, a list of each site on which livestock waste is to be stockpiled and/or applied is attached to the application and shall be updated with the County Zoning Administrator accordingly to site additions/removals. No opposition was present at the hearing. Applicant representative, Jack Dailey, answered the Board's questions regarding the request. Dailey said that the plans are to convert more of the livestock waste to compost. Dailey said that the setbacks for stockpiling is one-quarter mile from residential property and that the majority of the stockpiles are one mile or more from residential properties.

Motion made by Tisthammer and second by Luettel to close said hearing at 11:24 A.M. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Commissioner Tisthammer asked for any additional comments, before the Board either approves, denies or postpones their decision. No additional comments.

Motion made by Luettel, second by Tisthammer to approve the Application for Conditional Use Permit submitted by JSMM Farms, LLC to transport livestock waste and compost into Boone County in a manner that runs current with the Nebraska Department of Environmental Quality permitting manure management for JSMM Farms, LLC. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 24, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, June 24, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Hilary K. Maricle. Commissioner Ken Luettel arrived at 9:15 A.M. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, Attorney, met with the Board regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC to construct a hog confinement facility. The Board tabled a decision to their November 10, 2014 Board meeting due to a court hearing scheduled for November 4, 2014. The Board tabled a decision on November 10, 2014 to their November 25, 2014 Board meeting; November 25, 2014 Board meeting to their December 8, 2014 Board meeting; December 8, 2014 Board meeting to their December 22, 2014 Board meeting; December 22, 2014 Board meeting to their January 12, 2015 Board meeting; January 12, 2015 Board meeting to their January 26, 2015 Board meeting; January 26, 2015 Board meeting to their April 27, 2015 Board meeting; April 27, 2015 Board meeting to their June 24, 2015 Board meeting. Jarecki said that there is no final court ruling to date. Jarecki asked the Board to table a decision to their Monday, August 17, 2015 Board meeting at 9:00 A.M., with the understanding that the Board may make a decision sooner than August 17, 2015. Motion made by Tisthammer, second by Maricle to table/postpone a decision until the August 17, 2015 Board meeting or sooner than August 17, 2015 in regard to the public hearing held on October 14, 2014 concerning an Application for Conditional Use Permit filed by MSJM Properties, LLC to construct a hog confinement facility. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Absent: Luettel. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of June 15, 2015 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the two County Board Zoning Public Hearing Proceedings of June 15, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$88,453.42, BCBS \$41,320.97, Ameritas Ret \$6,066.26, EFTPS \$6,596.85, Section 125 Fees \$10.00; Road \$42,601.73, BCBS \$22,822.18, Ameritas Ret \$2,875.62, EFTPS \$3,210.20; Ambulance \$3,285.00, Ameritas Ret \$91.47, EFTPS \$251.30; Public Defender Contract \$3,000.00; Boone County Fitness Center \$5,682.81, Ameritas Ret \$309.29, EFTPS \$434.76, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding the bridge project west of Petersburg and the Cedar River bank stabilization project. Thorin received a survey in regards to the county



# Boone County Board Minutes



road right-of-way on a portion of 255<sup>th</sup> Street from Hays Land Surveying, LLC. The survey acknowledges the county road right-of-way that was referenced in the March 16, 2015 Board proceedings. The consensus of the Board is for Thorin to proceed to reclaim the county road right-of-way.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Cedar's Rapid Run submitted an application requesting assistance to advertise the Cedar's Rapid Run for the Cedar Rapids Alumni School fundraiser scheduled for August 1, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the Cedar's Rapid Run event as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Paul Hosford, Pat Boilesen and Mary Jane Noble, on behalf of the Boone County Historical Society, Inc., presented the Boone County Historical Society members preference regarding roof repair of the Boone County Museum building. The bids presented for the roof repair are ABC Roofing, David City, NE in the amount of \$62,160.00 and Northeast Energy, Norfolk, NE in the amount of \$52,983.00. Hosford updated the Board regarding the priorities for repairs/upgrades that are in need for the Boone County Museum. Boilesen said that they plan to apply for a matching grant through the Albion Economic Development Corporation façade improvement grant program to help with painting and/or other improvements. Motion made by Luettel, second by Tisthammer to approve the proposal of \$52,983.00 from Northeast Energy of Norfolk, Nebraska for the roof repair of the Boone County Museum. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

An Agreement with Donna Johnson to provide meals for the prisoner(s) held in the Boone County Jail was signed February 25, 2015. At that time there was no change to the daily meal fees that were set in 2011. Denny Johnson, Sheriff, asked the Board at their June 15, 2015 Board meeting to review the prisoner meal agreement due to the increase of food costs. The present amounts are \$22.00 a day for the first prisoner and \$14.00 a day for each additional prisoner. The requested amount is \$25.00 a day for the first prisoner and \$16.00 a day for each additional prisoner. The amounts of \$25.00 and \$16.00 include labor and food. Motion made by Tisthammer, second by Maricle to approve the amount of \$25.00 a day for the first prisoner and \$16.00 a day for each additional prisoner, for a one year period beginning July 1, 2015 and ending June 30, 2016. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Veteran Service Officer report of activity for the months of April and May, 2015. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager, presented a Notice of Award for the Board to sign notifying Platte Valley Communications of Grand Island that they were awarded the Boone County, Nebraska Communications Tower project bid. The Notice of Award addresses insurance documentation and the signing of an agreement.

Tom Smith, Region 44 Emergency Manager; Sheryl Machacek, Sheriff Communications; Denny Johnson, Sheriff; and the Board discussed the new County Communications Tower project in regards to a separate function within the General Fund, monthly electric/internet fees and the selling or removal of the old tower.





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Machacek plans to visit with Jim Kohtz regarding the new tower project and selling/removal of the old tower that is located on the leased real estate owned by Harlan Kohtz. Smith said they are ready to start construction, but are waiting on the environmental assessment that is required.

A wellness program for county employees has been in discussion several times in the past months. Beginning July 1, 2015 the following rates for the Boone County Fitness Center are: Family - \$502.65/yr or \$41.89/mo; Single - \$334.45/yr or \$27.87/mo; and Daily - \$7.50 adult, \$5.50 student; \$5.50 supporter. The Boone County Fitness Center rate changes are effective July 1 to June 30 and there is no longer a discount month. The idea of a wellness program is to help an individual manage their health with less claims and emergency room visits. A membership fee by an employer is taxable to an employee as wages, to be included on their W-2 and subject to Federal, Social Security and Medicare Tax. Motion made by Maricle, second by Luettel to pay one-half of a single Boone County Fitness Center membership, a taxable benefit and at the employee's decision to participate or not participate for the 2015-2016 fiscal year beginning August 1, 2015. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Jeff Jarecki, Public Defender, presented the Board an overview of the cases since he was appointed to the position in August of 2012. Jarecki said he has been assigned 20 cases to date in 2015 with 8 of the cases still pending. There are 3 cases from 2014 that were held over. Jarecki answered the Board's questions regarding closed/open cases and the conflict of interest cases. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved or has a client connection. The majority of the pending cases are juvenile matters.
- Commissioner Maricle updated the Board regarding the Boone County Fitness Center changes and activities.
- Denny Johnson, Sheriff, updated the Board regarding law enforcement activity.
- The Board, Attorney, Clerk, Highway Superintendent and Sheriff discussed several concerns and the need for improvement of communication among all county employees.

Chairman Tisthammer declared the meeting adjourned at 1:07 P.M., the next Board meeting is scheduled for Monday, June 29, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## **MINUTES OF PUBLIC HEARING PROCEEDINGS CLASS A RETAIL LIQUOR LICENSE FOR BOONE COUNTY RACEWAY LLC**

Jerry Lynn Tisthammer, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Wednesday, June 24, 2015 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Tisthammer, second by Commissioner Luettel to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Commissioners present for said public hearing were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Applicant Ronald L. Sutton and Jeff Jarecki, Attorney, were present to answer any questions. Also, present at the hearing was Denny Johnson, Sheriff. Chairman Tisthammer read the public hearing notice for the record.

The purpose of the public hearing is to hear testimony in support of, protest against, and to answer questions concerning the approval or denial of the issuance of a Retail Liquor License (Class A) beer, on sale only. Ronald L. Sutton and Corie R. Sutton dba Boone County Raceway LLC DBA Boone County Raceway has filed a new application with the Nebraska Liquor Control Commission for issuance of a Retail Liquor License for Class A (112122) beer, on sale only.

Ronald Sutton answered questions from the Board regarding his plans for Boone County Raceway LLC. The Board received no opposition. Jeff Jarecki, Attorney, asked that the Board review the information provided for approval of the license request. Denny Johnson, Sheriff, said that the Boone County Sheriff's department will supply adequate presence during the races. Sutton said that there will be individuals staffed at the gate entrances for alcohol control. Sutton said that there are two certified individuals regarding the sale of beer and checking I.D.'s. The gates are locked the next morning at 2:00 A.M. following the races.

Motion made by Tisthammer, second by Maricle to close said hearing at 10:10 A.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve as presented the Application by Ronald L. Sutton and Corie R. Sutton dba Boone County Raceway LLC DBA Boone County Raceway for the issuance of a Retail Liquor License for Class A, beer, on sale only. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 29, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 29, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of June 24, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Public Hearing Proceedings of June 24, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Sheryl Machacek, Sheriff Communications; Denny Johnson, Sheriff; Darrel Thorin, Highway Superintendent; Jim Kohtz, representative for land owner; and the Board discussed the County Communications Tower project. The County of Boone owns the communications tower that sets on real estate owned by Harlan Kohtz. The County of Boone pays a yearly rental fee for the real estate that the present communications tower sets on to Kohtz. Machacek updated Kohtz and those present of the new County Communications Tower project. Machacek informed Kohtz that there is possibly an interested party to purchase the old tower from the county. Machacek and Kohtz plan to visit with the interested party regarding the old tower. Kohtz said he feels that the family preference is to have the tower removed from their real estate if there is no interested buyer for the old tower. Kohtz said that the Kohtz family is not interested in owning the tower. Kohtz asked about receiving an official notice in regard to the Lease Agreement with the county. Machacek said that the written notice of termination of the Lease Agreement is prepared and that she will deliver the notice to Kohtz. In addition, the group discussed liability for the existing tower, selling of the tower, expense for removal if not sold, and if there is a possibility of signal interference if the present tower is left in place.

Sheryl Machacek, Sheriff Communications, and the Board discussed the electrical portion of the new County Communications Tower project. Darrel Thorin, Highway Superintendent, said he asked Loup Power District for an itemized billing of the material and labor for the project. Loup Power plans to install a 35' pole on the east side of the road in order to connect the electrical wire above ground from the existing pole on the west side of the road. The county will be responsible for the electrical conduit from the pole to the building. Loup Power District's quote for the 35' pole with meter, transformer, wire and labor is approximately \$3,442.00. There will be an electrical and internet bill each month for the new tower. Motion made by Luettel, second by Tisthammer to approve the Loup Power District's quote for the installation of the pole and electrical power for the new County Communications Tower project for approximately \$3,442.00. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



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Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. Thorin informed the Board that after seven and half years of being closed, the Cedar Rapids historical bridge was opened to the public on June 25, 2015.

Darrel Thorin, County Highway Superintendent, presented a building repair quote for the Boone County Road Department's shop located at Cedar Rapids. The repairs include the removal and replacement of three windows - \$1,700.00; removal of six existing fiberglass roof panels that will be replaced with roof sheeting and insulation - \$2,200.00; new roof in hallway - \$675.00; and other roof leak repairs at \$40.00 per hour, per man as needed. Motion made by Tisthammer, second by Luettel to approve the building repair quote from Bob Thompson Construction for the Boone County Road Department shop located at Cedar Rapids, Nebraska as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Rae Valley Heritage Association, Inc. requested assistance to advertise the Nebraska State Antique Tractor and Horse Plowing Bee event scheduled for August 28, 29 and 30, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Richard Martinsen, CPA, submitted a Letter of Understanding regarding the preparation of the annual county budget. The budget document that Martinsen assists with is being prepared solely for fulfilling the State of Nebraska budget law requirements. Motion made by Tisthammer, second by Luettel to approve the Letter of Understanding with Richard D. Martinsen, CPA, to assist in the preparation of the county budget for fiscal year 2015-2016. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Richard Martinsen, CPA and the Board discussed a budget timeline for the 2015-2016 fiscal year. The County Clerk's office plans to have the June 30, 2015 year end completed and the budget worksheets to the department heads July 8, 2015. The worksheets to be turned into the County Clerk's office on or before July 29, 2015. Martinsen plans to work with the Board on August 10 and 17, 2015. The County Budget Hearing will be held on Monday, September 14, 2015 at 11:00 A.M.

Open discussion and miscellaneous public comments:

- The Board reviewed the Wellness Partners, LLC summary report regarding the Wellness Fair held on March 17, 2015 for Boone County employees.
- Rod Nelson, Maintenance, updated the Board regarding the courthouse heating/cooling system issues. The Courthouse Roof Top Unit #2 needs a new compressor. The estimated cost is \$1,950.00.
- The Board received information from the County Clerk regarding Cyber Security Practices Regulatory Exposure information provided by NIRMA per Neb. Rev. Stat. §87-803.

Motion made by Tisthammer, second by Luettel to recess said meeting at 11:55 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to reconvene said meeting at 12:51 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.





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Julia Wescoatt, Cornhusker State Industries Sales Consultant, met with the Board regarding tables for the multi-purpose/commissioners room. Wescoatt and the Board discussed the products made at Cornhusker State Industries. Wescoatt took pictures of the old table in the jury room. Wescoatt made notes of the condition of the old table and said that a quote for refurbishing the jury room table will be sent to Commissioner Luettel. Wescoatt indicated that they have several refurbish projects scheduled through September. If the Board decides to have the jury room table refurbished, it would possibly be October at the earliest, before they would pick up the table to start the refurbish project.

Chairman Tisthammer declared the meeting adjourned at 1:33 P.M., the next Board meeting is scheduled for Monday, July 13, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 13, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 13, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings and Board of Equalization Proceedings of June 29, 2015 and the Board of Equalization Proceedings of July 8, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Luettel, second by Tisthammer to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$111,978.27; Road - \$175,015.84; Boone County Visitors Promotion - \$892.30; Reappraisal - \$36,520.00; Inheritance Tax - \$2,000.00; 911 Emergency Management (2910) - \$395.57; 911 Wireless Service (2913) - \$668.33; Ambulance - \$4,547.95. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve a Payroll Claim filed for payment from the General Fund in the amount of \$318.09 and the Accounts Payable Vendor Claims filed for payment from the General Fund for Ameritas Retirement and EFTPS with their amounts included in the Accounts Payable Vendor Claims General Fund. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the following reports of the County Officials as presented for June, 2015:

- Clerk - \$13,105.00 (State of Nebraska \$8,190.23)(County of Boone \$4,914.77)
- Clerk of the District Court - \$499.03 (State of Nebraska \$203.00)(County of Boone \$296.03)
- Sheriff - \$549.32
- Planning & Zoning - \$399.75
- Treasurer - Treasurer's Fees - \$6.00; Miscellaneous Receipt Nos. 14372-14434 - \$385,219.23; Total Collections - \$713,075.91

Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of June 30, 2015. Motion made by Tisthammer, second by Luettel to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



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Paul Hosford and Pat Boilesen, on behalf of the Boone County Historical Society, Inc., presented an estimate regarding two new doors and two new windows for the Boone County Museum building. Hosford and Boilesen discussed quotes they received for doors/windows at the June 24, 2015 Board meeting. At that time the quotes appeared to be on the high end and the Board suggested they contact local contractors. Hosford said they visited with county area contractors and suppliers. The estimate being presented is from Chris Levander, Levander Construction, for two doors and two windows for \$2,480.88. Motion made by Luettel, second by Tisthammer to approve the estimate of \$2,480.88 from Levander Construction as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

In addition, Hosford and Boilesen presented preliminary drawings for a façade project for the Boone County Museum. The drawings are for a cover/porch project for the front entrance of the museum building. The Boone County Historical Society members have not had a meeting to review and discuss the front entrance project to date.

The Board and Jim Ely, County Attorney, discussed a courthouse Wi-Fi System with Ed Knott, Applied Connective Technologies. Knott presented a quote for the equipment and installation for a Wi-Fi System. Wi-Fi is a local area wireless computer networking technology that allows electronic devices to network. Knott addressed questions regarding county liability if the wireless internet signal is accessed outside of the courthouse building, recurring costs once the equipment is installed and the capabilities of private/public Wi-Fi access connections through the new system. Knott said that the County Law Enforcement building has private Wi-Fi already in use. Motion made by Luettel, second by Tisthammer to approve the quote of \$2,794.98 from Applied Connective Technologies to install equipment for a Wi-Fi System in the courthouse, with the private/public access to be decided at a later date. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

In addition, Ed Knott, Applied Connective Technologies, reviewed the Cyber Security information provided by NIRMA. Knott plans to work with the County Clerk's office regarding the preparation of policies and procedures for cyber security.

The County Treasurer submitted a Semi Annual Statement for January 1, 2015 through June 30, 2015. Motion made by Luettel, second by Tisthammer to accept and approve the County Treasurer's Semi Annual Statement as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report with regard to the 2013 personal property taxes. The distress warrants that were issued in November, 2014, were returned back to the County Treasurer's office on June 30, 2015. The total to be collected without penalties was \$5,932.41. This was on twelve distress warrants. There are no distress warrants unpaid as of July 13, 2015. Motion made by Tisthammer, second by Luettel to accept and approve the County Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The County Treasurer submitted to the Board a list of delinquent 2012 real estate taxes not sold at the tax sale held in March 2015, as per Nebraska State Statute. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2015-24, hereby directing the Boone County Treasurer to issue Treasurer's Certificates of Tax Sale in favor of Boone County on all parcels of real estate with delinquent real estate taxes for 2012 and subsequent years offered for sale for less than three consecutive years that were not sold for want of bidders as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Motion made by Luettel, second by Tisthammer to accept and approve as presented the Boone County Ambulance Service 2014-2015 fiscal year-end report. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his June report. In addition, the following topics were discussed:

- Thorin said he received notification from Natural Resources Conservation Service (NRCS) that the U.S. Army Corps of Engineers denied the application request for the Cedar River bank stabilization and road relocation project. NRCS will revise the plan and resubmit to the Army Corps of Engineers. Thorin said that the project will probably not be completed this year.
- Thorin said he is still waiting for the Army Corps of Engineers permit to build the shu-fly in order to start construction on the bridge west of Petersburg.
- Thorin updated the Board regarding the brush/tree cutter demonstration he attended by Minden last week.
- Thorin said the plans are to start the armor coat project(s) the last week of July.
- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.

The Board and Rod Nelson, Maintenance, discussed a quote from Eller Heating, Air Conditioning, & Plumbing, LLC of Columbus, Nebraska for a new heat/air unit to replace the Courthouse Roof Top Unit #5 (courtroom unit) that quit last week. The courthouse has seven rooftop heat/air conditioning units. The Courthouse Roof Top Unit #5 is one of the three old heat/air units left. The quote is to replace the existing 5-ton rooftop unit with a new Lennox 5-ton unit with electric heat, economizer, hail guards, disconnect and curb adapter for \$8,842.00. Nelson said that Eller Heating, Air Conditioning & Plumbing will dispose of the old unit. Motion made by Tisthammer, second by Luettel to approve the quote of \$8,842.00 from Eller Heating, Air Conditioning, & Plumbing, LLC for a new Courthouse Roof Top Unit #5 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to accept and approve as presented the County Clerk/Register of Deeds 2014-2015 fiscal year-end report. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed a Subgrant Agreement between the County of Boone and the Nebraska Department of Health and Human Services (DHHS), Division of Children and Family Services Child Support Enforcement (CSE) Program. The purpose of this agreement is to account for the work of the Clerk of the District Court as it relates to Child Support Enforcement. This Agreement also offers the mechanism for DHHS to provide reimbursement to the County for child support related work. The term of the agreement is in effect from October 1, 2015 through September 30, 2016. The purpose of this agreement is for a cooperative arrangement with Boone County, Nebraska on behalf of the court pursuant to Nebraska Revised Statutes. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign the Subgrant Agreement between the Nebraska Department of Health and Human Services, Division of Children and Family Services Child Support Enforcement and the County of Boone as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.





# Boone County Board Minutes



The Board approved and awarded the contract bid for a new free standing Structure Class III County Communications Tower to Platte Valley Communications, Inc. of Grand Island, Nebraska for \$259,407.68 to be located in the southwest corner of the Boone County Fairgrounds at their June 8, 2015 Board meeting. A Project Agreement has been prepared and signed by Platte Valley Communications outlining the terms of the project. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the Boone County, NE Communications Tower Project Agreement between Boone County, Nebraska and Platte Valley Communications as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed a Special Designated License (SDL) submitted by McFarland Family Farms, LLC d/b/a/ Mac's Creek Vineyards & Winery of Lexington, Nebraska for a wine tasting event scheduled for October 10, 2015 from 9:00 A.M. to 5:00 P.M. The Special Designated License request is for a wine tasting and sales event that Mac's Creek Vineyards & Winery will be conducting at the Junktagious Event to be located at the Kurtenbach Farm, St. Edward, Nebraska. Motion made by Tisthammer, second by Luettel to approve the Application for a Special Designated License request from McFarland Family Farms, LLC d/b/a/ Mac's Creek Vineyards & Winery for a Junktagious Event scheduled for October 10, 2015 at the Kurtenbach Farm as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Open discussion and miscellaneous public comments:

- The Board noted that infestations of musk thistle and leafy spurge have been found around the county and that the County Weed Superintendent will be contacted.
- The Board discussed who would attend the various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 11:45 A.M. with the next Board meeting scheduled for Monday, July 20, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 20, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 20, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board did not take up the agenda item relating to the county general assistance request, because the requestor did not appear before the Board.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received two requests for advertisement funding.

The St. Edward Community Club requested assistance to advertise the Beaver Valley Days event scheduled for July 31, 2015 and August 1 and 2, 2015. Motion made by Maricle, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The St. John's Parish requested assistance to advertise the St. John's Bazaar event scheduled for September 13, 2015. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Boone County Board of Commissioners has determined that there is no longer a need to have the separate Business Development Fund (2606) as the Boone County Economic Development became a separate entity known as BCDA, Inc. on January 1, 2014. The funds BCDA, Inc. received was from the Inheritance Tax Fund (2700). Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-25 to close the Business Development Fund (2606) and authorize the Boone County Treasurer to transfer the sum of \$207,098.85 from the Business Development Fund (2606) to the Inheritance Tax Fund (2700) as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of July 13, 2015 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective offices.



# Boone County Board Minutes



- New collection time at the Albion Post Office is 2:20 P.M., beginning on Saturday, August 15, 2015.
- Denny Johnson, Sheriff, informed the group that the Mobile Food Pantry will be at the Boone Central Schools multi-purpose gym in Albion on Saturday, August 1, 2015. All volunteer help is appreciated.

Todd Buettner, County Weed Superintendent, and the Board discussed noxious weeds throughout the county and the musk thistle/leafy spurge concerns in the county road right-of-ways. Buettner said he has been talking to landowners regarding weed control, but has not had time to spray the county road right-of-ways. Buettner and the Board discussed the possibility of contracting the spraying or hiring a full time person to split time spraying noxious weeds and sign work for the road department. Buettner agreed to bring a weed report to the Board meeting on July 27, 2015.

The Board, elected officials and department heads held a lengthy discussion regarding wages for 2016 and changes to the base wage (starting salary for new employees) due to the Nebraska minimum wage increase of \$9.00 effective January 1, 2016. The positions below the \$9.00 presently are a new hire full time clerical employee at \$8.65, a part-time (20 hrs. week) employee is \$8.50 and temporary is \$8.00. The discussion of wages will be an agenda item for the Board meeting on July 27, 2015.

The Board and Denny Johnson, Sheriff, discussed wages for 2016 for the law enforcement employees. The continued discussion will be an agenda item for the Board meeting on July 27, 2015.

Motion made by Tisthammer, second by Maricle to recess said meeting at 12:22 P.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to reconvene said meeting at 3:41 P.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Denny Johnson, Sheriff, discussed the law enforcement vehicle fleet with the Board.

Chairman Tisthammer declared the meeting adjourned at 4:11 P.M. with the next Board meeting scheduled for Monday, July 27, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
JULY 27, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 27, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$88,435.51, BCBS \$41,320.97, Ameritas Ret \$6,095.36, EFTPS \$6,595.51, Section 125 Fees \$10.00; Road \$47,719.82, BCBS \$22,822.18, Ameritas Ret \$3,221.09, EFTPS \$3,601.70; Ambulance \$1,070.00, Ameritas Ret \$29.36, EFTPS \$81.85; Public Defender Contract \$3,000.00; Boone County Fitness Center \$5,708.55, Ameritas Ret \$307.74, EFTPS \$436.71, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of July 20, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board of Equalization Proceedings of July 20, 2015, July 22, 2015 and 2015 Final Proceedings as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Todd Buettner, County Weed Superintendent, met with the Board to discuss problem areas of noxious weeds within the county. Buettner demonstrated the new weed software program and used GIS images to illustrate the noxious weed problem areas. The Board and Buettner discussed the type of notices that the County Weed Superintendent may use to send to landowners following a noxious weed inspection on their property.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge projects and the Cedar River bank stabilization project. Thorin reported that the Natural Resources Conservation Service (NRCS) resubmitted the Cedar River bank stabilization project to the U.S. Army Corps of Engineers and that the permit for the project has been approved.

In addition, Thorin reported that Central Highway in Platte County and the one mile of Central Highway in Boone County, east of St. Edward, is scheduled for bid letting in February of 2016, for a full depth reclamation of Central Highway.

The Board and Darrel Thorin, County Highway Superintendent, heard a presentation from Jim Zoucha, Ag & Industrial Equipment, regarding the use of reclaimed oil heaters in the county road shops. The use of reclaimed oil eliminates heating fuel expenses and reduces environmental liability for improper storage and disposal of used oils. Zoucha addressed questions regarding storage tanks, contaminants in the used oil, maintenance of oil furnace and heated pressure washers. The Board and Thorin said it sounds like a good option for heating the road department buildings. Thorin will look into other heating options for the shops before a decision is made.





# Boone County Board Minutes



The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received two requests for advertisement funding.

The St. Edward Fire & Rescue submitted an application requesting assistance to advertise the St. Edward Fire & Rescue Department's fundraiser event scheduled for August 29, 2015. Motion made by Maricle, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the St. Edward Fire & Rescue Department fundraiser event as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Primrose Fire Department submitted an application requesting assistance to advertise the Primrose Fire Department Mud Drags fundraiser event scheduled for September 6, 2015. Motion made by Luettel, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund for the Primrose Fire Department fundraiser event as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Julia Wescoatt, Cornhusker State Industries Sales Consultant, met with the Board on June 29, 2015 regarding tables for the multi-purpose/commissioners room. Wescoatt made notes of the condition of the old table in the jury room and said she would send a quote for refurbishing to Commissioner Luettel.

The refurbishing quote is \$385.00 and that includes picking up and returning the jury room table to its present location in the courthouse. Motion made by Luettel, second by Tisthammer to approve the Cornhusker State Industries quote of \$385.00 for the refurbishing of the old jury room table. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Cornhusker State Industries (CSI) is a self-supporting industries program for the Nebraska Department of Correctional Services (NDCS). The goods and services are produced by inmate workers within NDCS facilities to a customer base of tax-supported entities, political subdivisions, state agencies, boards, and commissions, educational institutions, and non-profit organizations.

The Board continued the discussion regarding furnishings for the multi-purpose/commissioners room. The Board received quotes for furnishings from Cornhusker State Industries, Eakes Office Solutions and Western Office Products Plus. Commissioners Luettel and Tisthammer feel there is no need to replace the Board's present table top/file cabinets and chairs. The multi-purpose portion of the room has regular tables that are used for meetings by the zoning board, etc. and some of the tables are in poor condition and heavy to move around. Maricle prepared a new furnishings bid comparison chart for the room. Motion made by Luettel, second by Maricle to purchase four 36" x 72" flip-top rolling tables for use in the multi-purpose portion of the room for \$452.00 each from Cornhusker State Industries. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Discussion continued from the July 20, 2015 Board meeting between the Board, elected officials and department heads regarding wages for 2016 and changes to the base wage (starting salary for new employees) due to the Nebraska minimum wage increase of \$9.00 effective January 1, 2016. The positions below the \$9.00 presently are a new hire full time clerical employee at \$8.65, a part-time (20 hrs. week) employee is \$8.50 and temporary is \$8.00.

Commissioner Maricle said she is struggling with her interpretation of Nebraska State Statutes, the structure of the Boone County Employee Handbook, and wage comparability within the courthouse and area business employers. Commissioner Luettel went around the meeting room and asked the elected officials and



# Boone County Board Minutes



department heads present for comments. Commissioner Tisthammer reminded those present of the benefits the employees receive and that we are working with taxpayers dollars.

In 1979 the County implemented a Longevity Program to encourage employees to continue employment with the county. The Longevity Program for full time employees includes wage increases and additional paid vacation hours. The county pays the full family health insurance premium and employee only dental premium. In addition, the county pays into the county retirement system for the employees, the employees receive 96 hours of holiday pay in a calendar year, earned vacation and sick leave. The Board, elected officials and department heads have worked the past several years together to put an employee handbook together for protection of the County Government for some consistency and structure for the employer and employees.

Motion made by Luettel, second by Maricle to increase the base wage (starting salary for new employees) \$1.00 per hour for the Zoning Administrator, Veteran Service Office, Clerical, Office Assistant and Sheriff office personnel, excluding law enforcement deputies; \$.58 per hour for the road employees, law enforcement deputies, courthouse maintenance, ambulance and weed, with the \$1.00 or \$.58 respectively added to the employees present hourly wage at the end of the 2015 year, for the 2016 calendar year. The Elected officials and Highway Superintendent are to receive a 4% cost of living increase on their base wage and the four chief deputies to receive 65% of the respective elected official's cost of living, all being effective December 22, 2015 to coincide with the 22/21 pay period. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

It shall also be the duty of the County Board of each county of this state to visit the jail of its county once during each of its sessions in January, April, July and October of each year per Nebraska State Statute 47-109. The Board visited the Boone County Jail per Nebraska State Statute.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 2:00 P.M., the next Board meeting is scheduled for Monday, August 10, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
AUGUST 10, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 10, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of July 27, 2015 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Tisthammer, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$105,272.76; Road - \$136,584.12; Boone County Visitors Promotion - \$773.50; Reappraisal - \$16,843.76; Register of Deeds Preservation/Modernization - \$3,185.00; Inheritance Tax - \$31,789.80; 911 Emergency Management (2910) - \$5,933.76; 911 Wireless Service (2913) - \$721.15; Ambulance - \$2,428.97. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for July, 2015:

- Clerk - \$5,611.50 (State of Nebraska-\$1,809.55)(County of Boone-\$3,801.95)
- Clerk of the District Court - \$588.43 (State of Nebraska-\$274.00)(County of Boone \$314.43)
- Sheriff - \$1,135.70
- Treasurer - Treasurer's Fees - \$2.00; Miscellaneous Receipt Nos. 14435-14499 - \$249,348.61; Total Collections - \$588,108.60

Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. Alida Kurtenbach submitted an application requesting assistance to advertise the Junktagious with Lacey & Alida event scheduled for October 10, 2015. Motion made by Maricle, second by Tisthammer to deny the application requesting funding assistance for advertisement from the Visitors Promotion Fund based on the guidelines that funds are disbursed to an organization only. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service submitted an uncollectible ambulance account, as all methods of collection have been exhausted. The recommendation for the December 2014 account balance of \$1,375.00 is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Maricle, second by Luettel to write-off the uncollectible ambulance account in the sum of \$1,375.00, pursuant to the recommendation received from the ambulance service and turn the file over to the County Attorney for further collection. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his July report. In addition, the following topics were discussed:

- Thorin informed the Board that several of the concrete culverts are separating in the middle with plans to replace the cement culverts with steel culverts.
- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.

Cornhusker Public Power District requested permission to bury an electrical cable across a county road commonly known as 320<sup>th</sup> Street running east and west between Sections 22 and 27, Township 19 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The buried electrical cable commences from an electrical pole located in the county road right-of-way of Section 27, Township 19 North, Range 5 West; thence running north across 320<sup>th</sup> Street, 135 feet to a new transformer for grain bin service for Steve Weeder located in Section 22, Township 19 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-26, granting permission to Cornhusker Public Power District to bury an electrical cable across a county road known as 320<sup>th</sup> Street to a new transformer for grain bin service located in Section 22, Township 19 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Tisthammer.

The Board met with Richard Martinsen, CPA, regarding the Fiscal Year 2015-2016 County Budget. The Board reviewed most of the individual office budget pages with the respective department heads and adjusted some of the Official Estimation Budget columns as reflected in the Board Proposed Budget columns. The majority of the individual office budgets reflected the employee wage increases that the Board approved at their meeting held on July 27, 2015. The wage increases will be effective for the pay period that begins on December 22, 2015. Martinsen noted that the budget requests submitted would likely lower the tax request for the 2015-2016 fiscal year. The savings were noted due to the combination of the Clerk of the District Court office within the County Clerk's Office, Region 44 Emergency Management Interlocal Agreement with Nance and Merrick Counties, county share agreement for BCDA, Inc. is from the Inheritance Tax Fund, no longer from County General Fund and pending road projects that were not completed. The Board instructed Martinsen to prepare the county budget with a property tax reduction of approximately \$120,000.00. The budget hearing for the Fiscal Year 2015-2016 County Budget is set for September 14, 2015 at 10:30 A.M.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- The Board reported on the respective meetings they attended the past week.
- Jacqueline Wells, County Veteran Service Officer, informed the Board that the NAPVA (National Association of Professional Veteran's Advocates) plan to hold their meeting in Albion September 9-11, 2015.

Chairman Tisthammer declared the meeting adjourned at 1:56 P.M. with the next Board meeting scheduled for Monday, August 17, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 17, 2015

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 17, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, Attorney, met with the Board regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC to construct a hog confinement facility. The Board tabled a decision to their November 10, 2014 Board meeting due to a court hearing scheduled for November 4, 2014. The Board tabled a decision on November 10, 2014 to their November 25, 2014 Board meeting; November 25, 2014 Board meeting to their December 8, 2014 Board meeting; December 8, 2014 Board meeting to their December 22, 2014 Board meeting; December 22, 2014 Board meeting to their January 12, 2015 Board meeting; January 12, 2015 Board meeting to their January 26, 2015 Board meeting; January 26, 2015 Board meeting to their April 27, 2015 Board meeting; April 27, 2015 Board meeting to their June 24, 2015 Board meeting; June 24, 2015 Board meeting to their August 17, 2015 Board meeting. Jarecki requested that the Conditional Use Permit be issued today by the Board. Jarecki said that the Conditional Use Permit requirements were met and that the Board of Commissioners do not have jurisdiction regarding civil law suit. The Board and Jarecki discussed the court process and that there is no final court ruling to date. The Board wants to do what is right for the citizens of Boone County regarding the issues and discuss the matters with the County Attorney. Jarecki then asked the Board to table a decision to their September 21, 2015 Board meeting at 9:00 A.M., with the understanding that the Board may make a decision sooner than September 21, 2015. Motion made by Maricle, second by Luettel to table/postpone a decision until the September 21, 2015 Board meeting or sooner than September 21, 2015 in regard to the public hearing held on October 14, 2014 concerning an Application for Conditional Use Permit filed by MSJM Properties, LLC to construct a hog confinement facility. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The County Safety Committee met at 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Tom Smith, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding the weather radios placed in the courthouse offices and Boone County Fitness Center. Nelson said that the sidewalk repair is not completed. Nelson received a packet from NIRMA with posters and paycheck stuffers to call the employees' attention to injury prevention suggestions. NIRMA will provide material for the next twelve months regarding their loss prevention awareness program "Step Wisely". The group discussed making a second exit out of the courthouse basement. The courthouse structure only has a partial basement with one entry/exit and cannot be used during severe weather/tornado conditions. Nelson will work on ideas for a second basement exit. The committee discussed preventability and safety suggestions were addressed by the committee regarding worker's compensation claim. The Safety Committee meeting was adjourned by Nelson at 9:35 A.M.



# Boone County Board Minutes



Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings and Board of Equalization Proceedings of August 10, 2015 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- The group present was reminded to please clean and dispose of your respective food items regularly from the refrigerator located in the breakroom.
- The air conditioning units were discussed as to why some offices on the same roof unit may be at 67° and another office very humid on the same day.
- The group present was reminded that the new collection time at the Albion Post Office is 2:20 P.M., which started on Saturday, August 15, 2015.
- Tom Smith, Emergency Manager, updated the group regarding the Nebraska Regional Interoperability Network (NRIN).

Tom Smith, Region 44 Emergency Manager, presented an Interlocal Agreement for Cooperative Development and Use of the Nebraska Regional Interoperability Network (NRIN). NRIN will benefit the parties by allowing information to be shared among emergency and communications centers on a real time, on demand, basis to help mitigate an emergency that threatens any location. The purpose of the Agreement is to establish NRIN and an NRIN Governing Board to govern, manage, and coordinate NRIN to support public safety communications in Nebraska. The Board and Smith discussed the period of time of participation and the yearly cost that may be assessed to Boone County. Motion made by Luettel, second by Maricle to approve the Interlocal Agreement for Cooperative Development and Use of the Nebraska Regional Interoperability Network for a period of one year from August 26, 2015 through August 26, 2016 and authorize the Board Chairman to sign a Resolution on August 26, 2015 regarding the Agreement approval. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, received three sealed proposals for a new payloador to be located at the County Road Shop District 1, Cedar Rapids, Nebraska. The following bids were received less a trade in of a 1998 CAT 938G:

- Road Builders Machinery and Supply Co., Inc. for \$184,206.00, Komatsu WA380-8 Wheel Loader, 3 years/2000 hour warranty; and
- Nebraska Machinery Company for \$198,000.00, Caterpillar 950M Wheel Loader, 3 years/5000 hour warranty; and
- Murphy Tractor & Equipment Co. for \$199,800.00, John Deere 644K Wheel Loader, 5 years/5000 hour warranty.

Edward Bomar, Nebraska Machinery Company, and Matthew Geyer, Murphy Tractor & Equipment Co., were present to answer any questions regarding their respective proposals. Thorin said that all three are good machines and were demonstrated at the road shop in Cedar Rapids. Thorin said that four of the employees favored the operation of the John Deere payloador. The Board and Thorin reviewed the information provided for a new payloador. Motion made by Maricle, second by Luettel to accept and approve the Murphy Tractor & Equipment Co. proposal for \$199,800.00 (\$234,800.00 less trade in \$35,000.00) for a 2015 John Deere 644K Wheel Loader as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Randall Bruland, County Ambulance Administrator, and the Board discussed the air-conditioning and transmission issues with the County Ambulance unit. Bruland said he contacted several entities regarding repair to the air-conditioning that is located in the patient portion of the ambulance unit. Bruland said that the North Central Ambulance Sales and Service of Lester Prairie, Minnesota can repair/replace the ambulance unit issues. Bruland said that North Central Ambulance Service will pick up the county ambulance for repair and bring a loaner ambulance for the county to use during the repair of the county ambulance unit. The consensus of the Board is to repair the county ambulance unit issues. In addition, the Board and Bruland discussed advertising for proposals regarding a new ambulance unit.

The Board, Darrel Thorin, County Highway Superintendent and Jim Kennedy of Cedar Rapids, discussed a portion of a minimum maintenance road known as 340<sup>th</sup> Street. Kennedy presented information and a map to help the Board become aware of their situation when the minimum maintenance road is not passable the majority of the time. Kennedy uses the road to access his land and livestock. Thorin said that it has been on the County Six Year Road Improvement Program for several years. Thorin said the project has at least three water crossings and steep banks that need to be cut down. There is a substantial cost for the project and under the current rules the project would require approval of the NE State Board of Classifications and Standards. Thorin explained the protocol procedures for changing the classification of roads. In addition, Thorin said that he will look at the intersection of 120<sup>th</sup> Avenue and 350<sup>th</sup> Street and address the concerns discussed today.

The state statutes require the Sheriff to make quarterly reports to the County Board describing fees and activities. Motion made by Luettel, second by Maricle to accept and approve the County Sheriff's 2015 second quarter report as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, presented a resolution regarding an Interlocal Cooperative Agreement between the County of Boone, Nebraska and the City of Albion, Nebraska. The parties entered into an agreement for city/county zoning jurisdiction in a fraction of the NW1/4 of Section 16, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, where existing Parcel No. 0023990.00 falls partially in both jurisdictions. The County and City are both consistent with the proposed land use and both parties desire to protect the land use. The purpose of this agreement is to consolidate the entire NW1/4 of Section 16, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska with the Extraterritorial Jurisdiction (ETJ) of the City of Albion, Nebraska. The term of this agreement shall be in force and effective on August 1, 2015 upon approval and execution by the City and the County and shall continue until such time that the parcel would become part of the City of Albion, Nebraska jurisdiction by annexation and expansion of the extraterritorial jurisdiction or by petition and ceding of jurisdiction according to State Law. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to Sign Resolution No. 2015-27, an Interlocal Cooperative Agreement between the County of Boone, Nebraska and the City of Albion, Nebraska to consolidate the entire NW1/4 of Section 16, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska with Extraterritorial Jurisdiction (ETJ) of the City of Albion, Nebraska as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Boone County Board of Commissioners closed the Business Development Fund (2606) with Resolution No. 2015-25 and hereby authorizes Laurie Krohn, Boone County Treasurer, to transfer the remaining sum of \$186.07 from the Business Development Fund (2606) to the Inheritance Tax Fund (2700). Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-28, to transfer the remaining sum of \$186.07 from the Business Development Fund (2606) to the Inheritance Tax Fund (2700) as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



Motion made by Luettel, second by Tisthammer to go into executive session at 12:22 p.m., per the Open Meeting Act §84-141(D), 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: Luettel, Tisthammer and Maricle. Nays: None. Motion carried. Personnel issues discussed by the Board, County Highway Superintendent and Zoning Administrator. The County Attorney asked to join the discussion. Motion made by Tisthammer, second by Maricle to come out of the executive session at 12:47 p.m. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. Personnel issues were discussed, no action was taken by the Board.

## Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Legislative bills passed during the 2015 session take effect at 12:01 a.m. on August 30, 2015.
- Mike McDermott, Boone County Fitness Center, resigned as manager effective August 21, 2015. Appreciation of Mike's service to the County Fitness Center will be held on August 21, 2015.
- Jim Ely, County Attorney, and the Board discussed the Board's concerns and issues regarding a decision concerning the public hearing held on October 14, 2014 for a Conditional Use Permit by MSJM Properties, LLC.

Chairman Tisthammer declared the meeting adjourned at 12:50 P.M. with the next Board meeting scheduled for Wednesday, August 26, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 26, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, August 26, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board discussed the courthouse private/public Wi-Fi access, antivirus protection, cyber security, and other security issues with Ed Knott, Applied Connective Technologies. The Board and Knott discussed changing the public Wi-Fi access password key code quarterly. The County resources have a private Wi-Fi access password key code. The public will have no access to the County resources. The Board asked Knott to review the firewall security and block categories to protect the County of Boone and the county owned devices. Knott plans to prepare a quote for Symantec antivirus protection for the County owned devices. Knott plans to work with the County Clerk's office regarding the public Wi-Fi password key code and security policies regarding cyber and County owned devices.

Charles Laska requested permission to trench a  $\frac{3}{4}$ " water line across a county road commonly known as 270<sup>th</sup> Avenue running north and south between the NE1/4 of Section 14 and the NW1/4 of Section 13, all in Township 18 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The trenched water line commences from a well located in the NE1/4 of Section 14, Township 18 North, Range 6 West; thence running east across 270<sup>th</sup> Avenue to a stock tank located in the NW1/4 of Section 13, Township 18 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2015-30, granting permission to Charles Laska, et al, to trench a  $\frac{3}{4}$ " water line across a county road known as 270<sup>th</sup> Avenue to a stock tank located in the NW1/4 of Section 13, Township 18 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board and Rod Nelson, Maintenance, discussed a second exit for the courthouse basement. Nelson said that the courthouse only has a partial basement and that the east basement wall does not extend to the east outside wall of the courthouse. In addition, the west courthouse basement wall only extends to the west wall of the breakroom. Nelson said that the basement floor is precast concrete. Nelson will research options and visit with contractors regarding the possibility of a second exit out of the partial courthouse basement.

The Board approved an Interlocal Agreement for Cooperative Development and Use of the Nebraska Regional Interoperability Network (NRIN) on August 17, 2015, to be a part of establishing NRIN and NRIN Governing Board. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign Resolution No. 2015-29, to enter into the Interlocal Agreement for the formation and participation in the Nebraska Regional Interoperability Network (NRIN) for the period August 26, 2015 through August 26, 2016 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of August 17, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$89,177.54, BCBS \$42,805.95, Ameritas Ret \$6,135.51, EFTPS \$6,655.03, Section 125 Fees \$10.00, County Share Wellness Program \$97.51; Road \$47,489.88, BCBS \$22,822.18, Ameritas Ret \$3,205.59, EFTPS \$3,584.13; Ambulance \$1,960.00, Ameritas Ret \$39.49, EFTPS \$149.93; Public Defender Contract \$3,000.00; Boone County Fitness Center \$7,412.30, Ameritas Ret \$417.52, EFTPS \$567.06, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Northeast Nebraska Economic Development District (NENEDD) submitted a form for the Board to review regarding County Representatives for the NENEDD Council of Officials. Each County must have one elected and one non-elected representative appointed to the Council of Officials. Commissioner Ken Luettel is the appointed elected representative. Motion made by Luettel, second by Tisthammer to appoint Doug Koch, BCDA, Inc. Director, as the Boone County non-elected representative to the NENEDD Council of Officials. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Denny Johnson, Sheriff, presented a letter to the Board from Donna Johnson, dated August 10, 2015, asking to be released from the Agreement for providing meals for the prisoner(s) held in the Boone County Jail, effective September 1, 2015. Motion made by Luettel, second by Tisthammer to accept the termination of the Agreement with Donna Johnson for providing meals for the Prisoner(s) held in the Boone County Jail, effective September 1, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Open discussion and miscellaneous public comments:

- Commissioner Tisthammer updated the Board regarding the Boone County Health Center meeting he attended.
- Darrel Thorin, County Highway Superintendent, updated the Board regarding an audit of the county bridge files, which was contracted by the Nebraska Department of Roads.
- Darrel Thorin, County Highway Superintendent, updated the Board regarding road projects and said that on Monday of this week the road employees changed back to working five, eight hour days.

Chairman Tisthammer declared the meeting adjourned at 11:16 A.M., the next Board meeting is scheduled for Monday, August 31, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 31, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 31, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of August 26, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board discussed options for disposal of a county vehicle. The Board decided to consign the 2000 GMC Yukon vehicle with Schalk Auto of Albion, NE. Commissioner Luettel plans to deliver the vehicle to Schalk Auto. Motion made by Luettel, second by Maricle to approve the disposal of the 2000 GMC Yukon through consignment with Schalk Auto. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board accepted the termination of the Agreement with Donna Johnson for providing meals for the prisoner(s) held in the Boone County Jail, effective September 1, 2015 at their August 26, 2015 Board meeting. Denny Johnson, Sheriff, informed the Board on August 26, 2015 that Darla McIntosh was interested in assuming the position in regard to prisoners' meals. A new Agreement with Darla McIntosh to provide meals for the prisoner(s) held in the Boone County Jail will be at the rates that were effective July 1, 2015. The amount is \$25.00 a day for the first prisoner and \$16.00 a day for each additional prisoner. The amounts of \$25.00 and \$16.00 include labor and food. Motion made by Luettel, second by Maricle to approve the amounts per day of \$25.00 for the first prisoner and \$16.00 for each additional prisoner, effective September 1, 2015 and ending June 30, 2016, with the understanding that the Agreement may be extended on the same terms and conditions by written Agreement of the Boone County Board of Commissioners, Denny Johnson, Boone County Sheriff, and Darla McIntosh, Independent Contractor. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Nebraska Intergovernmental Risk Management Association (NIRMA) provides a Guide to Creating a Personnel System for Nebraska Counties to assist counties in creating a personnel system that complies with applicable Nebraska and federal law. The County Board, elected officials and department heads present at the meeting began the review of the Boone County Employee Handbook regarding updates, language clarification and policy/procedures. NIRMA encourages the development of a cyber-security policy and a social media policy to protect the County of Boone.



# Boone County Board Minutes



Pursuant to State Statute Section 23-347, within two calendar months after the close of each fiscal year, 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. The County Board in each county shall examine into each inventory statement so filed, and, if said statement is correct and proper in every particular, the County Board shall deliver each of said inventory statements to the clerk of the county for filing as a public record in said county clerk's office in a manner convenient for reference. Motion made by Luettel, second by Maricle to approve the County Offices' 2014-2015 Inventories of county personal and real estate property as presented from the various offices and file the submitted inventories with the County Clerk's office as a public record in a manner convenient for reference. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- Randall Bruland, Ambulance Administrator, updated the Board regarding the County Ambulance unit repairs by North Central Ambulance Sales and Service of Lester Prairie, Minnesota. In addition, Bruland said he will have bids for the Board to open and review on September 14, 2015 regarding a new Ambulance unit.

Chairman Tisthammer declared the meeting adjourned at 12:34 P.M., the next Board meeting is scheduled for Monday, September 14, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS SEPTEMBER 14, 2015

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 14, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board and Randall Bruland, Ambulance Administrator, reviewed the two bids that were received for a new County Ambulance unit. Jeff D. Horn, representative for North Central Emergency Vehicles, presented their bid for a new 2016 Braun Chief XL Type 1 Ambulance on a 2016 Ford F450 4x4 chassis. The Braun Chief XL is all aluminum, fully welded, seamless Type 1 Ambulance and provides optimum room for storage and comfort. The seamless welded frame also provides the ability to remount in the future on a different chassis. The North Central Ambulance Sales and Service bid is \$236,055.00 without trade-in or \$226,055.00 with trade-in of the County Ambulance 2010 Medtec unit. Michael Semerad, representative for Danko Emergency Equipment, emailed a bid for a new PL Type 1 Classic Ambulance on a 2016 Ford F450 4x4 chassis. Bruland said that the interior of the PL Type 1 Classic Ambulance is made out of wood and fastened together with screws and glue. The Danko Emergency Equipment bid is \$219,108.00 without trade. Both bids included a Stryker power load system and diesel 2016 Ford F450 chassis. The Board and Bruland favored the safety features and one-piece patient treatment area on the Braun ambulance. Bruland said the county has received good service from North Central Ambulance Service. The Board decided to see if there is any interest from area community fire/rescue departments wanting to purchase the 2010 County Ambulance before deciding on a trade-in.

Motion made by Luettel, second by Maricle to approve the purchase of the 2016 Braun Chief XL Type 1 Ambulance from North Central Ambulance Sales and Service of Lester Prairie, MN for \$236,055.00 with option to trade in the 2010 Medtec Ambulance as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board, Darrel Thorin, County Highway Superintendent, and Lee Diessner discussed the driveway request off of the county road known as 140<sup>th</sup> Avenue south of 255<sup>th</sup> Street. Diessner completed an application requesting a driveway off of a county road on September 2, 2015. Diessner said that the driveway would not be used every day and that he has a load of gluten delivered by truck on the county road approximately every fourteen days. Thorin prepared different scenarios regarding the distance from the top of the hill to the bottom where the requested driveway would come out onto the county road. One of Thorin's scenarios is a grain truck or tractor/wagon pulling onto the county road from the driveway and a school bus on the gravel road coming over the top of the hill. The distance from the hilltop to the proposed driveway is not enough for the school bus to stop safely. The Board and Thorin said that there are safety issue concerns involving the county road and allowing a driveway at the bottom of a hill. Motion made by Luettel, second by Maricle to table the driveway request and physically investigate the area for possible driveway options. Thorin is to review liability issues regarding a driveway built in a county road right-of-way. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his August report. In addition, the following topics were discussed:

- Thorin informed the Board that some of the motor graders have been down for repair and the excavator is down for repair that was being used on the Cedar River bank stabilization project.
- The bridge project west of Petersburg is being held up to determine whether the project would impact the American Burying Beetles' habitat and waiting for a letter of concurrence from the State Historical Society that the project will not destroy any historical sights.
- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.

Eric Lordemann requested permission to trench a 1" natural gas pipeline across a county road commonly known as 230<sup>th</sup> Avenue running north and south between Sections 5 and 6, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The trenched natural gas pipeline commences from the pipeline currently located in the SW1/4 of Section 5, Township 22 North, Range 6 West, thence running West across 230<sup>th</sup> Avenue and continuing North through the SE1/4 of section 6, Township 22 North, Range 6 West, to a point located in the NE1/4 of Section 6, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska where a new residence is being constructed. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-31, granting permission to Eric Lordemann to trench a 1" natural gas pipeline across a county road known as 230<sup>th</sup> Avenue to a new residence being constructed in the NE1/4 of Section 6, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and Darrel Thorin, County Highway Superintendent, discussed the information received regarding the City of Albion Street Improvement District #2015-01 project. The County of Boone owns real estate along Harrison Street that is used by the Boone County Road Department. The public hearing for the project is set for October 13, 2015. In the spring of 2015, it was requested by property owners in the Harrison Street area that the City of Albion begin the Street Improvement District creation process for City streets in the area that have never been paved. The City of Albion has been working with JEO Consulting Group to estimate the project costs for such an improvement. The project information indicates that there are seventeen property owners of record which directly abut the proposed paving improvements. If more than 50% of the property owners of record object to the creation of the Street Improvement District then the ordinance is repealed and the paving improvements will not take place. If 50% or less of the property owners of record which directly abut the proposed paving improvements object to the project, then the paving project will proceed. If the paving project proceeds, the estimated assessment for the County of Boone footage is \$36,557.00. Commissioner Maricle felt the street improvement project should be supported to help with economic improvements.

The Board held a lengthy discussion in regard to the street improvement project. In addition, the Board discussed the possibility of finding an area to relocate the county road department. The County Road Department District #2 Shop building has very little frontage off of State Highway #14 to move motor graders and trucks around in and out of the shop building. Commissioner Luettel suggested selling the County of Boone property and move the county road department out of the city limits of Albion to an area where there is room for a building large enough to work on a truck or motor grader inside and a yard with room enough to turn the road equipment around in.

Motion made by Maricle, second by Tisthammer to approve the County of Boone estimated assessment cost of \$36,557.00 regarding the City of Albion Street Improvement District #2015-01 project for the purpose of economic improvements. Roll call vote: Yeas: Maricle and Tisthammer. Nays: Luettel. Motion carried.



# Boone County Board Minutes



Judd Allen, NACO Benefit Services, introduced himself to the Board and explained the services provided to the counties by NACO. Allen is a marketing representative for NACO Benefit Services. Allen addressed questions from the Board.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Tisthammer, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$38,133.56; Road - \$159,225.32; Boone County Visitors Promotion - \$1,064.00; Reappraisal - \$17,170.24; Inheritance Tax - \$74,085.60; 911 Emergency Management (2910) - \$544.70; 911 Wireless Service (2913) - \$668.86; Ambulance - \$1,213.62. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of August 31, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the following reports of the County Officials as presented for August, 2015:

- Clerk - \$4,771.75 (State of Nebraska-\$1,407.04)(County of Boone-\$3,364.71)
- Clerk of the District Court - \$1,070.91 (State of Nebraska-\$174.25)(County of Boone \$896.66)
- Sheriff - \$1,624.54
- County Planning and Zoning for the months of July and August - \$557.75
- Treasurer - Treasurer's Fees - \$22.00; Miscellaneous Receipt Nos. 14500-14552 - \$151,383.87; Total Collections - \$5,765,150.92
- Boone County Veteran's Service report for the months of June, July and August, 2015.

Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received three requests for advertisement funding.

The Albion Area Arts Council submitted an application requesting assistance to advertise The Toasted Ponies Plugged event scheduled for October 24, 2015. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Petersburg Community Club submitted an application requesting assistance to advertise the annual Punkin Chunkin event scheduled for October 25, 2015. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The St. Edward Development Company submitted an application requesting assistance to advertise the annual St. Edward Development Co. Holiday Extravaganza event scheduled for November 13, 14 and 15, 2015. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



An Agreement was entered into by and between Boone County, Nebraska and the Boone County Fitness Center and Erin Soderstrum, Personal Trainer. The Agreement is in regard to general liability insurance coverage when providing personal training at the Boone County Fitness Center. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign an Agreement between Boone County, Nebraska, and the Boone County Fitness Center and Erin Soderstrum, Personal Trainer as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The 2015-2016 County Budget public hearing for the County of Boone, Nebraska was held at 10:30 A.M. on September 14, 2015. Motion made by Luettel, second by Maricle to approve exceeding the lid limit by an additional 1% budget authority growth for fiscal year 2015-2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The County Budget Act (State Statute Section 23-904) requires a budget message to be completed by the budget making authority outlining the fiscal policy for the budget period. The budget message must include a list of all cash amounts being held by officials that do not appear in the County Treasurer's Office six month balance reports. The Board has approved and authorized accounts within County Offices to receive and disburse fees, etc. Some of the accounts balance to zero and some accounts have a beginning balance. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-32 authorizing the accounts within County Offices as stated in the resolution. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the County of Boone passes by a majority vote a resolution setting the tax request at a different amount. The Governing Body of the County of Boone, by a majority vote by the Boone County Board of Commissioners, resolves that: the 2015-2016 property tax request be set at \$3,271,759.00, which is different from the 2014-2015 request of \$3,433,986.00; and the 2015 county tax rate is at 0.149127, which is different from the 2014 tax rate of 0.180253. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-33 at the September 14, 2015 public hearing to adopt and approve the County Budget for 2015-2016 as published and presented with the above property tax requests. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Andy Devine, Albion City Administrator, submitted an Interlocal Agreement for renewal 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 employee of Boone County and City of Albion desires to remit payment directly to Boone County on a monthly basis for each month of this agreement. All parties on an annual basis shall review the Interlocal Agreement. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign Resolution No. 2015-34 an Interlocal Agreement between the County of Boone and City of Albion for licensed Highway and Street Superintendent services in effect for one year commencing on January 1, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.





# Boone County Board Minutes



The Board received information from Mary Ann Borgeson, Douglas County Commissioner, regarding Stepping Up: A National Initiative to Reduce the Number of People with Mental Illnesses in Jails. The National Association of Counties (NACo), the Council of State Governments (CSG) Justice Center, and the American Psychiatric Foundation (APF), in partnership with the U.S. Justice Department's Bureau of Justice Assistance, will launch a new initiative to support counties of all sizes in reducing the number of people with mental illnesses in jails. As part of the Call to Action for Stepping Up, NACo and partners are calling on counties to pass a resolution or proclamation to reduce the number of people with mental illnesses in the county jail. Motion made by Tisthammer, second by Maricle to prepare a resolution regarding Stepping Up: A National Initiative to Reduce the Number of People with Mental Illnesses in Jails for approval at their September 21, 2015 Board meeting.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- The Board discussed a power outage policy for the courthouse. No action at this time.
- Ed Miller discussed his concerns with the Board and Darrel Thorin, County Highway Superintendent, regarding a culvert for cattle to walk through, a county road right-of-way southwest of Primrose and the minimum maintenance road known as 110<sup>th</sup> Avenue south of 300<sup>th</sup> Street. Thorin explained the protocol procedure regarding the maintenance of designated minimum maintenance roads. Thorin plans to physically inspect the area of concern.
- Orrin Strand discussed his concerns with the Board and Darrel Thorin, County Highway Superintendent, regarding maintenance on county roads east of Petersburg and possible erosion issues. Thorin explained that trees, shrubs, etc. are not to be disturbed/removed between April 1<sup>st</sup> and September 1<sup>st</sup>. Strand asked the Board if one of them would attend a meeting with the area residents to discuss their concerns. Strand plans to inform the Board when the area residents have made arrangements for a meeting and to discuss road improvement options.

Chairman Tisthammer declared the meeting adjourned at 12:40 P.M. with the next Board meeting scheduled for Monday, September 21, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
SEPTEMBER 21, 2015  
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 21, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Jeff Jarecki, attorney for MSJM Properties LLC, and Mary Ziemba, Boone County Zoning Administrator, appeared before the Board regarding the Conditional Use Permit currently before the Board for approval. Jarecki indicated that all requirements had been met for approval of the Conditional Use Permit and requested that the permit be approved. Jarecki indicated that at the current time, the Court has entered a temporary injunction concerning the building of the facility and that the court issue was a separate matter from the issue regarding approval of the permit. Motion made by Maricle, second by Luettel to approve the issuance of the Conditional Use Permit to MSJM Properties LLC. Tisthammer noted that there are pros and cons regarding the issuance of the permit and the Board was in agreement that all requirements for the issuance of the permit had been met. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings and Board of Equalization Proceedings of September 14, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the 2015-2016 County Budget Public Hearing Proceedings of September 14, 2015 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Commissioners met with the officials, department heads and employees for their monthly reports as follows:

- Barb Hansen, County Assessor, reported that her office was caught up with the rural updates and would be entering the values. Land use updates are required by March 2016.
- Jacqueline Wells, Veterans Service Officer, updated the Board on the meetings she had attended. Wells indicated that there were a lot of changes coming but felt they would not affect Boone County office as much as they would affect the Greeley County office. Commissioner Tisthammer indicated that he would like to set up a meeting at a later date with Wells and Greeley County Commissioner Diessner regarding the cooperative agreement between the counties for the Veterans Service Office.
- Darrel Thorin, Highway Superintendent, advised the Board that the armor coating was completed on September 18, 2015 and that it looked good. Thorin reported that it was discussed at the Northeast District meeting that federal highway and Nebraska Department of Roads are going to require the resigning of bridges due to the classification of trucks. The resigning of bridges would require a lot of time and expense on behalf of the county. This change was originally proposed in 2008 and is now being enforced.
- Steve Pritchard, Extension Agent, reported that the State Fair activities have been wrapped up and that Boone County exhibitors did well. He indicated that they were preparing for the livestock show at Aksarben in Omaha and that the 4-H Achievement ceremony is scheduled for October 4, 2015.
- Mary Ziemba, Zoning Administrator, stated that she has been busy with several different applications and attending meetings regarding highway administration.
- Lorrie Nicklasson, Deputy County Clerk, advised that the office had completed the processing of the petition pages regarding the Death Penalty Repeal; was preparing for a mass mailing of voter registration ID cards and indicated that September 22, 2015 was National Voter Registration Day and that online voter registration was scheduled to begin on that date. In addition, it was brought



# Boone County Board Minutes



to the attention of those officials, department heads and employees attending the meeting that County Government Day is scheduled for October 21, 2015 and a tentative agenda of events was outlined.

- Hilary Maricle, County Commissioner, indicated that after speaking with the Emergency Manager, there is a need for individuals to volunteer for the CERT team. She indicated that if there is anyone interested, to let her know. Maricle also advised that the communications tower is making progress and that transfer from the old tower to the new tower is scheduled for the end of September.
- Ken Luettel, County Commissioner, advised of the upcoming changes as a result of LB 610 concerning the gas tax. Also talked about the procedure of "bundling" regarding bridge and road projects and the impact of bundling at the local level.
- Jerry Tisthammer, County Commissioner, indicated that he would be attending the LEPC meeting. Tisthammer asked everyone to be mindful of the upcoming harvest season with increased farm machinery on the county roads. Tisthammer further advised that after discussion it was decided that the county would not pursue purchasing a generator for the courthouse in the event of an electricity outage inasmuch as such outages do not occur very often.

The Board received a Certificate of Cost Allocation Plan and Computation of Indirect Costs from Sequoia Consulting Group for their review. The completed county wide Cost Allocation Plan is based on actual costs for the fiscal year ended June 30, 2014. The Computation of Indirect Costs is for the county's July 1, 2015 through June 30, 2016 fiscal year. The indirect costs reimbursement relates to the office space provided in the courthouse for Nebraska Health and Human Services when needed and the Clerk of the District Court – IV-D Child Support services. Sequoia Consulting Services receives a percentage of the indirect cost recovery reimbursement received by the county from Nebraska Health and Human Services. Motion made by Maricle, second by Luettel to approve the Cost Allocation Plan with Sequoia Consulting Group for fiscal year ending June 30, 2016. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Boone County Board of Commissioners adopted the 2015-2016 County Budget on September 14, 2015 and approved an interfund transfer from the Inheritance Tax Fund (2700) to the Courthouse Bond Fund (3000). Motion made by Luettel, second by Maricle to approve Resolution No. 2015-35, authorizing the Boone County Treasurer to transfer the sum of \$50,000.00 from the Inheritance Tax Fund (2700) to the Courthouse Bond Fund (3000) for the fiscal year 2015-2016 year budget. Roll call vote: Yeas: Luettel, Maricle and Tisthammer, Nays: None. Motion carried.

The General Fund receives the real estate and personal property taxes with a designated percentage transferred to the Road Fund on a monthly basis. The Boone County Treasurer is authorized to use all property tax collections, which would include real estate and motor vehicles taxes, to be in the transfer of funds. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2015-36, authorizing the Boone County Treasurer to transfer funds from the General Fund (0100) 37.62% to the Road Fund (0200) on a monthly basis not to exceed \$1,147,100.00. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-37, Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails. Roll call vote: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Rusty Bruland appeared before the Board on behalf of the Boone County Ambulance Service. He reported to the Board that Petersburg was no longer interested in acquiring the current ambulance but that Spalding was still interested. He advised the Board that he had disclosed the information regarding the ambulance concerning the transmission, that it had been wrecked and the air conditioning issues. The Board directed Bruland to contact the Spalding representative and indicate if they are interested in acquiring the ambulance, to submit a bid before the next meeting on September 28, 2015. The disposition of the current ambulance unit will be discussed further at the next board meeting on September 28, 2015.

Vic Lee, Boone County Health Center CEO, appeared before the Board regarding the Boone County Health Center budget. Lee reported the new budget year begins on October 1, 2015 and that the budget was approved by the Board at its last meeting. Lee reported that total operating revenue is projected at \$29,656,473 and total operating expenses is projected at \$29,534,990, with total operating income projected at \$121,483.00. The health center will also have non-operating revenue, including investments and grants, which will increase its projected net to approximately \$187,444.00. Lee informed the Board that capital equipment purchases, both



# Boone County Board Minutes



small and large, is budgeted at \$915,000.00, with the majority of the improvements to be related to technology upgrades. Motion made by Maricle, second by Tisthammer to accept the Boone County Health Center budget as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Vic Lee also advised the Board that work had begun on the Spalding Clinic and plans for the Albion Clinic were currently being completed.

Barb Hanson, Assessor, appeared before the Board regarding the contract between the County and Larry Petsche for pickup work. Hanson advised the Board that she had consulted with the State regarding the contract and that the State advised that the contract be written to show Petsche as a Contractor/Lister. The term "Lister" was included inasmuch as a Contractor can assess values and Petsche does not do this. Hanson also indicated that in the past, payment to Petsche was not on a regular schedule so the new contract sets out the terms of payment in order to provide Petsche payment on a regular basis. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign the agreement. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Discussion was held regarding the disposition of the communications tower a/k/a Kohtz tower. Items discussed was purchase price and the documentation needed to transfer ownership. The Board agreed that the County Attorney will need to be consulted regarding the legal documentation needed to transfer the tower. Also, discussed was the contract with TeleBeep and how that would be affected by the disposition of the tower. The matter was rescheduled for further discussion at the next board meeting to be held on September 28, 2015.

Doug Koch, Boone County Development Agency, Inc. representative, appeared before the Board regarding the Membership Agreement and Disbursement Agreement for fiscal year, 2015-2016. Koch indicated that the information in the agreements were basically the same as the prior year and that pursuant to the terms of the agreements, they need to be approved on a yearly basis. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign the Membership Agreement and Disbursement Agreement for fiscal year, 2015-2016. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Open discussion:

- Ken Luettel reported he would be attending the Hospital Board meeting.
- Jerry Tisthammer would be attending the LEPC meeting.
- Maricle inquired about the tables for the Commissioners Room. It was reported that they had been ordered.

Chairman Tisthammer declared the meeting adjourned at 12:00 Noon with the next Board meeting scheduled for Monday, September 28, 2015.

Lorrie Nicklasson  
Deputy Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS SEPTEMBER 28, 2015

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 28, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$88,898.43, BCBS \$43,556.95, Ameritas Ret \$6,118.05, EFTPS \$6,632.84, Section 125 Fees \$10.00, Wellness Program \$97.51; Road \$44,885.85, BCBS \$22,822.18, Ameritas Ret \$3,029.79, EFTPS \$3,384.97; Ambulance \$2,130.00, Ameritas Ret \$59.74, EFTPS \$162.94; Public Defender Contract \$3,000.00; Boone County Fitness Center \$5,979.56, Ameritas Ret \$322.80, EFTPS \$457.44, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of September 21, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, presented to the Board an Agreement for Engineering Services for their review and approval. The agreement retains Wilson & Company to provide engineering services related to the replacement of Boone County Bridge No. C000605220 a/k/a as Project No. C6-(379). The Boone County Bridge No. C000605220 is located southwest of Albion on 290<sup>th</sup> Street west of 210<sup>th</sup> Avenue. Wilson & Company proposed a fee of \$24,300.00 for this project. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the Agreement for Engineering Services and the Standard Terms and Conditions for Boone County Bridge No. C000605220/Project No. C6-(379) with Wilson & Company, Inc. Engineers & Architects of Omaha, Nebraska as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, County Highway Superintendent, presented to the Board an Agreement for Engineering Services for their review and approval. The agreement retains Wilson & Company to provide engineering services related to the replacement of Boone County Bridge No. C000624015 a/k/a as Project No. C6-(380). The Boone County Bridge No. C000624015 is located southeast of Cedar Rapids a half mile west of 220<sup>th</sup> Avenue on 350<sup>th</sup> Street south of State Highway 56. Wilson & Company proposed a fee of \$24,300.00 for this project. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the Agreement for Engineering Services and the Standard Terms and Conditions for Boone County Bridge No. C000624015/Project No. C6-(380) with Wilson & Company, Inc. Engineers & Architects of Omaha, Nebraska as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, and the Board discussed a telephone line to the new County Communications Tower. There is a telephone pedestal located in the county road right-of-way of the NW/4 of Section 28, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The new County Communications Tower is located in a fraction of the North Half of the Southwest Quarter of the Northeast Quarter (N1/2SW1/4NE1/4) of Section 28, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Thorin informed the Board that the telephone line will be bored under the county road known as the Fairgrounds Road. Motion made by Luettel, second by Tisthammer to approve and grant permission for the telephone company to bore a telephone line from a pedestal located on the west side of the Fairgrounds Road located in the NW1/4 of Section 28, Township 20 North, Range 6 West; thence east to the new County Communications Tower and transmitter building located in a fraction of the North Half of the Southwest Quarter of the Northeast Quarter (N1/2SW1/4NE1/4) of Section 28, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Darrel Thorin, Highway Superintendent, submitted for review and approval the annual Standardized System of Annual Reporting (SSAR). The annual report is submitted to the Board of Public Roads Classification and Standards pursuant to Neb. Rev. Stat. 39-2120 and 39-2510. The report includes administrative/operating expenses and cost per mile/hour for the road department equipment. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign the annual SSAR report for fiscal year ending June 30, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board discussed the county surplus property and the state statute governing the County Purchasing Act bidding requirements for advertisement of purchases and the disposal of surplus property. The Act states, personal property that has been declared by the county board to be surplus shall be sold through competitive bidding and shall be payable to the county treasurer. The Act also states, except such personal property with a value of less than \$2,500.00 and mobile equipment with a value of less than \$5,000.00 may be sold without competitive bidding. Sealed bids shall be solicited by public notice in a legal newspaper of general circulation in the county at least once a week for two consecutive weeks before the final date of submitting bids. Sealed bids may also be solicited by sending requests by mail to prospective suppliers or buyers and by posting notice on a public bulletin board.

Motion made by Tisthammer, second by Luettel to declare the Boone County 2010 Medtec Ambulance as surplus property due to the purchase of a new 2016 Braun Chief XL Type 1 Ambulance at their September 14, 2015 Board meeting. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to declare the County Communications Tower a/k/a the Kohtz Tower as surplus property due to the approval to construct a new free standing Structure Class III County Communications Tower to be located on the county fairgrounds property at their June 8, 2015 Board meeting. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to advertise for two consecutive weeks in the Albion News and to accept sealed bids for the Boone County 2010 Medtec Ambulance through 4:00 p.m. on Friday, October 9, 2015 for opening at 10:00 a.m. on Tuesday, October 13, 2015, with the right reserved to waive all technicalities and reject any or all bids. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



# Boone County Board Minutes



Motion made by Luettel, second by Tisthammer to advertise for two consecutive weeks in the Albion News and to accept sealed bids for the County Communications Tower a/k/a the Kohtz Tower through 4:00 p.m. on Friday, October 9, 2015 for opening at 10:30 a.m. on Tuesday, October 13, 2015, with the right reserved to waive all technicalities and reject any or all bids. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Tom Smith, Region 44 Emergency Manager, and the Board discussed the progress of the new County Communications Tower and damage to the transmitter building. Smith has been in contact with Tom Schommer, Telebeep, Inc. d/b/a Telebeep Wireless, regarding the Telebeep antenna/space that they rent on the present county communications tower. Smith said that if the Board agrees to leave the yearly rent at \$600.00, Telebeep is interested in moving their antenna to the new County Communications Tower. Smith informed the Board that Telebeep is responsible for contacting and paying for moving their line/antenna from the old tower to the new tower. Smith informed the Board that the priorities for antenna placement on the new tower will be the new high frequency antenna and sheriff's antennas at the top of the new County Communications Tower, next will be the microwave dishes for the State NRIN system and followed by local and Telebeep. The consensus of the Board is to allow Telebeep to move their antenna at their expense to the new County Communications Tower as long as it does not interfere with the required antennas, State NRIN system and sign a new Agreement with the \$600.00 a year lease payment.

In addition, Smith discussed the damage to the transmitter building upon delivery. Smith had pictures before the building was removed from its previous location in Dakota City, Nebraska and pictures of damage to the building upon delivery. Smith said most of the damage to the concrete building is cosmetic damage that occurred when it was unloaded by the delivery company. Some of the electrical equipment was missing from the building when it arrived, as the before pictures at the previous location shows the difference. East Central Region Governance Board through Homeland Security funds paid for the used transmitter building. Smith said that Homeland Security funds will pay for the generator and that the Homeland Security Grant will reimburse approximately one-third of the new tower materials and labor construction. The consensus of the Board was to have Smith pursue a settlement with the delivery company regarding the damage to the building. Smith informed the Board that the plans are to have the new County Communications Tower in operation on October 9, 2015 or at the latest October 15, 2015.

Smith and the Board visited with Ed Meedel, Platte Valley Communications, regarding the old communications tower maintenance requirements. Meedel informed the Board that FAA regulations require a tower over 200' to have strobe flashing white during day and red at night; or if just a red flashing light on top then the tower needs to be painted red/white. The old communication tower (Kohtz tower) is 260 feet.

Open discussion and miscellaneous public comments:

- Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge projects.
- Commissioner Luettel asked Thorin if anything had been done on Leo Diessner's driveway on 140<sup>th</sup> Avenue, north of Highway 91. Thorin replied nothing had been done at this time. Thorin asked if the Board wants him to take out the driveway. Both Commissioners responded yes to remove the driveway due to no approval of an application to install the driveway.

Chairman Tisthammer declared the meeting adjourned at 11:25 A.M., the next Board meeting is scheduled for Tuesday, October 13, 2015.

Kathy Thorberg,



# Boone County Board Minutes



Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 13, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, October 13, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Tisthammer, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$164,871.36; Road - \$233,499.96; Boone County Visitors Promotion - \$1,124.00; Reappraisal - \$15,851.46; 911 Emergency Management (2910) - \$393.17; 911 Wireless Service (2913) - \$668.35; Ambulance - \$2,790.06. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for September, 2015:

- Clerk - \$8,191.75 (State of Nebraska-\$3,519.35)(County of Boone-\$4,672.40)
- Clerk of the District Court - \$925.85 (State of Nebraska-\$433.25)(County of Boone \$492.60)
- Sheriff - \$1,158.91
- County Planning and Zoning - \$418.25
- Treasurer - Treasurer's Fees - \$22.00; Miscellaneous Receipt Nos. 14553-14605 - \$167,010.92; Total Collections - \$877,482.59
- Boone County Veteran's Service report for the month of September, 2015.

Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of September 28, 2015 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Petersburg Community Club submitted an application requesting assistance to advertise their annual Christmas Supper and Entertainment event scheduled for December 21, 2015. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his September report. In addition, the following topics were discussed:

- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.



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- Thorin informed the Board that the county excavator that was being used on the Cedar River bank stabilization project is down for repair. Bygland Dirt Contracting, Inc. has been hired to use their excavator and help with the project. The project is larger than expected due to the rebuilding of a chute in order to change the course of the river. After this is completed then they will stabilize the bank and move the county road.

Keith Rasmussen requested permission to trench an electrical line across a county road commonly known as 240<sup>th</sup> Street running east and west between the SE1/4 of Section 12 and the NE1/4 of Section 13, all in Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The trenched electrical line commences from an electrical pole located in the southwest corner of the SE1/4 of Section 12; thence running south across 240<sup>th</sup> Street to a grain bin located in the northwest corner of the NE1/4 of Section 13, all in Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-38, granting permission to Keith Rasmussen, to trench an electrical line across a county road known as 240<sup>th</sup> Street to a grain bin located in the NE1/4 of Section 13, Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Petersburg Community Club requested a temporary road closure for safety reasons for the Punkin' Chunkin' event scheduled for October 25, 2015. The road closure is for 150<sup>th</sup> Street, located between Sections 30 and 31, all in Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska; commencing at the junction of 220<sup>th</sup> Avenue and 150<sup>th</sup> Street, thence east one mile on 150<sup>th</sup> Street and terminating at the junction of 150<sup>th</sup> Street and 230<sup>th</sup> Avenue. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-39 for a temporary road closure relating to the Punkin' Chunkin' event as presented. Roll call vote: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and Darrel Thorin, County Highway Superintendent discussed the driveway request off of the county road known as 140<sup>th</sup> Avenue south of 255<sup>th</sup> Street. The Board tabled the driveway request at their September 14, 2015 Board meeting in order to physically investigate the area for possible driveway options. Commissioners Luettel and Maricle viewed the area of concern and visited with the landowner. Leo Diessner completed an application requesting a driveway off of a county road on September 2, 2015 that was denied by the County Highway Superintendent due to safety issue concerns. The consensus of the Board at their September 28, 2015 Board meeting was to remove the driveway due to no approval of an application to install the driveway. Motion made by Luettel, second by Tisthammer to affirm the County Highway Superintendent's decision to deny the application by Leo Diessner for installation of a driveway onto a county road known as 140<sup>th</sup> Avenue, due to safety issue concerns of a driveway onto a county road at the bottom of a hill. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board received three bids for the surplus mobile equipment advertised as is-where is, with no warranties or guarantee given or implied. In addition, the Board received a trade-in option amount when they approved the purchase of a new county ambulance unit on September 14, 2015. The following was received for the Board to review: North Central Ambulance Sales and Service of Lester Prairie, MN a trade in amount of \$10,000.00; Spalding Rescue Service of Spalding, NE - \$20,000.00; Roger D. Koski of South Lyon, MI - \$7,173.00; and Lewis Thayer - \$5,700.00. Bruland informed the bidders that they would not receive possession or have to pay for the 2010 Medtec Ambulance unit until the new 2016 county ambulance unit is delivered in June/July of 2016. Motion made by Luettel, second by Maricle to accept and approve the bid of \$20,000.00 from Spalding Rescue Service for the 2010 Medtec Ambulance with the understanding of any unforeseen circumstances from



# Boone County Board Minutes



the time of the bid approval to the delivery date in 2016 and to be delivered in good working condition. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion Carried.

The Board received one bid for the surplus county owned 260 foot Utility Tower Company Model 345R with cement block transmitter building advertised as is-where is with no warranties or guarantee given or implied. The bid was received from Applied Connective Technologies of Albion, NE - \$1.00. The tower sets on leased real estate and the purchaser of the tower will be responsible for negotiating the real estate lease with the landowner. Motion made by Tisthammer, second by Luettel to accept and approve the bid of \$1.00 from Applied Connective Technologies for the 260 foot Utility Tower Company Model 345R with cement block transmitter building, with a purchase agreement to be effective November 1, 2015. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board reviewed the Telebeep, Inc. d/b/a Telebeep Wireless of Norfolk, NE and County of Boone, State of Nebraska Agreement. A Tower Lease Agreement for Antenna Space on the County Communications Tower a/k/a Kohtz Tower was signed between the County of Boone and Telebeep, Inc. in 1995. The 1995 Agreement was reviewed in 2009 and a rental rate of six hundred dollars (\$600.00) per year was agreed on payable to the County of Boone from Telebeep, Inc. A new County Communications Tower is being built on county owned property to be in operation in fall of 2015. The Board discussed the 2009 Agreement at their September 28, 2015 Board meeting with Tom Smith, Region 44 Emergency Manager. Smith had been in contact with Tom Schommer, Telebeep, Inc. d/b/a Telebeep Wireless, regarding the Telebeep antenna/space that they rent on the present county communications tower. Smith said that if the Board agrees to leave the yearly rent at \$600.00, Telebeep is interested in moving their antenna to the new County Communications Tower at their expense. Information received at today's meeting is Telebeep may want to visit first with the party that will be purchasing the county communications tower a/k/a Kohtz Tower. If Telebeep, Inc. can reach an agreement with the new (Kohtz Tower) owner they may not be interested in an agreement with the County to transfer their antenna to the new County Communications Tower. Motion made by Maricle, second by Tisthammer to table the Agreement with Telebeep, Inc. a/k/a Telebeep Wireless, to allow time for Telebeep, Inc. to discuss the antenna lease agreement with Applied Connective Technologies. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

An Agreement was entered into by and between Boone County, Nebraska and the Boone County Fitness Center and Michelle Casper, Personal Trainer. The Agreement is in regard to general liability insurance coverage when providing personal training at the Boone County Fitness Center. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign an Agreement between Boone County, Nebraska, and the Boone County Fitness Center and Michelle Casper, Personal Trainer as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board contacted Tom Smith, Region 44 Emergency Manager, by telephone regarding an email concerning the new County Communications Tower and Loup Public Power District. Loup Public Power District asked if they may put a microwave dish on the new County Communication Tower. If County of Boone does not charge them rent for their microwave dish, they will not charge County of Boone for the underground work they are doing for the new tower project. The quote for the new tower project work is approximately \$3,150.00. The Board and Denny Johnson, Sheriff, discussed the concerns brought forth by Tom Smith, Region 44 Emergency Manager and Sheryl Machacek, Sheriff Communications, regarding the Loup Public Power District proposal. The consensus of the Board is not to make a trade for services. The Board said it is a cleaner transaction if the County of Boone pays for the new tower project work by Loup Public Power District and Loup Public Power



# Boone County Board Minutes



District sign an Agreement with a yearly fee payable to the County of Boone to rent tower space. That way in the future there is no question of what the Agreement entailed.

Ed Knott, Applied Connective Technologies, presented a revised Applied Complete Program Agreement for the new telephone system installed in the courthouse. The law enforcement building fee was not included on the original Agreement, due to their equipment installation not being completed until September. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the revised Applied Complete Program Agreement between Applied Connective Technologies, LLC and Boone County, Nebraska regarding the new telephone system for the courthouse and law enforcement building for the remaining 54 months of the 60 month Agreement for a monthly cost of \$898.78 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Boone County Ambulance Service submitted an uncollectible ambulance account, as all methods of collection have been exhausted. The recommendation for the May 2014 account balance due of \$222.24, is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Maricle, second by Tisthammer to write-off the uncollectible ambulance account in the sum of \$222.24, pursuant to the recommendation received from the ambulance service and turn the file over to the County Attorney for further collection. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- The Board received a 2015 dividend from Nebraska Intergovernmental Risk Management Association (NIRMA) in the amount of \$14,967.00. Boone County has been a member of NIRMA/NIRMA II insurance program since 1988. NIRMA is a member owned and operated non-profit program.
- The annual NIRMA Self Defense Conference was October 8 and 9, 2015. The Board heard reports from the attendees: Denny Johnson, Kathy Thorberg, Darrel Thorin, Ken Luettel and Hilary Maricle.
- Jim Ely, County Attorney, reported on the County Attorney seminar he attended last week.

Chairman Tisthammer declared the meeting adjourned at 12:20 P.M. with the next Board meeting scheduled for Monday, October 19, 2015.

Kathy Thorberg,  
Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 19, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 19, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of October 13, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the Board of Equalization Proceedings of October 13, 2015 regarding Tax List Corrections and undervalued, overvalued, omitted property or clerical error as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the Board of Equalization Proceedings of October 13, 2015 regarding the 2015 levies for the 2015-2016 fiscal year budget as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- The group discussed County Government Day activities with Ken McIntyre, Boone County American Legion Commander. The County Government Day event is scheduled for Wednesday, October 21, 2015 at the Knights of Columbus Hall in Albion. Commissioner Tisthammer addressed the group to set a positive example for the youth regarding a dress code for the event (no jeans) and that cell phones be turned off.
- Darrel Thorin, County Highway Superintendent, reported that the Cedar River bank stabilization project is moving forward.
- Jacqueline Wells, Veteran Service Officer, reminded those present that Veteran's Day programs are on November 11, 2015 and participation is appreciated. In addition, anyone wanting to help with the VA Stand Down (homeless veterans) on November 3, 2015 in Omaha, NE may contact Jackie for further information.
- Rod Nelson, Maintenance, informed the group that the courthouse heat/air thermostats and dampers will be checked this week due to some of the heat/air unit motors that appear to not be working correctly.
- Steve Pritchard, UNL Extension Educator, informed the Board that Nebraska Extension Districts changed to three from four. In addition, Pritchard said that the new 4-H basic data programs are being used in 46 states.
- Chad Engle, NIRMA, has been contacted to conduct an in person training session regarding harassment in the work place for all county employees to attend. The training may possibly take place in December of 2015.



# Boone County Board Minutes



Denny Johnson, Sheriff, and Sheryl Machacek, Sheriff Communications, and the Board discussed the purchase of a digital recording card for the recorder located in the law enforcement building. Machacek informed the Board that five years ago when the “recorder” was purchased it was purchased to be IP ready. The new telephone system installed in the courthouse and law enforcement building is a digital system. The DSS Corporation submitted a quote for an 8 channel digital recording card to try for the conversion of the IP recorder to be compatible with the new digital telephone system. The quote for the digital recording card is approximately \$3,956.00. Machacek said that if the equipment does not work to expectations with the new digital recording card, it will be uninstalled and returned with no charge. Machacek informed the Board that if the digital recording card does not work, then a new recorder will need to be ordered to be compatible with the new digital telephone system. Motion made by Luettel, second by Maricle to authorize Denny Johnson, Sheriff, to sign the necessary papers with DSS Corporation for the 8 Channel Digital Recording card to be paid from the Inheritance Tax fund. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, and the Board discussed the purchase of a used pickup for the road department. Thorin said one of the pickups has had several repairs this year and has not been operational this past week. Thorin had quotes for two different pickups from Schalk Auto. The Board tabled making a decision and suggested that Thorin check with other area vehicle dealers before a decision is made.

Zane Wondercheck requested permission to bore a water line and 110 volt electrical line in the same trench for a livestock waterer under a county road commonly known as 320<sup>th</sup> Avenue running north and south between Sections 34 and 35, all in Township 22 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The water line and 110 volt electrical line commences from a well for the water line and a building for the electrical line located in the SW1/4 of Section 35; thence running west under 320<sup>th</sup> Avenue to a livestock waterer to be located in the N1/2SE1/4 of Section 34, all located in Township 22 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-40, granting permission to Zane Wondercheck to bore a water line and 110 volt electrical line in the same trench under a county road known as 320<sup>th</sup> Avenue to a livestock waterer to be located in the N1/2SE1/4 of Section 34, Township 22 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Albion Area Arts Council submitted an application requesting assistance to advertise the Earl Bates event scheduled for November 22, 2015. Motion made by Tisthammer, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Jim Ely, County Attorney, and a representative from the Department of Health and Human Services of Norfolk, Nebraska were unable to attend the Board meeting to discuss updating the guidelines of the Boone County General Assistance program. The County Clerk provided the Board a copy of the revised 2014 Madison County General Assistance program, for their review, regarding language and policy procedures in order to update the Boone County General Assistance program at a later date.



# Boone County Board Minutes



Georgia Parment, TransCanada Keystone Pipeline, updated the Board regarding the status of the pipeline project. Parment informed the Board that TransCanada Keystone Pipeline, LP (Keystone), filed an application with the Nebraska Public Service Commission which seeks approval of a route for a major oil pipeline under the Major Oil Pipeline Siting Act. The Public Service Commission formerly accepted and recognized the keystone pipeline application on October 5, 2015 and has seven to twelve months to make a decision. The 374 page filing with the Nebraska Public Service Commission can be reviewed on the Nebraska Public Service Commission website. Parment informed the Board that Keystone has now voluntarily moved to dismiss the eminent domain actions filed in Nebraska. Parment said that Keystone has easements for 91% of Nebraska property and 9% was under the eminent domain. Keystone has secured easements on 25.50 miles of the 28 miles in Boone County. Keystone proposes to construct, operate and maintain a crude oil pipeline and ancillary facilities from Hardisty, Alberta, Canada to Steele City, Nebraska, referred to as the Keystone XL Pipeline project.

Sheryl Machacek, Sheriff Communications, said she plans to meet with Ed Knott, Applied Connective Technologies, at the county communications tower location today. Telebeep Wireless plans to visit with Ed Knott regarding the Telebeep antenna on the communications tower that Applied Connective Technologies is purchasing from the County of Boone. Machacek plans to inform the Board when the new County Communication Tower is in operation. A Bill of Sale needs to be prepared and signed with an effective date of transfer of the communications tower a/k/a Kohtz tower to Applied Connective Technologies, LLC. No Bill of Sale has been signed to date.

Jacqueline Wells, Veteran Service Officer, presented a Lease Agreement from Eakes Office Solutions for a 60 month lease for a Sharp MX-CSX1 color copy machine. Wells and the Board discussed the difference between the present black/white and the requested new color copy machines. Wells said that the new color copy machine will also be used for scanning documents and that the deskjet printer will not be replaced when it quits. Motion made by Maricle, second by Luettel to approve the 60 month lease of \$89.00 per month from Eakes Office Solutions for a Sharp MX-CSX1 color copy machine with the trade in of the present copy machine for the Boone County Veteran Service Office. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 11:45 A.M. with the next Board meeting scheduled for Monday, October 26, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
OCTOBER 26, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 26, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Hilary K. Maricle. Commissioner Ken Luettel arrived at 9:05 A.M. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board of Commissioners asked members of the Boone County Agricultural Society, Inc. to attend today's Board meeting in order for the Board to be more aware of the operation and functions being held at the county fairgrounds. Dave Noble and Chuck Rolf, members of the Boone County Agricultural Society, Inc., discussed a variety of issues with the Board. Trent Kraus and Delmer Pelster, members of the racing committee, were in attendance to listen to the discussion regarding the county fairgrounds activities.

The County of Boone owns the real estate and leases to the Boone County Agricultural Society, Inc. The Boone County Agricultural Society, Inc. requests a budgeted amount each fiscal year that is funded through a tax levy. Noble said that there are four payments over a two year period left to pay for the event center building. Noble said that the Boone County Agricultural Society, Inc. bylaws, the lease with County of Boone, and the Articles of Incorporation are being reviewed by Jeff Jarecki, Jarecki Law, LLO, PC. The Articles of Incorporation is dated August 5, 1975 and the Lease is dated January 10, 1978. The Board noted that the facilities and events at the fairgrounds have changed over the years. In addition, the fair board members responsibilities have changed from just operating the fair every year to multiple activities at the fairgrounds all year long.

The Board inquired on how the bartenders were paid when working at events scheduled at the fairgrounds. The Board has concerns regarding accountability and verification of payment for employees. Rolf said that the last two years the employees have been paid with a check. Rolf said he has monthly reports available, the qualifying employees are sent 1099's and they have someone completing the quarterly tax reports.

The members of the Boone County Agricultural Society, Inc. have agreed to hire Ron and Mari Melcher, operators of the US 30 Speedway, Columbus, Nebraska, to operate the Boone County Raceway for the 2016 season. Nothing has been finalized regarding the raceway to date. They are still working on various aspects of the raceway operation. Melcher's are not interested in managing the concession/alcohol sales at the racetrack.

Rolf said that they would like to amend the liquor license to include the concrete area east of the Casey's building and south of the event center building and possibly the grandstand. If this proposal is approved, then it would eliminate the Special Designated License applications for fair time and events that want a beer garden outside of the two buildings.

Rolf said there has been talk about expanding the campground site by thirty-two campsites to the south of the existing campground, which would possibly require the shooting range area to be moved.

The group discussed the proposed Ag/Expo Center. The discussion included who would have ownership of the proposed new facility; in what order and who would be the chain of command to oversee the operation of the new facility and/or other fairground buildings; events in all buildings; raceway and the original event known as





# Boone County Board Minutes



the Boone County Fair. The Board of Commissioners expressed that at this time they are not interested in joint ownership with the City of Albion regarding the Ag/Expo Center facility.

The Boone County Agricultural Society, Inc. meetings are held on the third Monday of the month except there is no meeting in December. The Board of Commissioners and members of the Boone County Agricultural Society, Inc. agreed to attend each entity's meetings on a quarterly basis to keep the line of communications open.

Motion made by Luettel, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$89,350.34, BCBS \$43,978.43, Ameritas Ret \$6,160.64, EFTPS \$6,665.77, Section 125 Fees \$10.00, Wellness Program \$97.51; Road \$47,117.36, BCBS \$22,822.18, Ameritas Ret \$3,180.42, EFTPS \$3,555.68; Ambulance \$1,795.00, Ameritas Ret \$55.36, EFTPS \$137.30; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,219.17, Ameritas Ret \$330.14, EFTPS \$475.76, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of October 19, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Barb Hanson, Assessor, submitted a written resignation for the Board to review from a full time employee in the Assessor's office. Motion made by Tisthammer, second by Maricle to regretfully accept the resignation of Jennie Martinez, Deputy Assessor, effective December 1, 2015. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board accepted a bid for the sale of the Communications Tower a/k/a/ Kohtz Tower at their October 13, 2015 Board meeting from Applied Connective Technologies, LLC. The 260 foot Utility Tower Company Model 345R with cement block transmitter building a/k/a Kohtz Tower is being sold by the County of Boone and accepted by Applied Connective Technologies, LLC, in its present physical condition. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign a Bill of Sale regarding the 260 foot Communications Tower with cement block transmitter building a/k/a Kohtz Tower to Applied Connective Technologies, LLC effective November 1, 2015. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Commissioner Maricle updated the Board regarding Boone County Fitness Center matters.
- Commissioner Luettel updated the Board regarding Northeast Nebraska Juvenile Services, Inc. matters.

Chairman Tisthammer declared the meeting adjourned at 11:09 A.M., the next Board meeting is scheduled for Monday, November 9, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 9, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 9, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Luettel, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$29,100.51; Road - \$281,717.33; Boone County Visitors Promotion - \$276.10; Reappraisal - \$14,979.69; Inheritance Tax - \$4,283.42; 911 Emergency Management (2910) - \$747.08; 911 Wireless Service (2913) - \$708.30; Ambulance - \$2,084.58. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the following reports of the County Officials as presented for October, 2015:

- Clerk - \$8,387.50 (State of Nebraska-\$4,425.88)(County of Boone-\$3,961.62)
- Clerk of the District Court - \$762.84 (State of Nebraska-\$407.00)(County of Boone-\$355.84)
- Sheriff - \$878.78
- County Planning and Zoning - \$527.75
- Treasurer - Treasurer's Fees - \$2.00; Miscellaneous Receipt Nos. 14606-14668 - \$298,539.85; Total Collections - \$646,354.03
- Boone County Veteran's Service report for the month of October, 2015.

Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of October 26, 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Jeff Jarecki, Public Defender, presented a report to the Board regarding the status of court cases since his appointment to the position in August 2012. Jarecki reported that the cases assigned in 2012 and 2013 are all completed. Jarecki reported that the cases assigned in 2014 are nearly all completed. Jarecki reported that he has been assigned thirty-seven new cases to date in 2015 with one case being a conflict of interest. Jarecki answered the Board's questions regarding conflict of interest and closed/open cases. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved. Motion made by Luettel, second by Maricle to accept the 2015 third quarter Public Defender report as submitted. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



The state statutes require the Sheriff to make quarterly reports to the County Board describing fees and activities. Motion made by Tisthammer, second by Maricle to accept and approve the County Sheriff's 2015 third quarter report as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report for the Board to review. There were eleven distress warrants delivered to the Boone County Sheriff on November 1, 2015 for collection of unpaid 2014 personal property taxes. The amount of uncollected 2014 personal property taxes, not including penalties is \$1,091.31. The total to be collected on distress warrants, with penalties is \$1,156.33. Motion made by Tisthammer, second by Luettel to accept and approve the County Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received two requests for advertisement funding.

The Albion Area Arts Council submitted an application requesting assistance to advertise Eulenspiegel Puppets event scheduled for Saturday, December 5, 2015. In discussion, Commissioner Maricle asked if invitations are sent out to the other county schools regarding the Albion Area Arts Council events. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Boone County Philanthropy Council submitted an application requesting assistance to advertise the Boone County Big Give event scheduled for Friday, December 4, 2015. The Visitors Committee questioned how the Boone County Big Give event brings tourists to the county. A County Visitors Promotion Fund shall be used to promote, encourage, and attract visitors to come to the county and use the travel and tourism facilities within the county. The event appears to be a local fundraiser and will not attract outside visitors that would be patronizing the businesses and use of lodging facilities. Motion made by Luettel, second by Tisthammer to deny the application requesting funding assistance for advertisement from the Visitors Promotion Fund. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board tabled the Telebeep, Inc. d/b/a Telebeep Wireless of Norfolk, NE and County of Boone, NE Agreement on October 13, 2015. A Tower Lease Agreement for Antenna Space on the County Communications Tower a/k/a Kohtz Tower was signed between the County of Boone and Telebeep, Inc. in 1995 and reviewed/resigned in 2009. A new County Communications Tower is in operation and located on county property known as the Boone County Fairgrounds. The Board signed a Bill of Sale regarding the 260 foot Communications Tower with cement block transmitter building a/k/a Kohtz Tower to Applied Connective Technologies, LLC effective November 1, 2015. Tom Schommer, Telebeep, contacted Ed Knott, Applied Connective Technologies, regarding their antenna on the Kohtz Tower. Applied Connective Technologies and Telebeep have reached an agreement between the two entities, therefore Telebeep, Inc. will not be moving their antenna to the new County Communications Tower. Motion made by Maricle, second by Luettel to terminate the Lease Agreement dated February 9, 2009 between the County of Boone, State of Nebraska and Telebeep, Inc. d/b/a Telebeep Wireless of Norfolk, Nebraska effective December 31, 2015. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



Kathy Thorberg, County Clerk, submitted a quote from Mobile Binders of Wessington Springs, South Dakota to repair/replace record books. The four road record books and two of the numerical deed index books need some pages preserved and new binders. The old marriage record books numbers 1,2,3,5,6,8,9 were delivered to the County Clerk's office in October. The books are in very poor condition with loose pages. The marriage record books 4 and 7 did not arrive with the other books. A decision was made to preserve the above mentioned records. Motion made by Luettel, second by Maricle to approve the quote from Mobile Binders of \$6,200.00 for the new binders and preservation of the old records as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Mary Ziemba, Zoning Administrator, submitted a quote from Applied Connective Technologies for a new Optiplex 3020 Minitower and to install Microsoft Office 2016 Home and Business. The installation and configuration is not included in the quote. Motion made by Tisthammer, second by Maricle to approve the purchase of a new computer tower from Applied Connective Technologies for \$935.07 as presented for the County Planning and Zoning office. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his October report. In addition, the following topics were discussed:

- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.
- Thorin updated the Board regarding the Cedar River bank stabilization project. The dirt work and relocation of the county road is completed. There is some shoulder and ditch work to complete in regard to the relocation of the county road. The NRD plans to seed the bank this week.
- Thorin reported that the Army Corps of Engineers permit has been received for the bridge project west of Petersburg. The shoo-fly detour has been installed and the bridge project is projected to be completed in the spring of 2016.
- Thorin said that Bridge Projects #379 and #380 are being scheduled for the spring of 2016 and he hopes that when Ed Hoevet Excavating's equipment is in the area, that all three bridges may be completed at the same time.
- Thorin informed the Board that he tried to receive a second bid for a used pickup. The dealer did not have a used pickup at this time for the type the road department was looking for and suggested the purchase of a new pickup. The purchase of a used pickup will be an agenda item for the November 16, 2015 Board meeting.

Timothy J. Kayton, Trustee, requested permission to trench a water line for livestock purposes across a county road commonly known as 240<sup>th</sup> Avenue running north and south between Sections 20 and 21, all in Township 19 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The trenched water line commences from a well located in the NW1/4 of Section 21; thence running west across 240<sup>th</sup> Avenue to the E1/2NE1/4 of Section 20, all in Township 19 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. This water line is to replace an existing line which will be abandoned. Motion made by Maricle, second by Luettel to approve Resolution No. 2015-41, granting permission to Timothy J. Kayton, Trustee, to trench a water line across a county road known as 240<sup>th</sup> Avenue for livestock purposes to the E1/2NE1/4 of Section 20, Township 19 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.





# Boone County Board Minutes



The Board, Darrel Thorin, County Highway Superintendent, and Gayle Noble discussed drainage issues for home owners along Valley View Drive southwest of Albion. Noble said that a ditch was never constructed in the housing development area on the east side of Valley View Drive. During rain storms water flows down the roadway and into residential basements along Valley View Drive. Several of the residential homes along Valley View Drive set lower than the road. Noble said he created a ditch and installed a small culvert on his property for drainage. It has helped some but does not resolve the problem during heavy rain storms. Noble said that he is only speaking for himself and is not committing any of the other landowners regarding the drainage matters. Noble asked Thorin if construction of curb/gutter on the east side of Valley View Drive would solve some of the water flow problems. Noble said that he is willing to do his share.

Thorin said his research indicated that Valley View Drive is platted to be a 66' road and that the county has been maintaining Valley View Drive. Thorin said that his research of the recorded records did not find where the paperwork was completed for Valley View Drive to be an officially opened county road. Valley View Drive has never been officially opened as a county road, but the neighboring Hill View Drive has an official county road designation.

Thorin suggested the best resolution to this problem would be installation of curb and gutter, because several of the homes are lower than the street. Concrete roadway with curb and gutter was suggested for both Valley View Drive and Hill View Drive. Thorin said he would get some cost estimates for an engineering study on possible road improvements for Valley View Drive and Hill View Drive.

Thorin explained protocol procedure for a county road project. The cost of construction would possibly be the expense of the residents. The Board would likely need to make some resolutions, hold public hearings, and find out if the residents along Valley View Drive and Hill View Drive are interested in a county road improvement district cost share project. Before making the improvements the Valley View Drive would need to be designated an official county road through the protocol procedures.

Thorin researched the protocol procedure for starting a project known as a county road improvement district. Thorin plans to contact Noble to see if he is interested in circulating a petition for signatures for a county road improvement district. The interest/no interest of a signed petition would help guide the County Board of Commissioners whether to have a study completed by an engineering firm for said suggested project.

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

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Rod Nelson, Courthouse Maintenance, informed the Board that several of the courthouse air/heat unit dampers are not working properly. The courthouse has 33 thermostats and 32 dampers, because there is no damper in the courtroom. Nelson received a quote of \$90.00 each to replace the present dampers, with a 5 year life. Some of the dampers currently made the five years, while others did not. A power open/close damper which is somewhat different than the current dampers are quoted at \$157.00 each,



# Boone County Board Minutes



with a 10 year life. The technician charge is \$85.00 per hour to change the dampers. The information is for the Board to review prior to their November 16, 2015 meeting.

- Denny Johnson, Sheriff, updated the Board regarding possible effects of the passage of LB605. The sentencing of inmates/medical responsibilities may become more expensive to the counties. In addition, Johnson updated the Board regarding other law enforcement matters.
- Jim Ely, County Attorney, and the Board discussed the June 2015 transaction regarding a donation of real estate located in Greeley County to the County of Boone for a new Boone County Health Center Medical Clinic.
- Jim Ely, County Attorney, Mary Ziemba, Zoning Administrator, and the Board discussed several County Zoning matters that were discussed at the Boone County Planning and Zoning Commission Board meeting on October 26, 2015. During the discussion Commissioner Maricle said that County Zoning regulations are local decisions, not state decisions. Ely asked the Board if they would consider hiring David Ptak, Attorney, to help him with the County Zoning regulations. The Board did not respond to his request at this time. The Board suggested that Ziemba contact David Potter, JEO, for guidance and input on the regulations.

Chairman Tisthammer declared the meeting adjourned at 12:15 P.M. with the next Board meeting scheduled for Monday, November 16, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 16, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 16, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Commissioner Hilary K. Maricle was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The County Safety Committee met at 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Jerry L. Tisthammer and Ken Luettel, Denny Johnson, Rod Nelson, Tom Smith, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding a second exit for the courthouse basement. Nelson said a second basement exit is not cost effective due to ADA requirements. Nelson said that the grinding down of the raised sidewalk by the steps at the northeast corner of the courthouse block did not repair the issue. The Board and Nelson will discuss sidewalk replacement in the spring of 2016. The group discussed widening the ramp in the north parking lot at the same time sidewalk is replaced. Installation of a security camera that would cover all of the courthouse/law enforcement block was discussed under new business. Tom Smith, Emergency Manager, invited all to attend the Community Emergency Response Team (CERT) meeting at 7:00 P.M. tonight at the Albion Fire Hall. Smith said that the same type of meeting is scheduled for Thursday, November 19, 2015 in Fullerton. Smith plans to pursue the National Weather Service program StormReady. Being a part of a Weather-Ready Nation is about building community resilience in the face of increasing vulnerability to extreme weather and water events. StormReady helps arm America's communities with the communication and safety skills needed to save lives and property before, during and after the event. Nelson said no accidents to report for last quarter. The Safety Committee meeting was adjourned by Nelson at 9:22 A.M.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of November 9, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg, County Clerk/Register of Deeds, presented a Memorandum of Understanding regarding Electronic Recording (E-Recording). The Memorandum is between the Boone County Register of Deeds, County of Boone, Nebraska and Corporation Service Company of Wilmington, Delaware. There is no cost to the County to use the program and the County will not incur any liability for the E-files transmitted by the Corporation Service Company. Nebraska State Statute legally authorizes the County to receive qualifying documents for filing/recording electronically. The parties acknowledge that Electronic Recording permits its customers (submitters) to prepare and sign documents, transmit them in electronic format and that the transmitted electronic likeness of the original documents can be considered as the "original" record of the transaction in substitution for, and with the same intended effect as, the original paper documents. Motion made by Luettel, second by Tisthammer to approve and authorize the County Clerk to sign the Memorandum of Understanding with Corporation Service Company as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion Carried.



# Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, updated the Board regarding the Cedar River bank stabilization project. The County plans to complete the road shoulder work after the NRD has completed the seeding of the bank and laying the matting.

Darrel Thorin, County Highway Superintendent, presented a purchase contract for a used 2013 Chevrolet Silverado pickup for the Board to review. Thorin contacted the local dealers regarding the purchase of a used pickup for the road department. Motion made by Luettel, second by Tisthammer to approve and authorize the County Highway Superintendent to sign the purchase contract for the 2013 Chevrolet pickup from Schalk Auto, Inc. for \$20,995.00 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The County Zoning Administrator report was not available for the Board to review.

Rod Nelson, Maintenance, and the Board discussed the courthouse air/heat unit dampers. Nelson brought the air/heat unit dampers issues to the Board on November 9, 2015. The courthouse has 33 thermostats and 32 dampers, because there is no damper in the courtroom. The courtroom has its own rooftop unit. The current dampers are spring form and are quoted at \$90.00 each, to replace with an approximate five year life span. A power open/close damper system quote is \$157.00 each, to replace with an approximate ten year life span. The labor is approximately \$85.00 per hour and is not included in the damper unit quotes. The courthouse windows do not open and it is more cost effective to have temperature control. Motion made by Luettel, second by Tisthammer to approve and authorize Rod Nelson, Maintenance, to proceed with the courthouse air/heat damper replacement as presented with Engineered Controls, Inc. of Lincoln, Nebraska for the power open/close damper system quote of \$157.00 each and the \$85.00 per hour labor for their services. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- Denny Johnson, Sheriff, informed the group that the Mobile Food Pantry will be at the Boone County Fairgrounds on Saturday, December 5, 2015. The Mobile Food Pantry is scheduled to be in Boone County once a month for all twelve months in 2016. All volunteer help is appreciated.
- Chad Engle, NIRMA, has been contacted to conduct an in person training session regarding harassment in the work place for all county employees to attend. The County Clerk's office will contact Engle for open training dates available in January or February in 2016.
- A county employee appreciation meal was discussed. The small group in attendance discussed the pros and cons of three ideas that were presented. The group decided on Pizza Hut pizza/pop for Monday, December 14, 2015 from 11:00 A.M. to 1:00 P.M. to accommodate different noon hour schedules for employees.
- The Resolution No. 2012-28, addresses the implementation and policy for the NACO Purchasing Card Program. The Board plans to review the policy regarding allowable purchase transactions following today's discussion.





# Boone County Board Minutes



- Commissioner Maricle asked at the November 9, 2015 Board meeting if there was a possibility to purchase office supplies as a group vs. each individual office ordering their own office supplies. There may be a possible savings on some items if several are ordered at the same time. In discussion, maybe each office could prepare a list of supplies they use regularly and that there is minimal storage space until items are needed for use. The Clerk's office commented that we reuse binders/folders until they are no longer useable and only order the supplies as we need them.
- Meal reimbursements are outlined in the County Employee Handbook. In discussion, a few felt meal reimbursement of \$12.00 limit for noon and \$12.00 limit for evening is not enough, while others felt it was plenty. Some felt that one day meetings, etc. should not be reimbursed as it is no different than being at work all day and meals are on your own when working. The County Clerk's office plans to contact the State for their meal allowance policy.
- The Goodwill Committee of the County Clerk's, Election Commissioner's and Register of Deeds, along with Nebraska Association of County Officials (NACO) is sponsoring a sock drive. The public is invited to donate socks. The Donations will be made to the Veterans Home in Omaha and Grand Island along with homeless shelters across Nebraska. The socks drop boxes are located at the Boone County Sheriff's office and north entrance to the Boone County Courthouse. Motion made by Luettel, second by Tisthammer to approve the County of Boone, NE participation in the State wide sock donation drive. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

## Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Don Anding visited with the Board regarding a road issue.

Chairman Tisthammer declared the meeting adjourned at 12:05 P.M. with the next Board meeting scheduled for Wednesday, November 25, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 25, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, November 25, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$89,735.58, BCBS \$43,767.69, Ameritas Ret \$6,204.73, EFTPS \$6,700.26, Section 125 Fees \$10.00, Wellness Program \$97.51; Road \$47,012.42, BCBS \$22,822.18, Ameritas Ret \$3,173.33, EFTPS \$3,547.63; Ambulance \$2,650.00, Ameritas Ret \$75.61, EFTPS \$202.71; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,361.00, Ameritas Ret \$329.99, EFTPS \$486.61, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

A discussion regarding Valley View Drive with Gayle Noble will be rescheduled at a later date.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings, Board of Equalization Proceedings and Zoning Public Hearing Proceedings of November 16, 2015 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented an Interlocal Cooperation Agreement for the Board to review. The Agreement is between the County of Boone, Nebraska and the Village of Petersburg, Nebraska regarding 140<sup>th</sup> Street and 145<sup>th</sup> Street. The Village and the County agree that the County will maintain the common gravel streets and roads at county expense, but in the event of major street and road construction and street and road signage the cost will be shared 50/50. The Village and County will each maintain their current general liability insurance coverage and each party will maintain responsibility for providing its workers with worker's compensation coverage. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Interlocal Cooperation Agreement between the County of Boone, Nebraska and the Village of Petersburg, Nebraska as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Great Plains Communications requested permission to plow fiber optic cable on the south side of 110<sup>th</sup> Street, commencing at the corner of 110<sup>th</sup> Street and 230<sup>th</sup> Avenue, thence easterly a distance of 3200 feet. The County road runs east and west and is commonly known as 110<sup>th</sup> Street between Sections 5 and 8, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The plowing of the fiber optic cable will be commencing at the southeast corner of 230<sup>th</sup> Avenue/110<sup>th</sup> Street intersection, thence plowing easterly on the south side of 110<sup>th</sup> Street, a distance of 3200 feet to a point of termination. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2015-42, granting permission to Great Plains Communications to plow fiber optic cable on the south side of 110<sup>th</sup> Street as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



Great Plains Communications requested permission to plow fiber optic cable on the south side of 100<sup>th</sup> Street, commencing at the southwest corner of 100<sup>th</sup> Street and 230<sup>th</sup> Avenue intersection, thence easterly a distance of 3500 feet. The County road runs east and west and is commonly known as 100<sup>th</sup> Street between Section 32, Township 23 North, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska and Section 5, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The plowing of the fiber optic cable will be commencing at the southwest corner of 230<sup>th</sup> Avenue/100<sup>th</sup> Street intersection, thence plowing easterly on the south side of 100<sup>th</sup> Street, a distance of 3500 feet to a point of termination. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2015-43, granting permission to Great Plains Communications to plow fiber optic cable across 230<sup>th</sup> Avenue and on the south side of 100<sup>th</sup> Street as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board received a proposal from Ferrellgas for a 500 gallon above ground refurbished propane tank. The propane tank is a backup for the generator located at the new Boone County Communications Tower. The Board reviewed the proposal as submitted. No other proposals were received. The Board would like to receive proposals from other local businesses before making a decision. The purchase of a propane tank will be discussed further at the November 30, 2015 Board meeting.

Blue Cross and Blue Shield of Nebraska (BCBSNE) has worked to protect the health and information of the members they serve. BCBSNE has teamed with AllClear ID to offer all eligible members access to AllClear Secure identity repair and the option to enroll in AllClear Pro credit monitoring. BCBSNE is asking all groups to choose one of three available options: (1) Opt in and receive the services; (2) Opt out and not participate in the program; and (3) Delay your decision until the IRS clarifies the taxability of the benefit. Motion made by Maricle, second by Luettel to approve NACO's recommendation to delay the decision until the IRS determines if this is a taxable benefit. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Leo Reilly, Greeley County Commissioner, met with the Boone County Board of Commissioners to discuss the County of Greeley/County of Boone, NE Interlocal Agreement for cooperative services to veterans. The cooperative agreement enables the Boone County Veteran Service Officer to also serve as the Greeley County Veteran Service Officer. The present Interlocal Agreement commenced on March 13, 2015 and ends on December 31, 2015. Reilly said that Greeley County Board of Commissioners and Greeley County Veterans are pleased with the cooperative agreement to date. Reilly asked the Boone County Board of Commissioners if they would consider a two year Interlocal Agreement commencing January 1, 2016 through December 31, 2017. Reilly will ask the Greeley County Attorney to prepare a new Interlocal Agreement with the changes discussed today, in order for both Board's to review and approve at their respective December Board meeting.

Open discussion and miscellaneous public comments:

- Commissioner Maricle updated the Board regarding Boone County Fitness Center and Boone County Health Center matters.
- Commissioner Luettel updated the Board regarding Northeast Nebraska Juvenile Services, Inc. and Boone County Agricultural Society, Inc. matters.

Chairman Tisthammer declared the meeting adjourned at 11:15 A.M., the next Board meeting is scheduled for Monday, November 30, 2015.

Kathy Thorberg,



# Boone County Board Minutes



Boone County Clerk





# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 30, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 30, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of November 25, 2015 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the Boone County Board of Equalization Proceedings of November 25, 2015 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Commissioner Hilary K. Maricle arrived at 9:05 A.M.

The Board continued the discussion that was tabled at their November 25, 2015 Board meeting regarding the purchase of a 500 gallon, above ground, refurbished propane tank. Sheryl Machacek, Sheriff Communications, informed the Board that she had contacted other local businesses for a proposal. Machacek was informed that they are not allowed to provide that service due to a Non-Compete Agreement. The new transmitter building for the new Boone County Communications Tower is electric. The propane fuel is for operating the backup generator, when needed, which is located at the new Boone County Communications Tower. Commissioner Luettel plans to contact another business that provides propane services for a proposal. Motion made by Luettel, second by Maricle to table a decision regarding the purchase of a used 500 gallon propane tank to their December 14, 2015 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Ken Luettel, County Commissioner, and Denny Johnson, County Sheriff, are the Boone County representatives on the Northeast Nebraska Juvenile Services Board. Commissioner Luettel presented a Juvenile Services Agreement between the County of Boone, Nebraska and the Northeast Nebraska Juvenile Services, Inc. (NNJS). Several counties paid to construct the Juvenile Facility in 1997 and the bonds have been repaid in full as of December 1, 2015. The County acknowledges that the Juvenile Facility is now owned by Madison County. The need for juvenile detention continues following the termination of the previous Juvenile Services Agreement, and the County of Boone is, along with other counties, prepared to commit to an agreement for juvenile detention services with a term through June 1, 2027. The parties agree that the Board of Directors of NNJS may authorize special assessments on each of the NNJS member counties in order to pay for capital improvement, repair and maintenance, debt service or other costs of the Juvenile Facility. The County agrees to pay any such special assessment in such amount (or amount per capita based on the population of the County), at such time and in such manner as determined by the Board of Directors of NNJS. The County shall be charged a fee for each day or portion of a day that a juvenile detainee is placed with NNJS.



# Boone County Board Minutes



The Board reviewed the Juvenile Services Agreement and agreed that there is still a need for juvenile detention services. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Juvenile Services Agreement effective December 1, 2015 through June 1, 2027, as such term may be extended, as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The First Concord Benefits Group submitted the Section 125 Cafeteria Plan re-enrollment forms for calendar year 2016 and Cafeteria Plan-IRC Section 125 key employees questionnaire/highly compensated employee forms for 2016. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign all necessary documents regarding the Section 125 Cafeteria Plan re-enrollment and maintain the grace period plan for 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Ed Knott and Will Zoucha, Applied Connective Technologies, met with the Board to discuss the Directory Listing for the County Government telephone numbers. A new telephone system was installed in the courthouse/sheriff building in 2015 by Applied Connective Technologies. The telephone service is from Greenfly Networks, Inc. DBA Clearfly Communications. The discussion is in regard to a \$5.95 charge per month per telephone number listed in a data base for directory listing in the white/blue pages of telephone books. The Board felt that \$71.40 paid each month for twelve telephone numbers to be listed in the white/blue pages of telephone books is excessive. Knott and Zoucha plan to research other options regarding data base telephone number listings charged to government entities. Knott and Zoucha plan to visit with Clearfly Communications for further clarification of the directory listing fees and other concerns.

In addition, Ed Knott, Applied Connective Technologies, presented a proposal regarding management security and software services. The security management includes removal of current anti-virus from all county owned equipment and the installation and configuration of Symantec managed product. This service provides all anti-virus installation to be completed on all county equipment at the same time with the renewal each year at the same time. Presently each office is responsible to keep the anti-virus up to date. Knott said that the SonicWall will need additional Anti-Malware/IPS, configuration and content filtering. The Service Agreement will be an agenda item for the Board meeting scheduled for December 14, 2015.

The Board reviewed information concerning compensatory time. Compensatory time is addressed under the Fair Labor Standards Act (FLSA). Unlike the private-sector employers, the County Government may provide compensatory time off in lieu of monetary overtime compensation based on a policy. Employees who are deemed nonexempt under the Fair Labor Standards Act and who work in excess of forty hours per week are eligible to receive overtime at a rate of time and one-half for all hours worked over forty in a work week. The Board approved the removal of Compensatory Time and language from the Boone County Employee Handbook in December of 2014 and any overtime earned to be paid out each pay period, because the Board felt there were only a few employees that accumulated compensatory time. Commissioner Maricle said for the morale of employees, compensatory time needs to be reinstated. Commissioner Luettel said he still feels that compensatory time is an additional cost to the county, due to decreased productivity and that the work still needs to be completed when they return to work. Commissioner Tisthammer felt that there should be little need for overtime accumulation by employees on a daily basis and that the compensatory time system had been abused in the past. The County of Boone, NE payroll new time/attendance system pay period is 22/21, with direct deposit to the employee's account on the last working day of the month.

Motion made by Maricle, second by Luettel to approve Compensatory Time under the following conditions: (1) Upon proper authorization, up to forty (40) hours of compensatory time may be accumulated by employees; (2) The employee shall be required to use earned compensatory time before using vacation leave; (3)



# Boone County Board Minutes



Compensatory time accumulated over the above forty (40) hours, in any pay period, shall be paid out to the employee; (4) All unused compensatory time remaining will be paid out each year with the payroll ending December 21<sup>st</sup> at the employee's current hourly rate; (5) No compensatory time will be carried over into the next year's payroll; (6) An employee leaving employment shall be paid any unused compensatory time at the employee's current hourly rate; and (7) The compensatory policy is effective January 1, 2016 and will coincide with the 22/21 pay period that starts on December 22, 2015. Roll call vote: Yeas: Maricle and Luettel. Nays: Tisthammer. Motion carried.

The Board reviewed a meal policy from the University of Nebraska-Lincoln and the State's travel policy from the Nebraska State Auditor's office. Meal reimbursement was discussed at the November 16, 2015 Board meeting, due to some employees feel meal reimbursement of \$12.00 limit for noon and \$12.00 limit for evening was not enough, while others felt it was plenty. The current County policy for breakfast is a \$7.00 limit if not provided at the meeting or no continental breakfast provided by the hotel. The Boone County employees are not reimbursed for incidentals. The UNL and State overnight travel policy generally includes reimbursement for actual expense up to the Federal limit rates of \$11.00 for breakfast, \$12.00 for lunch and \$23.00 for supper. The State does not reimburse for one day travel but if they do, it is added to the employee W-2. When an employee leaves for overnight travel and departure is necessary before 6:30 A.M. breakfast may be reimbursed. If return is necessary after 7:00 P. M. supper may be reimbursed. Commissioner Tisthammer said he felt that the \$23.00 for supper is excessive and reminded those present that we are expected to use tax paying dollars wisely. Commissioner Maricle and Jim Ely, County Attorney, said that the County should follow the State's policy for meal reimbursements and be updated each year the State changes the reimbursable dollar amount.

Motion made by Maricle, second by Luettel to approve changes to the County meal reimbursable dollar amount to coincide with the State's overnight travel policy: (1) Includes reimbursement by submitting an itemized receipt for actual expense up to \$11.00 for breakfast, \$12.00 for lunch and \$23.00 for supper; (2) No reimbursement of meals for one day travel; (3) If an unforeseen situation occurs for one day travel and return is after 7:00 P.M., the meal may be reimbursed and will be taxed and added to the employee W-2; (4) Receipts are required for all travel expenses; and (5) The meal reimbursement changes are effective January 1, 2016. Roll call vote: Yeas: Maricle and Luettel. Nays: Tisthammer. Motion carried.

Chad Engle, NIRMA, provided a list of available dates in January/February 2016 for the NIRMA Harassment Training for the county employees. The training will be set up in two sessions in order to accommodate all of the County of Boone employees. The Board decided on Wednesday, January 27, 2016 in the courtroom located in the courthouse with training sessions at 10:30 A.M. and 1:30 P.M. The County Clerk's office will contact NIRMA to confirm the date and times.

Open discussion and miscellaneous public comments:

- Tom Smith, Region 44 Emergency Manager, updated the Board regarding the new County Communications Tower project. The generator is due to arrive sometime the week of December 7, 2015.

Chairman Tisthammer declared the meeting adjourned at 11:25 A.M., the next Board meeting is scheduled for Monday, December 14, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 14, 2015                      ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 14, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed several Accounts Payable Vendor Claims filed for payment on the various county funds. Motion made by Maricle, second by Tisthammer to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$51,492.36; Road - \$161,177.83; Boone County Visitors Promotion - \$700.00; Reappraisal - \$15,061.50; Inheritance Tax - \$85.43; 911 Emergency Management (2910) - \$621.59; 911 Wireless Service (2913) - \$668.30; Ambulance - \$1,383.42. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board reviewed a Payroll Claim filed for payment from the General Fund. Motion made by Luettel, second by Maricle to approve a Payroll Claim filed for payment from the General Fund in the amount of \$809.04 and the Accounts Payable Vendor Claims filed for payment from the General Fund for Ameritas Retirement and EFTPS with their amounts included in the Accounts Payable Vendor Claims General Fund. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for November, 2015:

- Clerk - \$4,157.50 (State of Nebraska-\$1,307.29)(County of Boone-\$2,850.21)
- Clerk of the District Court - \$1,226.15 (State of Nebraska-\$268.75)(County of Boone-\$957.40)
- Sheriff - \$1,855.08
- County Planning and Zoning - \$140.00
- Treasurer - Treasurer's Fees - \$12.00; Miscellaneous Receipt Nos. 14669-14719 - \$258,495.01; Total Collections - \$468,426.93

Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of November 30, 2015 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Boone County Agricultural Society, Inc. submitted an application requesting assistance to advertise the Valentine's Dualing Piano's & Dinner event scheduled for February 13, 2016. Motion made by Maricle, second by Tisthammer to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.





# Boone County Board Minutes



Steve Pritchard, Extension Educator, presented the Boone-Nance County Extension Board's member recommendation. The Boone-Nance County Extension Board has four representatives from each county. The board members may serve two consecutive three-year terms. The board meets quarterly, alternating the meetings between the counties. The Boone-Nance County Extension Board recommends the appointment of Brian Andreasen of St. Edward to serve his first three-year term on the Boone-Nance County Extension Board beginning January, 2016. Andreasen replaces Tim Laughlin whom was appointed to complete a vacancy position ending December, 2015. Motion made by Maricle, second by Luettel to appoint Brian Andreasen to serve a three-year term on the Boone-Nance County Extension Board beginning January, 2016. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board in accordance with Nebraska Revised Statute §77-2318 approves the applications and authorizes the deposit of county funds in designated banks as County Depositories each year. Motion made by Tisthammer, second by Maricle to approve as written Resolution No. 2015-44 to accept and approve the written applications of the following designated County Depositories of the County Funds for 2016: Boone County Bank, a division of Madison County Bank, Albion; Cedar Rapids State Bank, Cedar Rapids; Cornerstone Bank of York, Albion and St. Edward Branches; First Bank & Trust of Fullerton, St. Edward Branch; Great Plains State Bank of Petersburg; Homestead Bank of Cozad, Albion Branch; and alternate investment NPAIT, Lincoln. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board and presented his November report. In addition, the following topics were discussed:

- Thorin updated the Board regarding road/bridge maintenance, projects and equipment.
- Thorin updated the Board regarding information received from the State Fire Marshall's office concerning above ground fuel storage. The information Thorin received is that the above ground fuel storage is to be 100' from property line and 50' from building. Thorin said that the County has above ground fuel tanks located near the road shop buildings in Cedar Rapids and Petersburg. Thorin said he is working on the project to comply with the new regulations.
- Thorin reported that the County share of the Federal Highway Buyback program funds will increase from the percentage of 80/20 to 90/10 and Boone County may receive approximately \$23,000.00 more than originally anticipated in March of 2016.
- Thorin and the Board discussed an on-call policy for the County Road Department due to no foreman in each district or a general road foreman. Thorin felt the need to implement an on-call policy for inclement weather or emergencies in order to contact the road employees when necessary for needed services after their regular scheduled work hours.

Darrel Thorin, County Highway Superintendent, submitted a written resignation for the Board to review from the General Road Foreman. Billy Frey submitted his resignation from the position of General Road Foreman effective December 22, 2015. Frey will continue his employment as a road employee within the County Road Department, with the understanding that his hourly wage will be reduced and relinquish the county cell phone. Motion made by Luettel, second by Maricle to accept the resignation of Billy Frey from the position of General Road Foreman effective December 22, 2015 and continue his employment as a road employee within the County Road Department as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



# Boone County Board Minutes



The State of Nebraska, Department of Roads needs the county board to designate the official county newspaper(s) in order to comply with the state statute when advertising their projects for bids in the county. The Cedar Rapids Press no longer has their legal status. Motion made by Tisthammer, second by Luettel to designate the official county newspapers for 2016 to include the Albion News, Petersburg Press and The St. Edward Advance. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

An annual certification of a County Highway Superintendent is due each year by December 31<sup>st</sup> to the Nebraska Department of Roads per Nebraska Revised Statutes §39-2501 through §39-2505. The performance of the duties listed in the certification determines federal highway allocation funds incentive payments. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Certification for the Nebraska Department of Roads of Darrel Thorin, Boone County Highway Superintendent, for the calendar year 2015 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg, County Clerk, presented the 2016-2020 Electronic Registration System (ERS II) Agreement. The Agreement is entered into by and between the Nebraska Department of Health and Human Services (NDHHS) of the State of Nebraska and Boone County Clerk of Albion, Nebraska. The Agreement concerns the utilization of the ERS II for completing electronic marriage data and transmitting such data to the NDHHS as required by Nebraska State Statute. Motion made by Maricle, second by Luettel to approve and authorize the County Clerk to sign the ERS II Agreement for 2016-2020 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Commissioner Luettel contacted Sapp Bros., Inc. for a proposal regarding the purchase and installation of a used propane tank for the operation of the backup generator that is located at the new Boone County Communications Tower. The Board reviewed one proposal at their November 30, 2015 Board meeting and tabled their decision in order to seek another proposal. The Ferrellgas proposal is \$2,067.50 and the Sapp Bros., Inc. proposal is \$1,119.00. The proposals both include a used 500 gallon propane tank, labor, hookup and 400 gallons of propane fuel. Motion made by Luettel, second by Maricle to approve the Sapp Bros., Inc. proposal of \$1,119.00 for the used 500 gallon propane tank, 400 gallons propane fuel and installation for the operation of the backup generator that is located at the new Boone County Communications Tower site as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Ed Knott, Applied Connective Technologies, LLC, and the Board discussed a Managed Security and Software Service Agreement. The scope of work is the removal of current anti-virus from all County owned equipment and the installation and configuration of Symantec managed product. In addition, the configuration of existing SonicWALL and application of proposed licensing, and the configuration of content filtering. The Agreement is for security protection of County owned laptops, desktops, servers and wireless network. The Agreement provides designated blocks regarding the wireless network accessibility and the county's liability. The prorated cost for the services is approximately \$1,022.00. The recurring fiscal year annual service cost is approximately \$2,535.06. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign the Managed Security and Software Service Agreement with Applied Connective Technologies, LLC, for the security of all County owned equipment effective January 1, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



Ed Knott, Applied Connective Technologies, LLC, and the Board discussed options regarding the directory listing in the white/blue pages of telephone books. A directory listing service fee was discussed at the November 30, 2015 Board meeting. The monthly service fee is \$5.95 for each telephone number listed in the telephone books. One of the options discussed is to list one number for the courthouse in the directory listing database. This option would allow routing to the proper office by using an extension number. No action was taken at this time.

## Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled this week.
- Vic Lee, Boone County Health Center, updated the Board regarding Boone County Health Center activities and asked the Board for signatures for a license renewal.
- The Sock Drive that was put on by the Goodwill Committee of the County Clerk's, Election Commissioner's and Register of Deeds, along with the Nebraska Association of County Officials (NACO) collected approximately 5,600 pairs of socks. The socks were donated to the Veterans Homes and homeless shelters across Nebraska. Boone County residents donated 307 pairs of socks.
- Steve Pritchard, Extension Educator; Sonya Glup, Extension Assistant; and Brian Andreasen and Jane Prothman, Boone-Nance Extension Board members, provided UNL-Extension updates regarding the 4-H Program curriculum and technology. In addition, Pritchard said that UNL- Extension is shut down for Christmas through New Year's Day. Pritchard said that there has been some conversation by the Board of Commissioners that the County Extension office remain open as the courthouse is open. Pritchard said that in the past years the Boone-Nance Extension offices have been closed. Commissioner Maricle spoke on behalf of the County Extension office and said that she felt Pritchard is the Department Head and said he can make the decision of being open or closed. Commissioner Tisthammer said that there needs to be compromise/cooperation that on days when there is no staff in the County Extension office, that there is no part-time sitting in the County Extension office, as the new courthouse telephone system provides the capability to forward the telephone calls to another telephone line outside of the courthouse and/or county. No action taken due to the discussion was not an agenda item.

Chairman Tisthammer declared the meeting adjourned at 11:33 A.M., with the next Board meeting scheduled for Monday, December 21, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 21, 2015

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 21, 2015, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Hilary K. Maricle and Ken Luettel. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings and Board of Equalization Proceedings of December 14, 2015 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

As provided by State Statute, Section 23-1302, the County Clerk shall certify to the County Treasurer as of June 15 and December 15 each year the total amount of unpaid claims of the county. Motion made by Luettel, second by Maricle to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to set the 2016 Board of Commissioners Reorganizational meeting for Monday, January 4, 2016 at 9:00 A.M. and the Board of Equalization Reorganizational meeting for Monday, January 4, 2016 at 11:00 A.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The St. Michael's Parish of Albion submitted an application requesting assistance to advertise the St. Patrick's Carnival event scheduled for March 13, 2016. Motion made by Tisthammer, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Boone-Greeley Interlocal Agreement for cooperative services to veterans was reviewed and discussed. The Commissioners noted that the agreement will be for a period of two years commencing January 1, 2016. Motion made by Luettel, second by Tisthammer to approve the Boone-Greeley Interlocal Agreement for cooperative services to veterans. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, appeared before the Board to present his Highway Superintendent Report. Thorin reported to the board that he has received the results of the Quality Assurance Audit on the Boone County bridges and that the report indicated that Boone County was "substantially compliant". Thorin indicated that one item that was noted was the lack of bridge plans. Thorin said that he has been trying to recreate some of the bridge files for future audits and has been able to locate some information from Midwest Service and Husker Steel but that some plans are completely missing and he is still working on those.





# Boone County Board Minutes



Trevor VanDeWalle, appeared on behalf of the Boone Central Schools, regarding road conditions for bus routes. VanDeWalle asked about the priority list for buses. Thorin indicated that the bus routes were located in the snow removal policy and that all maintainer drivers had the bus routes in their machines. VanDeWalle indicated that with the recent rain and snow that several roads needed gravel and that he had talked to a road employee about getting some gravel put on the roads but that nothing had been done. VanDeWalle indicated that the poor road conditions had resulted in bus repairs. Thorin indicated that he was not aware of the request and that future requests should be made to him. Thorin indicated that getting gravel, especially good gravel, is hard. Thorin said he would take a look at the roads to see what needed to be done. The consensus for notification is for the school bus route drivers to notify VanDeWalle of a problem, then VanDeWalle will be in contact with Thorin.

Andy Roberts, Valero Renewables of Albion, discussed a portion of 265<sup>th</sup> Street with the Board and Darrel Thorin, County Highway Superintendent. Roberts said that Valero would like to expand the rail siding. If the project is approved, the siding could contain enough rail cars for two complete unit trains. The expansion project would involve the closing of the portion of 265<sup>th</sup> Street southeast of the plant. Thorin explained the procedural steps for the vacation of a county road. Thorin suggested that Roberts contact the natural gas company and Cornhusker Public Power first as they may need easements to access their equipment. Roberts plans to visit with the natural gas and electrical companies regarding the proposed project. Thorin suggested that Roberts bring a petition for vacation of that portion of 265<sup>th</sup> Street with signatures from the natural gas and electrical companies to initiate the road vacation.

The Board held their monthly meeting with the officials and department heads or employees.

- Commissioner Tisthammer asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- Denny Johnson, Sheriff, said that the County Jail facility passed the Jail Standards inspection.
- Jacqueline Wells, Veteran Service Officer, informed the group that penalties can be assessed to veterans who have both Obamacare health coverage and private health insurance. Wells said that the VA Health Care System is considered Obamacare.

Steve Pritchard, Extension Educator and Ken Schriver, Boone-Nance Extension Board member, and the Board discussed the closing of the Boone County Extension office December 28 – 31, 2015. Pritchard said that the employee(s) use vacation time for the days that the office is not open to the public. The concern is that other county offices in the courthouse cannot be closed/shut down to the public beyond the weekends/holidays. Pritchard said that it is our slow time of the year. In discussion, each office has different busy times of the year and that the function of County Government is a service to the public taxpayers. Commissioner Tisthammer reiterated his statement from December 14, 2015 regarding cooperation that on days when there is no staff in the County Extension office, that there is no part-time sitting in the County Extension office, as the new courthouse telephone system provides the capability to forward the telephone calls to another telephone line outside of the courthouse and/or county. Tisthammer noted that the County Extension office has used the telephone transfer system the last few months and appreciates the cooperation. The Boone County Extension office will be closed December 28-31, 2015.



# Boone County Board Minutes



The Board, Elected Officials and Department Heads met to discuss County Employee Handbook changes/updates/additions. Those present received some of the “Exhibit” handouts to review. Motion made by Maricle, second by Luettel to table the discussion to the December 28, 2015 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, and the Board reviewed an on-call policy for county road employees. The on-call policy to be added to the Boone County Employee Handbook and included in the road employment job description. Thorin said he doesn’t believe reimbursement is needed for the on-call time, because employees are not restricted in their personal time activities. If there is threat of a storm, the on-call employee would be asked to stay within a half hour of his road shop location.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.

Chairman Tisthammer declared the meeting adjourned at 12:12 P.M. with the next Board meeting scheduled for Monday, December 28, 2015.

Kathy Thorberg,  
Boone County Clerk



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 28, 2015 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 28, 2015 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the meeting to order and Commissioners present for roll call were Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Tisthammer acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$92,293.35, BCBS \$43,742.98, Ameritas Ret \$6,399.97, EFTPS \$6,892.60, Section 125 Fees \$10.00, Wellness Program \$97.51; Road \$44,915.92, BCBS \$22,822.18, Ameritas Ret \$3,031.83, EFTPS \$3,387.23; Ambulance \$1,305.00, Ameritas Ret \$45.23, EFTPS \$99.82; Public Defender Contract \$3,000.00; Boone County Fitness Center \$6,147.70, Ameritas Ret \$331.68, EFTPS \$470.31, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of December 21, 2015 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Nebraska Revised Statutes provide that salaries of all elected officers of the County shall be fixed by the County Board prior to January 15<sup>th</sup> of the year in which a General Election will be held for the respective offices. The position of County Commissioner District No. 2 is the only county elected office to be on the 2016 General Election ballot. Motion made by Luettel, second by Maricle to approve Resolution No. 2015-45 to set the salary for County Commissioner (part-time) at \$22,914.00 to be effective commencing January 1, 2017. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board reviewed the 2016 calendar to set dates for the 2016 Board meetings. The Board usually meets every Monday but the first Monday of the month and if the Monday is a holiday then Tuesday beginning at 9:00 A.M. The 22/21 payroll system requires the Board to change some of their meeting days from Monday to a different day for payroll approval. Motion made by Luettel, second by Maricle to approve the following meeting dates for 2016 which are subject to change: January 4, 11, 19 and 27; February 8, 16, 24 and 29; March 14, 21 and 28; April 11, 18 and 27; May 9, 16, 25 and 31; June 13, 20 and 27; July 11, 18 and 27; August 8, 15, 22 and 29; September 12, 19 and 26; October 11, 17, 26 and 31; November 14, 21 and 28; December 12, 19 and 28. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board briefly discussed the Visitor's Promotion Fund Committee members. The committee consists of five members appointed by the Board of Commissioners. At least one of the committee members shall be in the hotel industry. The present hotel industry representative's lodging facility is no longer registered with Nebraska Department of Revenue. The Board of Commissioners plan to appoint a new committee member to complete the present term of the hotel industry representative at the January 4, 2016 Reorganizational meeting.



# Boone County Board Minutes



Motion made by Tisthammer, second by Maricle to recess said meeting at 12:57 P.M. Roll call vote: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to reconvene said meeting at 1:34 P.M. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board, elected officials and department heads that were present reviewed some of the current pages/contents of the Boone County Employee Handbook. The group reviewed possible updates/revisions for several hours. The majority of the contents/structure of the present Boone County Handbook follows the NIRMA Guide to Creating a Personnel System for Nebraska Counties (Guide). The Guide is intended to assist counties in creating a personnel system that complies with applicable Nebraska and Federal law. NIRMA is assisted by a premier law firm with particular expertise in labor and employment law and human resources issues to update the Guide. Commissioner Maricle questioned/disapproved of several of the contents/structure of the NIRMA Guide and current County Employee Handbook. The County Clerk's office plans to forward the contents/structure in question to the NIRMA legal counsel for further review and their opinion. Commissioner Luettel questioned if NIRMA legal counsel would defend the County, if needed, if we change a lot of the wording structure/contents provided in the NIRMA Guide.

Open discussion and miscellaneous public comments:

- The Board discussed who would attend the various meetings scheduled.

Chairman Tisthammer declared the meeting adjourned at 3:53 P.M. The Board of Commissioners Reorganizational meeting is scheduled for Monday, January 4, 2016 and next regular Board meeting is scheduled for Monday, January 11, 2016.

Kathy Thorberg,  
Boone County Clerk