



Boone County Board Minutes



2016 REORGANIZATIONAL MEETING BOONE COUNTY BOARD OF COMMISSIONERS ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska convened at 9:00 A.M. on Monday, January 4, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Tisthammer called the Reorganizational Meeting to order as required by Nebraska State Statute. 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 noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Maricle to appoint Ken Luettel as Chairman of the Boone County Board of Commissioners for the year, 2016. Roll call vote: Yeas: Tisthammer and Maricle. Abstain: Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to appoint Jerry L. Tisthammer as Vice Chairman of the Boone County Board of Commissioners for the year, 2016. Roll call vote: Yeas: Luettel and Maricle. Abstain: Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel 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 2016.

Motion made by Maricle, second by Luettel that the budget committee for the ensuing 2016-2017 budget year is the Boone County Board of Commissioners, Boone County Clerk and Boone County Treasurer.

Motion made by Tisthammer, second by Maricle to reappoint Richard D. Martinsen, Certified Public Accountant, Albion, Nebraska, to prepare the County Budget for the 2016-2017 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 2016.

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 Tisthammer, second by Maricle to reappoint Jacqueline Lynne Wells as full time Boone County Veteran Service Officer under the supervision of the County Board for 2016. 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 Luettel, second by Tisthammer 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 that shall commence on January 1, 2016 and continue until January 1, 2018.

Motion made by Tisthammer, second by Maricle to reappoint Randall Bruland as the Administrator and Maintenance Director of the Boone County Ambulance Service under the supervision of the County Board for 2016.

Motion made by Maricle, second by Tisthammer 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 2016.

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 2016. 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 \$15.58 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 2016. 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 Luettel, second by Tisthammer to reappoint the Boone County Clerk as the Title VI representative for 2016.

Motion made by Tisthammer, second by Luettel to reappoint the Boone County Veteran Service Officer as the American with Disabilities Act (ADA) Coordinator for 2016.

Motion made by Luettel, second by Maricle to appoint the Boone County Sheriff and his staff to be the E911 Coordinator for 2016.

Motion made by Maricle, second by Luettel to appoint Jerry L. Tisthammer as Courthouse Custodian Supervisor for 2016.

Motion made by Tisthammer, second by Maricle to appoint the Board of Commissioners Chairman as Chairperson 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 2016.

Motion made by Maricle, second by Luettel 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 2016.



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Motion made by Maricle, second by Tisthammer 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 Tisthammer, second by Luettel 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 Tisthammer, second by Luettel 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 Luettel, second by Tisthammer 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; Great Plains State Bank, Petersburg, NE; Homestead Bank (Albion Branch), Cozad, 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 Maricle, second by Tisthammer 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 used in 2016 at the employees discretion. 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 Tisthammer, second by Maricle 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, 2016, 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 27, February 24, March 28, April 27, May 25, June 27, July 27, August 29, September 26, October 26, November 28 and December 28, 2016. 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 Great Plains State, Petersburg, NE.

As required by law (Neb. Rev. Stat. §48-443), each Nebraska county must have a working safety committee. Motion made by Tisthammer, second by Maricle that (1) the following will serve on the Safety Committee for 2016: 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 16, 2016, May 16, 2016, August 15, 2016 and November 21, 2016, commencing at 9:00 A.M.

The Grievance Procedure in the Employee Handbook 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 2016 to the above adopted pre-designated list approved in December, 2013.

Motion made by Tisthammer, second by Maricle to approve all motions for the respective appointments above as presented unless specifically noted. Roll call vote: Tisthammer, Maricle and Luettel. 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 2016:

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 K. Maricle - Alternate

Region 4 Behavioral Health System, Norfolk

Jerry L. Tisthammer
Ken Luettel - Alternate

Region IV, Inc/NorthStar Services, Wayne

Hilary K. Maricle
Jerry L. Tisthammer – Alternate

Region 44 Emergency Services Supervisory Committee

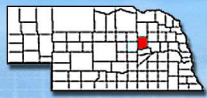
Hilary K. Maricle
Ken Luettel – Alternate

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 Maricle, 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 Brian Andreasen (2016-2018) – 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 Luettel 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, 2016:

Chris Baum, Mark Wagner and Shelley Towey	(2016)
Paul Groeteke, Brad Stephens and Clyde Stuhr	(2016-2017)
Justin Frey, Mark Jensen and Morgan Mogensen	(2016-2018)



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Motion made by Luettel, 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, 2016:

H. Thomas Fick and Deb Mitchell	(2016)
Paul Kettelson and Mark Jensen	(2016-2017)
Ray Merrell	(2016-2018)
Vacancy	Alternate

Motion made by Maricle, 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 1st each year. The terms are as follows:

Cheryl Kuehner	(2016) (complete term of A. Choat)
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
Heather Rankin (12-15-2014)	(2014-2016)
Dennis Tyson (01-01-2014)	(2014-2016)
Dave Skillstad (01-01-2016)	(2016-2017) (complete term of N. Soll)
Paulette Clark (01-01-2015)	(2015-2017)
Edmond Knott (01-01-2016)	(2016-2018)
Amy Flanagan (01-01-2016)	(2016-2018)

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 Tisthammer, 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	(2016-2017)
Boone County Sheriff's Department, shall serve two years	(2016-2017)
Albion Chief of Police, shall serve one year	(2016)



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Motion made by Tisthammer, second by Maricle that the following are appointed to the Local Emergency Planning Committee for 2016:

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
Hilary K. Maricle – Boone County Board of Commissioners
Darrel Thorin – Boone County Highway Superintendent
Justin Ranslem – Private Industry/Helena Chemical
Val Snyder – Private Industry/Tallgrass
Joan Carraher – Riverside Public Schools
Sachin Bagade – East-Central District Health Department
Lowell Imus – Boone Central Schools
Jon Lindgren – State of Nebraska, Department of Roads, Albion Yard

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

Chairman Luettel declared the Reorganizational meeting adjourned at 10:16 A.M.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 11, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, January 11, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel and Jerry L. Tisthammer. 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 Luettel 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 Accounts Payable Vendor Claims filed for payment from the various funds: General - \$66,844.41; Road - \$79,976.25; Boone County Visitor's Promotion - \$1,626.76; Reappraisal - \$15,234.93; 911 Emergency Management (2910) - \$4,095.12; 911 Wireless Service (2913) - \$668.30; Ambulance - \$3,226.11. 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 28, 2015 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 Reorganizational Proceedings and Board of Equalization Reorganizational Proceedings of January 4, 2016 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 following reports of the County Officials as presented for December, 2015:

- Clerk - \$11,199.00 (State of Nebraska \$6,602.94)(County of Boone \$4,596.06)
- Clerk of the District Court - \$832.91 (State of Nebraska \$398.00)(County of Boone \$434.91)
- Sheriff - \$1,045.46
- Treasurer - Treasurer's Fees - \$28.00; Miscellaneous Receipt Nos. 14720-14771- \$173,197.74; Total Collections - \$3,627,882.60

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

The Board and Jeff Jarecki, Public Defender, reviewed and discussed the Public Defender Agreement that commenced January 1, 2014 through January 1, 2016. Jarecki was appointed Public Defender in August of 2012. The Public Defender Agreement proposes a monthly compensation of \$3,120.00 and limitation appointment to seventy-two cases annually. The initial term of the Agreement shall commence on January 1, 2016 and continue through January 1, 2018. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign the Public Defender Agreement commencing on January 1, 2016 through January 1, 2018. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.



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The County Treasurer submitted a Semi Annual Statement for July 1, 2015 through December 31, 2015. 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, 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.

Tom Smith, Region 44 Emergency Manager, and the Board discussed the appointment of a representative to the East Central Region Governance Board. Boone County is a member of the ten county member East Central Planning, Exercise, Training (PET) and Interoperable Communications Region established by the State of Nebraska. Motion made by Luettel, second by Tisthammer to hereby appoint Thomas Smith, Region 44 Emergency Manager, as the Boone County representative to the Governing Regional Committee that makes up the East Central PET & Interoperable Communications Region as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Tom Smith, Region 44 Emergency Manager, and the Board reviewed the nomination forms for the Nebraska Regional Interoperability Network (NRIN) Board of Directors. NRIN is a locally-operated, regional and statewide wireless communication system that connects PSAPS, EOCs and local governments, allowing real time, on-demand communication to help mitigate emergencies and promote public safety. Motion made by Tisthammer, second by Luettel to vote for Russell Kreachbaum of Central City, NE and Tim Hofbauer of Columbus, NE for the Nebraska Regional Interoperability Network Board of Directors. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board, Tom Smith, Region 44 Emergency Manager, and Darrel Thorin, County Highway Superintendent, discussed the new County Communications Tower project. The generator and propane tank are installed at the County Communications Tower sight. The group discussed a protective cover for the generator and propane tank fuel tube due to the possibility of ice falling from the communication tower. Motion made by Tisthammer, second by Luettel to approve the purchase of a steel shelter built by Molt Manufacturing to protect the generator for \$2,500.00. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

In addition, Tom Smith, Region 44 Emergency Manager, and Denny Johnson, Sheriff, updated the Board regarding the completion of the County Communications Tower project. Smith said that the County will receive state funding reimbursement for the generator and a portion of the new County Communications Tower and equipment. The Boone County Sheriff's office will administer the management responsibilities of the new County Communications Tower upon completion of the final work.

In addition, Tom Smith reported that the Boone County Local Emergency Planning Committee will meet on January 18, 2016 at 7:00 P.M. at the Albion Fire Hall and a tabletop emergency response exercise on Valero Renewables will be held on January 23, 2016 from 7:30 A.M. to 12:00 P.M. at the Cardinal Inn, Albion, NE.

The Cornerstone Bank of York, Nebraska, Albion Branch, is the named depository bank for the Boone County Clerk of the District Court checking account that is an interest bearing N.O.W. Account. Motion made by



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Tisthammer, second by Luettel to approve Resolution No. 2016-01, to authorize the Cornerstone Bank of York, Nebraska, Albion Branch, as the named depository bank for the Boone County Clerk of the District Court checking account as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Boone County Ambulance Service submitted an uncollectible ambulance account, as all methods of collection have been exhausted. The recommendation for the September 2014 account balance due of \$538.74, is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Luettel, second by Tisthammer to write-off the uncollectible ambulance account in the sum of \$538.74, 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: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Northeast Nebraska Area Agency on Aging received two nominations to represent Boone County on the Advisory Board for a three year term. Commissioner Luettel plans to visit with the nominees before making an appointment. Motion made by Luettel, second by Tisthammer to table the appointment of a representative to the Northeast Nebraska Area Agency on Aging Advisory Board to the January 19, 2016 Board meeting. Roll call vote: Yeas: Luettel and Tisthammer. 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.

The Board, elected officials and department heads that were present reviewed various changes to the County Employee Vacation and Sick Leave policies. To comply with state statute, the County has rewritten policies this year to ensure that the County is not paying for services prior to receiving services. The new policies will reflect the benefits of vacation and sick leave requirement of the employee to receive the benefit after actually earning the benefit. No action was taken at this time.

Open Discussion and miscellaneous public comments:

- NIRMA Harassment training is scheduled for the county employees on Wednesday, January 27, 2016 at 10:30 A.M. and 1:30 P.M.
- The IRS mileage rate beginning January 1, 2016 will be 54 cents per mile.
- Denee Kunzman, Boone County Health Center, presented a form for the Board Chairman to sign regarding a yearly operating Home Health License.

Chairman Luettel declared the meeting adjourned at 12:26 P.M. with the next Board meeting scheduled for Tuesday, January 19, 2016.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 19, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, January 19, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel and Jerry L. Tisthammer. 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 Luettel 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 January 11, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Northeast Nebraska Area Agency on Aging received two nominations to represent Boone County on the Advisory Board for a three year term. The Board tabled the appointment at their January 11, 2016 Board meeting. Commissioner Luettel visited with the nominee that presently represents Boone County. Motion made by Luettel, second by Tisthammer to reappoint Wilma Rankin to represent County of Boone, Nebraska for a three year 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.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, projects and equipment.

Darrel Thorin, County Highway Superintendent, presented a resolution for the Board to review regarding the signing of the HRRR Project Program Agreement-BL1612. Boone County is proposing a transportation project for which it would like to obtain federal funds. Boone County understands that it must strictly follow all federal, state and local laws, rules, regulations, policies and guidelines applicable to the funding of the federal-aid project. Boone County and Nebraska Department of Roads (NDOR) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for a bridge and culvert object marker signing project. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-02, NDOR Project No. HRRR-STWD(128), Signing of the HRRR Project Program Agreement-BL 1612 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

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 Tisthammer, second by Luettel to approve Resolution No. 2016-03, to set a public hearing for 10:00 A.M. on Tuesday, February 16, 2016 for the County One and Six Year Road Improvement Program. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed the year end June 30, 2015 audit report prepared by Michael J. Pommer, CPA. A "Notice of Completion of Audit" was submitted to the Albion News for publication the week of January 18, 2016. Motion made by Luettel, second by Tisthammer to accept and approve the audit as presented for fiscal year ending June 30, 2015 and said audit is on file with the Boone County Clerk and the Nebraska Auditor of Public Accounts. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Ed Knott, Applied Connective Technologies, presented a Non-Disclosure Agreement for the Board to review. The Non-Disclosure Agreement is between the County of Boone, Nebraska (Client) and Applied Connective



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Technologies, LLC (Consultant). The Consultant, in the course of engagement by the Client, may or will have access to or learn certain information belonging to the Client that is proprietary and confidential information. The Consultant agrees to keep all confidential information strictly confidential. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the Non-Disclosure Agreement between the County of Boone, Nebraska and Applied Connective Technologies, LLC retroactive to January 1, 2016 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Ed Knott, Applied Connective Technologies, and the Board discussed a domain controller/file server for County use. The utilization of a windows based server is for security and manageability of each offices' My Documents files. Knott submitted an estimate for the tower chassis, backup and hardware support. The onsite installation/configuration is not included in the estimate. The Board and Knott felt the security issue should be addressed as soon as possible. The domain controller/file server project's to be paid from the Inheritance Tax Fund. Motion made by Tisthammer, second by Luettel to approve the estimate of \$7,196.19, not including installation/configuration, from Applied Connective Technologies regarding a domain controller/file server as presented. Roll call vote: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

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

- Commissioner Luettel 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 department heads that the Employee Vacation Policy Election Forms 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.
- Rod Nelson, Maintenance, reminded officials/department heads present, that the locked security bin from Shred Monster, Inc. is for all offices to use and is located in the multi-purpose room.
- Denny Johnson, Sheriff, informed the group that the Mobile Food Pantry is scheduled to be in Boone County once a month in 2016. All volunteer help is appreciated.

The Board, elected officials and department heads that were present reviewed the new vacation policy for full-time employees. A new or re-hired employee shall earn vacation at a set rate per month beginning on the 21st day of the second full calendar month following their date of hire and vacation hours posted on the 21st day of each pay period thereafter. In addition, the new vacation policy addresses vacation benefits regarding the employees hired in 2009 and prior and the employees hired between 2010 through 2015. Motion made by Luettel, second by Tisthammer to approve the new vacation policy for county employees effective for January 1, 2016 to coincide with the 22/21 pay period beginning December 22, 2015. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board, elected officials and department heads that were present reviewed the new sick leave policy for full-time employees. A new or re-hired employee shall earn sick leave at a set rate per month beginning on the 21st day of the second full calendar month following their date of hire and sick leave hours posted on the 21st day of each pay period thereafter. In addition, the new sick leave policy addresses sick leave benefits regarding the employees hired in 2015 and prior. Employees may accumulate sick leave up to a maximum of 240 hours. Motion made by Luettel, second by Tisthammer to approve the new sick leave policy for county employees effective for January 1, 2016 to coincide with the 22/21 pay period beginning December 22, 2015. 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 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. No decision was made at this time. The on-call policy draft will be forwarded to NIRMA legal counsel for review.

The Board, elected officials and department heads that were present reviewed the County Employee Handbook regarding the longevity program for full-time employees. For many years the longevity program has provided a set rate increase for full-time employees in their anniversary month after their three years of full-time employment is complete and every five years thereafter. In addition, the elected/appointed officials and department heads were not eligible for the longevity program. In discussion, some felt that the full-time appointed official/department head employees should be eligible for the longevity program and change the longevity program to begin after two years of full-time employment. In addition, the new longevity program addresses the longevity benefit regarding the employees hired in 2015 and prior. Motion made by Tisthammer, second by Luettel to approve the new longevity program for county employees effective for January 1, 2016 to coincide with the 22/21 pay period beginning December 22, 2015. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Northeast Nebraska Area Agency on Aging received two nominations to represent Boone County on the Advisory Board for a three year term. The present representative notified Commissioner Luettel by telephone regarding her decision not to continue to serve as the Boone County representative on the Northeast Nebraska Area Agency on Aging Advisory Board. Motion made by Luettel, second by Tisthammer to rescind the reappointment of Wilma Rankin to represent County of Boone, Nebraska 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.

Motion made by Luettel, second by Tisthammer to appoint Liz French to represent County of Boone, Nebraska for a three year 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.

Denny Johnson, Sheriff, and the Board discussed the law enforcement vehicle fleet. No action was taken at this time.

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.
- The consensus of the officials/department heads present at the Board meeting is to proceed with the County Employee Handbook updates to follow the contents/structure of the NIRMA Guide to Creating a Personnel System and contact NIRMA legal counsel for guidance regarding handbook review/updates.

Chairman Luettel declared the meeting adjourned at 12:50 P.M. with the next Board meeting scheduled for Wednesday, January 27, 2016.

Kathy Thorberg,



Boone County Board Minutes



Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 27, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, January 27, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$100,913.62, BCBS \$45,205.86, Ameritas Ret \$6,995.60, EFTPS \$7,529.46, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$50,933.64, BCBS \$22,822.18, Ameritas Ret \$3,438.03, EFTPS \$3,842.37; Ambulance \$1,540.00, Ameritas Ret \$56.71, EFTPS \$117.80; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,826.68, Ameritas Ret \$346.35, EFTPS \$522.25, which is all reimbursed back to the County. 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 January 19, 2016 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the Board of Equalization Public Hearing Proceedings of January 19, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

An annual Weed Superintendent report is due January 31st 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 2015 year-end/2016 year-anticipated weed report that was prepared by Todd Buettner, Boone County Weed Superintendent. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the annual weed reports as presented. Roll call vote: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Todd Buettner, County Weed Superintendent, asked the Board if they would consider hiring someone part-time to do the spraying of the weeds. The consensus of the Board is that an individual spraying the county road right-of-ways for weeds, etc. and is not classified as the County Weed Superintendent, would be required to have all of the required certifications in order to spray the county road right-of-ways.

In addition, Buettner asked the Board if they would consider a car port or enclosed building for the weed vehicle/spray equipment. Buettner said that the weed spraying vehicle is setting out in the weather. Darrel Thorin, County Highway Superintendent, indicated that any accessible chemical should be locked up. No action was taken by the Board.



Boone County Board Minutes



Chuck Rolf, Boone County Agricultural Society, Inc., and the Board discussed the current Boone County Agricultural Society, Inc. liquor license. The current liquor license includes two enclosed buildings a/k/a the Event Center and Casey's Building. Rolf proposed a revision to the present license to include an outside area for a beer garden for unspecified events. The proposed outdoor beer garden is an 85' x 135' concrete area lying south of the Event Center that extends south between two buildings a/k/a the Casey's Building and 4-H Building. Motion made by Maricle, second by Tisthammer to approve an addition of an outdoor beer garden of 85' x 135' concrete area lying south of the Event Center to the Boone County Agricultural Society, Inc. annual liquor license as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. Thorin and the Board discussed the proposed on-call policy for the county road department regarding inclement weather after regular scheduled work hours. Motion made by Tisthammer to adopt an on-call policy for the county road department as presented. In discussion, Thorin said that he plans to visit with NIRMA legal counsel on Friday regarding a change to the on-call policy. Thorin asked that the on-call policy be removed from the employee handbook and whatever is decided would be part of the job duties of the road employees. Motion made by Tisthammer, second by Maricle to rescind the motion to adopt an on-call policy. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board approved a Non-Disclosure Agreement between the County of Boone, Nebraska and Applied Connective Technologies, LLC at their January 19, 2016 Board meeting. At the Board meeting the consensus of the Agreement covered the County of Boone, with the exception that there would be a separate Agreement for the Boone County Veteran Service Office. Jacqueline Wells, Veteran Service Officer, said the Agreement needs to address the Department of Veterans Affairs requirements.

The Board received a revised Non-Disclaimer Agreement to review from Ed Knott, Applied Connective Technologies. The revised Agreement is the same except for the additional information required by the Department of Veterans Affairs. The Non-Disclosure Agreement is between the County of Boone, Nebraska (Client) and Applied Connective Technologies, LLC (Consultant). The Consultant, in the course of engagement by the Client, may or will have access to or learn certain information belonging to the Client that is proprietary and confidential information. The Consultant agrees to keep all confidential information strictly confidential. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Non-Disclosure Agreement between the Count of Boone, Nebraska and Applied Connective Technologies, LLC retroactive to January 1, 2016 and supersedes the Non-Disclosure Agreement that was approved on January 19, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Denny Johnson, County Sheriff, presented bids for the Board to review regarding the purchase of a law enforcement vehicle. In discussion, the Board and Johnson felt that pickups have better trade-in values compared to law enforcement cars and SUV vehicles. Johnson included state bid quotes for various types of law enforcement vehicles. In addition, Johnson presented quotes for a 2016 Dodge Ram 4x4 pickup with a trade-in value of a 2010 Ford Explorer from Gene Steffy of Fremont, Nebraska for \$23,301.00 and Jonny Dodge of Neligh, Nebraska for \$21,410.00, excluding the cost of any additional options to the pickup. Motion made by Luettel, second by Tisthammer to approve the purchase of a 2016 Dodge Ram 4x4 Pickup for approximately \$21,410.00 from Jonny Dodge of Neligh, Nebraska. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



The Nebraska Intergovernmental Risk Management Association (NIRMA) is dedicated to helping their members control their risk exposures, prevent incidents, injuries and damage through programs designed to promote health and safety, and save local taxpayer dollars. Chad Engle, NIRMA, is conducting on-site Harassment Training at 10:30 a.m. and 1:30 p.m. today for the County of Boone employees.

Open discussion and miscellaneous public comments:

- Orrin Strand asked if a County Commissioner and the County Highway Superintendent would meet with a group of residents in the northeast portion of the county to discuss road issues. Thorin and Luettel plan to meet with Strand and interested residents on Friday, February 5, 2016 at 1:30 P.M.
- Commissioner Maricle reported on the tabletop emergency response exercise held on January 23, 2016 by Tom Smith, Region 44 Emergency Manager.

Chairman Luettel declared the meeting adjourned at 12:00 noon, the next Board meeting is scheduled for Monday, February 8, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
FEBRUARY 8, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 8, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$26,042.88; Road - \$46,140.95; Boone County Visitor's Promotion - \$295.30; Reappraisal - \$71.18; Veteran's Aid - \$2,000.00; 911 Emergency Management (2910) - \$265.52; 911 Wireless Service (2913) - \$1,242.08; Ambulance - \$1,264.74. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board reviewed a Payroll Claim filed for payment from the General Fund. Motion made by Tisthammer, second by Luettel to approve a Payroll Claim filed for payment from the General Fund in the amount of \$1,866.90 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, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the following reports of the County Officials as presented for January, 2016:

- Clerk - \$17,232.50 (State of Nebraska \$11,296.57)(County of Boone \$5,935.93)
- Clerk of the District Court - \$1,012.63 (State of Nebraska \$467.00)(County of Boone \$545.63)
- Sheriff - \$1,359.55
- County Planning & Zoning - \$38.75
- Treasurer - Treasurer's Fees - \$24.00; Miscellaneous Receipt Nos. 14772-14820 - \$1,267,118.64; Total Collections - \$2,480,121.08
- County Veteran Service office report for the month of November and December, 2015.
- County Veteran Service office report for the month of January, 2016.

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

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of January 27, 2016 as presented. 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 and reviewed requests for advertisement funding.

The Board reviewed an application from the Albion Chamber of Commerce regarding a Mayday Madness event. The consensus of the Board is to return the application for a descriptive summary of the event.



Boone County Board Minutes



The Albion Area Arts Council submitted an application requesting assistance to advertise the Paul Siebert Concert scheduled for March 13, 2016. 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.

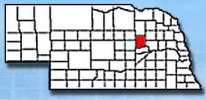
The Faith Lutheran Church submitted an application requesting assistance to advertise the Steak & Burger Feed Fundraiser event scheduled for April 2, 2016. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitors Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

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 due of \$352.00, is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Tisthammer, second by Luettel to write-off the uncollectible ambulance account in the sum of \$352.00, 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: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented the January road maintenance, repair and project report to the Board for their review. Thorin updated the Board regarding road/bridge maintenance, materials and projects. Thorin and the Board discussed the road equipment that is down for repairs and the condition of the roads due to the February 2 - 3, 2016 blizzard.

Daniel L. Hemmer requested permission to trench an electrical line for irrigation purposes across a county road commonly known as 230th Avenue running north and south between Sections 17 and 18, all in Township 18 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The trenched electrical line commences from a power pole located in the NE1/4 of Section 18; thence running east across 230th Avenue to the NW1/4 of Section 17, all in Township 18 North, Range 6 West of the 6th P.M., Boone County, Nebraska. This electrical line is for an electrical motor on a pivot irrigation well. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-04, granting permission to Daniel L. Hemmer to trench an electrical line across a county road known as 230th Avenue for irrigation purposes to the NW1/4 of Section 17, Township 18 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, and the Board discussed a proposed on-call policy for the county road department in regard to emergencies/inclement weather occurring after regular scheduled work hours. Thorin presented a map outlining the respective county road employees designated road maintenance area. The on-call map policy will be as follows: when a call is received by the County Sheriff's office they are to contact the County Highway Superintendent with the type of emergency/weather and location. The Highway Superintendent will contact the county road employee that is designated for the maintenance of the area where the emergency/weather is located. If the County Highway Superintendent is unreachable, the County Sheriff's office is authorized to contact the respective county road employee. The on-call policy, utilizing the map with the designated road maintenance areas of each road employee, will be included in the road employment job description. Motion made by Maricle, second by Luettel to approve the county road department on-call policy for emergencies/inclement weather after regular scheduled work hours, utilizing the map outlining the respective county road employees designated road maintenance area and to be included in the road employment job description. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



Boone County Board Minutes



Commissioner Luettel presented information from the Nebraska Accountability and Disclosure Commission regarding non-exclusive contracts and a procedure for a board member to enter into an open contract with the county to haul gravel, etc. Matters involving an interest in contracts with government bodies are addressed in Nebraska Revised Statute Chapter 49. The county is in need of gravel and rock and is in need of truckers to back-haul for the county. Luettel said he hauls grain from the area facilities to processing plants in eastern Nebraska and could back-haul gravel/rock for the county roads. After a lengthy discussion the Board plans to advertise for interested truckers to back-haul aggregate for the county and draft an agreement/contract with all interested parties. Motion made by Maricle, second by Tisthammer to table the Non-Exclusive Contract with Ken Luettel Farm until the March 14, 2016 Board meeting, to allow for advertisement and drafting of an agreement/contract. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

The Board and department heads present at the meeting discussed employee compensation due to the closing of the courthouse during inclement weather. The employee handbook addresses employee compensation when the employee is unable to get to work when the courthouse is open during inclement weather. The employee handbook does not address employee compensation due to the courthouse being closed during regularly opened hours. The group reviewed policies from other counties. The "Bad Weather" policy in the County Employee Handbook will be reviewed with the department heads on February 16, 2016.

The County employee handbook review and updates need to be completed. The Board plans to discuss the preferred procedure to complete the handbook review with the department heads at the February 16, 2016 Board meeting. NIRMA legal counsel has been assisting with the wording structure/contents.

Commissioner Maricle said she has been asked who owns the Boone County Health Center facility. Maricle would like to have documentation on the ownership arrangement and responsibilities between the County of Boone, Boone County Health Center and Boone County Health Center Board of Trustees. County Attorney Ely said he would work with Maricle on this issue.

Open Discussion and miscellaneous public comments:

- Rebecca Rayman and Roberta Miksch, East-Central District Health Department (ECDHD), presented information regarding the 2015 ECDHD public health activities in Boone County. Rayman and Miksch reviewed the priority health needs for Boone County that was selected by research data.
- Orrin Strand asked the Board if Thorin and Luettel could plan to meet with Strand and interested residents on Wednesday, February 10, 2016 at 1:30 p.m., due to the weather conditions last week the group did not meet on February 5, 2016.
- Commissioner Luettel reported on the Boone County Health Center Board meeting he attended last week.

Chairman Luettel declared the meeting adjourned at 12:22 P.M. with the next Board meeting scheduled for Tuesday, February 16, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



PUBLIC HEARING PROCEEDINGS

2016 ONE AND SIX YEAR ROAD IMPROVEMENT PROGRAM BOONE COUNTY, NEBRASKA

Ken Luettel, Boone County Board of Commissioners Chairman, called for a motion to open a public hearing on Tuesday, February 16, 2016 at 10:00 A.M. in the County Commissioners Meeting Room, Boone County Courthouse in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Commissioners present for said public hearing were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Darrel Thorin, Highway Superintendent, was present to answer the 2016 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 2016 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 2016 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 five projects. Thorin prepared a map to use as a visual aid showing the location of the proposed projects. The Board received no opposition at the hearing.

Thorin acknowledged that Project No. 382, East Fairview Street, Albion from the city limits to State Highway 14, is for storm sewer drainage and that the County of Boone and City of Albion will share the costs of construction. Thorin acknowledged Project No. 376, one mile of major road reconstruction on the road known as Central Highway east to the county line and will be a joint project with Platte County. In addition, the one-year projects include three bridge replacements and two other road projects. 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 2016 proposed projects one-year plan and six-year plan as presented by Boone County Highway Superintendent, Darrel Thorin.

Motion made by Tisthammer, second by Maricle to close said hearing at 12:07 P.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the 2016 One and Six Year Road Improvement Program for Boone County, Nebraska as presented. 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 FEBRUARY 16, 2016

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, February 16, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

The County Safety Committee met at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding sidewalk assessment in the spring for removal and replacement. The following new business was discussed: (1) Nelson provided an informational Safety Committee Report for review that NIRMA provided regarding their inspection on January 27, 2016; (2) Injury/Accident report forms were handed out for department heads to utilize to help with the overall process of reporting accidents; (3) Nelson plans to complete building inspection forms provided by NIRMA in the spring and fall, this will provide documentation that the inspections were completed; and (4) updating of the defibrillators in the Courthouse and Law Enforcement Building. Nelson reported of one accident for last quarter. The committee discussed preventability and safety suggestions were addressed by the committee regarding worker's compensation claims. The next safety committee meeting is scheduled for May 16, 2016. The Safety Committee meeting was adjourned by Nelson at 9:18 A.M.

The Board heard a general assistance request regarding rent. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Luettel, second by Maricle to approve the balance of the rent amount due for January and February payable directly to the entity. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Jeff Jarecki, Jarecki Yosten PC LLO, and the Board discussed the abandonment of real estate. Jarecki provided a copy of a document where the State of Nebraska, Department of Roads relinquished their interest in a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska to Boone County, Nebraska in 1975. Jarecki said that his client(s) have farmed the strip of real estate property for many years. Jarecki and the Board discussed ownership of the strip of real estate property in question and how the property is listed in the Assessor's office in regard to property taxes. Motion made by Luettel, second by Maricle to approve and appoint Darrel Thorin, County Highway Superintendent, to complete a feasibility study regarding the strip of real estate property in regards to being identified as county road right-of-way or real estate relinquished to the county off of a former State Highway. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of February 8, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



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 Albion Chamber of Commerce requested assistance to advertise the Rhythm & Ribs event scheduled for August 27, 2016. 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 Holiday Promotion event scheduled for November 17, 2016 through December 24, 2016. 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.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. In addition, the following topics were discussed:

- Thorin updated the Board regarding proposed legislation and the Nebraska Department of Roads (NDOR) new director's ideas for bridge funding and working with counties/municipalities.
- Thorin said that the county road department is dealing with the mud issues with what gravel is left in the stock piles. The gravel that is available will need to be used to patch the worst road areas first.
- Thorin is drafting an ad for interested truckers to back-haul aggregate for the county and an agreement/contract for all interested parties.
- Thorin and Luettel met with Orrin Strand and interested neighbors to discuss road concerns. Thorin informed them that the miles of road vacated is a loss in state aid allocation funds; a landowner cannot provide gravel on an open county road due to liability issues; and there is a shortage of aggregate available to counties.
- Commissioner Maricle asked for a clarification of the process to discuss road matters with groups of residents. The proper way is for a group of citizens to express/discuss concerns is by asking to be on the Board of Commissioners' agenda, in order for an official decision.

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

- Commissioner Luettel asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective office.
- County employees may participate in the Wellness Partners Health Fair scheduled for March 10, 2016 at the courthouse from 6:30 – 9:00 a.m.
- Any department with surplus property is asked to let the other departments know it is available.
- The group present voted on their preference to complete the Employee Handbook review. The majority voted to try and complete the review on February 24 and 29, 2016.

Darrel Thorin, County Highway Superintendent, presented the 2016 One and Six Year Road Improvement Program for Boone County, Nebraska at the 10:00 A.M. public hearing. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-05, adopting the 2016 One and Six Year Road Improvement Program for Boone County, Nebraska as presented at the public hearing. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented an Interlocal Cooperation Agreement between the County of Boone, Nebraska and the City of Albion, Nebraska. The City of Albion has precipitated the evaluation and design of the Fairview Street Drainage Improvement project for the purposes of addressing



Boone County Board Minutes



storm water drainage deficiencies that currently exist upon both the City of Albion streets and an adjoining Boone County Road. The project along Fairview Street from City Limits East to State Highway 14 is a mutual benefit to the city and county, and both desire to share equally in the cost of the construction. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign Resolution No. 2016-06, an Interlocal Cooperation Agreement between the County of Boone, Nebraska and the City of Albion, Nebraska regarding the Fairview Street Drainage Improvement project as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board and department heads present at the meeting discussed employee compensation due to the closing of the courthouse during inclement weather. The employee handbook addresses employee compensation when the employee is unable to get to work when the courthouse is open during inclement weather. However, the employee handbook does not address employee compensation due to the courthouse being closed during regularly opened hours. The department heads reviewed policies received from other counties following the February 8, 2016 Board meeting. Motion made by Maricle, second by Luettel to approve Courthouse Closed Policy compensation as follows: (a) Courthouse open: Vacation leave will be deducted for employees unable to be present at work due to inclement weather. Employees shall be required to use earned compensatory time before using vacation leave for inclement weather instead of taking a reduction in vacation leave. If an employee's vacation and compensatory time have been exhausted, then the absence will be without pay. In the event that a non-exempt employee does not arrive at the normal starting time, a pro-rated amount shall be deducted; (b) Courthouse closed: Employees shall receive regular pay for the hours they were normally scheduled to work that day, such hours will not be considered as time worked when computing overtime. Employees on scheduled vacation or sick leave on a day that the County closes the courthouse, the employee is not allowed to alter their vacation or sick leave scheduled to take advantage of the closed day; and (c) Courthouse closed: Employees scheduled to work due to the nature of their department's job responsibilities and worked shall receive their regular rate of pay for hours worked. Employees that worked their scheduled shift shall receive compensatory hours for equivalent to hours courthouse was closed. Employees that worked but did not complete their scheduled shift shall receive their regular rate of pay for worked/scheduled hours and prorated compensatory hours for the hours actually worked. (Example: Employee scheduled to work 10 hours; only worked 2 hours; receives regular rate of pay for 10 hours; receives compensatory time based on the time worked while the courthouse was closed up to a maximum of total hours courthouse was closed). Non-scheduled employees receive no compensation. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

An Agreement between the County of Boone DBA Boone County Ambulance and EMS Billing Services, Inc. of Omaha, Nebraska became effective on March 1, 2014. The basic life support call rate set in 2014 for BLS/Non-emergency - \$330.00 and ALS/Non-emergency - \$370.00. EMS said that the rates could use some increasing, just depends on the cost of running the county ambulance services. The Boone County Ambulance Service is a separate fund that is self-funded and no real estate/personal taxes are collected to help fund the ambulance services. The information EMS provided shows the current billing lower range of rates being BLS/Non-emergency at \$488.75 and ALS/Non-emergency at \$690.00. The suggested rate change for the county ambulance services is BLS from \$330.00 to \$425.00 and ALS from \$370.00 to \$600.00. The Board would like more information on the rates that the surrounding areas are using for ambulance services. Motion made by Luettel, second by Maricle to table any change to the Boone County Ambulance Service rates to receive more area information. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Mary Ziemba, County Planning and Zoning Administrator, updated the Board regarding zoning activities. Ziemba said that the Zoning Permit Application forms have been redesigned and updated. In addition, Ziemba said that the Planning and Zoning Commission Board have been discussing some type of action when landowners do not follow zoning regulations.



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The Board, Chuck Rolf, Boone County Agricultural Society, Inc., and Trent Kraus and Delmer Pelster, Boone County Raceway, discussed an additional/second liquor license under the Boone County Agricultural Society, Inc. The additional new Manager Application would read Boone County Agricultural Society, Inc. (Ag Society) as the name of the corporation and premise trade name as Boone County Raceway (Raceway). The manager of the second liquor license representing the Raceway is Delmer D. Pelster. The additional Ag Society liquor license permit is for the grandstand area of the Boone County Fairgrounds. Rolf and Kraus informed the Board that with the Ag Society having two separate liquor licenses, if one license would happen to be suspended for a violation regarding an event, it would not affect the other license. Rolf informed the Board that the Ag Society will open a separate checking account for the Boone County Agricultural Society, Inc./Boone County Raceway activities. Motion made by Tisthammer, second by Luettel to approve the additional/second liquor license Manager Application request for the Boone County Agricultural Society, Inc./Boone County Raceway and a separate checking account for the Raceway activities as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to go into executive session at 12:38 p.m., per the Open Meeting Act §84-1410(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. The Board conducted an annual employee evaluation. Motion made by Maricle, second by Luettel to come out of the executive session at 1:03 p.m. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried. Annual employee evaluation, no action was taken by the Board.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Rusty Bruland, Boone County Ambulance, updated the Board in regard to the paint specs and lettering of the new county ambulance. Bruland said that the new ambulance unit is scheduled for June delivery.
- Darrel Thorin, County Highway Superintendent, updated the Board regarding minimum on-call compensation information he received from NIRMA legal counsel.
- Jim Ely, County Attorney, updated the Board regarding the uncollectible ambulance accounts that the Board turned over to the County Attorney for collection. Ely reported the dates that letters were mailed requesting payment and that no payments received to date.

Chairman Luettel declared the meeting adjourned at 1:06 P.M. with the next Board meeting scheduled for Wednesday, February 24, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 24, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, February 24, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Hilary K. Maricle and Jerry L. Tisthammer. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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 Payroll Claims filed for payment from the various funds with the adjustment of employee(s) payroll per courthouse closed policy equivalent to a forty hour work week regarding February 2 and 3, 2016: General \$89,421.14, BCBS \$42,235.90, Ameritas Ret \$6,193.96, EFTPS \$6,651.90, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$46,939.39, BCBS \$22,822.18, Ameritas Ret \$3,168.40, EFTPS \$3,536.78; Ambulance \$2,625.00, Ameritas Ret \$74.25, EFTPS \$200.81; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,920.14, Ameritas Ret \$338.19, EFTPS \$529.40, which is all reimbursed back to the County. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of February 16, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the 2016 One and Six Year Road Improvement Program Public Hearing Proceedings of February 16, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Visitor's Promotion Fund Committee met on Thursday, February 11, 2016 at 4:15 p.m. in the Boone County Courthouse. The committee reviewed collections, disbursements and application guidelines. The committee suggested one change to the funding guidelines regarding reimbursements. The committee decided to add programs to the list of items that are not eligible for reimbursement, due to the programs are handed out at the event, therefore the advertisement on an event program is not in advance of the event. Motion made by Maricle, second by Tisthammer to approve the change to the Boone County Visitor's Promotion Fund guidelines to add "Printed Programs handed out at the events are not a reimbursable expenditure" effective April 1, 2016. Roll call vote: Yeas: Maricle, Tisthammer 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 three requests for advertisement funding.

The Boone County Agricultural Society, Inc. requested assistance to advertise the Boone County Home, Farm & Garden Show event scheduled for March 19, 2016. 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.



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The Cedar Rapids Community Club requested assistance to advertise the Cedar Rapids Melodrama event scheduled for April 1, 2, 3, 8 and 9, 2016. 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 Albion Chamber of Commerce re-submitted the request for assistance to advertise the Mayday Madness event scheduled for April 29 and 30, 2016 with additional description of the event. 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.

Denny Johnson, County Sheriff, and the Board discussed prisoner medical expenses. Johnson informed the Board of a sizeable prisoner medical bill that the County received. Johnson plans to visit with counties that have jail facilities similar in size to find out how they budget for unknown prisoner medical expenses.

Jim Ely, County Attorney, and the Board discussed insulating walls and ceiling in the County Attorney's office. Ely said that in his office he can hear conversation/noise through the walls from another office. Rod Nelson, Maintenance, informed the group that insulation was added between the computer room and women's restroom at the time of the courthouse 2010 renovation. You still can hear some of the conversation through the walls yet today. Commissioner Luettel informed the group of a noise cancelling device that is used by hospitals/clinics. Nelson said he is familiar with the noise cancelling device. Nelson plans to look into options regarding sound proofing materials.

Jim Ely, County Attorney, and the Board discussed the purchase of a county cell phone for the County Attorney's office. Ely said that his office assistant is receiving phone calls on her personal cell phone at home from attorneys asking if the office is open and/or if court is still scheduled during inclement weather. Currently the only county owned cell phones are for essential/emergency personnel that being the County Sheriff, Highway Superintendent and Ambulance. Commissioner Luettel asked Ely if more than 60% of the cell phone usage was for county business and why they were calling the office assistance instead of himself, who is the elected department head. No decision was made at today's meeting.

The Board and department heads present continued reviewing the County Employee Handbook for changes/updates. Information regarding the catastrophic policy was distributed for those present to review for discussion on February 29, 2016 Board meeting.

Open discussion and miscellaneous public comments:

- Tom Smith, Region 44 Emergency Manager, updated the Board regarding emergency management activities. Smith suggested that one time a month be set up to test the public alert system, due to the constant change of email addresses and phone numbers.
- Darrel Thorin, County Highway Superintendent, presented several pictures showing the damage to and issues with the county roads. Thorin said that the issues with the roads following snow storms or weather related incidents is harsh enough on the roads, but heavy equipment hauling livestock waste on county roads that are soft from weather conditions, causes excessive damage to the roads and loss of aggregate.

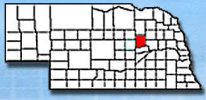
Chairman Luettel declared the meeting adjourned at 12:37 P.M., the next Board meeting is scheduled for Monday, February 29, 2016.



Boone County Board Minutes



Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 7, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 7, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

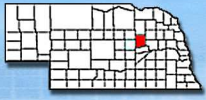
Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel acknowledged the agenda and noted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

Vic Lee and Tanya Sharp, Boone County Health Center, presented the Boone County Health Center audit report for year ending September 30, 2015 to the Board for their review. Sharp reviewed areas of the financial audit in regard to the daily operations and cash on hand graphs, financials on pages 8-11 and the financial/statistics on page 24. Lee said the Boone County Health Center has no long term debt and activity is increasing at the hospital and clinics. Lee said that the new electronic medical records (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. The new electronic system is beneficial to transport patient files to another medical location. They are working on scanning all of the prior patient records, but it is taking a lot of time. Lee said that the proposed clinic addition is on hold due to lack of funds and felt that the Affordable Care Act has taken an impact on rural medical facilities.

The Board reviewed an Interlocal Agreement between the City of Albion, NE and the County of Boone, NE for the demolition of the old city pool facility and construction of public parking improvements. The City of Albion owns the property known as the old swimming pool. The Boone County Health Center (BCHC) is planning public health care facility improvements for additional clinic/office space. Lee said that the BCHC will be responsible for the demolition of the existing pool facility and the improvements of the property for paved parking. The paved parking shall be used for public parking for Fuller Park, Albion Family Aquatic Center and the Boone County Health Center. The Board felt that the Interlocal Agreement should be between the City of Albion and Boone County Health Center. Motion made by Maricle, second by Luettel to table the Interlocal Agreement for updated dates and rewording of the document. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of February 24, 2016 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The County of Boone DBA Boone County Ambulance Service and EMS Billing Services, Inc. of Omaha, Nebraska signed an Agreement in March 2014. EMS Billing Services needs updated information regarding the Boone County Ambulance Service. The Board reviewed the information provided by EMS and decided to increase the following base rates: BLS Non-Emergency \$330.00 to \$400.00; BLS Emergency \$505.00 to \$550.00; and ALS Non-Emergency \$370.00 to \$450.00. The Board understands that the rate increases still fall in the lower range of the current industry rates. Motion made by Maricle, second by Luettel to approve the base rate for BLS Non-Emergency-\$400.00; BLS Emergency-\$550.00; ALS Non-Emergency-\$450.00 effective April 1, 2016 with a resolution prepared for the next Board meeting. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



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Darrel Thorin, County Highway Superintendent, and the Board reviewed a state contract bid for a new Caterpillar 12M3AWD motor grader from Nebraska Machinery Company, Omaha, NE. Thorin presented the base cost of \$274,500.00 plus the option for an auto-articulate and blade control package of \$7,500.00 and snow-plus front tires for \$3,892.00. The new machine includes a product-link showing fuel usage and if it uses more than four gallons of fuel per hour then additional parts credit will be received. NMC's sales agreement includes \$14,000.00 customer parts credit and a five year/5,000 HR Premier extended warranty. The machine may be ordered now but will not likely be delivered until July or later. The purchase would be made from the 2016-2017 fiscal budget year. Thorin informed the Board that the County has twelve motor graders and that he would like to set up a program where one motor grader is replaced each year due to the high cost of repairs. Motion made by Luettel, second by Tisthammer to approve and authorize Darrel Thorin, County Highway Superintendent, to sign the necessary papers for the purchase of a new Caterpillar motor grader for approximately \$289,892.00 from NMC, Omaha, NE as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board approved the following on February 8, 2016: "the county road department on-call policy for emergencies/inclement weather after regular scheduled work hours, utilizing the map outlining the respective county road employees designated road maintenance area and to be included in the road employment job description." Thorin and the Board discussed compensation for a road employee that is called out for emergencies/inclement weather after their regular scheduled work hours. The on-call policy clock-in time for the road employee shall be the time they are called on their phone and the clock-out time shall be on the time clock at the road department shop building. Thorin asked for a two-hour minimum compensation for road employees who are called to work after regular scheduled hours due to special circumstances. Motion made by Luettel, second by Maricle to approve a two-hour minimum compensation for road employees who are called to work after regular scheduled hours due to emergencies/inclement weather and to be included in the road employment job description as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

On February 16, 2016 the Board appointed Darrel Thorin, County Highway Superintendent, to complete a feasibility study regarding a strip of real estate property, being a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska in regards to being identified as county road right-of-way or real estate relinquished to the county off of a former State Highway. The State of Nebraska, Department of Roads relinquished their interest in a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska to Boone County, Nebraska in 1975. Thorin informed the Board that when he was measuring the portion of the property in question, some of the property may need to remain as county road right-of-way. Thorin suggested the property be surveyed for accurate measurements for all parties involved. The Board asked Thorin to contact the County Surveyor for an estimated cost to survey the property abandoned along the old State Highway for accurate measurements.

Maschhoffs LLC requested permission to trench a culvert under a county road commonly known as 190th Street running East and West between Sections 14 and 23, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The trenched culvert is for the purpose of laying a hose through the culvert for pumping animal waste from a lagoon and knifing onto a neighboring property. The culvert will run from the SE1/4 of Section 14 to the NE1/4 of Section 23, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-07, granting permission to Maschhoffs LLC to trench a culvert under a county road known as 190th Street to the NE1/4 of Section 23, Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.



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Maschhoffs LLC requested permission to trench a culvert under a county road commonly known as 200th Street running East and West between Sections 21 and 28, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The trenched culvert is for the purpose of laying a hose through the culvert for pumping animal waste from a lagoon and knifing onto a neighboring property. The culvert will run from the SE1/4 of Section 21 to the NE1/4 of Section 28, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-08, granting permission to Maschhoffs LLC to trench a culvert under a county road known as 200th Street to the NE1/4 of Section 28, Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Maschhoffs LLC requested permission to trench a culvert under a county road commonly known as 130th Avenue running North and South between Sections 27 and 28, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The trenched culvert is for the purpose of laying a hose through the culvert for pumping animal waste from a lagoon and knifing onto a neighboring property. The culvert will run from the NE1/4 of Section 28 to the NW1/4 of Section 27, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-09, granting permission to Maschhoffs LLC to trench a culvert under a county road known as 130th Avenue to the NW1/4 of Section 27, Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

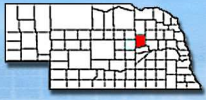
The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received three requests for advertisement funding.

The Albion Chamber of Commerce requested assistance to advertise the Turkey Trot event scheduled for November 24, 2016. 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 Albion Chamber of Commerce requested assistance to advertise the Halloween Party event scheduled for October 31, 2016. Motion made by Tisthammer, second by Luettel to table a decision regarding the application request until the Board receives more information from the committee members. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Albion Chamber of Commerce requested assistance to advertise the Alumni Pancake Feed event scheduled for June 18, 2016. Motion made by Maricle, second by Luettel to table a decision regarding the application request until the Board receives more information from the committee members. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Randall Bruland, Boone County Ambulance, presented information regarding a power-loading fastener system kit for the present cot that is in the county ambulance. Motion made by Tisthammer, second by Maricle to approve the request to update the present Boone County Ambulance Stryker Cot with a power-loading fastener system kit for approximately \$3,500.00, with the update being completed at the same time the new County Ambulance unit is delivered. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



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Motion made by Luettel, second by Maricle to re-schedule the Boone County Weed Superintendent discussion to the March 14, 2016 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and department heads present continued reviewing the County Employee Handbook for changes/updates. The majority of the discussion was in regard to the Catastrophic Illness Donation policy and the Salary Schedule Exhibit "C".

Open discussion and miscellaneous public comments:

- Commissioner Luettel initiated a discussion regarding an attendance policy for the Board of Commissioners. The regular scheduled meeting for Monday, February 29, 2016 was not held due to no quorum for the meeting. Commissioner Tisthammer was unable to attend due to an illness. Commissioner Maricle was in Michigan for a Farm Bureau meeting, an email was sent to the county offices on February 28, 2016 at 11:43 p.m. apologizing for her absence. The February 29, 2016 Board meeting was rescheduled and advertised for Monday, March 7, 2016.
- The Board heard and reviewed a county funeral services request.

Chairman Luettel declared the meeting adjourned at 1:00 P.M., the next Board meeting is scheduled for Monday, March 14, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 14, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 14, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 - \$60,119.68; Road - \$109,651.78; Boone County Visitor's Promotion - \$1,432.20; Reappraisal - \$8,500.00; Inheritance Tax - \$10,702.44; 911 Emergency Management (2910) - \$632.89; 911 Wireless Service (2913) - \$668.48; Ambulance - \$2,821.45. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of March 7, 2016 as presented. 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 February, 2016:

- Clerk - \$13,028.00 (State of Nebraska \$8,134.23)(County of Boone \$4,893.77)
- Clerk of the District Court - \$913.12 (State of Nebraska \$275.00)(County of Boone \$638.12)
- Sheriff - \$1,407.98
- County Planning & Zoning - \$134.52
- Treasurer - Treasurer's Fees - \$68.00; Miscellaneous Receipt Nos. 14821-14880 - \$500,228.88; Total Collections - \$876,896.75
- County Veteran Service office report for the month of February, 2016.

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

The Board reviewed and approved ambulance base rate increase at their March 7, 2016 Board meeting. The Board increased the following base rates: BLS Non-emergency \$330.00 to \$400.00; BLS Emergency \$505.00 to \$550.00; and ALS Non-emergency \$370.00 to \$450.00. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-10, increasing the Boone County Ambulance Service base rates for BLS/Non-emergency to \$400.00; BLS/Emergency to \$550.00; and ALS/Non-emergency to \$450.00 effective April 1, 2016 as presented. 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 and reviewed requests for advertisement funding.



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The Albion Area Arts Council submitted an application requesting assistance to advertise the Habitat 4 Harmony concert scheduled for April 17, 2016. 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.

The Albion Chamber of Commerce submitted an application requesting assistance to advertise the Alumni Pancake Feed event scheduled for June 18, 2016. Motion made by Luettel, second by Maricle to deny 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 Albion Chamber of Commerce submitted an application requesting assistance to advertise the Halloween Party event scheduled for October 31, 2016. Motion made by Tisthammer, second by Luettel to deny 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.

Motion made by Tisthammer, second by Maricle for the Board and County Weed Superintendent to go into executive session at 9:50 a.m., per the Open Meeting Act §84-1410(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. The Board conducted an employee evaluation. Motion made by Maricle, second by Luettel to come out of the executive session at 10:21 a.m. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried. The Board conducted an employee evaluation, no action was taken by the Board.

The county is in need of gravel and rock as well as truckers to back-haul for the county. The Board advertised for proposals from interested truckers to back-haul aggregate for the county. The Board opened the seven proposals and reviewed the proposals with Darrel Thorin, County Highway Superintendent. The proposal differences ranged from between \$6.00 to \$12.50 per ton, due to the type of aggregate being hauled and the distance from the quarries to Boone County. The back-haul proposals were received from Dobson Farms, Cedar Rapids; Gray's Trucks & Farm, Inc., Albion; Jason Hoefer Trucking, Elgin; Ken Luettel Farm, Petersburg; PPK Two & PPK Trucking, Primrose; RCH Transfer, Elgin; and Schlecht Trucking, LLC, Clearwater. Motion made by Maricle, second by Tisthammer allowing Darrel Thorin, County Highway Superintendent, to negotiate all submitted bids up to \$12.50 per ton and follow up with back-haul contracts allowing for negotiable fuel surcharge as needed. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

Commissioner Luettel presented information from the Nebraska Accountability and Disclosure Commission regarding non-exclusive contracts and a procedure for a board member to enter into an open contract with the county to haul gravel, etc. at the February 8, 2016 board meeting. Matters involving an interest in contracts with government bodies are addressed in Nebraska Revised Statute Chapter 49. Motion made by Maricle, second by Tisthammer to approve Darrel Thorin, County Highway Superintendent, to draft a resolution in regard to the County Board of Commissioners on occasion to engage in work for the County beyond their duties and responsibilities as County Commissioners for which they will receive a direct pecuniary fee or commission as a result of such work for review and approval at the March 21, 2016 Board meeting. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

Darrel Thorin, County Highway Superintendent, presented the February road maintenance, repair and project report to the Board for their review. Thorin updated the Board regarding road/bridge maintenance, materials



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and projects. Thorin reported that the road employees are busy removing trees during the allotted time between April 1st and September 1st due to FHWA regulations involving federal funding for roads and bridges, from the county road right-of-ways.

Cornhusker Public Power District requested permission to bore an electrical cable under a county road running north and south between Sections 8 and 9, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, commonly known as 240th Avenue. The bored electrical cable commences on the west side in Section 8 and going 70 feet east to Section 9 to serve Pillen Feed Mill. The crossing will be bored under 240th Avenue being 1045 Feet north of State Highway 14 or 360 feet north of section line of the NW1/4 of Section 16, Township 20 North, Range 6 West of the 6th P. M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-11, granting permission to Cornhusker Public Power District to bore an electrical cable under a county road known as 240th Avenue for Pillen Feed Mill as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and Rod Nelson, Courthouse maintenance, discussed the following:

- Replacement of the Grasshopper Lawn Mower Model 723 that is no longer made. Nelson presented quotes for Grasshopper Lawn Mower Models 725KT and 727EFI. Nelson said that the snow blower and brush attachments for the current mower may be used with either quoted model. Nelson presented quotes from two businesses that sell and service the lawn mowers. The Board asked Nelson to contact another county business for a quote that sells and services lawn mowers.
- Nelson presented a quote for four windows that need replacement at the Law Enforcement Building/Sheriff's office. The new windows will be tinted and have the availability to be opened. The Board asked Nelson to seek more bids.
- Nelson presented quotes from NMC for annual or semi-annual maintenance agreements for the Winco generator at the Sheriff's office and the Olympian generator located at the County Communications Tower. The Olympian generator will automatically run for 53 minutes every two weeks. The Winco generator is checked one time a year. The quotes included a list of the maintenance procedures. Both generators are necessary for the operation of the emergency equipment and notification systems for inclement weather and disasters. Motion made by Tisthammer, second by Luettel to approve the NMC quote of an annual maintenance for the Winco generator of \$617.00 and semi-annual maintenance for the Olympian generator of \$414.00 each inspection as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.
- Nelson informed the Board that the three small generators under the Emergency Management care are fuel injected and that he starts them one time a month to check them for working order and changes the fuel so that they are ready if needed.
- The Board agreed to have Jarecki Lawncare to complete the thatching of the courthouse lawn for the year 2016 and asked Nelson to seek bids in 2017.

The Board heard and reviewed a county burial request on March 7, 2016. Motion made by Luettel, second by Maricle to approve the county burial request as outlined in Resolution No. 2011-42. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



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Commissioner Tisthammer was not feeling well and excused himself at 11:33 a.m.

Open Discussion and miscellaneous public comments:

- Commissioner Maricle made a comment regarding department heads re-signing a claim when a corrective change is made. The department heads/employee are usually notified of changes on claims and receive a copy if a change is made.

Chairman Luettel declared the meeting adjourned at 11:39 A.M. with the next Board meeting scheduled for Monday, March 21, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 21, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 21, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board opened the two proposals submitted for the courthouse lawn care. The Board and Rod Nelson, Maintenance, reviewed the proposals. The 4-Step application with grub control proposals were received from Jarecki Lawncare Greenhouse, LLC - \$1,050.00 and Schrad's KLawn - \$1,500.00. Jim Jarecki and Steve Schrad were present at the Board meeting to present and answer questions regarding their proposals. Schrad uses liquid form and Jarecki uses granular form for fertilizer and liquid form for weed control. 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. Motion made by Luettel, second by Tisthammer to approve the 2016 lawn care proposal for the courthouse lawn care from Jarecki Lawncare Greenhouse, LLC for \$1,050.00 for one year with the option to take lawn care bids and/or rotate the lawn care services each year. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board and Rod Nelson, Maintenance, discussed courthouse lawn mower proposals. The Board asked Nelson to contact another county business for a lawn mower quote at their March 14, 2016 Board meeting. The additional quote Nelson received was for approximately \$25,000.00. The type of lawn mower the business sells and services is not compatible with the attachments the county already owns. The Board received quotes to review at their March 14, 2016 Board meeting from Kayton International, Inc. and Reardon Lawn and Garden, Inc. for Grasshopper Lawn Mower Models 725KT and 727EFI to replace the current Model 723K that is no longer made. Nelson said that the snow blower and brush attachments for the current mower may be used with either of the last two quoted models. Motion made by Tisthammer, second by Maricle to approve and authorize Rod Nelson, Maintenance, to complete the paper work for a new fuel injected Grasshopper Lawn Mower Model 727EFI from Kayton International, Inc. for \$4,700.00 (\$12,200.00 less trade in of \$7,500.00) as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Nebraska Legislature has enacted and the Governor has signed legislation relative to the interest of County Officers in public contracts. Members of the County Board of Commissioners on occasion engage in work for the County beyond their duties and responsibilities as County Commissioners for which they will receive a direct pecuniary fee or commission as a result of such work. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-12, (1) Any board member may enter into a contract with Boone County during the year 2016 for the furnishing of services beyond the statutory responsibilities and duties as County Commissioners. (2) Such Commissioner entering into such agreement shall comply with the statutes relating to interest in public contracts, Section 49-14, 103.01 et seq. as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of March 14, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Great Plains Communications requested permission to plow fiber optic cable on the east side of 240th Avenue, commencing at the southeast corner of 240th Avenue and 110th Street, thence plowing north on the east side of 240th Avenue a distance of 2080 feet to a point of termination. The County road runs north and south and is commonly known as 240th Avenue between Sections 4 and 5, Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-13, granting permission to Great Plains Communications to plow fiber optic cable on the east side of 240th Avenue as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Great Plains Communications requested permission to plow fiber optic cable on the east side of 240th Avenue, commencing at the southeast corner of 240th Avenue and 110th Street intersection, thence plowing south on the east side of 240th Avenue a distance of 1270 feet to a point of termination. The County road runs north and south and is commonly known as 240th Avenue between Sections 8 and 9, Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-14, granting permission to Great Plains Communications to plow fiber optic cable on the east side of 240th Avenue as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Great Plains Communications requested permission to plow fiber optic cable on the south side of 110th Street, commencing at the northeast corner of Section 8, Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska also known as the southeast corner of 240th Avenue and 110th Street intersection, thence plowing westerly on the south side of 110th Street a distance of 2192 feet to a point of termination. The County road runs east and west and is commonly known as 110th Street between Sections 5 and 8, Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-15, granting permission to Great Plains Communications to plow fiber optic cable on the south side of 110th Street as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board reviewed several proposals submitted by truckers to back-haul aggregate for the County at their March 14, 2016 Board meeting. Darrel Thorin, County Highway Superintendent, prepared a Non-Exclusive Contract for Services for each of the interested truckers. The contracts are for the year 2016 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. Motion made by Tisthammer, second by Maricle to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by Darrel Thorin, County Highway Superintendent. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a Non-Exclusive Contract for Services referencing the Resolution No. 2016-12, from Ken Luettel Farm to back-haul aggregate for the County. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Vice-Chairman to sign the Non-Exclusive Contract for Services for Ken Luettel Farm as presented. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Tom Smith, Region 44 Emergency Manager, updated the Board and provided informational material regarding a StormReady program. StormReady is a nationwide program that helps communities better protect their citizens during severe weather. The program encourages communities to take a proactive approach to improving local hazardous weather operations. StormReady provides emergency managers with guidelines on how to improve their hazardous weather operations.



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Tom Smith, Region 44 Emergency Manager, updated the Board in regard to the Region 44 Emergency Management and the Sheriff's office Emergency Notification System. This service allows fire, law enforcement and other emergency response agencies to issue emergency alerts to warn citizen of events such as need for immediate evacuation, crime/imminent danger and local area emergencies. To sign-up go to the Boone County website's homepage and click on the "Receive Emergency Alerts & Community Notifications" button. In addition, Smith updated the Board regarding several Region 44 Emergency Management activities and meetings.

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

- County officials reported on activities with regard to their respective office.
- County officials reported on legislation to watch for possible changes that may have an impact on county budget revenues, valuations, elections and road projects.
- Employees parking in the courthouse north parking lot are asked to try and not hang over the curb on the north side during lawn mowing season.
- The group discussed the noise through the walls from other offices. It was mentioned that some voices just naturally carry more than others. A possible suggestion is for the office being bothered by sound to discuss it with the other office to let them know you can hear what is going on. The group continued the discussion on possibilities for sound proofing the courthouse offices.

The Board and department heads present continued reviewing the County Employee Handbook for changes/updates.

The majority of the discussion was in regard to adding bullying to the Harassment Policy and Complaint Procedure. At the March 7, 2016 handbook review meeting it was asked if there should be a separate bullying exhibit added to the employee handbook. Correspondence received from NIRMA specialist and NIRMA legal counsel indicated that it is outlined under the harassment policy and also under the rules section in the NIRMA model handbook, of which both are included in the Boone County Employee Handbook. In addition, NIRMA legal counsel said if you want to explicitly address bullying (a good idea, particularly if it is a problem), I recommend adding an additional prohibition in the list of rules in the rules section of the Handbook: "Bullying behavior, including but not limited to verbal, physical, by gesture, or by exclusion." Some felt it is already covered under the harassment policy and some had concerns with the additional wording. Motion made by Maricle, second by Tisthammer to add to the rules section of the employee handbook, per NIRMA consultant recommendation, "Bullying behavior, including but not limited to verbal, physical, by gesture, or by exclusion." Roll call vote: Yeas: Maricle. Nays: Tisthammer and Luettel. Motion did not carry.

The group reviewed the Catastrophic Illness Donation policy for changes. NIRMA legal counsel asked permission to share the County's policy with an outside firm to ensure the policy complies with all applicable IRS regulations. Motion made by Luettel, second by Tisthammer to grant permission to NIRMA legal counsel to forward the Catastrophic Illness Donation policy to a partner firm for review/approval. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.

Chairman Luettel declared the meeting adjourned at 11:46 A.M. with the next Board meeting scheduled for Monday, March 28, 2016.

Kathy Thorberg,



Boone County Board Minutes



Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 28, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 28, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$87,379.80, BCBS \$43,720.88, Ameritas Ret \$6,046.32, EFTPS \$6,495.72, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$46,976.77, BCBS \$22,822.18, Ameritas Ret \$3,170.93, EFTPS \$3,539.67; Ambulance \$955.00, Ameritas Ret \$39.49, EFTPS \$73.05; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,503.63, Ameritas Ret \$331.16, EFTPS \$497.53, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of March 21, 2016 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 for March 21, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Mary Ziemba, County Planning and Zoning Administrator, presented a report for the Board to review. Ziemba reported on information she received at the Nebraska Planning and Zoning Association annual conference regarding the following: information for findings of fact; livestock and agriculture; keep character of communities; shipping containers; bills in the legislature; and case law reviews. Ziemba said she prepared/updated some of the forms used by the County Planning and Zoning office for the Boone County Planning and Zoning Commission Board to review. Ziemba informed the Board that a Conditional Use Permit request and discussion regarding the Nebraska Department of Agriculture "Nebraska Livestock Friendly County" program are agenda items for the Boone County Planning and Zoning Commission Board meeting scheduled for March 28, 2016.

The Nebraska Livestock Friendly County program is a voluntary program that recognizes counties that actively support the livestock industry. Nebraska Department of Agriculture uses the program to assist counties and agricultural producers to promote the livestock industry. The program has no bearing or changes to the respective adopted County Zoning regulations.

Laurie Krohn, County Treasurer, presented a bond payment, per Nebraska State Statute, for the Board to review. The courthouse renovation bonds were issued in 2009. The Boone County Limited Tax Building Bonds final payment of \$238,936.25 is due May 14, 2016. Motion made by Maricle, second by Tisthammer to authorize Laurie Krohn, County Treasurer, to process the bond payment when due to Union Bank & Trust Company as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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Maschhoffs LLC requested permission to trench a culvert under a county road commonly known as 120th Avenue running North and South between Sections 20 and 21, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The trenched culvert is for the purpose of laying a hose through the culvert for pumping animal waste from a lagoon and knifing onto a neighboring property. The culvert will run from the SW1/4 of Section 21 to the NE1/4 of Section 20, all in Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-16, granting permission to Maschhoffs LLC to trench a culvert under a county road known as 120th Avenue to the NE1/4 of Section 20, Township 21 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and Rod Nelson, Maintenance, discussed surplus property to possibly be placed on the FFA auction in April. In addition, the Board and Nelson discussed options for sound-proofing of courthouse offices.

Open discussion and miscellaneous public comments:

- Commissioner Maricle reported on the Boone County Agricultural Society, Inc. and LEPC meeting she attended last week.
- Commissioner Luettel reported on the Northeast Nebraska Juvenile Services, Inc. meeting he and Sheriff Johnson attended last week.

Chairman Luettel declared the meeting adjourned at 10:22 A.M., the next Board meeting is scheduled for Monday, April 11, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS CLASS A RETAIL LIQUOR LICENSE FOR BOONE COUNTY AG SOCIETY INC DBA BOONE COUNTY RACEWAY

Ken Luettel, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Monday, March 28, 2016 at 9:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Tisthammer 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 Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Chuck Rolf, Boone County Ag Society, Inc. representative, and Delmer Pelster, Boone County Raceway representative, were present to answer any questions. Chairman Luettel 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. Boone County Ag Society Inc 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 (116902) beer, on sale only.

Delmer Pelster and Chuck Rolf answered questions from the Board regarding the plans for Boone County Raceway. Pelster said practice night is scheduled for April 15, 2016 and the first race is scheduled for April 22, 2016. The Board received no opposition. Denny Johnson, Sheriff, provided a letter saying that the Boone County Sheriff's department will supply adequate presence during the races.

Motion made by Maricle, second by Tisthammer to close said hearing at 9:12 A.M. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve as presented the Application by Boone County Ag Society Inc 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 APRIL 4, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 4, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

Chuck Rolf, Boone County Agricultural Society, Inc. representative and Delmer Pelster, Boone County Raceway representative, were present to discuss the Boone County Raceway approved liquor license with the Board. The Board approved an application submitted by the Boone County Ag Society Inc dba Boone County Raceway for the issuance of a Retail Liquor License for Class A (116902) beer, on sale only at the public hearing held on March 28, 2016. The Boone County Raceway practice night is scheduled for April 15, 2016 and the first auto racing entertainment night is scheduled for Friday, April 22, 2016 and each Friday night thereafter through August, 2016. There is a possibility that the Liquor License (116902) may not be completed and issued by the Nebraska Liquor Control Commission in time for the Friday night auto racing events scheduled for April/May, 2016.

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 Raceway auto racing entertainment event scheduled for Friday, April 22, 2016. Rolf informed the Board that the April 22, 2016 SDL request is for the grandstand area. 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 County Raceway auto racing entertainment event scheduled for Friday, April 22, 2016. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. 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 Raceway auto racing entertainment event scheduled for Friday, April 29, 2016. Rolf informed the Board that the April 29, 2016 SDL request is for the grandstand area. 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 Raceway auto racing entertainment event scheduled for Friday, April 29, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. 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 Raceway auto racing entertainment event scheduled for Friday, May 6, 2016. Rolf informed the Board that the May 6, 2016 SDL request is for the grandstand area. 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 Raceway auto racing entertainment event scheduled for Friday, May 6, 2016. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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Motion made by Tisthammer, second by Maricle to approve the County Board Public Hearing Proceedings of March 28, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of March 28, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- Denny Johnson, Sheriff, presented to the Board information regarding lightning damage from the March 23, 2016 storm to the new County Communications Tower located at the fairgrounds.

Chairman Luettel declared the meeting adjourned at 9:30 A.M., the next Board meeting is scheduled for Monday, April 11, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 11, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 11, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 - \$50,715.54; Road - \$121,299.96; Boone County Visitor's Promotion - \$172.00; Reappraisal - \$4,017.16; ROD Preservation/Modernization - \$6,475.00; Inheritance Tax - \$52,892.40; 911 Emergency Management (2910) - \$399.79; 911 Wireless Service (2913) - \$668.48; Ambulance - \$1,121.81. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of April 4, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the following reports of the County Officials as presented for March, 2016:

- Clerk - \$20,950.75 (State of Nebraska \$13,883.15)(County of Boone \$7,067.60)
- Clerk of the District Court - \$2,416.01 (State of Nebraska \$1,644.50)(County of Boone \$771.51)
- Sheriff - \$1,377.07
- County Planning & Zoning - \$393.75
- Treasurer - Treasurer's Fees - \$602.00; Miscellaneous Receipt Nos. 14881-14947 - \$397,993.43; Total Collections - \$1,343,195.46

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 February 2015 account balance due of \$209.69, is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Luettel, second by Maricle to write-off the uncollectible ambulance account in the sum of \$209.69, 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: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The County has leased a postage mailing system for several years that is used by the courthouse offices. The FP Ultimail 65 Postage System lease expires at the end of May, 2016. The consensus of the Board is to obtain quotes for three and five year postage meter leases.



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Rod Nelson, Maintenance, was asked by the Board at their March 4, 2016 meeting to seek additional window bids. Nelson presented three quotes for four windows that need replacement at the Law Enforcement Building/Sheriff's office. The windows will be tinted and have the availability to be opened. The following bids were received: Columbus Door & Window Mfg. Co. - \$3,603.00; Petersburg Bldg. & Sup., Inc. - \$4,634.00; and Binswanger Glass of Norfolk - \$6,665.00. Motion made by Maricle, second by Tisthammer to accept the Columbus Door & Window Mfg. Co. quote of \$3,603.00 for the replacement of four windows in the Law Enforcement Building/Sheriff's office. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Vic Lee, Boone County Health Center, and the Board discussed the disposal of three properties. The properties discussed were the former Spalding Clinic facility; the former Don Fox property, and the former Margaret Hellbusch property. Lee said that the construction of the new Spalding Medical Clinic is in progress and is asking the Board for their approval for disposal of the former Spalding Clinic facility at the appropriate time. Lee and the Board discussed the condition of the two houses. Lee said that the Hellbusch house could be sold by sealed bids and moved. Lee said that Fox house probably should be demolished/burned. The Board and Lee discussed auctioning off the two houses to be removed verses sealed bids for removal.

Motion made by Luettel, second by Maricle to approve and authorize the Boone County Health Center Board of Trustees to dispose of the former Spalding Medical Clinic facility at the appropriate time. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve and authorize the Boone County Health Center Board of Trustees to properly dispose of the former Don Fox property at the appropriate time. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve and authorize the Boone County Health Center Board of Trustees to properly dispose of the former Margaret Hellbusch property at the appropriate time. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin reported that the road employees were busy removing trees from the county road right-of-ways.
- Thorin informed the Board that the bridge replacement project west of Petersburg is scheduled to begin April 12, 2016 and that the Fairview Street drainage project is scheduled to start June 1, 2016.
- Thorin and the Board discussed the purchase of an additional snow blower. The consensus of the Board is to obtain bids for a possible purchase of an additional snow blower.

The Board asked the department heads present if they had any concerns or questions regarding the revised Boone County Employee Handbook. The few questions/concerns were clarified/addressed. Motion made by Luettel, second by Tisthammer to forward a copy of the 2016 revised Boone County Employee Handbook to NIRMA legal counsel for a final review. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Robert Hoefer requested permission to bore an electrical line under a county road running East and West between Section 32, Township 23 North, Range 6 West of the 6th P.M., Antelope County, Nebraska and Section



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5, Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, commonly known as 100th Street. The bored electrical line commences from a pole located in the SW1/4 of Section 32, Township 23 North, Range 6 West of the 6th P. M., Antelope County, Nebraska, running thence south to an irrigation pivot located in the W1/2NW1/4 of Section 5, Township 22 North, Range 6 West of the 6th P. M., Boone County, Nebraska. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-17, granting permission to Robert Hoefer to bore an electrical line under a county road known as 100th Street for irrigation purposes as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None: Motion carried.

GGP, LLC requested permission to trench an 8" pipe under and across a county road running North and South between Sections 28 and 29, all in Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, commonly known as 180th Avenue. The trenched 8" pipe commences from the SW1/4 of Section 28, running thence west to the S1/2SE1/4 of Section 29, all in Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, for the purpose of pumping lagoon affluent. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-18, granting permission to GGP, LLC to trench a 8" pipe under a county road known as 180th Avenue for the purpose of pumping lagoon affluent as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None: Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a resolution for the Board to review regarding the Central Highway Overlay Project C-71(480). Platte County, Nebraska and Boone County, Nebraska desire to improve certain roadway facilities on the County Road system for construction of an Asphaltic Concrete Overlay Project No. C-71(480), Central Highway. Thorin said that Boone County will reimburse Platte County for the Boone County share of the project. The construction date is tentatively set to begin September 1, 2016 with a completion date of October 15, 2016. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Resolution No. 2016-19, Central Highway Overlay Project C-71(480) as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

David Hoefer, The Council Holding Company of Elgin (Knights of Columbus) representative, submitted an application to the Board for permission for a Special Designated License (SDL) to serve alcohol at the St. Bonaventure Parish Hall, Raeville, Nebraska dance/fundraiser event scheduled for Saturday, June 4, 2016. Hoefer informed the Board that the SDL request is for the parish hall and an outside fenced area to be connected to the parish hall. Motion made by Luettel, second by Tisthammer to approve, as presented, the Application for a Special Designated Liquor License request from The Council Holding Company of Elgin, Nebraska for the St. Bonaventure Parish Hall, Raeville, Nebraska dance/fundraiser event scheduled for Saturday, June 4, 2016. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Open Discussion and miscellaneous public comments:

- Commissioner Maricle informed the Board that she met/discussed concerns regarding the Boone County Fairgrounds boundary lines and lease agreements with Andy Devine, Albion City Administrator.

Commissioner Luettel declared the meeting adjourned at 11:55 A.M. with the next Board meeting scheduled for Monday, April 18, 2016.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
APRIL 18, 2016
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 18, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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, 2013 and 2014 are all completed. Jarecki reported that he was assigned forty-four cases in 2015 with two cases being a conflict of interest and eight cases remain open. Jarecki reported that he has been assigned sixteen new cases to date in 2016 and eleven cases remain open. 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. In addition, Jarecki asked the Board to review extraordinary additional expenses for consideration of reimbursement regarding an appointed public defender case. Commissioner Luettel thanked Jarecki for the updated report and his diligent services.

Steve Pritchard, Extension Educator; Sonya Glup, Extension Assistant; Vanessa Cumming, David Figgner and Roger Voichoski, Boone County 4-H Council; and Mark Grundmayer and Ken Schriver, Boone-Nance Extension Board, met with the Board of Commissioners regarding Sonya Glup's position as a state employee with UNL Extension. Pritchard said that the UNL Extension dean is re-constructing the Extension Services across the State of Nebraska. The UNL Extension Educators/Assistants Regional Experts chose one of the re-constructed areas of the following responsibilities: Beef Systems; The Learning Child; Community Environment; Community Vitality Initiative; Innovative Cropping & Water Systems; Food, Nutrition & Health; or 4-H Youth Development. Pritchard said that five UNL Extension Assistant state employee positions are being asked to either relocate to the metro area, find a different job or ask if their County will absorb them as a county employee. Pritchard presented proposed staffing changes by UNL Extension to add a full time Beef Systems Educator as a state employee for a seven county area that would be headquartered out of the Fullerton Extension office. The other change would be to no longer fund a state employee Extension Assistant position. Beginning in January 2017 through June 2020 the proposal would gradually shift the Boone-Nance Extension Assistant position from a state paid employee to a county paid employee. At present, all salary and benefits totaling \$64,315.00 for Extension Assistant Sonya Glup are paid by UNL through the end of 2016. Under the proposal, on a 50-50 basis, Boone-Nance would begin paying a gradually larger share of this salary and benefits starting at \$8,040.00 for January through June of 2017 and continuing to increase through fiscal year 2020, when the two counties would pay the full salary/benefits cost and the university would pay none. The 4-H Council/Extension Board representatives pointed out the 4-H programs and several new programs that Glup is involved in both counties and provides Medicare Part D assistance. The extension representative members pointed out that the 4-H programs build the skills of youth in many areas, including decision-making, communications and leadership. The Board plans to review the information and visit with the Nance County Board. No action taken at this time.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of April 11, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.



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Jacqueline Wells, Veteran Service Officer, has registered to attend the annual County Veteran Service Officers schooling in Grand Island, Nebraska from April 25-28, 2016. The Board received information that other County Veteran Service Officers may carpool with Boone County to Grand Island. 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 annual schooling in Grand Island, NE. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

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

- County officials reported on activities with regard to their respective office.
- County officials highlighted legislative bills that have passed with possible impacts on the county budgets.
- Boone-Nance Extension will be hosting an UNL intern student for a couple of months beginning May 16, 2016. Pritchard asked those present to let him know if anyone knows of a place for the intern to rent for a couple of months.
- The coffee pot in the breakroom may be nearing its last days of operation. Commissioner Maricle asked if there was interest in a Keurig where one brings their own flavor of coffee. The majority present at the meeting said that they do not drink coffee. Further discussion will be made with the employees that drink coffee.

Barb Hanson, Assessor, presented quotes for two new computers for the office. Hanson said that the one computer keeps freezing up and the other is a used laptop from another office. Motion made by Luettel, second by Maricle to approve the approximate quote of \$2,703.62 from Applied Connective Technologies for two new Optiplex 9020 Minitowers with Dell 22" Widescreen Monitors, etc. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance and projects. In addition, the following topics were discussed:

- Thorin and the Board discussed the hiring of two additional road employees. Thorin felt that having two employees as a construction crew for bridge maintenance, signage maintenance, culvert replacement and shoulder work would help the road department to get caught up with road maintenance. The proposal would be beneficial regarding road maintenance that is neglected when the employees are pulled to work on the construction projects. The Board took the proposal under advisement. The Board plans to visit with local contractors to discuss cost and if they are interested in contracting with the County to replace culverts and other construction projects.
- Thorin presented information from an Iowa/Kansas study regarding the stress to County Roads and Bridges regarding over weight trailers, manure spreaders, etc. Thorin said that if LB624 passes it will impact the expenses in Boone County greatly for bridge and culvert repair/replacement.
- The 2004 pickup with 170,000 miles needs extensive engine repairs. The cost of the repairs is more than the book value. The pickup was the one used to haul the District 3 fuel to the equipment operators. The consensus of the Board is for Darrel Thorin to look for a used pickup locally.

The purchase of an additional snow blower had been discussed following the February 2016 blizzard. The county owned snow blower broke down during the blizzard. The Board opened and reviewed quotes for a new snow blower. The quotes received as follows: Nebraska Environmental Products, Lincoln, NE - Snogo MP-3D - \$170,373.00 or two for \$335,746.00; Midwest Service and Sales Co., Schuyler, NE - Fair Snow Blower 9481C - \$92,270.54 or two for \$166,398.10. Ambrose Placzek, Midwest Service and Sales Co., was present to answer any questions regarding the snow blower quote. The Snogo will need an additional attachment for a



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side to side shift, where the Fair Snow already includes the side to side shift. They both include wireless remote control and a camera to view what is in front of them. Discussion: Commissioner Maricle said we need to weigh the wants/needs, do we need three snow blowers being one at each road shop, even though the county received an excellent bid. Commissioner Luettel said that one available at each area of the county would have been beneficial for the 2010 and 2016 snow storms. A snow blower throws the snow out where a maintainer/pay loader piles the snow straight up and the opening of the road drifts back in easily. If we do not use them for a couple of years that is good, but when the roads need opening they pay for themselves, especially if emergency services are needed. Motion made by Luettel, second d by Tisthammer to approve the purchase of two new 9481C Fair Snow Blowers for \$166,398.00 from Midwest Service and Sales Co. payable from the Inheritance Tax Fund. Roll call vote: Yeas: Luettel and Tisthammer. Nays: Maricle. Motion carried.

The Board and Darrel Thorin, County Highway Superintendent, held a lengthy discussion regarding the planting of crops in the county road right-of-ways. The Board said that there is a need for marking the county road rights-of-way to prevent the planning of crops inside the area, and other obstructions such as signs along the right-of-way. One obvious area near the fairgrounds was noted. The commissioners decided to have Thorin first measure and mark right-of-way boundaries on priority roads where there are safety issues throughout the county. If there are complaints from landowners, the county will then have the right-of-way surveyed.

Commissioner Maricle met/discussed concerns regarding the Boone County Fairgrounds boundary lines and lease agreements with Andy Devine, Albion City Administrator. Commissioner Maricle had heard that there may be interest in extending the present camper site at the fairgrounds further to the south. The Board decided it may be best to have a survey completed of the Boone County Fairgrounds boundary lines and then possibly follow up with surveys and revised agreements with the location of each entity's area within the fairgrounds. Motion made by Maricle, second by Luettel to approve Chris Hays, Hays Land Surveying, to complete a survey of the Boone County Fairgrounds property owned by the County of Boone for the exact boundary lines. 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.
- Roger Beckman discussed road concerns regarding 145th Street with the Board and Darrel Thorin, County Highway Superintendent.
- Commissioner Maricle commented on the county budget preparation timeline.

Chairman Luettel declared the meeting adjourned at 12:15 P.M. with the next Board meeting scheduled for Wednesday, April 27, 2016.

Kathy Thorberg,
Boone County Clerk



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MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Monday, April 18, 2016 at 9:01 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, Jason Rankin and applicant representative Ken Rankin were present to answer any questions. Chairman Luettel 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 Conditional Use Permit submitted by Ken Rankin. Kenneth and Wilma Rankin and Wayne and Connie Rankin are the property owners of the real estate referenced herein. The application request is to divide 3.00± acres from a parcel of farm ground located in the SE1/4 of Section 3, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska.

Ken Rankin explained to the Board that the purpose for dividing the 3.00± acres is for his son Jason Rankin to construct a new home. A survey request by Jason Rankin is completed. Ziemba informed the Board that a Waiver of Distance has been signed as requested by the Boone County Planning and Zoning Commission. The Boone County Planning and Zoning Commission approved the Conditional Use Permit.

Motion made by Maricle, second by Tisthammer to close said hearing at 9:05 A.M. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve as presented the Application for Conditional Use Permit submitted by Ken Rankin for Jason Rankin. The approval is to divide 3.00± acres from a parcel of farm ground located in a fraction of the SE1/4 of Section 3, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska to construct a new home. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 27, 2016

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, April 27, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 \$92,702.72, BCBS \$43,720.88, Ameritas Ret \$6,403.85, EFTPS \$6,902.92, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$50,460.01, BCBS \$22,822.18, Ameritas Ret \$3,406.06, EFTPS \$3,806.12; Ambulance \$1,500.00, Ameritas Ret \$45.23, EFTPS \$114.74; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,702.04, Ameritas Ret \$342.08, EFTPS \$512.71, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of April 18, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Zoning Public Hearing Proceedings of April 18, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board of Equalization Proceedings for April 18, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

John Groeteke visited with the Board and Darrel Thorin, County Highway Superintendent, regarding road maintenance on 300th Street west of Primrose. The Board, Thorin and Groeteke had a lengthy spirited discussion regarding several road maintenance issues. Groeteke's opinion is that the county road employees need more supervision of their work ethics and they are not using the potential of the road maintainers or using them correctly to shape the rural roads. The roads are full of pot holes and are very rough. The pot holes need to be dug out and refilled with better based aggregate. Darrel Thorin, Highway Superintendent, responded with the protocol procedure regarding road maintenance/construction and Nebraska Department of Roads standards that need to be met or the county could potentially lose millions of federal and state highway allocation funding. Thorin said that there is many road issues throughout the county and that the roads/culverts/bridges were not constructed several years ago to handle the traffic weight of today's equipment and trucks. It is hard to find good quality gravel. Currently the county is hauling gravel from Ord, which is a long ways to travel. The county may possibly look at contracting out road/bridge/culvert projects in order to keep the road employees in the maintainers.



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Mitchell J. Patzel requested permission to trench an 8" plastic water line under a county road commonly known as 110th Avenue running North and South between Sections 29 and 30, all in Township 20 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The trenched 8" plastic water line is for irrigation purposes. The 8" plastic water line commences from a well located in the SE1/4 of Section 30, thence running east across 110th Avenue to the SW1/4 of Section 29, all in Township 20 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-20, granting permission to Mitchell Patzel to trench an 8" plastic water line under a county road known as 110th Avenue to the SW1/4 of Section 29, Township 20 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

At the April 18, 2016 Board meeting the Board was informed that the county road department 2004 pickup with 170,000 miles needs extensive engine repairs. The cost of the repairs is more than the book value. The consensus of the Board was for Darrel Thorin to look for a used pickup locally. Thorin presented a quote from Schalk Auto, Inc. for a 2010 Ford F250 super duty pickup for \$20,900.00. Motion made by Luettel, second by Tisthammer to authorize Darrel Thorin, County Highway Superintendent, to sign the necessary papers with Schalk Auto, Inc. for the purchase of a 2010 Ford F250 pickup as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, and the Board continued the discussion from the April 18, 2016 Board meeting regarding the possibility of contractual services for culvert installation and road construction projects. The proposal was to possibly hire two additional county road employees or see if there was interest among the area contractors for culvert installation/road construction projects. Thorin visited with two area contractors to feel if there was any interest. The one contractor quoted small projects at \$80.00 per hour and larger projects at \$120.00 per hour. The contractors said that there could be a delay for county work when they have a large project to complete. Thorin said that the contractors would need to follow the Nebraska Department of Road regulations, provide proof of insurance and sign contract agreements. Thorin said that there are several culverts within the county that need replacement. Commissioner Maricle felt she wanted to try the contractual service for a year before hiring two more road employees. Motion made by Maricle, second by Luettel to offer contractual service agreements for culvert installations and possible road construction projects to interested area contractors for a year. Roll call vote: Yeas: Maricle, Luettel 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 St. Edward Public School Alumni Association requested assistance to advertise the St. Edward Public School Alumni Banquet event scheduled for May 28, 2016. 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 Board received two quotes to lease a Postage Mailing System. The present courthouse Franco Postalia Postage Mailing System lease expires May 31, 2016. The following quotes were received: NEOPOST from Midwest Connect of Kearney for a 5 year lease - \$142.50 per month, 3 year lease - \$167.53 per month; and Franco Postalia from One Source One Solution (formerly Western Office) of Norfolk for a 5 year lease - \$125.00 per month, 3 year lease -, \$157.00 per month. County government pays personal property taxes on leased equipment that is not included in the monthly quotes. Motion made by Tisthammer, second by Luettel to approve and authorize Kathy Thorberg, Boone County Clerk, to sign the necessary papers with One Source One Solution for the Franco Postalia Postbase 45 Postage Mailing System five year lease of \$125.00 per month as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.



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Denny Johnson, Sheriff, and the Board discussed purchasing different chairs for the law enforcement building dispatch area. Johnson said that the backs and seats of the chairs from CORTECHusa of Illinois are adjustable to the size of the individual and provide better comfort. Following the discussion Johnson said he plans to order one chair at this time to see how the employees like it.

Denny Johnson, Sheriff, presented information from Digital Ally regarding law enforcement body cameras. The FirstVu HD body chest camera is a pro-grade, evidentiary, wearable/mountable digital video system. The quote is \$795.00 each and Johnson is requesting five of the body cameras for the Boone County Sheriff's department. Johnson said that he plans to file for the NIRMA ASSIST grant this fall for partial reimbursement of the body camera expense. Motion made by Luettel, second by Tisthammer to approve and authorize Denny Johnson, Sheriff, to sign the necessary papers for the FirstVu HD body chest cameras from Digital Ally for approximately \$4,010.00 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Denny Johnson, Sheriff and the Board discussed the new County Communications Tower damage from the March storm. Johnson said that Tom Smith, Region 44 Emergency Manager, suggested to have a third party conduct a ground audit on the communications tower and equipment. Johnson presented a quote from RVW, Inc. of Columbus for approximately \$903.00 for a ground audit report. Motion made by Maricle, second by Luettel to approve a third party to conduct a ground audit of the new communications tower and equipment for approximately \$903.00 from RVW, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel for the Board to go into executive session at 11:36 a.m., per the Open Meeting Act §84-1410(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: Maricle, Luettel and Tisthammer. Nays: None. Motion carried. The Board, County Attorney, County Zoning Administrator and County Sheriff discussed personnel issues. Motion made by Tisthammer, second by Luettel to come out of the executive session at 12:03 p.m. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. 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 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:

- Commissioners reported on meetings they attended since the last Board meeting.
- Jim Ely, Attorney, asked the standing on the sound proofing issue.
- Denny Johnson, Sheriff, discussed some law enforcement/sheriff's office issues.
- Darrel Thorin, Highway Superintendent, discussed some road issues, drainage problems and asphaltic break up.

Chairman Luettel declared the meeting adjourned at 12:15 P.M., the next Board meeting is scheduled for Monday, May 9, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 9, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, May 9, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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 - \$26,645.28; Road - \$209,531.73; Boone County Visitor's Promotion - \$400.00; Reappraisal - \$41,180.00; Veteran's Aid - \$2,000.00; 911 Emergency Management (2910) - \$192.65; 911 Wireless Service (2913) - \$770.57; Ambulance - \$1,122.55. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$3,028.19, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of April 27, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the following reports of the County Officials as presented for April, 2016:

- Clerk - \$17,666.25 (State of Nebraska \$11,473.33)(County of Boone \$6,192.92)
- Clerk of the District Court - \$3,150.58 (State of Nebraska \$2,378.00)(County of Boone \$772.58)
- Sheriff - \$1,030.90
- County Planning & Zoning - \$525.00
- Treasurer - Treasurer's Fees - \$44.00; Miscellaneous Receipt Nos. 14948-15012 - \$1,692,877.01; Total Collections - \$6,961,774.29
- County Veteran Service Office report for the months of March and April, 2016.

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 requested assistance to advertise the 'Bash in the Burg' event scheduled for August 6, 2016. 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.



Boone County Board Minutes



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 2016 Board Reorganizational Meeting Proceedings.

Kathy Thorberg, County Clerk/Register of Deeds, presented a quote to the Board for their review regarding the purchase of twenty-five hard bound books for Register of Deeds records. The quotes were 10-24 books at \$72.75 each or 25-49 books at \$66.75 each from RC Enterprises. Motion made by Luettel, second by Maricle to approve the purchase of twenty-five record books for \$1,668.75 from RC Enterprises as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Kathy Thorberg, County Clerk/Register of Deeds, presented a quote to the Board for their review regarding the preservation of three Register of Deeds deed books. The quote from Mobile Binders is for new binders and preservation of Deed Record Books 1, 2 and 18. The old record books are bound books and the pages are loose and no longer attached to the binder of the book. Motion made by Maricle, second by Tisthammer to approve the quote from Mobile Binders for \$2,225.00 for the new binders and preservation of the three Register of Deeds deed record books. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin informed the Board that the bridge reconstruction project west of Petersburg is near completion.
- Thorin informed the Board that equipment has been moved to the bridge reconstruction site southwest of Albion for Project No. 380 on 290th Street.
- The county road employees are currently working five eight hour days and plan to start the seasonal four ten hour days on May 23, 2016.
- Thorin reported that the governor signed into law the Transportation Innovation Act regarding bridge construction throughout the state.

The Board and Darrel Thorin, County Highway Superintendent, discussed the marking of county road right-of-ways at the April 18, 2016 Board meeting. Thorin informed the Board that the county road right-of-way has been marked near the fairgrounds. Thorin plans to mark the county road right-of-way boundaries on priority roads where there are safety issues throughout the county. The weather and road maintenance/projects has slowed up the marking of county road right-of-ways.

The Board and Darrel Thorin, County Highway Superintendent, held a lengthy discussion regarding the general road conditions. Commissioner Maricle noted that the contracted aggregate back-haul services for the month of April was quite high. Thorin noted the distance that aggregate is being hauled from south of Grand Island and by Ord and on an eight hour day the county road employee may get two loads hauled. Despite the volume of gravel hauled in April, it is not keeping up with the need and there is a shortage of good gravel. Commissioner Luettel suggested using a bonnell road drag for some of the road maintenance. Commissioner Tisthammer commented on the poor road conditions and that the bus/mail routes and heavily traveled roads need to be the priority maintained roads. Thorin acknowledge the poor road conditions, but citizens need to be patient as each motor grader operator has 65 to 70 miles of road to cover and the weather conditions have not been favorable. The road base, culverts and bridges were not constructed for today's heavy equipment and traffic. Following adverse weather conditions everyone wants their road worked on first, but that is impossible.



Boone County Board Minutes



Motion made by Maricle, second by Tisthammer for the Board to go into executive session at 10:29 a.m., per the Open Meeting Act §84-1410(A), Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried. The Board, County Attorney and County Sheriff discussed potential litigation. Motion made by Maricle, second by Luettel to come out of the executive session at 11:14 p.m. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried. Potential litigation was discussed, no action was taken by the Board.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Todd Buettner, County Weed Superintendent, updated the Board regarding weed department activity.
- Commissioner Maricle shared information with the Board regarding zoning regulations governing adult entertainment.
- Commissioner Maricle presented a copy of a mailing insert that Greeley County includes with tax statements showing a list of the state aid allocated to local subdivisions.

Commissioner Luettel declared the meeting adjourned at 11:41 A.M. with the next Board meeting scheduled for Monday, May 16, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 16, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, May 16, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The County Safety Committee met at 9:02 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Tom Smith, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding Injury/Accident report forms utilized by department heads, NIRMA inspection/audit report and defibrillators. The following new business was discussed: (1) Nelson contacted Boone County Concrete for a quote to replace a portion of the courthouse north steps and sidewalk; (2) defibrillators were updated as pads are to be changed every two years unless used then replaced at that time and batteries every four years; (3) a reminder to employees that it is tornado season time and the procedure to use is on the wall at the entrances to the courthouse if a tornado is sighted; (4) discussed contacting NIRMA for an employee CPR training; (5) Tom Smith plans to prepare an Emergency Action Plan for Boone County; (6) Jail Standards plans to help with updates for the law enforcement facility; and (7) NIRMA is going to conduct a county road shop and sign audit. Nelson reported no accidents for last quarter. The next safety committee meeting is scheduled for August 15, 2016. The Safety Committee meeting was adjourned by Nelson at 9:24 A.M.

Laurie Krohn, County Treasurer, presented a bond payment, per Nebraska State Statute, for the Board to review. The Boone County School District 0001 (Boone Central Schools) General Obligation Bonds were issued in 2015 and 2016. The Boone Central Schools General Obligation Bonds, Series 2015 first payment is due June 15, 2016 for \$278,824.66 and Series 2016 first payment is due June 15, 2016 for \$25,644.44. Motion made by Luettel, second by Maricle to authorize Laurie Krohn, County Treasurer, to process the bond payments when due to BOK Financial as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The service agreement between Applied Connective Technologies and County of Boone, Nebraska expires on May 31, 2016. The agreement covers the Gateway anti-virus, anti-spyware, intrusion prevention/detection, content filtering service, symantec endpoint protection service and on-site service to the county's network equipment and internet connection. The Service Agreement is June 1, 2016 through May 31, 2017 for \$2,535.06. Motion made by Tisthammer, 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: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of May 9, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



Boone County Board Minutes



The Boone County Ambulance Service submitted an uncollectible ambulance account, as all methods of collection have been exhausted. The recommendation for the October 2015 account balance due of \$2,260.00, is that the account balance be turned over to the County Attorney to attempt further collection. Motion made by Luettel, second by Tisthammer to write-off the uncollectible ambulance account in the sum of \$2,260.00, 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: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Barb Hanson, County Assessor, and the Board discussed a Reappraisal Plan for residential dwelling in the City of Albion, Village of Cedar Rapids, Village of Primrose and City of St. Edward. The re-valuation of residential in the rural and Village of Petersburg are nearing completion this year. Hanson also informed the Board that the State has updated soil type codes. The consensus of the Board was for Hanson to negotiate a contract with Stanard Appraisal Services, Inc. of Central City, Nebraska for residential revalue for the City of Albion and St. Edward and the Villages of Cedar Rapids and Primrose.

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 requested assistance to advertise the Dance & Cruise Night event scheduled for June 18, 2016. 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 Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a quote from Nebraska Machinery Caterpillar (NMC CAT) to rebuild/recondition a twenty year old 140H Caterpillar motor grader with Serial No. 2ZK01884. Thorin said that the motor grader is in good condition and has never had any major repairs. Thorin felt it was best to recondition said motor grader and that would provide an additional two years/4,000 hour extended protection plan. Motion made by Luettel, second by Tisthammer to approve the NMC CAT quote for \$57,440.83 to rebuild/recondition the 140H Caterpillar motor grader as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Several county road employees were present at the Board meeting to express their concerns regarding the Board of Commissioners comments at their May 9, 2016 Board meeting in regard to road maintenance and deteriorating county roads that appeared in the Albion News article. Billy Frey, District #2 County Road Employee, said he visited with patrons in his district that use the roads and they told him they felt the road employees were doing a good job in keeping the roads maintained. The road employees asked the Commissioners to drive the roads in the areas of concern. The road employees noted the lack of gravel stockpiles due to gravel being hauled from a long distance with the combination of a wet spring and larger farm equipment and trucks on the county roads have created more issues. Thorin felt the Board should address the road employees directly if they feel there are major problems, instead of bringing them up at their Board meetings. The Board, Thorin, and Ted Thieman had a lengthy spirited discussion regarding several road maintenance issues and the Bonnell drags with gravel retriever discs. The Board is available if the employees want more opportunity to communicate with them and the Board is here to listen to the public concerns.

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



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- County officials reported on activities with regard to their respective office.
- Steve Pritchard said that the Boone-Nance Extension office is hosting an UNL intern this summer.
- A Nebraska Vietnam Combat Veterans Flight is scheduled for June 5 and 6, 2016.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.

Chairman Luettel declared the meeting adjourned at 11:52 A.M. with the next Board meeting scheduled for Wednesday, May 25, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 25, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, May 25, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$88,137.27, BCBS \$43,720.88, Ameritas Ret \$6,093.14, EFTPS \$6,553.65, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$46,505.39, BCBS \$22,822.18, Ameritas Ret \$3,139.12, EFTPS \$3,503.59; Ambulance \$935.00, Ameritas Ret \$35.11, EFTPS \$71.52; Public Defender Contract \$3,120.00; Boone County Fitness Center \$8,145.25, Ameritas Ret \$458.16, EFTPS \$623.11, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of May 16, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding three bridge projects. Thorin informed the Board that Tim Baxter, NIRMA, will be conducting the road shops and signs audit today. In addition, Thorin said a motor grader operator's training is scheduled for June 23 and 24, 2016.

Denny Johnson, County Sheriff, and Laurie Krohn, County Treasurer, submitted a Distress Warrant Report with regard to the 2014 personal property taxes. The distress warrants that were issued in November 2015, were all collected by the County Sheriff's office and returned back to the County Treasurer's office on May 17, 2016. The total collected on eleven distress warrants without penalties was \$1,091.31. The total collected including penalties and fees was \$1,187.97. There are no distress warrants unpaid as of May 23, 2016. Motion made by Luettel, second by Maricle to accept and approve the County Sheriff and Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted a written resignation for the Board to review from a full time employee in the Sheriff's office. Motion made by Tisthammer, second by Maricle to accept the resignation of Kerri Mowrey, Jail Dispatcher, effective June 20, 2016. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

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 Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign Resolution No. 2016-21, an Interlocal Agreement between the County of Boone and City of Albion for law enforcement purposes commencing on April 1, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



Loup Public Power District requested permission to trench an electrical cable under a county road commonly known as 250th Avenue running North and South between Sections 21 and 22, all in Township 19 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The trenched electrical cable is for irrigation purposes. The electrical cable commences from an electrical pole located in the SW1/4 of Section 22, thence running west across 250th Avenue to an existing irrigation well in the SE1/4 of Section 21, all in Township 19 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The request is to provide upgraded electrical service to an irrigation well owned by the Joan M. Kayton Family Irrevocable Trust. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-22, granting permission to Loup Public Power District to trench an electrical cable under a county road known as 250th Avenue to the SE1/4 of Section 21, Township 19 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Barb Hanson, County Assessor, and the Board discussed revisions to the 2017 Reappraisal Plan that was discussed at the May 16, 2016 Board meeting. The number of residential parcels for the City of Albion were not included in the May 16, 2016 proposal. The 2017 re-valuation includes residential dwellings in the City of Albion, Village of Cedar Rapids, Village of Primrose and City of St. Edward. The consensus of the Board was for Hanson to relay the Board's proposal of the approximate 1268 residential parcels to Stanard Appraisal Services, Inc. of Central City, Nebraska.

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 five requests for advertisement funding.

The St. Bonaventure Catholic Church, requested assistance to advertise the Last Dance fundraiser event scheduled for June 4, 2016. 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 Historical Society, Inc. requested assistance to advertise the Boone County Museum Open House event scheduled for June 18-19, 2016. 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 Petersburg Community Club requested assistance to advertise the Petersburg Carnival Days event scheduled for June 21-22, 2016. 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: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Albion Area Arts Council, Inc. requested assistance to advertise the Missoula Children's Theatre scheduled for June 20-25, 2016. 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 Agricultural Society, Inc. requested assistance to advertise the Boone County Fair Jon Pardi concert scheduled for July 9, 2016. 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.



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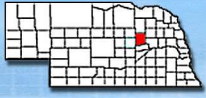
Rod Nelson, Maintenance, presented a quote from Boone County Concrete, Inc. for replacement of a portion of the courthouse north steps and sidewalk that is deteriorating. Motion made by Luettel, second by Maricle to approve the estimated quote for \$845.75 from Boone County Concrete, Inc. as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board reviewed submitted quotes for the copy paper for the county courthouse fiscal year 2016-2017. The quote request was for fifty cases on five coupons/ten cases per coupon of no less than 92 bright and no less than 20 lb. paid after each coupon order/delivery. The copy paper quotes were as follows per case: Albion News - \$31.65; Eakes Office Solutions - \$29.59; and One Source, One Solution - \$30.00. The Board discussed the little difference between the quotes and felt they should keep the purchase local. Motion made by Maricle, second by Tisthammer to accept and approve the fifty case copy paper quote for the fiscal year 2016-2017 for \$31.65 per case paid upon delivery from Albion News as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. 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 the group health insurance will increase by 6% for fiscal year 2016-2017 and there is no change to the dental plans. The sub-group application/coverage election form needs to be received at BC/BS Nebraska no later than June 1, 2016. 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 Tisthammer 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, 2016 through June 30, 2017 and authorize Ken Luettel, Board Chairman, to sign the 2016 NACO Subgroup Application Coverage Election Form. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The county employees have the option to participate in the VSP Vision Insurance as a payroll deduction at their own expense. The VSP plan has been through National Insurance Services. National Insurance Services has formed a partnership with NACO Benefit Services for vision insurance offered directly through VSP. The monthly rates will be reduced and the LASIK benefit was eliminated from the plan. Motion made by Luettel, second by Maricle to approve and authorize Kathy Thorberg, County Clerk to sign the necessary papers for the NACO Benefit Services VSP Vision Pool effective July 1, 2016 through July 1, 2020 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Jay Wolf, Anji Kendrick, and the Board discussed the operation of the Boone County Fitness Center, Inc. Wolf explained the history of the fitness center built by Jim and Elaine Wolf and the reasoning for gifting the fitness center as a charitable contribution to the county residents in 1986. The name of the fitness center and the foundation has changed over the past thirty years. There is a Corporation Warranty Deed on file dated August 29, 1986 deeding the real estate including the building and all its appurtenances to Boone County, Nebraska, a political subdivision. The deed also includes a thirty year statement/reverter. The County is seeking clarification of the contents of the deed regarding ownership of the fitness center facility. The concerns include employee status as county government employees or Boone County Fitness Center, Inc., a domestic non-profit corporation employees. With the federal/state regulation changes over the years regarding health insurance, property insurance and other employee benefits, a clarification of the operation and ownership is necessary. As presently payroll is under the County ID number and the operation of the facility is under a non-profit ID number. A good discussion took place and questions will be forwarded to NIRMA and NACO. The fitness



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center will obtain insurance quotes for general liability, building & contents and worker's compensation. The group plans to further discuss the concerns on June 27, 2016.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Mary Ziemba, County Zoning Administrator, discussed some zoning issues.
- The Board received information regarding a request for a fallen officer's memorial from descendants of Sheriff Lawrence Smoyer and Constable William Wathen. The Board will visit with the Boone County Historical Society (Museum) regarding the request.
- The Board and Todd Buettner, County Weed Superintendent, discussed some weed issues by telephone.
- Jim Ely, County Attorney, asked if the Board wanted to proceed with zoning regulations regarding adult entertainment.

Chairman Luettel declared the meeting adjourned at 12:39 P.M., the next Board meeting is scheduled for Tuesday, May 31, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 31, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, May 31, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

Tom Smith, Region 44 Emergency Manager, introduced Josh Aspegren, intern from Aurora. Smith provided information to the Board regarding the possible placement of a Mutual Aid Base Station at the Boone County Communications Tower site. Smith said that a Mutual Aid Base Station is for the first responders that have radios in the area in order to communicate with each other. Smith said that Howard, Platte and Polk have Mutual Aid Base Stations. If a Mutual Aid Base Station is placed at the Boone County Communications Tower that Homeland Security Funds would help with the initial installation, but then the equipment and maintenance will become the responsibility of the County, thereafter. Some of the questions regarding the Mutual Aid Base Station were: (1) will it help connect communication in the gap areas of the hills; (2) will the communication reach within the whole county; and (3) will communication reach outside of the county, if so how far. Smith suggested to the Board to wait on a decision in order to review a map from OCIO State Agency showing mapping area that each base station may cover. The consensus of the Board is to wait for the map to see if a Mutual Aid Base Station would enhance the communication in Boone County and surrounding area.

The Board and department heads present at the meeting discussed budget preparations for the 2016-2017 FY budget, possible wage adjustments and other budget matters. The current county employee pay/benefit policy is an annual cost of living in January, a longevity program and full family health insurance premium paid. The County Assessor felt that the chief deputy should receive more than 65% of the official's salary. It was explained that a chief deputy with longevity program years makes more than 65% of the official's salary (example: 18 years longevity is 81% of official's salary). The lengthy discussion ranged from possibly eliminating longevity program that has been part of the wages since the early eighties, possible merit-based pay system and possible change in county paid benefits. The Board agreed that any changes regarding the above discussion will require working meetings with department heads in the future and is likely a gradual process that may take years to implement.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of May 25, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board of Equalization Proceedings of May 25, 2016 as presented. Roll call vote: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The consensus of the Board is to have the NIRMA labor/employment attorney's draft a resolution for the adoption of the revised Boone County Employee Handbook to be available for the June 13, 2016 Board meeting.

The revisions of the Boone County Employee Handbook are being reviewed by Woods & Aitken LLP labor and employment attorneys. Nebraska Intergovernmental Risk Management Association (NIRMA) are assisted by Woods & Aitken LLP to assist counties in adopting personnel policies. In regard to the ambulance services, the



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workers must be classified in one of the categories, either employee, independent contractor or volunteer. The same employee may not receive a set amount for part of their job description and an hourly salary for the other part of their job description. The ambulance services personnel have full time jobs with other employers. The consensus of the Board is to have the handbook review attorney's review the Boone County Ambulance Service information and resolution for determining the classification of workers regarding the ambulance services. The classification determination will help determine payment as an hourly employee (W2) or contracted services (1099).

Todd Buettner, County Weed Superintendent, updated the Board regarding weed control activity. Buettner and the Board discussed a paper log system with date, time, where and what activity was completed regarding weed control and activity. During the spraying season months the county owned weed pickup/spraying unit sets in his rural residence yard. When the weed vehicle is located at a road department shop the availability to use the time clock is accessible. When he conducts an inspection or the vehicle is at his residence driving to a road shop is probably not feasible and then the paper log will be used. Buettner plans to ask FSA to send reminders to area landowners regarding their responsibility to control noxious weeds. The Board discussed with Buettner that the same employee may not receive a set amount for part of their job description (\$350.00 per month for meetings/records) and an hourly salary for the other part of their job description (\$15.58 per hour for spraying/inspections). Motion made by Luettel, second by Maricle to change the structure of the County Weed Superintendent to an all hourly paid position for all logged worked hours per FLSA and recommendation from the labor attorney's that assist NIRMA effective July 1, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to go into executive session at 11:29 a.m., per the Open Meeting Act §84-1410(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. The Board conducted an employee evaluation. Motion made by Luettel, second by Tisthammer to come out of the executive session at 12:06 p.m. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried. An employee evaluation, no action was taken by the Board.

Commissioner Tisthammer excused himself at 12:35 p.m.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Denny Johnson, Sheriff, updated the Board regarding law enforcement activity.

Chairman Luettel declared the meeting adjourned at 12:55 P.M., with the next Board meeting scheduled for Monday, June 13, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 13, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:08 A.M. on Monday, June 13, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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. The Board tabled payment of a claim filed by Vendor ID #677 for further clarification. Motion made by Maricle, second by Tisthammer to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$216,028.33; Road - \$163,541.34; Road/Bridge Buyback Program - \$136,038.08; Boone County Visitor's Promotion - \$1,129.95; Reappraisal - \$11,251.55; 911 Emergency Management (2910) - \$1,999.72; 911 Wireless Service (2913) - \$6,138.06; Ambulance - \$6,916.99; Boone County Fitness Center - \$8,491.00, which is all reimbursed back to the County. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$3,456.72, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the following reports of the County Officials as presented for May 2016:

- Clerk - \$7,286.00 (State of Nebraska \$3,470.35)(County of Boone \$3,815.65)
- Clerk of the District Court - \$823.76 (State of Nebraska \$369.25)(County of Boone \$454.51)
- Sheriff - \$2,082.36
- County Planning & Zoning - \$382.20
- Treasurer - Treasurer's Fees - \$0.00; Miscellaneous Receipt Nos. 15013-15076 - \$268,940.31; Total Collections - \$2,745,777.54
- County Veteran Service Office report for the month of May, 2016.

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

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of May 31, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer 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. Edward Community Club requested assistance to advertise the Beaver Valley Days event scheduled for July 29, 30 and 31, 2016. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's



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Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Jerad Reimers, mobile office representative, for the Honorable Adrian Smith office and the Board discussed several areas of concerns. Reimers gave a brief update regarding critical hospital care/doctor supervision regulations through the Affordable Care Act Program. Reimers said that Congressman Smith has introduced HR169 and HR170 to postpone some of the critical access hospital care regulations. Congressman Smith is a member of the Ways and Means Committee. He is focused on increasing opportunity for Nebraska's business owners and entrepreneurs. The concerns that Reimers will take back to Congressman Smith are the new Department of Labor overtime rules, postal service, economic growth and environmental assessments when trying to complete road and communications projects. Reimers was available from 11:30 a.m. to 12:30 p.m. to hear concerns from the public.

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 9, 2016. Chuck Rolf informed the Board that the July 9, 2016 SDL request is for 4:00 p.m. to 1:00 a.m. on July 10th 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 Luettel, 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 concert at the Boone County Fair. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Adrian Mayer, 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 #152 for \$11,049.00 includes part of 255th Avenue, Mill Road (5 miles), Raeville Road, 6th Street and Cargill Road. Bader's Highway will remove all weeds, blow out all cracks, clean, seal and squeegee all cracks. Motion made by Luettel, second by Maricle to approve the Estimate #152 for \$11,049.00 from Bader's Highway & Street as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, advertised for sealed culvert bids. Bids were received from B's Enterprises, Inc. of Norfolk and Midwest Service and Sales Co. of Schuyler. Tim Braithwait, B's Enterprises, was present to answer any questions regarding the culvert quotes. The quotes from both businesses included different sizes and types of culverts. Motion made by Luettel, second by Maricle to approve the quotes from B's Enterprises, Inc. and Midwest Service and Sales Co. and authorize Darrel Thorin, County Highway Superintendent, to purchase the culvert(s) size needed for project(s) using the lowest quote from either company. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Barb Hanson, County Assessor, presented a contract for appraisal services from Stanard Appraisal Services, Inc. of Central City, Nebraska for the Board to review. The contract is for appraisal review of the residential property in the City of Albion, City of St. Edward, Village of Cedar Rapids and Village of Primrose to properly equalize property values in Boone County, Nebraska. The compensation is for 1,275 residential parcels for \$159,375.00 to be paid in eleven monthly payments. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Contract for Appraisal Services between the County of Boone and Stanard Appraisal Services, Inc. as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding the NIRMA audit conducted on the county road department shops on May 25, 2016. The overall audit went very well.
- Thorin updated the Board regarding the NIRMA audit conducted on the county road/bridge signage requirements. Thorin shared the NIRMA letter of recommendations with the Board regarding the signage audit.
- Thorin and the Board discussed possibly upgrading the copy machine shared in the road and zoning offices.
- Thorin and the Board discussed the difference between a licensed Highway Superintendent's Class A and Class B licenses. The difference is the County receives full federal funding with a Class A license and half of the federal funding with a Class B license.
- Thorin updated the Board regarding a request to vacate a portion of a county road beginning at a point between the SE1/4 corner of Section 32 and the SW1/4 corner of Section 33, Township 22 North, Range 6 West, thence North one (1) mile at a point located in the NE1/4 corner of Section 32 and the NW1/4 corner of Section 33, Township 22 North, Range 6 West, of the 6th P.M., Boone County, Nebraska, known as 240th Avenue.

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 2016 Board Reorganizational Meeting Proceedings.

Jim Ely, County Attorney, submitted a quote to the Board for their review regarding the purchase of a conference table. The quote submitted from Eakes Office Solutions for \$979.61 is for a 40" x 78" Global conference table. Motion made by Maricle, second by Luettel to approve the purchase of a conference table for the County Attorney's office as submitted. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Steve Pritchard, UNL Extension-Boone County, presented a lease agreement for a new copy machine for the Board to review. The 48 month lease agreement is for \$278.00 per month for a Sharp 3570N finisher copy machine from Eakes Office Solutions. Pritchard said that the monthly lease payment includes maintenance. A finisher copy machine staples and punches holes. Motion made by Maricle, second by Luettel to approve the new copy machine lease agreement for the County Extension office as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Jacqueline Wells, County Veteran Service Office, presented a Memorandum of Understanding for the Board to review regarding the VETRASPEC system. VETRASPEC is the secure web-based application that NDVA has purchased and implemented as a web based information system to track and assist veterans and eligible dependents in accessing all benefits of which they are, by law, entitled. The County will pay the annual user fee in the amount of \$399.00, or current rate, payable to DataSpec. Motion made by Luettel, second by Maricle to approve the Memorandum of Understanding between the State of Nebraska Department of Veterans Affairs and Boone County, Nebraska for the VETRASPEC system for the Veteran Service Office as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



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Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are five-year terms. The term of Ken McIntyre expires in June 2016. Motion made by Maricle, second by Tisthammer to reappoint Ken McIntyre of Primrose to a five-year term expiring in June 2021 to the Boone County Veterans Service Board. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. 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 19, 2016 would work for County Government Day. McIntyre said he has visited with the schools and that date works for the schools. The Board and department heads present at the meeting agreed that County Government Day will be scheduled for Wednesday, October 19, 2016 with a mock trial program.

The department heads have been discussing revisions and reviewing the Boone County Employee Handbook since June of 2015. Nebraska Intergovernmental Risk Management Association (NIRMA) are assisted by Woods & Aitken LLP to assist counties in adopting personnel policies. Woods & Aitken LLP labor and employment attorneys have assisted the past year with the revisions to the Boone County Employee Handbook and have reviewed the revised handbook and exhibits. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-23, adoption of a joint revised Employee Handbook which provides employment practices and policies common to all offices and departments. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Fund 2913 "911 Wireless Service Fund" was established by the Nebraska Auditor of Public Accounts and receives the Nebraska Public Service Commission funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 services. The Fund 2914 "911 Wireless Service Holding Fund" is for the funds set aside for future equipment and software purchases as required by the Public Service Commission from the Fund 2913. The Nebraska Public Service Commission 911-SAM Audit for the fiscal years 2011-2012, 2012-2013 and 2013-2014 are completed and the audit disallowed some expenditures. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-24, authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$4,191.05 from the 911 Emergency Management Fund (2910) to the 911 Wireless Service Holding Fund (2914) as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. 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 Maricle to approve the Letter of Understanding with Richard D. Martinsen, CPA, to assist in the preparation of the county budget for fiscal year 2016-2017. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board and department heads present discussed preparation of the 2016-2017 FY budget. The suggested operating portion for an office budget is limited to 1% for the pre-budget figures. If a department head knows of a required purchase, equipment upgrades or services for the 2016-2017 FY that may be more than the 1% they are asked to discuss the items with the Board. The group present discussed a cost of living adjustment for employees that is usually given in January each year. Motion made by Luettel, second by Maricle to approve the following cost of living wage increase as follows: \$.58 per hour wage increase for all full-time and part-time employees added to the employees present hourly wage at the end of the 2016 year; and 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, 2016



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to coincide with the 22/21 pay period. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer for the Board to go into executive session at 12:39 p.m., per the Open Meeting Act §84-1410(1), Protection of the public interest. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried. The Board and Zoning Administrator discussed the Zoning Comprehensive Plan. Motion made by Tisthammer, second by Luettel to come out of the executive session at 1:35 p.m. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried. Discussed Comprehensive Plan for Boone County rural areas, no action was taken by the Board.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Mary Ziemba, Zoning Administrator, and the Board discussed the used laptop computer that the Assessor's office was using and now they have returned it back to the Zoning office.
- Commissioner Maricle recommended the Board members and department heads present to read an article published recently in the NACo paper.
- Commissioner Maricle addressed opinions regarding a news article in the June 1, 2016 edition of the Albion News, regarding the Boone County Fitness Center.

Commissioner Luettel declared the meeting adjourned at 1:37 P.M. with the next Board meeting scheduled for Monday, June 20, 2016.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 20, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 20, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel and Jerry L. Tisthammer. 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Rod Nelson, Courthouse Maintenance, and the Board discussed cleaning within the courthouse building. Nelson informed the Board that he could use some part-time help to clean restrooms and vacuum. No decision was made at the meeting.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of June 13, 2016 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 of Equalization Proceedings of June 13, 2016 as presented. Roll call vote: Tisthammer and Luettel. Nays: None. Absent: Maricle. 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 Tisthammer to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. 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. The cost for the bridge inspections is estimated to be \$885.61 for 2016. The state share is 80% and the county share is 20% of the estimated costs. Thorin said that Boone County has soft match funds available to cover the 20% share. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-25, an Agreement between the Nebraska Department of Roads and Boone County for Project No. STP-NBIS (106), Control No. 00953 Fracture Critical Bridge Inspections and Load Re-ratings 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.

- County officials reported on activities with regard to their respective offices.
- Boone County Government Day is set for Wednesday, October 19, 2016, with a mock trial program.
- The group present discussed new legislation affecting their respective office. Most of the legislative bills take effect on July 21, 2016.

Darrel Thorin, County Highway Superintendent, Gayle Noble and the Board discussed drainage concerns regarding Valley View Drive. The residential homes on the east side of Valley View Drive are lower than the



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existing road. The drainage water travels across the road from the west to the east. There is no drainage ditch for a portion of the west side of the road. Thorin suggested a possible solution of using bank run gravel to build up the road and build a ditch along the west side to carry water. Noble suggested that today's discussion be shared with the neighboring property owners. Thorin said that Valley View Drive has never been officially opened as a county road. The county has removed snow and maintained it for more than ten years. Thorin explained the protocol procedure to change the classification of Valley View Drive to an official county road.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The zoning public hearing advertised for 10:30 today has been re-advertised for July 11, 2016 at the same time.

Chairman Luettel declared the meeting adjourned at 12:05 P.M. with the next Board meeting scheduled for Monday, June 27, 2016.

Kathy Thorberg,
Boone County Clerk



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MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, June 20, 2016 at 11:02 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer, and Mary Ziemba, County Planning and Zoning Administrator. Commissioner Hilary K. Maricle was absent. Also present for said hearing to answer any questions were Paul Groeteke and Mark Jensen, Boone County Planning Commission Board members, and Chuck and Deb Beckwith, Applicants. Chairman Luettel acknowledged the publication 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 Conditional Use Permit submitted by Chuck and Deb Beckwith. Charles B. and Debra L. Beckwith are the property owners of the real estate referenced herein. The application request is to divide 3± acres from a parcel of farm ground for the existing residential home located on the SE1/4 of Section 1, Township 20 North, Range 8 West of the 6th P.M., Boone County, Nebraska.

Chuck Beckwith explained to the Board that the purpose for dividing the 3± acres from the farm ground is to sell the existing residential home. A survey for the 3± acres is completed and Waiver of Distances are signed. Ziemba explained that concerns are to protect the buyer, seller and zoning regulations regarding livestock operations in the Agricultural 1 Zoning District. Groeteke and Jensen explained the concerns of the Planning and Zoning Commission Board. Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the Agricultural 1 Zoning District, which gives priority to agricultural land uses. They said that the intention of the planning board was to require a permanent easement that stays with the land and a waiver of distance to allow both present and future agricultural practices in the Agricultural 1 Zoning District.

The Zoning Board wants to make sure that the prospective buyers are educated about the agricultural land uses in the area and the recorded document requirements. The County Planning Commission Board recommended approval to divide 3± acres from the parcel of farm ground for the existing residential home with the condition that a permanent easement and waiver of distance be required for the permit.

Motion made by Tisthammer, second by Luettel to close said hearing at 11:25 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to table a decision to the Monday, June 27, 2016 Board meeting in order to have all Board members present for a decision. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,
Boone County Clerk



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MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, June 20, 2016 at 11:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer, and Mary Ziemba, County Planning and Zoning Administrator. Commissioner Hilary K. Maricle was absent. Also present for said hearing to answer any questions were Paul Groeteke and Mark Jensen, Boone County Planning Commission Board members, Todd Kramer, Cornerstone Bank, and Bill Schriver, Co-Trustee, Applicants. Chairman Luettel acknowledged the publication 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 Conditional Use Permit submitted by Harold H. Rudman Trust II, representative is Cornerstone Bank, Albion, Nebraska. Harold H. Rudman Trust is the property owner of the real estate referenced herein. The application request is to divide 3± acres from a parcel of farm ground for the existing building site located on the NW1/4 of Section 32, Township 19 North, Range 6 West of the 6th P.M., Boone County, Nebraska.

Todd Kramer and Bill Schriver explained to the Board that the purpose for dividing the 3± acres from the farm ground is to sell the existing building site. A survey for the 3± acres is completed and Waiver of Distances are signed. Ziemba explained that concerns are to protect the buyer, seller and zoning regulations regarding livestock operations in the Agricultural 1 Zoning District. Groeteke and Jensen explained the concerns of the Planning and Zoning Commission Board. Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the Agricultural 1 Zoning District, which gives priority to agricultural land uses. They said that the intention of the planning board was to require a permanent easement that stays with the land and a waiver of distance to allow both present and future agricultural practices in the Agricultural 1 Zoning District.

The Zoning Board wants to make sure that the prospective buyers are educated about the agricultural land uses in the area and the recorded document requirements. The County Planning Commission Board recommended approval to divide 3± acres from the parcel of farm ground for the existing building site with the condition that a permanent easement and waiver of distance be required for the permit.

Motion made by Tisthammer, second by Luettel to close said hearing at 11:37 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to table a decision to their Monday, June 27, 2016 Board meeting in order to have all Board members present for a decision. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 27, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 27, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 and Accounts Payable Vendor Claims filed for payment from the various funds: Payroll: General \$99,867.94, BCBS \$47,545.40, Ameritas Ret \$6,891.13, EFTPS \$7,451.68, Section 125 Fees \$12.50, Wellness Program \$97.51; Road \$49,539.62, BCBS \$24,170.06, Ameritas Ret \$3,343.92, EFTPS \$3,736.88; Ambulance \$2,090.00, Ameritas Ret \$64.13, EFTPS \$159.88; Public Defender Contract \$3,120.00; Boone County Fitness Center \$5,955.64, Ameritas Ret \$334.88, EFTPS \$455.61, which is all reimbursed back to the County. Accounts Payable Vendor Claims: General – Sonya Glup \$100.00, Hometown Leasing \$278.00, Designs & Signs \$595.00, Spiegel Automotive \$944.80; Road – NMC Exchange LLC \$285,892.00; Inheritance Tax – Midwest Service & Sales, Inc. \$166,398.00. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings of June 20, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the Zoning Public Hearing Proceedings of June 20, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. 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 30th each year. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-26, to transfer the sum of \$34,649.93 for fiscal year 2015-2016 from 911 Wireless Service Fund 2913 to the 911 Wireless Service Holding Fund 2914 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve Resolution No. 2016-27, a transfer within the General Fund (0100) functions for the fiscal year ending June 30, 2016 as presented. 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 two requests for advertisement funding.



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The St. Bonaventure Catholic Church of Raeville, requested assistance to advertise a Family Fun Day fundraiser event scheduled for July 17, 2016. 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 Cedar Rapids Community Club requested assistance to advertise the Cedar Rapids Community Picnic event scheduled for July 16, 2016. 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: Maricle, Tisthammer and Luettel. Nays: None. 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 subaward agreement is in effect from October 1, 2016 through September 30, 2017, the completion date. Upon notice to the Subrecipient, DHHS may, in its sole discretion, renew this award for two (2) additional one (1) year terms. 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 Maricle 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, Maricle and Luettel. Nays: None. Motion carried.

Christine Grundmayer, Church Trustee, submitted an application to the Board for permission for a Special Designated License (SDL) to serve alcohol at the Family Fun Day event scheduled for July 17, 2016. Chris Grundmayer informed the Board that the July 17, 2016 SDL request is for 1:00 p.m. to 4:00 p.m. for the Raeville Hall and includes an additional fenced off area outside the building. She also indicated that they will ID at the gate and have wrist bands issued at the point of purchase and will also be hiring a security company for the event. Motion made by Luettel, second by Maricle to approve, as presented, the Application for a Special Designated Liquor License request from the St. Bonaventure Catholic Church, Raeville. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Ed Knott, Applied Connective Technologies, L.L.C. (ACT), presented to the Board a service contract that would cover all IT related needs regarding the county equipment. Services that ACT may provide includes technical support, service and maintenance of the telephony system, computer system, networking equipment, software, and connected equipment. Unused service hours shall be credited or refunded at the expiration of the Agreement. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign an IT Service Agreement between Applied Connective Technologies, L.L.C., a Nebraska limited liability company and Boone County Courthouse beginning July 1, 2016 and ending June 30, 2017 with quarterly payments and shall automatically renew for successive terms as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding employee motor grader training, road/bridge projects and road maintenance. Thorin informed the Board that an overweight citation had been issued to a county employee driving a county truck with a load of gravel. Thorin said that a certified scale was not in use at the gravel pit. Thorin said that the county had paid the first overweight ticket received by an employee driving county equipment in the past, so to follow that policy the Board decided to pay the citation ticket. Thorin and the Board discussed Thorin's plans to retire at the end of December 2016.



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Mary Ziemba, Zoning Administrator, and the Board discussed hiring a full time employee to assist the zoning administrator. Ziemba started working for the county as a part-time employee to assist in the highway superintendent's office in May 2010. In October 2012 became a full time employee by combining the duties of assistant to the highway superintendent and zoning administrative duties. Motion made by Maricle, second by Luettel to approve advertising for two weeks for a full time employee to assist the zoning administrator with the combined office duties. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Zoning Public Hearing held on June 20, 2016 regarding an Application for a Conditional Use Permit submitted by Chuck and Deb Beckwith was tabled to the June 27, 2016 Board meeting for approval or denial. The Board and Mary Ziemba, Zoning Administrator, discussed concerns regarding a permanent easement requirement to be attached to an Application for Conditional Use Permit. Ziemba plans to send the permanent easement draft to Dave Ptak, Attorney, for his review regarding zoning issues. Motion made by Maricle, second by Tisthammer to table the Application for a Conditional Use Permit submitted by Chuck and Deb Beckwith based on the lack of legal advice regarding the attachment of a permanent easement to a conditional use permit. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Zoning Public Hearing held on June 20, 2016 regarding an Application for a Conditional Use Permit submitted by Harold H. Rudman Trust II was tabled to the June 27, 2016 Board meeting for approval or denial. The Board and Mary Ziemba, Zoning Administrator, discussed concerns regarding a permanent easement requirement to be attached to an Application for Conditional Use Permit. Ziemba plans to send the permanent easement draft to Dave Ptak, Attorney, for his review regarding zoning issues. Motion made by Maricle, second by Tisthammer to table the Application for a Conditional Use Permit submitted by Harold H. Rudman Trust II based on the lack of legal advice regarding the attachment of a permanent easement to a conditional use permit. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Rod Nelson, Maintenance, presented the Board quotes for their review from Applied Connective Technologies, LLC and Safe-N-Secure Security Equipment for replacement of the security camera system located in the law enforcement building and the courthouse. Nelson informed the Board that a review/study of the law enforcement building will be conducted by a representative from State of Nebraska, Jail Standards Division. The Jail Standards Division will submit suggestions regarding a surveillance camera system after their review/study.

Sheryl Machacek, Sheriff Communications; Rod Nelson, Maintenance; Tom Smith, Region 44 Emergency Manger; and the Board discussed a Ground Audit conducted by RVW, Inc. regarding the County Communications Tower located at the Boone County Fairgrounds. The tower received storm damage on March 23, 2016. The Board approved a third party to conduct a ground audit of the newly constructed County Communications Tower and equipment at their April 27, 2016 Board meeting. Deficiencies were found in the grounding bar and possibly some connections/wires are undersized. Machacek informed the Board that the third party plans to review the grounding information on the approved signed bid agreement for the construction of the County Communications Tower. In addition, Platte Valley Communications will not charge for any repair labor regarding items that need correcting per audit, but any additional equipment the county will need to pay for. Machacek will follow up with another report following the ground audit report questions and repairs.



Boone County Board Minutes



Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- NIRMA is scheduled to provide CPR training on August 1, 2016 for County of Boone employees.
- The Board received a copy of the 2015EMPG State Homeland Security Grant audit report regarding Region 44 Emergency Management. There is no required corrective actions and the records are well maintained.
- Tom Smith, Region 44 Emergency Manager, updated the Board regarding Region 44 Emergency Management activities. In addition, discussed the following with the Board:
 - Working on the Boone County Local Emergency Operations Plan (LEOP) annual review.
 - Completed a CERT Basic Academy Training exercise June 23rd.
 - Hazard Mitigation meeting is scheduled for 10:00 A.M. on July 5, 2016 at the Albion Fire Hall.
 - Community Active in Disaster (COAD) will organize July 21, 2016 at 2:00 p.m. at the Zion Lutheran Church.
 - Smoke alarm information will be provided at a booth at the Boone County Fair. There will be application forms to complete to install a free smoke alarm on August 20, 2016 in residential homes. It is suggested that a smoke alarm that is ten years old or older should be replaced. Boone County LEPC and Red Cross are partnering for this event.

Chairman Luettel declared the meeting adjourned at 12:29 P.M., the next Board meeting is scheduled for Monday, July 11, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 11, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 11, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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, 2013 and 2014 are all completed. Jarecki reported that he was assigned forty-four cases in 2015 with two cases being a conflict of interest and seven cases remain open. Jarecki reported that he has been assigned twenty-seven cases to date in 2016 and sixteen cases remain open. 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. Commissioner Luettel thanked Jarecki for the updated report and his diligent services.

The Board reviewed several Accounts Payable Vendor Claims filed for payment from the various county funds. Motion made by Tisthammer, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$38,745.88; Road - \$154,945.52; Boone County Visitor's Promotion - \$236.75; Reappraisal - \$1,100.56; 911 Emergency Management (2910) - \$233.96; 911 Wireless Service (2913) - \$601.62; Ambulance - \$3,308.29. 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 June 27, 2016 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 a request for advertisement funding. The American Legion Post #162 requested assistance to advertise the American Legion Area 2 Class C Junior Baseball Tournament scheduled for July 8-12, 2016. 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 accept and approve as presented the County Clerk/Register of Deeds 2015-2016 fiscal year-end report. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed the 2015-2016 fiscal year-end Boone County Ambulance Services report and noted that \$9,279.42 in ambulance bills have been turned over to the county attorney for collection. Motion made by Tisthammer, second by Luettel to accept and approve as presented the Boone County Ambulance Service 2015-2016 fiscal year-end report. 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 approve the following reports of the County Officials as presented for June 2016:

- Clerk - \$23,073.50 (State of Nebraska \$15,281.44) (County of Boone \$7,792.06)
- Clerk of the District Court - \$3,403.52 (State of Nebraska \$2,341.75) (County of Boone \$1,061.77)
- Sheriff - \$982.36
- County Planning & Zoning - \$484.50
- Treasurer - Treasurer's Fees - \$46.00; Miscellaneous Receipt Nos. 15077-15127 - \$187,568.57; Total Collections - \$508,920.74
- County Veteran Service Office report for the month of June, 2016.

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, 2016. 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.

The County Treasurer submitted a Semiannual Statement for January 1, 2016 through June 30, 2016. Motion made by Luettel, second by Tisthammer to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The County Treasurer submitted to the Board a list of delinquent 2013 real estate taxes not sold at the tax sale held in March 2016, as per Nebraska State Statute. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-28, 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 2013 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.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding contractual services for installation of culverts.
- Thorin and the Board discussed Thorin's plans to retire at the end of December 2016. Thorin and the Board discussed Thorin's offer to help part-time until the new highway superintendent learns the position, personnel and upcoming road projects. Motion made by Luettel, second by Tisthammer to authorize Darrel Thorin, Highway Superintendent, to advertise for a full time licensed highway superintendent through NACO, LTAP and newspapers until position is filled. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

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 2016 Board Reorganizational Meeting Proceedings.



Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, submitted quotes from Eakes Office Solutions and One Source, One Solution for the Board to review regarding a new copy machine to serve the offices of highway superintendent and zoning. The present leased copy machine is a refurbished machine and has received several maintenance/repair calls this year. The Board recommended the purchase from Eakes Office Solutions. Motion made by Luettel, second by Tisthammer to approve and authorize Darrel Thorin, Highway Superintendent, to sign the best option of buying/leasing a new copy machine from Eakes Office Solutions. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Denny Johnson, Sheriff, presented information to the Board regarding a telephone system for inmates to use in the Boone County Jail facility. The Encartele, Inc. phone card system meets the jail specifications and is installed by Encartele at no cost to the county. The phone card system is paid for through the phone cards purchased by inmates. Johnson said that Nebraska Jail Standards approved of the phone card system five year contract. The consensus of the Board is for Johnson to follow the Nebraska Jail Standards approvals and suggestions.

Denny Johnson, Sheriff, discussed visitation equipment for use with prisoner inmates with the Board. The communication system between prisoners and visitors would include cameras and audio/video monitors. Johnson said that it may be best if the visitation equipment was located in the courthouse in space that is not being utilized every day of the week. No decision was made regarding the equipment or location within the courthouse.

Denny Johnson, Sheriff, said that the type of video surveillance system for the law enforcement building and courthouse is dependent on Nebraska Jail Standards approval. No system approval had been received to date.

Paul Hosford, Pat Boilesen, Mary Jane Noble and Leon Magsamen, on behalf of the Boone County Historical Society, Inc., presented a request to the Board for assistance with annual utilities and two new overhead doors for the Boone County Museum facility. The Boone County Historical Society presented a progress report to the Board for their review. The roof leaks were repaired on the north and south main buildings. New doors, windows and heating/air conditioning were installed on the north building. Boilesen said that county funding, grants and the Boone County Big Give were very generous in helping with the improvements to the museum facility. The Historical Society is asking the Board for support to continue the annual \$2,000.00 for telephone and internet and an additional \$2,800.00 for an annual heat/air costs from the County General Fund. In addition, the Historical Society are asking the Board to consider improvements to the south building for two new overhead doors and removing the two roof vents. The improvements estimated cost is \$6,234.00.

Motion made by Tisthammer, second by Luettel to approve \$4,800.00 for fiscal year 2016-2017 from the General Fund for operating expenses for the Boone County Historical Society, Inc. museum facilities as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve \$6,234.00 for fiscal year 2016-2017 from the Inheritance Tax Fund for improvements for the Boone County Historical Society, Inc. museum south building payable directly to the entity as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board discussed the ambulance services at their May 31, 2016 Board meeting and asked NIRMA legal counsel for proper classifications of workers. There was no discussion regarding the Boone County Ambulance Services. The Board is waiting for information from NIRMA legal counsel.



Boone County Board Minutes



The Board received a written resignation from the employee part-time cleaning position. Kelly Gilroy submitted her resignation from the position of part-time cleaning of the courthouse effective June 22, 2016. Gilroy will continue her full time employment in the County Treasurer's office. Motion made by Luettel, second by Tisthammer to accept the resignation of Kelly Gilroy from the part-time cleaning position effective June 22, 2016. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Boone County Employee Handbook addresses county employee's eligibility for FMLA and General Leave of Absence. The General Leave of Absence is for employees that are not eligible for FMLA. The General Leave eligibility is considered after completing six months of employment, however, leaves prior to six months is on a case-by-case basis. NIRMA labor law legal counsel was contacted for assistance with forms and language for employees that are not eligible under the General Leave of Absence. Motion made by Luettel, second by Tisthammer to approve the General Leave of Absence forms for Boone County employees use as drafted/approved by NIRMA legal counsel. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed information received from Mary Ziemba, Zoning Administrator; David Potter, JEO Consulting Group; and David Ptak, Attorney, regarding a suggested easement condition that may be attached to an Application for Conditional Use Permit. After reviewing legal counsel information in regard to the zoning regulations and drafted easement language the Board decided to take action on the two Zoning Public Hearings held on June 20, 2016.

Motion made by Tisthammer, second by Luettel to approve the Application for Conditional Use Permit submitted by Chuck and Deb Beckwith with a Survey and Waiver of Distance attached to divide 3± acres from a parcel of farm ground for the existing residential home located on the SE1/4 of Section 1, Township 20 North, Range 8 West of the 6th P.M., Boone County, Nebraska with no easement condition attached. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the Application for Conditional Use Permit submitted by Harold H. Rudman Trust II, representative is Cornerstone Bank, Albion, Nebraska with a Survey and Waiver of Distance attached to divide 3± acres from a parcel of farm ground for the existing building site located on the NW1/4 of Section 32, Township 19 North, Range 6 West of the 6th P.M., Boone County, Nebraska with no easement condition attached. Roll call vote: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Open Discussion and miscellaneous public comments:

- The NIRMA CPR classes for county employees is scheduled for August 1, 2016.

Commissioner Luettel declared the meeting adjourned at 1:15 P.M. with the next Board meeting scheduled for Monday, July 18, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 18, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 18, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

Barb Otto of O'Neill, Nebraska, appeared before the Board and gave a presentation and answered questions regarding approval of a resolution to prominently display the motto, "In God We Trust." Motion was made by Luettel, second by Tisthammer to approve Resolution No. 2016-29 authorizing that the motto, "In God We Trust", shall be permanently and prominently displayed in the Boone County Courthouse. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, Highway Superintendent, appeared before the Board requesting the County Board appoint Darrel D. Thorin, Boone County Highway Superintendent, to complete a feasibility study. The feasibility study is with regard to a Petition to Vacate County Road submitted by William Majerus for a portion of 240th Avenue beginning at a point between the SE1/4 32-22-6 and the SW1/4 33-22-6, then North 1 mile to a point located between the NE1/4 32-22-6 and the NW1/4 33-22-6, in Boone County, Nebraska. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-30 appointing Darrel D. Thorin, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of one mile of road known as 240th Avenue. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Proceedings and County Board of Equalization Proceedings of July 11, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

On July 11, 2016, a claim was approved by the County Board regarding Vendor Number 801 in the amount of \$3,034.68. The vendor claim should not have been approved on that date due to the nature of the claim and the board members present. The vendor check for payment of this claim was held until such time as the vendor claim could be further reviewed. Motion was made by Maricle, second by Tisthammer to acknowledge approval of the claim on July 11, 2016 and authorize the release of the check to Vendor Number 801. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

The Board reviewed the Non-Exclusive Contract for Services between Boone County and Beckman Lumber Inc. for the back hauling of gravel and other aggregate from quarries to the county stockpiles. Motion made by Tisthammer, second by Maricle to authorize the Board Chairman to sign the Non-Exclusive Contract for Services with Beckman Lumber Inc. for the back hauling of gravel and other aggregate from quarries to the county stockpiles. Roll call vote: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Denny Johnson, County Sheriff, advised the County Clerk's office that the Communications Manager was not available to present information regarding the County Communications Tower and asked that the matter be postponed to a later date.



Boone County Board Minutes



Motion made by Luettel, second by Maricle to table action regarding the County Communications Tower scheduled for July 18, 2016 to July 27, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Open Discussion:

- Ken Luettel advised that Rod Nelson had talked to him regarding weeds that were coming up in the gravel at the communications tower and wanted to know if the Weed Superintendent could spray them. Luettel advised that he would review the situation and either contact the Weed Superintendent or spray the weeds himself.

Commissioner Luettel declared the meeting adjourned at 9:26 A.M. with the next Board meeting scheduled for Wednesday, July 27, 2016.

Lorrie Nicklasson,
Deputy Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 27, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, July 27, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel and Hilary K. Maricle. Commissioner Jerry L. Tisthammer was absent. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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 Payroll Claims filed for payment from the various funds: General \$92,784.66, BCBS \$47,545.40, Ameritas Ret \$6,425.77, EFTPS \$6,918.83, Section 125 Fees \$10.00, Wellness Program \$114.88; Road \$49,527.12, BCBS \$24,170.06, Ameritas Ret \$3,343.08, EFTPS \$3,735.93; Ambulance \$2,630.00, Ameritas Ret \$75.61, EFTPS \$201.18; Public Defender Contract \$3,120.00; Boone County Fitness Center \$5,782.98, Ameritas Ret \$332.59, EFTPS \$442.42, which is all reimbursed back to the County. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Tisthammer. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of July 18, 2016 as presented. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Tisthammer. Motion carried.

Motion made by Maricle, second by Luettel to approve the Board of Equalization Proceedings of July 18, 21 and 25, 2016 as presented. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Tisthammer. 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 & Horse Plowing Bee scheduled for August 26-28, 2016. 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, and Maricle. Nays: None. Absent: Tisthammer. Motion carried.

John Buck and Darla McIntosh, County Sheriff's office representatives, and the Board discussed space for the installation of monitors for jail visitors. The suggestion is for the monitors to be installed in a room in the courthouse instead of the law enforcement building. The Board questioned the type and display of the monitors. It may make a difference of the space that is available depending if the monitors are attached to a wall or are portable to set on a table. Buck and McIntosh plan to follow up with the Board after receiving information regarding the type and display of the monitors.

Sheryl Machacek, Sheriff Communications, updated the Board in regard to the Ground Audit conducted by RVW, Inc. regarding the County Communications Tower located at the Boone County Fairgrounds. The tower received storm damage on March 23, 2016. Deficiencies were found in the grounding bar and possibly some connections/wires are undersized. Platte Valley Communications will not charge for any repair labor regarding items that need correcting per audit, but any additional equipment the county will need to pay for. Machacek said Platte Valley Communications is waiting on Commonwealth Electric in order to start the repairs on the tower.



Boone County Board Minutes



CK Family Farms LLC, c/o Charles Krohn requested permission to trench an electrical line under a county road commonly known as 270th Street running East and West between Sections 27 and 34, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The trenched electrical line is for residential purposes. The electrical line commences from an electrical pole located in the NW1/4 of Section 34, thence running north across 270th Street to a residential site to be located in the S1/2SW1/4 of Section 27, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-31, granting permission to CK Family Farms LLC to trench an electrical cable under a county road known as 270th Street to the S1/2SW1/4 of Section 27, Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska, to a residential site. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Tisthammer. Motion carried.

Mary Ziemba, Zoning Administrator, and the Board discussed hiring a full time employee to assist the zoning administrator at the June 27, 2016 Board meeting. Ziemba started working for the county as a part-time employee to assist in the highway superintendent's office in May 2010. In October 2012 became a full time employee by combining the duties of assistant to the highway superintendent and zoning administrative duties. Motion made by Maricle, second by Luettel to approve Neilani Marsh, full time employee to assist the zoning administrator with the combined office duties beginning July 25, 2016. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Tisthammer. Motion carried.

The Board appointed Darrel Thorin, Highway Superintendent, at the July 18, 2016 Board meeting to complete a feasibility study regarding the vacation of one mile of road known as 240th Avenue. Thorin presented the feasibility study for the Board to review. The feasibility study is with regard to a Petition to Vacate County Road submitted by William Majerus for a portion of 240th Avenue beginning at a point between the SE1/4 of Section 32 and the SW1/4 of Section 33, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, thence North approximately one mile. The road is not currently being used by any vehicles other than an occasional 4-wheeler. It would take extensive construction and expense to bring the road to current design standards. The road is not on the current road inventory with NDOR and vacation of said road would not have any effect on Highway Allocation Funds currently received by the county. Thorin recommends the road be vacated with the current road right-of-way being reverted back to the adjoining landowners. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-32, to set a public hearing to be held on August 22, 2016 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of one mile of road known as 240th Avenue. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Tisthammer. Motion carried.

The Board discussed the type of sign and the placement of the sign within the courthouse hallway for display of "In God We Trust." The Board plans to discuss the placement and type of signage with the department heads at their August 15, 2016 Board meeting.

Doug Koch and Mitch Glesinger, Boone County Development Agency, Inc. representatives, appeared before the Board regarding the Membership Agreement and Disbursement Agreement for fiscal year, 2016-2017. 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. The County of Boone, NE financial contribution to the BCDA, Inc. for fiscal year 2016-2017 is 80% of the operating budget. The \$105,784.80 is paid from the County Inheritance Tax Fund. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Membership Agreement and Disbursement Agreement for fiscal year, 2016-2017. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Tisthammer. Motion carried.



Boone County Board Minutes



Richard Martinsen, CPA, prepared and presented a preliminary budget for 2016-2017 Fiscal Year for the Board to review. The preliminary proposed budget tax request amount is \$3,787,515.00, an increased asking amount of \$515,757.00 more than last fiscal year.

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 various meetings scheduled this week.
- Commissioner Luettel reported on the Northeast Nebraska Juvenile Services Board meeting.
- Commissioner Maricle reported on the Boone County Health Center Board and Boone County Fitness Center Board meetings.
- Commissioner Maricle commented on the handgun signs and bird bath on the courthouse property.
- Commissioner Maricle asked if there is a long term plan for use of the Inheritance Tax Funds and if the funds may be used to pay off the Boone County Agricultural Society, Inc. Event Center Building loan, which would make it easier for the Ag Society to address a new project.

Chairman Luettel declared the meeting adjourned at 12:20 P.M., the next Board meeting is scheduled for Monday, August 8, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 8, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 8, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 - \$71,748.76; Road - \$140,422.55; Boone County Visitor's Promotion - \$395.74; ROD Preservation/Modernization - \$2,225.00; 911 Emergency Management (2910) - \$1,665.89; 911 Wireless Service (2913) - \$3,673.58; Ambulance - \$1,229.60. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$1,524.95, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of July 27, 2016 as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Zoning Public Hearing Proceedings of July 27, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the following reports of the County Officials as presented for July, 2016:

- Clerk - \$4,518.50 (State of Nebraska \$988.78)(County of Boone \$3,529.72)
- Clerk of the District Court - \$1,283.88 (State of Nebraska \$626.00)(County of Boone \$657.88)
- Sheriff - \$1,212.04
- County Planning & Zoning - \$175.75
- Treasurer - Treasurer's Fees - \$68.00; Miscellaneous Receipt Nos. 15128-15183 - \$248,060.78; Total Collections - \$569,986.47

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 two requests for advertisement funding.



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The Primrose Volunteer Fire Department requested assistance to advertise the Primrose Mud Drags event scheduled for September 4, 2016. 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 Petersburg Community Club requested assistance to advertise the Old Time Baseball Game scheduled for August 14, 2016. 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.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding the contracted culvert replacement project.
- Thorin and the Board discussed advertisement for a licensed County Highway Superintendent. Thorin plans to retire at the end of the calendar year. The advertisement will be placed in publications and on websites

The Board met with Richard Martinsen, CPA, who prepares the annual county budget. The Board reviewed the preliminary 2016-2017 budget requests submitted for each county department. The courthouse renovation bonds are retired. The Inheritance Tax Fund has been used for several years to reduce the county's property tax request, resulting in a low levy. The Reappraisal Fund in the past has been a separate tax request/levy. The reappraisal budget will become part of the County General Fund with the 2016-2017 fiscal year.

Motion made by Luettel, second by Maricle to set the budget hearing for the Fiscal Year 2016-2017 County Budget on Thursday, September 8, 2016 at 9:00 A.M. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to recess said Board meeting at 12:08 P.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to reconvene said Board meeting at 1:04 P.M. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board reviewed and discussed each of the office budgets submitted for the 2016-2017 fiscal year. The Board plans to review the submitted budget(s) with the respective department head on Monday, August 15, 2016

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Northeast Nebraska Association of County Officials fall workshop is scheduled for Friday, September 16, 2016 at the St. Benedict Center, Schuyler, Nebraska.

Commissioner Luettel declared the meeting adjourned at 1:59 P.M. with the next Board meeting scheduled for Monday, August 15, 2016.

Kathy Thorberg,



Boone County Board Minutes



Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 15, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 15, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson and Kathy Thorberg. Nelson addressed old business regarding partial sidewalk replacement by the courthouse north steps, defibrillators maintenance completed, NIRMA CPR class completed and tornado drills were discussed. The following new business was discussed: (1) Nelson contacted Boone County Concrete for a quote to replace the steps to the Sheriff's office front door; (2) Sheriff Johnson discussed possible inside remodeling ideas for the law enforcement/sheriff building; (3) Sheriff Johnson discussed a new surveillance system for the law enforcement building that may possibly include the courthouse building; and (4) Darrel Thorin, County Highway Superintendent, ordered new no smoking and concealed weapon signage for the courthouse grounds. Nelson reported no accidents for last quarter. The next safety committee meeting is scheduled for 9:00 A.M. on November 21, 2016. The Safety Committee meeting was adjourned by Rod Nelson at 9:11 A.M.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of August 8, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Andy Roberts, Valero Renewables, Albion, NE submitted a petition to vacate a portion of a county road known as 270th Street. The requested vacation begins at a point at the SE corner of NW1/4 and NE corner of the SW1/4 of Section 26, Township 20 North, Range 6 West, thence West one thousand sixty-one (1,061) feet to a point located on the east ROW line of the Nebraska Central Railroad between the NW1/4 and the SW1/4 of Section 26, Township 20 North, Range 6 West, of the 6th P.M. Boone County, Nebraska, known as 270th Street. The said portion of road currently ends at the railroad tracks. Roberts presented a plan for new installation of about 8,000 feet of additional rail siding that would cross said portion of 270th Street.

The Board reviewed a preliminary survey prepared by Chris Hays, County Surveyor, regarding the county owned real estate commonly known as the fairgrounds. Hays' preliminary survey is drawn over an aerial map that shows the buildings, etc. within the fairgrounds boundary lines. The aerial map survey includes the boundary lines of the real estate legal descriptions of record.

It appears that the south fairgrounds fence line is not straight. The area to the east of the road entering into the fairgrounds from the north includes the Boone County Historical Society Museum, Albion City Park and the Albion City Campground. This area appears to need some real estate transaction corrections as to ownership and boundary lines.

Chris Hays, County Surveyor; Andy Devine, Albion City Administrator; Chuck Rolf, Boone County Agricultural Society; Steve Pritchard, UNL Extension; and the Board reviewed the survey/map and discussed the area. There is a housing development project currently right to the east of the fairgrounds. Concerns were



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expressed as to what may become of the property right south of the fairgrounds. If more housing development continues or begins to the south, there probably will be a need to remove the archery and shooting range from the fairgrounds. Discussion then led to the dam right south of the fairgrounds that is known as the “Kohtz City of Albion Dam” that was built years ago to help control storm water drainage. It was then discussed possibly starting to look at drainage and erosion control as a priority. Devine said that the City of Albion has installed a street curb in the Aquatic Center area to help detour the water flow away from the pool following the incident that damaged the Aquatic Center area. Devine said that the storm water drainage still runs through the camp site and park. Devine said that the City Well #2 is capped and decommissioned and that the city is planning to remove the facility/equipment. The Board and those present felt it was a good discussion to have with all entities involved, so they can try to work together to solve the drainage problem, the possible expansion of the camp site to the south and to decide which entity is responsible for what area.

Chuck Rolf and David Noble, Boone County Agricultural Society, Inc., updated the Board regarding the 2016 Boone County Fair. Rolf and Noble said that the weather cooperated, a good crowd was present, the concert was well attended and all went fairly smoothly with no major issues. The Board inquired of the balance that is left to pay on the Event Center Building that was erected in 2006. Rolf said that they just renewed the loan for another ten years and that there is approximately \$171,000.00 left to pay. The Ag Society usually makes two payments in a calendar year totaling approximately \$22,000.00.

The Reappraisal Fund (1100) in the past years has been a separate tax request/levy. The Boone County Board of Commissioners have determined that there is no longer a need to have a separate levied reappraisal budget. The reappraisal budget will become part of the County General Fund with the 2016-2017 fiscal year. The Reappraisal Fund (1100) will be closed as of August 31, 2016. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-33, to close the Reappraisal Fund (1100) as of August 31, 2016, direct the County Treasurer to transfer all money remaining and automatically transfer any future collections from the Reappraisal Fund (1100) to the General Fund (0100). Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Courthouse Renovation Bonds were retired in May 2016 and the Boone County Board of Commissioners determined that there is no longer a need for the Courthouse Bond Fund (3000). Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-34, to close the Courthouse Bond Fund (3000) as of August 31, 2016, direct the County Treasurer to transfer all money remaining and automatically transfer any future collections from the Courthouse Bond Fund (3000) to the General Fund (0100). Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

CK Family Farms LLC, c/o Charles Krohn requested permission to trench a 11/2” water line under a county road commonly known as 270th Street running East and West between Sections 27 and 34, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The trenched water line is for residential purposes. The water line commences from a well located in the NW1/4 of Section 34, thence running north across 270th Street to a residential site to be located in the S1/2SW1/4 of Section 27, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-35, granting permission to CK Family Farms LLC to trench a 11/2” water line under a county road known as 270th Street to the S1/2SW1/4 of Section 27, Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska, to a residential site. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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Darrel Thorin, Highway Superintendent, appeared before the Board requesting the County Board to appoint Darrel D. Thorin, Boone County Highway Superintendent, to complete a feasibility study. The feasibility study is with regard to a Petition to Vacate County Road submitted by Andy Roberts, Valero Renewables for a portion of 270th Street beginning at a point between the SE corner of the NW1/4 and the NE corner of the SW1/4 of 26-20-6, thence West 1,061 feet to a point located on the east ROW line of the Nebraska Central Railroad between the NW1/4 and the SW1/4 of 26-20-6, in Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-36 appointing Darrel D. Thorin, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of a portion of road known as 270th Street. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, and Rod Nelson, Maintenance, presented the Board quotes for their review from Applied Connective Technologies, LLC and Safe-N-Secure Security Equipment for replacement of the surveillance security camera system located in the law enforcement building and the courthouse. Johnson informed the Board that both quotes will satisfy the State of Nebraska, Jail Standards Division suggested requirements for security surveillance system following their review/study of the jail facility. Each entity submitted quotes for law enforcement building separately and one that includes the courthouse building. The Board plans to review the quotes for comparability and make a decision on how many surveillance cameras to install. It was suggested to install cameras on the outside of the buildings facing the east ramp, north steps and both parking lots. The consensus of the Board is to visit with each vendor separately in order to compare the quotes for a new IP Surveillance System.

The BCDA, Inc. Disbursement Agreement addresses recitals and terms of fund disbursements between the County of Boone and BCDA, Inc., a non-profit corporation. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign the Disbursement Agreement between the County of Boone and BCDA, Inc. commencing July 1, 2016 and ends on June 30, 2017 for \$105,784.80 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

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

Motion made by Luettel, second by Maricle to reconvene said Board meeting at 1:00 P.M. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board discussed the respective office budget requests submitted for fiscal year 2016-2017 for possible adjustments with each elected official or department head. The Board proposed 2016-2017 FY County Budget be forwarded to Rick Martinsen for final budget preparations.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.

Chairman Luettel declared the meeting adjourned at 3:16 P.M. with the next Board meeting scheduled for Monday, August 22, 2016.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 22, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 22, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Rebecca Rayman and Roberta Miksch, East-Central District Health Department (ECDHD), presented a report of public health activities in Boone County for January through June 2016. Rayman said that the three year Community Health Improvement Plan (CHIP) cycle of June 2012 through June 2015 has ended and with that comes a new three year cycle of working toward health improvement in Boone County. ECDHD has provided a number of different services to the residents of Boone County. Some of the services provided were the WIC program, cancer prevention presentations, disease investigations and colon cancer kits. The public is invited to the next Boone County CHIP meeting on September 13, 2016 at the Boone County Health Center. Come find out why Boone County is the 5th healthiest county in Nebraska.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of August 15, 2016 as presented. Roll call vote: Yeas: Maricle, Luettel 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 three requests for advertisement funding.

The American Legion Post #162, requested assistance to advertise the 9/11 Remembrance Freedom Walk scheduled for September 11, 2016. 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 Boone County Historical Society, Inc. requested assistance to advertise a Chalk Painting Demonstration scheduled for September 13, 2016. 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 Boone County Historical Society, Inc. requested assistance to advertise the Sheriff Smoyer's Murder Informative Talk scheduled for September 18, 2016. 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.

Andy Roberts, Valero Renewables, Albion, NE submitted a petition to vacate a portion of a county road known as 265th Avenue. The requested vacation begins at a road commencing at the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, of the 6th P.M. Boone County, Nebraska, running thence south to the north right-of-way line of State Highway 39, known as 265th Avenue. Roberts presented a plan at the August 15, 2016 Board meeting for new installation of about 8,000 feet of additional rail siding.



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The Board appointed Darrel Thorin, Highway Superintendent, at the August 15, 2016 Board meeting to complete a feasibility study regarding the vacation of a portion of county road known as 270th Street. Thorin presented the feasibility study for the Board to review. The feasibility study is in regard to a Petition to Vacate County Road submitted by Andy Roberts, Valero Renewables, for a portion of 270th Street commencing at a point between the SE corner of the NW1/4 and the NE corner of the SW1/4 of Section 26, Township 20 North, Range 6 West, thence West 1,061 feet to a point located on the east right-of-way line of the Nebraska Central Railroad between the NW1/4 and the SW1/4 of Section 26, Township 20 North, Range 6 West, of the 6th P.M., Boone County, Nebraska. The road is classified Minimum Maintenance and is included in the County's current inventory with the Nebraska Department of Roads. However, should the Board decide to vacate said portion of road it would have minimal effect on the State Highway Allocation Funds received by the County. There is no access from the west on this road as the railroad crossing was closed in 2009 due to safety concerns. If this road is to be vacated consideration should be given to the impact on utilities located adjacent to said road. Thorin recommends the road be vacated with the current road right-of-way being reverted back to the adjoining landowners and with a stipulation that all utilities will retain all access to their assets based on current easement agreements. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-37, to set a public hearing to be held on September 12, 2016 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of a portion of road known as 270th Street. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, Highway Superintendent, appeared before the Board requesting the County Board to appoint Darrel D. Thorin, Boone County Highway Superintendent, to complete a feasibility study. The feasibility study is in regard to a Petition to Vacate County Road submitted by Andy Roberts, Valero Renewables, for a portion of 265th Avenue. A road commencing at the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, of the 6th P.M. Boone County, Nebraska, running thence south on the quarter line to the north right-of-way line of State Highway 39, known as 265th Avenue. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-38, appointing Darrel D. Thorin, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of a portion of road known as 265th Avenue. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

A public hearing was held at 10:00 A.M. on August 22, 2016 to allow public comments either for or against officially vacating one mile of 240th Avenue, commencing at a point between the SE1/4 of Section 32 and the SW1/4 of Section 33, all in Township 22 North, Range 6 West, thence North one (1) mile to a point located between the NE1/4 of Section 32 and the NW1/4 of Section 33, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, known as 240th Avenue. There was opposition and discussion regarding vacation of the full mile of county road known as 240th Avenue. Thorin informed the Board that they have thirty days following a public hearing to make a decision. Motion made by Tisthammer, second by Maricle to table a decision regarding Resolution No. 2016-39, to allow for the study of options for access to the property on the north half of said 240th Avenue. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Gerald Mescher requested permission to trench an electrical line under a county road commonly known as 240th Avenue. The request commences at a power pole located in the SW1/4 of Section 16, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska, running thence west to a grain bin located in the SE1/4 of Section 17, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-40, granting permission to Gerald Mescher to trench an electrical line under a county road known as 240th Avenue to the SE1/4 of Section 17, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska, to a grain bin. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



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Darrel Thorin, County Highway Superintendent, and the Board discussed the disposal of surplus property. The county road department has a 2000 Ford Pickup that is need of engine repair and is currently inoperable. The Board received a sealed bid of \$1,000.00 for the used pickup. Motion made by Luettel, second by Maricle to approve and accept the \$1,000.00 for the 2000 Ford pickup as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Jacqueline Wells, Veteran Service Officer, has registered to attend the Nebraska Association of Professional Advocates (NAPVA) training in North Platte, NE from September 14-16, 2016 and the County Veterans Service Officers Association of Nebraska (CVSOAN) meeting in Kearney, NE from September 27-29, 2016. The Board received information that the Burt and Thayer County Veteran Service Officers may carpool with Boone County to North Platte and Kearney. Motion made by Tisthammer, second by Maricle to approve other Nebraska County Veteran Service Officers to occupy/operate the Boone County vehicle September 13-16 and 26-29, 2016, that is being used to carpool to the North Platte and Kearney meetings. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

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. The Board approved 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. The Board believes it is in the best interest to its citizens to continue participation with other Nebraska Public Agencies participating in the Nebraska Regional Interoperability Network (NRIN). Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign Resolution No. 2016-41, to continue participation in the Interlocal Agreement for the formation and participation in the Nebraska Regional Interoperability Network (NRIN) for the period August 26, 2016 through December 31, 2025 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Richard Martinsen, CPA, met with the Board to discuss the proposed fiscal year 2016-2017 County Budget. The proposed property tax request is \$3,635,029.00, which is an increase from the 2015-2016 property tax request of \$3,271,759.00. The proposed 2016 county tax rate is 0.151013, which is different from the 2015 county tax rate of 0.149127. Martinsen provided answers to questions asked with regard to the proposed budget. The County Budget hearing is scheduled for 9:00 A.M. on Thursday, September 8, 2016.

Open discussion and miscellaneous public comments:

- The Board discussed attendance to the various meetings scheduled.
- Darrel Thorin, County Highway Superintendent, updated the Board regarding road projects.
- Commissioner Maricle updated the Board regarding the Region 44 Emergency Management meeting she attended last week.
- Commissioner Luettel updated the Board regarding the Boone County Agricultural Society, Inc. meeting he attended last week.

Chairman Luettel declared the meeting adjourned at 12:26 P.M., the next Board meeting is scheduled for Monday, August 29, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, August 22, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel, Jerry L. Tisthammer, Hilary K. Maricle and Darrel Thorin, County Highway Superintendent.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road:

- Beginning at a point between the SE1/4 of Section 32 and the SW1/4 of Section 33, all in Township 22 North, Range 6 West, thence North one (1) mile to a point located between the NE1/4 of Section 32 and the NW1/4 of Section 33, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, known as 240th Avenue.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated July 22, 2016 recommending that approximately one mile of 240th Avenue be vacated with the current road right-of-way being reverted back to the adjoining landowners of twenty (20) feet on each side. The road is not in the current road inventory with NDOR and vacation of said road would not have any effect on Highway Allocation Funds currently received by the county. The road is not currently being used by any vehicles other than an occasional four-wheeler ATV. It would take extensive construction and expense to bring the road to current design standards.

Steve Werner spoke in opposition to the vacation of the full mile of road known as 240th Avenue. Werner said that the NE1/4 of 32-22-6 is owned by Marlene F. Werner, Trustee. Werner said his aunt's property is currently grassland/CRP acres. Werner said that in the future if the ground was to be farmed/hayed there would be no road access for equipment to get into the NE1/4 if the full mile of 240th Avenue is vacated.

Thorin said that he drove the area and said from the north side there is steep gully/ravines and the old concrete culvert is separating. You may access carefully with a four-wheeler ATV or pickup but agreed one would never get farm equipment through the north side.

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

The Board and Thorin discussed possible options for Werner regarding an access easement with surrounding landowners or only vacate the south half mile of 240th Avenue. Thorin informed the Board that they have thirty (30) days to make a decision following the public hearing.

Motion made by Tisthammer, second by Maricle to table a decision to allow for study of options for access to the Werner property if the full one mile of 240th Avenue is vacated. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 29, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 29, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Tisthammer, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$91,040.84, BCBS \$47,545.40, Ameritas Ret \$6,322.24, EFTPS \$6,785.41, Section 125 Fees \$10.00, Wellness Program \$114.88; Road \$44,512.67, BCBS \$24,170.06, Ameritas Ret \$3,004.60, EFTPS \$3,352.32; Ambulance \$1,500.00, Ameritas Ret \$55.36, EFTPS \$114.74; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,152.65, Ameritas Ret \$330.49, EFTPS \$470.69, which is all reimbursed back to the County. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of August 22, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Public Hearing Proceedings of August 22, 2016 as presented. 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 Petersburg Community Club requested assistance to advertise the Petersburg Community Club Punkin' Chunkin' event scheduled for October 30, 2016. 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: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a quote for installation of a septic tank for the County Road Shop District #1, Cedar Rapids, Nebraska. Thorin and the Board discussed the septic issues regarding the road shop building. The quote includes a septic tank, material, fittings, permits and labor. Motion made by Maricle, second by Tisthammer to approve the estimate of \$5,750.00 from Stephens Electric & Supply, Inc. of St. Edward, Nebraska for the installation of a 540 gallon septic tank for the County Road Shop District #1, Cedar Rapids, Nebraska as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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Darrel Thorin, County Highway Superintendent, presented a quote for the installation of eight provided high bay lights for the County Road Shop District #1, Cedar Rapids, Nebraska. Thorin and the Board discussed the lighting issues at the road shop building. Thorin said that the eight high bay light fixtures have been purchased and that the quote is for the installation and new conduit/boxes. Motion made by Maricle, second by Luettel to approve the bid proposal of \$1,020.48 plus any additional work beyond the proposal from Ryan Figgner Electric, Primrose, Nebraska for the installation of eight high bay lights as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, presented a resolution regarding vacation of a portion of a county road known as 240th Avenue, beginning at a point between the SE1/4 of Section 32 and the SW1/4 of Section 33, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, thence running north approximately one (1) mile. The Board reviewed a signed petition request at their August 8, 2016 Board meeting, appointed Thorin to complete a feasibility study, reviewed the feasibility study and held a public hearing on August 22, 2016. The Board heard comments in opposition to vacation of the north half of said road and no opposition to the vacation of the south half of said road known as 240th Avenue. Motion made by Tisthammer, second by Luettel to approve as presented Resolution No. 2016-39, that only the south one-half mile of said road known as 240th Avenue be officially vacated with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The Board appointed Darrel Thorin, County Highway Superintendent, at the August 22, 2016 Board meeting to complete a feasibility study regarding the vacation of a portion of county road known as 265th Avenue. Thorin presented the feasibility study for the Board to review. The feasibility study is in regard to a Petition to Vacate County Road submitted by Andy Roberts, Valero Renewables, for a portion of 265th Avenue commencing at a point between the NE corner of the SW1/4 and the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, thence South approximately 2,505 feet to a point located on the north right-of-way line of the Nebraska State Highway 39, between the SW1/4 and the SE1/4 of Section 26, Township 20 North, Range 6 West, of the 6th P.M., Boone County, Nebraska. The portion of said road is not included in the County's current inventory with the Nebraska Department of Roads. However, should the Board decide to vacate said portion of road it will have no effect on the State Highway Allocation Funds received by the County. The road is not currently being used for vehicular traffic. Thorin sees no reason why said section of road should not be vacated as long as all adjacent landowners are in agreement, with the right-of-way reverting back to the adjacent landowners, thirty-three feet on each side. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-42, to set a public hearing to be held on September 26, 2016 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of a portion of road known as 265th Avenue. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, received a petition from Albert VanDeWalle requesting to vacate a portion of a county road known as 270th Street. Thorin presented the Petition to Vacate County Road submitted by VanDeWalle for the Board to review. The requested vacation is for a portion of 270th Street commencing between the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east for approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, all in Township 20 North, Range 5 West, of the 6th P.M. Boone County, Nebraska, known as 270th Street.



Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, appeared before the Board requesting the County Board to appoint Darrel D. Thorin, Boone County Highway Superintendent, to complete a feasibility study. The feasibility study is in regard to a Petition to Vacate County Road submitted by Albert VanDeWalle, for a portion of 270th Street. A road commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east for approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, all in Township 20 North, Range 5 West, of the 6th P.M. Boone County, Nebraska, known as 270th Street. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-43, appointing Darrel D. Thorin, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of a portion of road known as 270th Street. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Cornhusker Public Power District requested permission to bury an electrical cable under a county road commonly known as 360th Street running East and West between Sections 11 and 14, all in Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The buried 3 phase, 15 KV electrical cable begins in the NW1/4 of Section 14 and crossing to the north under 360th Street to the SW1/4 of Section 11, all located in Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, to a grain bin site for Ed Braun. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-44, granting permission to Cornhusker Public Power District to bury a 3 phase, 15 KV electrical cable under a county road known as 360th Street to the SW1/4 of Section 11, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, to a grain bin site for Ed Braun. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Cornhusker Public Power District requested permission to bury an electrical cable under a county road commonly known as 230th Street running East and West between Sections 5 and 8, all in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska. The buried 15 KV electrical cable begins in the NW1/4 of Section 8 and is crossing to the north under 230th Street to the SW1/4 of Section 5, all located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska, for replacing the overhead line to the Larry Erickson Farm. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-45, granting permission to Cornhusker Public Power District to bury a 15 KV electrical cable under a county road known as 230th Street to the SW1/4 of Section 5, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska, to replace the overhead line to the Larry Erickson Farm. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Eagle Communications requested permission to bore a fiber optic cable under a county road commonly known as 260th Street, running East and West between Sections 22 and 23 and Sections 26 and 27, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The cable is for the benefit of Valero Ethanol Plant. Eagle Communications is requesting an easement to trench a fiber optic cable along the north side of 260th Street from the Highway 14 right-of-way, thence east 2,031 feet to the west side of the Valero Ethanol Plant driveway, then boring south under 260th Street to the south right-of-way line of 260th Street. (1,543 feet in SE1/4 of Section 22 and 488 feet in SW1/4 of Section 23) Then will bore from the SW/4 of Section 23 to the NW1/4 of Section 26, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve as presented Resolution No. 2016-46, granting permission to Eagle Communications to bore fiber optic cable under a county road known as 260th Street and trench fiber optic cable along the north side of 260th Street in the county road right-of-way as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



Boone County Board Minutes



The Nebraska State Statutes provides that certain governmental entities must receive levy allocation authority from the County Board. The Boone County Board of Commissioners received levy allocation requests from various political subdivisions for the 2016-2017 fiscal year. The Albion, Cedar Rapids, Petersburg, Primrose and St. Edward Rural Fire Districts and the Boone County Agricultural Society have submitted their levy allocation for the 2016-2017 fiscal year. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-47, authorizing the levy allocation requests for the 2016-2017 fiscal year for the Albion, Cedar Rapids, Petersburg, Primrose and St. Edward Rural Fire Districts and Boone County Agricultural Society as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The County of Boone has received some requests/questions for installation of One/Two Hour Parking limit signage be installed by the ramp located at the east side of the courthouse. Some residents prefer to use the ramp area instead of the courthouse parking lots when there is several cars in the parking lots. Commissioner Tisthammer will visit with the City of Albion regarding the concerns and possible signage.

The Board reviewed the quotes for a new IP Surveillance System submitted by Denny Johnson, Sheriff, at the Board meeting on August 15, 2016. The quotes for a new IP Surveillance System are from Applied Connective Technologies, LLC of Albion, Nebraska and Safe-N-Secure Security Equipment of Sioux Falls, South Dakota for replacement of the surveillance security camera system located in the law enforcement building and the courthouse. Johnson informed the Board that both quotes will satisfy the State of Nebraska, Jail Standards Division suggested requirements for security surveillance system following their review/study of the jail facility. Johnson said he would like the security surveillance system to be included in a law enforcement remodeling project. That way the new surveillance system installation would only need to be completed one time. Motion made by Maricle, second by Tisthammer to approve using Applied Connective Technologies, LLC for installation of a new IP Surveillance System for the law enforcement building and courthouse building as needed to connect the systems together. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, approached the Board regarding the hiring of a contractor for remodeling of the law enforcement/jail building. Johnson felt that it would be best to have a contractor that can provide assistance and guidance for the remodeling that is necessary to be in compliance with and accepted by State of Nebraska, Jail Standards Division. Johnson felt that a contractor for the remodeling would tie the new surveillance system and updates/meeting of the safety issues for compliance with the Nebraska Jail Standards Division. Motion made by Maricle, second by Tisthammer to approve Prochaska & Associates of Omaha, NE to provide assistance with preliminary designs and assistance for the remodeling of the law enforcement/jail building. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Boone County Employee Handbook addresses reemployment. Former employees of the County are not eligible for re-hire without prior approval of the County Board. Jacqueline Wells, Veteran Service Office, requested to re-hire a former employee that worked in the Veteran Service Office in the past. The Board asked Wells if her position change to full-time in 2014 is staying at and not going over forty hours per week, per the understanding of the August 26, 2014 Board proceedings. Wells said that the part-time help in the office should take care of any extra hours for herself and understands that the part-time is to be under 20 hours per week. Motion made by Maricle, second by Luettel to approve the re-hiring of Margarita Landauer, formerly known as Margarita Valencia, on a part-time basis and less than 20 hours per week. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



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A Memorandum of Understanding was received for the Board to review and approve regarding Juvenile Services grants. The purpose of the Memorandum of Understanding (MOU) is to designate the Madison County Attorney's Office as the official applicant and "lead county" for the Nebraska Crime Commission's 2016 Community-Based Juvenile Services Aid Grant and Enhancement Grant application for Madison and Boone Counties. As such, the Madison County Attorney's Office will serve as the fiscal agent for the grant application program. Motion made by Luettel, second by Tisthammer to approve and authorize the Board Chairman to sign the Memorandum of Understanding for the Nebraska Crime Commission's 2016 Community-Based Juvenile Services Aid Grant and Enhancement Grant as presented. Roll call Vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

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 Maricle, second by Luettel to approve the County Offices' 2015-2016 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: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board discussed several county road items.

Chairman Luettel declared the meeting adjourned at 11:27 A.M. The County Budget hearing and meeting for the 2016-2017 fiscal year is scheduled for Thursday, September 8, 2016 and then the next Board meeting is scheduled for Monday, September 12, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
SEPTEMBER 8, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Thursday, September 8, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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 recess said Board meeting at 9:01 A.M. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to reconvene said Board meeting at 10:05 A.M. 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 Luettel, second by Maricle to approve Resolution No. 2016-48, authorizing the accounts within County Offices as stated in the resolution. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. 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 2016-2017 property tax request be set at \$3,635,029.00, which is different from the 2015-2016 property tax request of \$3,271,759.00; and the 2016 county tax rate is at 0.151013, which is different from the 2015 tax rate of 0.149127. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-49 at the September 8, 2016 public hearing to adopt and approve the County Budget for 2016-2017 as published and presented with the above property tax requests. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

The 2016-2017 County Budget public hearing for the County of Boone, Nebraska was held at 9:01 A.M. on September 8, 2016. Motion made by Luettel, second by Maricle to approve increasing the total restricted funds authority by an additional 1% growth for fiscal year 2016-2017. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to set a Board of Equalization meeting to be held on September 26, 2016 at 11:00 A.M. to set the 2016 tax year levies. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Chairman Luettel declared the meeting adjourned at 10:10 A.M., the next Board meeting is scheduled for Monday, September 12, 2016.



Boone County Board Minutes



Kathy Thorberg, Boone County Clerk



Boone County Board Minutes



PUBLIC HEARING PROCEEDINGS 2016-2017 COUNTY BUDGET

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Thursday, September 8, 2016 at 9:01 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. Richard Martinsen, CPA was present to answer budget questions. Chairman Luettel read the notice for the record. Jim Dickerson, Albion News, was present for the budget hearing.

The public hearing was for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2016-2017 Boone County proposed budget in compliance with the provisions of State Statute Sections 13-501 to 13-513. Also, to set the final tax request for the 2016-2017 Boone County proposed budget at a different amount than the prior year tax request in compliance with the provisions of State Statute Section 77-1601.02 The hearing was open for one hour and the proposed budget was published in the August 31, 2016 issue of the Albion News, Albion, Nebraska.

The County Board and those present for the hearing discussed with Martinsen the differences from last year's fiscal budget in the areas of asking dollars, land valuation, tax rate, property tax requirement and fund balances. Martinsen provided answers to questions asked with regard to the proposed budget and publication. The proposed property tax request for 2016-2017 is \$3,635,029.00, which is different from the 2015-2016 property tax request of \$3,271,759.00, being an increase of \$363,270.00 from fiscal year 2015-2016. The proposed tax rate for 2016 of 0.151013 is higher than the 2015 tax rate of 0.149127. It takes a 75% vote to exceed the 2.5% lid limitation by an additional 1% budget authority growth. The levy authority of 50 cents includes the County levy and all the entities such as Agricultural/Historical Societies, Fire Districts, etc. added together. The County allowable levy limit is 45 cents of the 50 cents. The 2016 County valuation is \$2,407,095,340.00 compared to the 2015 valuation of \$2,193,945,513.00 an increase of \$213,149,827.00.

The adopted 2016-2017 County Budget has a tax request expense increase from the 2015-2016 County Budget. The County of Boone, Nebraska financial contribution to the BCDA, Inc. is 80% of the corporation budget and is from the Inheritance Tax Fund, no longer from County General Fund. There are pending road projects that were not completed.

Motion made by Tisthammer, second by Maricle to close said public hearing at 10:01 A.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Discussion: The county tax rate will be 0.151013. If it were not for the use of inheritance tax dollars, the county rate would be increased in order to maintain the current level of services that are both mandated under state law and that our county taxpayers deserve and expect.



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Martinsen explained that Inheritance Tax funding is considered a local tax. Inheritance Tax funds stay in the respective county and benefit the respective county taxpayers with a lower property tax rate. If the legislature removes the Inheritance Tax funding, then the state and federal levels will receive the taxes generated from “Inheritance” and the local county level will need to increase their property tax rate to maintain mandated services.

Motion made by Maricle, second by Tisthammer to approve and adopt the County Budget for 2016-2017 as published and presented with an Unused Budget Authority created for next year of \$180,565.48; and set the 2016 County Tax Rate at 0.151013, which is different than the County Tax Rate of 0.149127 for 2015. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

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

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
SEPTEMBER 12, 2016
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 12, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel and Jerry L. Tisthammer. 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 Luettel 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 Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$61,362.31; Road - \$228,216.97; Boone County Visitor's Promotion - \$2,200.73; 911 Emergency Management (2910) - \$717.57; 911 Wireless Service (2913) - \$624.88; Ambulance - \$1,948.09. 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 August 29, 2016 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 of Equalization Public Hearing Proceedings of August 29, 2016 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 Proceedings of September 8, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Public Hearing Proceedings of September 8, 2016 as presented. 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 August 2016:

- Clerk - \$6,619.00 (State of Nebraska \$3,304.09) (County of Boone \$3,314.91)
- Clerk of the District Court - \$1,140.93 (State of Nebraska \$371.00) (County of Boone \$769.93)
- Sheriff - \$1,368.76
- County Planning & Zoning - \$457.90
- Treasurer - Treasurer's Fees - none; Miscellaneous Receipt Nos. 15184-15244 - \$171,416.94; Total Collections - \$5,538,359.82

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 August report for the Board to review. In addition, the following topics were discussed:



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- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding the contracted culvert replacement project.

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. Edward Development Company requested assistance to advertise the St. Edward Extravaganza event scheduled for November 11-13, 2016. 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 and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board held a Public Hearing at 10:00 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road known as 270th Street. No opposition was heard at the public hearing. Motion made by Luettel, second by Tisthammer to approve as presented Resolution No. 2016-50, to vacate said portion of 270th Street, beginning at a point between the SE corner of the NW1/4 and the NE corner of the SW1/4 of Section 26, Township 20 North, Range 6 West, thence west one thousand sixty-one (1,061) feet to a point located on the east right-of-way line of the Nebraska Central Railroad, between the NW1/4 and the SW1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board of Commissioners approved a NACO Purchasing Card Program in 2008 with implementation in May 2009. As provided by the Nebraska State Statutes, Section 13-610 and the Nebraska Auditor of Public Accounts, the Board is to set policy procedures for the implementation of a purchasing card program and use of purchasing cards. The Board has reviewed purchasing card usage and the policy. The Board decided to update the policy and usage of the purchasing cards. The department heads will receive a copy of the resolution updating the policy and usage. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-51, shall void and take precedence over all prior resolutions that pertain to the Boone County, Nebraska NACO Purchasing Card Program effective September 12, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer for the Board to go into executive session at 11:10 a.m., per the Open Meeting Act §84-1410 (1a), strategy sessions with respect to collective bargaining, real estate purchases, etc. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried. The Board, Chuck Rolf, Boone County Agricultural Society, Inc., and Steve Pritchard, UNL Extension Educator, discussed real estate purchases. Motion made by Luettel, second by Tisthammer to come out of the executive session at 11:30 a.m. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried. Discussed a maximum amount for possible real estate purchase.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board reviewed a Notice of Appeal they received from the Nebraska Tax Equalization and Review Commission (TERC).

Commissioner Luettel declared the meeting adjourned at 11:59 A.M. with the next Board meeting scheduled for Monday, September 19, 2016.



Boone County Board Minutes



Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, September 12, 2016 at 10:02 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer. Commissioner Hilary K. Maricle was absent. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator and Kirk G. Kendrick, Applicant. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Chairman Luettel acknowledged the publication notice for the record.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Kirk G. Kendrick. Kirk G. Kendrick is the property owner of the real estate referenced herein. The application request is to allow manufacturing in current building located on a fraction of Out Lot "C", Loretto, Nebraska located in a fraction of the N1/2SW1/4 and the S1/2NW1/4 of Section 25, Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska.

Mary Ziemba, Zoning Administrator, said that the real estate/building is located in the Agricultural 1 Zoning District where manufacturing is not allowed. A conditional use permit is required. Ziemba said that the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will give a Federal Firearms License (FFL) to Mr. Kendrick upon approval of this conditional use permit. The ATF will monitor the FFL. Ziemba said that the building is within the zoning regulation setbacks. Ziemba said that the County Planning Commission Board recommended approval of the Conditional User Permit request with a condition. The condition being: This conditional use will be for the (Lot) .6 acre, including current structure for manufacturing and for present and future use. No opposition was received in regard to the Conditional Use Permit request.

Kirk Kendrick explained that the ATF is waiting to issue him a FFL depending on the approval of the Conditional Use Permit and that the property is in compliance with zoning regulations. Kendrick explained that the FFL is for manufacturing of certain gun parts. Kendrick explained and answered questions regarding his manufacturing business that includes pivot irrigation parts and gun parts.

Motion made by Tisthammer, second by Luettel to close said hearing at 10:09 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the Conditional Use Permit submitted by Kirk Kendrick to allow manufacturing in current building as presented and attached the condition, that this conditional use will be for the (Lot) .6 acre, including current structure for manufacturing and for present and future use. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, September 12, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer and Darrel Thorin, County Highway Superintendent. Commissioner Maricle was absent. Also, present for the hearing was Andy Roberts, Valero Renewables representative.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road:

- Beginning at a point between the SE corner of the NW1/4 and the NE corner of the SW1/4 of Section 26, Township 20 North, Range 6 West, thence west one thousand sixty-one (1,061) feet to a point located on the east Right-of-Way line of the Nebraska Central Railroad, between the NW1/4 and the SW1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, known as 270th Street.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated August 16, 2016 recommending that said portion of county road known as 270th Street be vacated with the road right-of-way reverting back to the adjoining landowners of thirty-three (33) feet on each side and with the stipulation that all utilities will retain all access to their assets based on current easement agreements. The road is classified as minimum maintenance and is included in the county's current inventory with the Nebraska Department of Roads. Vacation of said road would have minimal effect on Highway Allocation Funds currently received by the county. There is no access from the west on this road as the railroad crossing was closed in 2009 due to safety concerns. A new road was built allowing access from the north and intersects said road on the east side of that portion of road that is being reviewed for vacation. No opposition was received in regard to the road vacation request.

Andy Roberts, Valero Renewables, and the Board discussed Valero's plan for new installation of about 8,000 feet of additional rail siding that would cross said portion of 270th Street. Roberts answered questions from the Board and explained the bonded property regulations regarding fences and why there are differences in the fences in and around the ethanol plant.

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 Luettel, second by Tisthammer to vacate said portion of 270th Street, beginning at a point between the SE corner of the NW1/4 and the NE corner of the SW1/4 of Section 26, Township 20 North, Range 6 West, thence west one thousand sixty-one (1,061) feet to a point located on the east Right-of-Way line of the Nebraska Central Railroad, between the NW1/4 and the SW1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. 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
SEPTEMBER 19, 2016
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 19, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 September 12, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Road Vacation Public Hearing Proceedings of September 12, 2016 as presented. Roll call vote: Luettel and Tisthammer. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board Zoning Public Hearing Proceedings of September 12, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board of Equalization Public Hearing Proceedings of September 12, 2016 as presented. Roll call vote: Luettel and Tisthammer. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board of Equalization Proceedings of September 12, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

An Agreement with Darla McIntosh to provide meals for the prisoner(s) held in the Boone County Jail was approved and signed on August 31, 2015. The Boone County Sheriff's office submitted a renewal Agreement with the rates remaining the same that were approved and effective on July 1, 2015. Motion made by Tisthammer, second by Maricle to approve an Agreement with Darla McIntosh to provide meals for the prisoner(s) held in the Boone County Jail, effective July 1, 2016 and ending June 30, 2017, 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: Tisthammer, Maricle and Luettel. 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 vehicle taxes, to be in the transfer of funds. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-53, authorizing the Boone County Treasurer to transfer funds from the General Fund (0100) 44.69% to the Road Fund (0200) for the 2016-2017 Tax Year on a monthly basis not to exceed \$1,623,383.00. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



Boone County Board Minutes



The Board appointed Darrel Thorin, County Highway Superintendent, at the August 29, 2016 Board meeting to complete a feasibility study regarding the vacation of a portion of county road known as 270th Street. Thorin presented the feasibility study for the Board to review. The feasibility study is in regard to a Petition to Vacate County Road submitted by Albert VanDeWalle, for a portion of 270th Street commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east for approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, all in Township 20 North, Range 5 West, of the 6th P.M. Boone County, Nebraska. This portion of road is not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation funds received by the County. The road may currently be driven on by four-wheel drive vehicles from 280th Avenue, but for less than one-quarter mile and at that point it becomes impassable. It does not appear that vacating said road will land lock any landowners in this section and Thorin said there is no reason not to vacate said portion of road. Thorin recommends that the one mile section of 270th Street be vacated and all right-of-way rights revert back to the adjacent landowners, thirty-three feet on each side where applicable as long as all landowners adjoining said road are in agreement. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-52, to set a public hearing to be held on October 17, 2016 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of a portion of road known as 270th Street as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

In addition, while Thorin was researching the road records regarding the above feasibility study and performing an on-site study of said road it was found that there are five additional sections of roads in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska that Thorin recommends to be vacated at this time. Thorin said that the five additional sections of roads are not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation Funds received by the County. Thorin recommends the following to be vacated:

1. One-half (1/2) mile of 270th Street: (commencing at a point between the SW1/4 corner of Section 29 and the NW1/4 corner of Section 32, thence east ½ mile to the SE corner of the SW1/4 of Section 29 and the NE corner of the NW1/4 of Section 32, Township 20 North, Range 5 West). It is not accessible by vehicle, as the one-half mile east of this section was vacated on June 19, 2006 and both sides of the right-of-way are currently being farmed. Currently the same landowner owns both sides of the right-of-way.
2. Three-quarter (3/4) mile of 290th Avenue: (commencing at a point between the SE corner of the NE1/4 of Section 31 and the SW corner of the NW1/4 of Section 32, thence north for approximately three-quarter (3/4) mile to the NW corner of the S1/2 of the SW1/4 of Section 29 and the NE corner of the S1/2 of the SE1/4 of Section 30, Township 20 North, Range 5 West). The south one-quarter (1/4) mile from 280th Street north was vacated June 19, 2006.
3. One-half (1/2) mile of 305th Avenue: (commencing at a point between the NE corner of the NW1/4 and the NW corner of the NE1/4 of Section 33, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska, thence south one-half (1/2) mile.
4. One-half (1/2) mile of 295th Avenue: (commencing at a point between the SE corner of the SW1/4 and the SW corner of the SE1/4 of Section 29, Township 20 North, Range 5 West, thence north approximately one-half (1/2) mile to the center point of Section 29. This road is not accessible as 270th Street to the east was vacated, 270th Street to the west is being farmed and 295th Avenue to the south was vacated June 19, 2006.
5. One (1) mile of 275th Street: (commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW1/4 of Section 34, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska.



Boone County Board Minutes



A public hearing has been set for October 17, 2016 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of a portion of a county road known as 270th Street. Thorin recommended to include the five additional sections for road to be vacated and heard at the scheduled public hearing on October 17, 2016. Thorin will notify in writing all of the adjoining landowners to the above described roads that the county is considering the vacation of said roads advising them of the date and time for a public hearing for comments. Motion made by Luettel, second by Maricle to appoint Darrel D. Thorin, County Highway Superintendent, to proceed with the protocol procedure to notify in writing the adjoining landowners of the above described roads that the county is considering for vacation and that a public hearing has been scheduled for October 17, 2016 at 10:00 A.M. to hear comments. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

In addition, while Thorin was researching the road records regarding a feasibility study he discovered that the following two and one-half (2 1/2) miles of 300th Avenue: one (1) mile between Sections 4 and 5; the north one-half (1/2) mile between Sections 8 and 9; one (1) mile between Sections 32 and 33; and one (1) mile of 290th Avenue between Sections 17 and 18, all in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska, have no record of ever being officially opened by the County. All of these sections of roads may be officially opened based on Nebraska State Statute §39-1401(2) Public roads shall mean all roads within this state which have been laid out in pursuance of any law of this state, and which have not been vacated in pursuance of law, and all roads located and opened by the county board of any county and traveled for more than ten years. These roads are included in the county's current inventory with the Nebraska Department of Roads and are used as a basis for State Highway Allocation Funds. No public hearing is required and the roads will need to be opened with the existing right-of-way as is at the time of opening. Motion made by Maricle, second by Tisthammer to appoint Darrel D. Thorin, County Highway Superintendent, to proceed with the process to officially open said portion of 300th Avenue and 290th Avenue 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 Luettel 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 19, 2016, with a mock trial program. The group discussed different ideas for County Government Day activities.
- The Board approved signage to be displayed "In God We Trust" on July 18, 2016. Jacqueline Wells, Veteran Service Officer, volunteered to see that the project is completed.
- Rod Nelson, Maintenance, informed the group that the reason the flags on the courthouse flag pole are at half-mast is due to the pulley being stuck and waiting for the installation of a new one.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings they attended and who will attend the meetings scheduled this week.

Chairman Luettel declared the meeting adjourned at 11:21 A.M. with the next Board meeting scheduled for Monday, September 26, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
SEPTEMBER 26, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 26, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 \$95,217.95, BCBS \$48,100.04, Ameritas Ret \$6,573.01, EFTPS \$7,106.58, Section 125 Fees \$10.00, Wellness Program \$114.88; Road \$52,033.86, BCBS \$24,170.06, Ameritas Ret \$3,512.27, EFTPS \$3,927.70; Ambulance \$1,497.50, Ameritas Ret \$49.62, EFTPS \$114.55; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,268.37, Ameritas Ret \$347.90, EFTPS \$479.53, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board of Commissioners are purchasing 35± acres located in the SW1/4NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, that is adjacent to the south line of the present county owned fairgrounds property for \$270,000.00. The closing of the property is scheduled for December 1, 2016. Motion made by Luettel, second by Tisthammer to approve the Accounts Payable Vendor Claim for \$5,000.00 from the Inheritance Tax Fund payable to Boone County Title & Escrow LLC Trust Account with the balance of \$265,000.00 due on December 1, 2016 per sale agreement. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of September 19, 2016 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 Albion Area Arts Council requested assistance to advertise The Gulizia Brothers Concert scheduled for October 23, 2016. 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.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. Thorin said that with weather permitting the asphalt overlay on Central Highway may be completed with the exception of driveways and shoulder work this week. The county road department is completing the road to the new County Communications Tower located on the county fairgrounds today. Thorin said that the county road department started removing trees/shrubs from some of the county road right-of-ways on September 1st.



Boone County Board Minutes



Darrel Thorin, County 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 Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign the annual SSAR report for fiscal year ending June 30, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a state bid for a new 2017 Caterpillar motor grader. Thorin said that the state bids for equipment are usually three to five year contracts. Thorin said that the quote includes a \$14,000.00 customer parts credit that may be used for any of the caterpillar motor graders. Thorin said that the Board may dispose of a used motor grader by trading it in or advertise the machine for sale when approving a state bid. The consensus of the Board is for Thorin to review the disposal options and decide on the best offer. Motion made by Luettel, second by Maricle to approve the purchase and authorize Darrel Thorin, County Highway Superintendent, to sign the necessary papers with Nebraska Machinery Company for the purchase of a 2017 Caterpillar Motor Grader Model No. 12M3AWD for \$285,892.00 payable from the County Road fund. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board held a Public Hearing at 10:00 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road known as 265th Avenue. No opposition was heard at the public hearing. Motion made by Luettel, second by Maricle to approve as presented Resolution No. 2016-54, to vacate said portion of 265th Avenue, beginning at a point between the NE corner of the SW1/4 and the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, thence south approximately two thousand five hundred and five (2,505) feet to a point located on the north right-of-way line of Nebraska State Highway 39, between the SW1/4 and the SE1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried

Paul Kettelson requested permission to trench an electrical line under a county road commonly known as 170th Street running east and west between Sections 3 and 10, all in Township 21 North, Range 5 West of the 6th P.M., Boone County, Nebraska. The trenched electrical line is for a grain bin to be located in the NE1/4 of Section 10. The electrical line commences from an electrical pole located in the county road right-of-way in the SE1/4 of Section 3; thence running south across 170th Street to a grain bin to be located in the NE1/4 of Section 10, all in Township 21 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-55, granting permission to Paul Kettelson to trench an electrical cable under a county road known as 170th Street to the NE1/4 of Section 10, Township 21 North, Range 5 West of the 6th P.M., Boone County, Nebraska, to a grain bin site. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Glen Davidson expressed his concerns to the Board regarding safety issues on county roads due to the planting of crops in the county road right-of-ways that are making the county road intersections very hazardous. Darrel Thorin, County Highway Superintendent, and the Board explained the statutory procedure of notification to landowners encroaching on county road right-of-ways and the liability of the landowner for planting in the county road right-of-ways.

Chairman Luettel declared the meeting adjourned at 11:35 A.M., the next Board meeting is scheduled for Tuesday, October 11, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, September 26, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Also, present for the hearing were Darrel Thorin, County Highway Superintendent and Andy Roberts, Valero Renewables representative.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road:

- Beginning at a point between the NE corner of the SW1/4 and the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, thence south approximately two thousand five hundred and five (2,505) feet to a point located on the north right-of-way line of Nebraska State Highway 39, between the SW1/4 and the SE1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, known as 265th Avenue.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated August 24, 2016 recommending that said portion of county road known as 265th Avenue be vacated with the road right-of-way reverting back to the adjoining landowners of thirty-three (33) feet on each side as long as all adjacent landowners are in agreement. The road is not included in the county's current inventory with the Nebraska Department of Roads. Vacation of said road would have no effect on the State Highway Allocation Funds received by the county. This road is not currently being used for vehicular traffic. No opposition was received in regard to the road vacation request.

Andy Roberts, Valero Renewables, and the Board discussed Valero's plan for new installation of approximately 8,000 feet of additional rail siding. Roberts answered questions from the Board regarding the project. Roberts said that the new railroad design phase is 10% completed. Roberts said that they are waiting on utility permits and the US Army Corps of Engineers permit regarding wetland areas before construction can proceed.

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

Motion made by Luettel, second by Maricle to vacate said portion of 265th Avenue, beginning at a point between the NE corner of the SW1/4 and the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, thence south approximately two thousand five hundred and five (2,505) feet to a point located on the north right-of-way line of Nebraska State Highway 39, between the SW1/4 and the SE1/4 of Section 26, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. 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 OCTOBER 11, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, October 11, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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, 2013 and 2014 are all completed. Jarecki reported that he was assigned forty-four cases in 2015 with two cases being a conflict of interest and four cases remain open. Jarecki reported that he has been assigned thirty-seven cases to date in 2016 and nine cases remain open. 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. The Board thanked Jarecki for the updated report and his diligent services. Motion made by Maricle, second by Luettel to accept and approve the Boone County Public Defender report as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

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 - \$50,266.60; Road - \$141,083.28; Boone County Visitor's Promotion - \$646.00; Inheritance Tax Fund - \$77,204.81; 911 Emergency Management (2910) - \$310.49; 911 Wireless Service (2913) - \$798.40; Ambulance - \$243,672.23. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$1,084.02, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of September 26, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the County Board of Equalization Proceedings of September 26, 2016 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Public Hearing Proceedings of September 26, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



Boone County Board Minutes



The Board and Denny Johnson, Sheriff, held a lengthy telephone conference with Don Prochaska and Bill Huey, Prochaska and Associates of Omaha, Nebraska, regarding possible renovations to the law enforcement building. Prochaska works with the State of Nebraska, Jail Standards Division, to make sure that the renovation project satisfies the requirements for security and safety issues following the review/study of the county jail facility by the State of Nebraska, Jail Standard Division. The new IP Surveillance System has already been installed in the law enforcement and courthouse buildings and the two parking lots. The phase one project discussion included the surveillance camera system, along with three additional observation windows in the jail cells, replacement of facility restroom areas, installation of automatic lock doors between certain areas and installation of video visitation equipment for inmates to be located in the courthouse building. Also, discussed was the possible renovation of the dispatch area to allow for more convenience and safety. Don Prochaska suggested a second phase project to plan for future changes and renovations in the law enforcement building. The firm assures compliance with the State of Nebraska, Jail Standards Division when they produce plans and specifications. Prochaska estimated phase one planning/specifications costs to be approximately \$20,000.00-\$25,000.00. The first phase would meet the immediate safety compliance needs suggested by State of Nebraska, Jail Standards Division. Motion made by Luettel, second by Maricle to approve and authorize Denny Johnson, Sheriff, to work with Prochaska and Associates and proceed with phase one to meet the safety and compliance issues as approved by State of Nebraska, Jail Standards Division. 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 for the Board to review. In addition, the following topics were discussed:

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding the contracted culvert replacement project.
- Thorin and the Board discussed the possible purchase of a new signage program for the road department. The program may be compatible with a tablet to be used for the picture and location of the signage, then download the information to the office computers. The new program and tablet would save time by the office staff, as they would no longer manually re-enter the information into the office computers, which is picked up in the field. Thorin said that a government rate for a tablet at Verizon would add approximately \$10.41 to the current Verizon monthly road department billing. The consensus of the Board was for Thorin to proceed with the software/hardware updates for the signage programs.
- The Board, County Highway Superintendent and County Sheriff received information that a non-approved driveway/approach has been installed in a county road right-of-way. The county road department removed a driveway in the same area in 2015, due to safety issues of the driveway being in the county road right-of-way below a hill. Motion made by Luettel, second by Tisthammer to authorize the Boone County Road Department to remove the non-approved driveway/approach located in the county road right-of-way with the assistance of county law enforcement. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



Darrel Thorin, County Highway Superintendent, presented a quote for the Board to review for the purchase of a used pickup for the county road department. Thorin informed the Board that the 2008 Chevrolet Silverado that will be traded in currently has 129,397 miles. The quote from Schalk Auto, Inc. of Albion, NE is for a 2014 Ford F150 Pickup with 3,326 miles for \$30,995.00 less trade in of \$9,095.00. Motion made by Maricle, second by Luettel to approve and authorize Darrel Thorin, County Highway Superintendent, to sign the necessary papers for the purchase of a used 2014 Ford Pickup from Schalk Auto, Inc. for \$21,900.00 as presented. Roll call vote: Yeas: Maricle, Luettel 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 September 2016:

- Clerk - \$6,322.50 (State of Nebraska \$2,884.08) (County of Boone \$3,438.42)
- Clerk of the District Court - \$840.03 (State of Nebraska \$466.00) (County of Boone \$374.03)
- Sheriff - \$1,045.12
- County Planning & Zoning - \$401.75
- Treasurer - Treasurer's Fees - none; Miscellaneous Receipt Nos. 15245-15306 - \$305,605.41; Total Collections - \$1,124,085.48

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

Nebraska State Statute §39-1401 of the Nebraska Highway and Bridge Law Manual, states: "Public roads shall mean all roads within this state which have been laid out in pursuance of any law of this state, and which have not been vacated in pursuance of law, and all roads located and opened by the county board of any county and traveled for more than ten years." It has been found that three sections of Boone County Roads have been maintained and traveled for more than ten (10) years and records cannot be found showing said roads were ever recorded as an open road in the County Road Record Book. The following roads need to be recorded in said road record book as officially opened at their current Right-of-Way widths:

- A road commencing at a point between the NW corner of Section 4 and the NE corner of Section 5, Township 20 North, Range 5 West, thence South for one and one-half (1 1/2) mile to the NE corner of the SE1/4 of Section 8 and the NW corner of the SW1/4 of Section 9, Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, known as 300th Avenue (66 ft. ROW).
- A road commencing at a point between the NE corner of Section 32 and the NW corner of Section 33, Township 20 North, Range 5 West, thence South for one (1) mile to a point between SE corner of Section 32 and the SW corner of Section 33, Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, known as 300th Avenue (72 ft. ROW).
- A road commencing at a point between the NW corner of Section 17 and the NE corner of Section 18, Township 20 North, Range 5 West, thence South for one (1) mile to a point between the SW corner of Section 17 and the SE corner of Section 18, Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, known as 290th Avenue (66 ft. ROW).

Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-56, that all said roads described above be recorded as open county roads, with current existing boundaries being the established Right-of-Way as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



Great Plains Communications requested permission to plow fiber optic cable across a county road commonly known as 180th Street, running East and West between Sections 7 and 18, all in Township 21 North, Range 6 West and Sections 12 and 13, all in Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Great Plains Communications will be commencing at the SE corner of 180th Street/230th Avenue intersection, thence plowing westerly on the north side of 180th Street for a distance of 10,523 feet to a point of termination at an existing telephone pedestal located in the SW1/4 of Section 12, Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-57, granting permission to Great Plains Communications to plow fiber optic cable across a county road known as 180th Street and plowing westerly on the north side of 180th Street in the county road right-of-way as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Great Plains Communications requested permission to plow fiber optic cable across a county road commonly known as 220th Avenue, running North and South between Section 7, Township 21 North, Range 6 West and Section 12, Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Great Plains Communications will be commencing at the NE corner of 220th Avenue/180th Street intersection, thence plowing northerly on the east side of 220th Avenue a distance of 3,940 feet to a point of termination at a driveway located in the NW1/4 of Section 7, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Tisthammer to approve Resolution No. 2016-58, granting permission to Great Plains Communications to plow fiber optic cable across a county road known as 220th Avenue and plowing northerly on the east side of 220th Avenue in the county road right-of-way as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Petersburg Community Club requested a temporary road closure for safety reasons for the Punkin' Chunkin' event scheduled for October 30, 2016. The road closure is for 150th Street, located between Sections 30 and 31, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska; commencing at the junction of 220th Avenue and 150th Street, thence east one mile on 150th Street and terminating at the junction of 150th Street and 230th Avenue. The alternate road closure request is for 140th Street, located between Sections 19 and 30, all in Township 22 North, Range 6 West of the 6th P.M., Boone County, Nebraska, commencing at the junction of 220th Avenue and 140th Street, thence east one mile on 140th Street and terminating at the junction of 140th Street and 230th Avenue. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-59 for a temporary road closure relating to the Petersburg Community Club Punkin' Chunkin' event as presented. Roll call vote: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The County of Boone, Nebraska has received the paper documents regarding indirect costs for fiscal year ending June 30, 2017 from Sequoia Consulting Group. In addition, the County of Boone, Nebraska has received a letter from the Nebraska Department of Health and Human Services (DHHS) denying the requests dated September 15, 2014 and September 21, 2015 for payment for office space in regard to indirect costs. The DHHS letter for denial is pursuant to Neb. Rev. Stat. §68-130, counties are required to maintain the office space used for the administration of public assistance programs, as such space permitted on April 1, 1983 and to allow DHHS to occupy that space at no cost. DHHS in the past claimed federal reimbursement and issued payment to counties for such space and are unable to continue to do so since they are not permitted to claim reimbursement for such costs under their most recent federally approved cost allocation plan. Motion made by Maricle, second by Tisthammer to approve and serve a written notice to Sequoia Consulting Group, terminating the agreement



Boone County Board Minutes



pursuant to paragraph 8 effective October 11, 2016. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Neb. Rev. Stat. §68-130, requires counties to provide Nebraska Department of Health and Human Services (DHHS) with free office space and service facilities. The Board met with a DHHS representative in April 2011 regarding office space due to that a DHHS office was no longer located in the County of Boone and they agreed to move the DHHS space to the current courthouse room of 180 sq. ft. as free space to be available if a representative from DHHS needed to meet with a client. DHHS sent an Agreement for the Board to review. The Agreement is to clarify sharing the space so County of Boone can gain additional usage of the room. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign the "Agreement for the Sharing of Office Space" between the Nebraska Department of Health and Human Services and the County of Boone, Nebraska as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board and County Clerk discussed information for a resolution regarding fees charged by the county offices that are not set by statute. A resolution will be prepared for approval at a future Board meeting.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board, Denny Johnson, Sheriff, and Darrel Thorin, County Highway Superintendent, held a lengthy discussion regarding a recurring safety hazard during harvest and other certain times of the year when grain trucks are parked along the shoulder of State Highway 14-39 south of Albion waiting to turn onto a county road known as 260th Street to unload at Cargill. The Board set Wednesday, October 26, 2016 at 10:00 A.M. to try to organize a meeting involving the County of Boone, City of Albion, Nebraska Department of Roads, Cargill, Valero and possibly some truck drivers to attempt to resolve the hazardous problem.

Commissioner Luettel declared the meeting adjourned at 1:15 P.M. with the next Board meeting scheduled for Monday, October 17, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
OCTOBER 17, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 17, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 October 11, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

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

- Commissioner Luettel asked all present to join in the Pledge of Allegiance.
- County officials reported on activities with regard to their respective offices.
- 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 19, 2016 at the Knights of Columbus Hall in Albion with a mock trial program.
- The department heads present discussed information for a resolution regarding fees charged by the county offices that are not set by statute.
- Commissioner Ken Luettel reported on the annual NIRMA Self Defense Conference held October 6 and 7, 2016.

Darrel Thorin, County Highway Superintendent, presented quotes for the Board to review regarding a new open end shed to be located at the County Road District #1 yards, Cedar Rapids. The approximate cost for an open end building with dirt floor is \$20,500.66; concrete for a floor is \$10,396.00; concrete footings, rebar, anchor bolts, labor, etc. is \$5,360.00. Thorin and the Board discussed the use of the proposed open end building. Thorin said that the building is for storing road equipment that is currently setting outside. Motion made by Tisthammer, second by Luettel to approve to proceed with an open end 30' x 50' x 16' sentinel building with a dirt floor and concrete footings, etc. for approximately \$25,860.66 from Bob Thompson Construction of Cedar Rapids, Nebraska. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Brad Beckwith requested permission to trench a water line for a hydrant across a county road commonly known as 170th Avenue, running north and south between Sections 7 and 8, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The request commences from an existing water well located in the NE1/4 of Section 7, thence running east to a hydrant to be located in the NW1/4NW1/4 of Section 8, all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska for the purpose of watering livestock. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-60, granting permission to Brad Beckwith to trench a water line for a hydrant for the purpose of watering livestock across 170th Avenue as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes

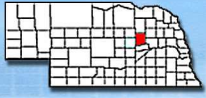


Great Plains Communications requested permission to plow fiber optic cable across a county road commonly known as 310th Avenue, running North and South between Sections 27, 28, 33 and 34 all in Township 22 North, Range 5 West and Sections 3 and 4, all in Township 21 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Great Plains Communications will be commencing at the SE corner of 310th Avenue/State Highway 32 intersection, thence plowing south on the west side of 310th Avenue for a distance of approximately three miles to a point of termination at the NE corner of 170th Street/310th Avenue intersection located between Sections 3 and 4, all in Township 21 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-61, granting permission to Great Plains Communications to plow fiber optic cable across a county road known as 310th Avenue and plowing south on the west side of 310th Avenue in the county road right-of-way as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board appointed Darrel Thorin, County Highway Superintendent, at the August 29, 2016 Board meeting to complete a feasibility study regarding the vacation of a portion of county road known as 270th Street. Thorin presented the feasibility study for the Board to review. The feasibility study is in regard to a Petition to Vacate County Road submitted by Albert VanDeWalle, for a portion of 270th Street commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east for approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, all in Township 20 North, Range 5 West, of the 6th P.M. Boone County, Nebraska. This portion of road is not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation funds received by the County. The road may currently be driven on by four-wheel drive vehicles from 280th Avenue, but for less than one-quarter mile and at that point it becomes impassable. It does not appear that vacating said road will land lock any landowners in this section. The Board received no opposition at the public hearing held at 10:00 A.M. on October 17, 2016. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-62, that said road be officially vacated, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property for said portion of 270th Street as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Boone County Board of Commissioners have been made aware of five certain County Roads that are inaccessible and currently still open. The five sections of roads are located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Thorin said that the five additional sections of roads are not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation Funds received by the County. Thorin recommends the following to be vacated:

1. A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street.
2. A section of road commencing at the NW corner of the S1/2 of the SW1/4, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue.
3. A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4, known as 295th Avenue.
4. A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue.
5. A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW1/4 of Section 34, thence running east for one (1) mile, known as 275th Street.



Boone County Board Minutes



The Boone County Board of Commissioners feel it is in the best interest of Boone County to consider vacating said portions of roads and to hold a public hearing to allow for public comments either for or against vacating said County Roads. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-63, to set a public hearing to be held on November 21, 2016 at 10:00 A.M., to hear comments in favor of or opposition to the vacation of said roads. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings they attended and who will attend the meetings scheduled this week.
- Dana Andersen informed the Board of the proposed Andersen Subdivision for housing development that would be located on the east side of the present fairgrounds property. Andersen ask the Board if they would discuss and consider the possibility of an easement/access through the county fairgrounds property for the proposed Andersen Subdivision. The Board will discuss the request at a future meeting.

Chairman Luettel declared the meeting adjourned at 12:10 P.M. with the next Board meeting scheduled for Wednesday, October 26, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, October 17, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer and Darrel Thorin, County Highway Superintendent. Commissioner Maricle was absent. Also, present for the hearing was Trevor VanDeWalle.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road:

- A road commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, known as 270th Street.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated September 15, 2016 recommending that said portion of county road known as 270th Street be officially vacated, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. This portion of road is not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation funds received by the County. The road may currently be driven on by four-wheel drive vehicles from 280th Avenue, but for less than one-quarter mile and at that point it becomes impassable. It does not appear that vacating said road will land lock any landowners in this section. No opposition was received at the hearing.

VanDeWalle spoke in favor of the vacation of said portion of road known as 270th Street.

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 officially vacate said portion of 270th Street, commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. 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 OCTOBER 26, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, October 26, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board discussed and reviewed the County Payroll Claims filed for payment on the various county funds. Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$101,484.90, BCBS \$45,749.28, Ameritas Ret \$7,002.60, EFTPS \$7,584.69, Section 125 Fees \$12.50, Wellness Program \$114.88; Road \$47,018.31, BCBS \$24,170.06, Ameritas Ret \$3,173.74, EFTPS \$3,544.02; Ambulance \$2,387.50, Ameritas Ret \$63.62, EFTPS \$182.63; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,675.67, Ameritas Ret \$335.07, EFTPS \$510.68, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed Accounts Payable Vendor Claims filed for payment from the County Inheritance Tax Fund. The Board of Commissioners purchased 35± acres located in the SW1/4NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, that is adjacent to the south line of the present county owned fairgrounds property for \$270,000.00. The closing of the property is re-scheduled for November 10, 2016. The balance of the land purchase owed is \$265,000.00 and closing fees of \$536.25. Motion made by Luettel, second by Tisthammer to approve the Accounts Payable Vendor Claims for a total of \$265,536.25 from the Inheritance Tax Fund payable to Boone County Title & Escrow LLC Trust Account per sale agreement. 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 October 17, 2016 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 Board Public Hearing Proceedings of October 17, 2016 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 three requests for advertisement funding.

The Albion Area Arts Council requested assistance to advertise the Michael Fitzsimmons concert scheduled for November 17, 2016. 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 and Luettel. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes



The Albion Chamber of Commerce requested assistance to advertise the Albion Chamber of Commerce Taste of Albion & Art Show scheduled for November 18, 2016. 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 and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Petersburg Community Club requested assistance to advertise the Petersburg Community Club Annual Christmas Supper and Entertainment event scheduled for December 19, 2016. 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 Board; Darrel Thorin, County Highway Superintendent; Denny Johnson, Sheriff; Brent Lipker, Albion Police Department; Tom Smith, Region 44 Emergency Manager; Jay Olson, Cargill Northwest Region Operations representative; Jonathan Petersen and Terry Reicks, Cargill representatives; and Andy Roberts and Michael Pugh, Valero Renewables representatives, met to discuss safety concerns. The hazardous safety issues being discussed are in regard to when truck traffic is staging on State Highway 14-39 and County Road known as 260th Street while waiting to unload grain at Cargill. During certain times of the year and especially at fall harvest time there is frequent incidents of grain trucks staging on County Road 260th Street and the shoulder of the State Highway 14-39 on both sides of the state highway. The safety concerns were discussed in 2009 and some of the suggestions have been addressed. The safety concern is no visibility when a vehicle is turning onto the state highway from the business along the highway. There has been continued development of businesses along the state highway since the discussion in 2009. The safety concerns are the intersection of Fairview Street that serves the hospital nursing home and assisted living facility; intersection to vehicle repair building, Shopko, government building and a professional building; intersection for Dollar General; intersection for Albion Fire Department/Rescue Squad and the motel.

The group discussion included informing state leaders of the safety issue; lowering the speed limit; no parking signs on the west side of the highway; state department of roads widen their intersection from the highway onto 260th Street; and staging areas within the Cargill property off of the state highway and 260th Street. The group discussed the possibility of all trucks stage only on the east side of the highway with the south bound trucks turning around at the area of the mini park along the State Highway 14-39 junction area in order to be north bound and stage on the east side of the highway. Commissioner Luettel offered to use his truck to check out the area in order to find out if trucks are able to make the turn. A Nebraska Department of Roads representative was unable to attend today's meeting. The group present are all for addressing the safety concerns and exchanged information and ideas. A second meeting date/time for safety discussion will be set when the Nebraska Department of Roads are able to attend. Commissioner Luettel will contact Nebraska Department of Roads for an available date/time for another meeting.

A Nebraska State Statute allows custodians of public records to charge a fee for providing copies of public records and services that are not set by Nebraska State Statute. The fees collected that are not set by Nebraska State Statute are to be set in a resolution by the County Board. All fees set by Nebraska State Statute for each respective office are to be collected and deposited by the respective office according to statute. In addition, all fees collected that are not set by state statute are to be turned over to the Boone County Treasurer and the collected fees shall be credited to the respective fund. Motion made by Luettel, second by Tisthammer to approve Resolution No. 2016-64, setting of official office fees with an effective date of November 1, 2016 as presented. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes



Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Tom Smith, Region 44 Emergency Manager, updated the Board regarding emergency management activity.
- The courthouse will be closed from 10:30 a.m. to noon on Thursday, October 27, 2016 for the funeral of Sheryl Machacek. Sheryl's employment began in 1998 at the Boone County Sheriff's office.
- The Board received a 2016 dividend from Nebraska Intergovernmental Risk Management Association (NIRMA) in the amount of \$14,768.00. Boone County has been a member of NIRMA/NIRMA II insurance program since 1988. NIRMA is a member owned and operated non-profit program.

Chairman Luettel declared the meeting adjourned at 11:25 A.M., the next Board meeting is scheduled for Monday, October 31, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 31, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 31, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 October 26, 2016 as presented. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board of Equalization Proceedings of October 26, 2016 as presented. Roll call vote: Luettel and Tisthammer. Nays: None. Abstain: Maricle. Motion carried.

Darrel Thorin, Boone County Highway Superintendent, updated the Board regarding the Central Highway Asphaltic Concrete Overlay project.

Darrel Thorin, County Highway Superintendent, and the Board discussed the condition of 145th Street, west of Petersburg. The millings/armor coat is not holding up with the increased weight of equipment/truck traffic. The group discussed an alternative of converting said road back to gravel and leaving the first mile as asphalt. Thorin explained that armor coat is a thin layer of oil mixed with gravel and micro surfacing is a 3/8"-1/2" base of oil mixed with granite material.

Safety concerns and possible solutions regarding the staging of trucks on State Highway 14-39 and County Road known as 260th Street during harvest season were discussed at the October 26, 2016 Board meeting. Thorin and the Board continued the discuss the topic of truck staging on State Highway 14-39 during certain times of the year while waiting to unload at Cargill. Commissioner Luettel used his truck to turn around in the park area known as Bowman Park by the 14/39 junction as discussed at the October 26, 2016 Board meeting. Luettel said that it is possible for trucks headed south to turn around at the park area so that all grain trucks would be northbound and staging on the east edge of the highway as they wait to turn onto 260th Street. The grain trucks staging on only one side of the highway would lessen the dangerous situations when both sides of the highway are lined up with trucks. Thorin said that Kevin Domogalla, NDOR District 3 Highway Engineer, would be available to attend a Board meeting on November 14, 2106. Motion made by Maricle, second by Luettel to set a meeting for 10:00 A.M. on November 14, 2016 to continue the discussion regarding hazardous safety issues when truck traffic is staging on State Highway 14-39 and County Road known as 260th Street while waiting to unload grain at Cargill. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.



Boone County Board Minutes



Black Hills Energy, Inc. requested permission to bore a natural gas line for relocation of a gas line and meter under a county road commonly known as 270th Street, running East and West between Sections 27 and 34 all in Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Black Hills Energy will be commencing in the S1/2SW1/4 of Section 27 on the east side of 190th Avenue, thence south across 270th Street to the NW1/4 of Section 34, all in township 20 North, Range 7 west of the 6th. P.M., Boone County, Nebraska. Purpose of the easement is for relocation of a portion of the existing natural gas line and relocation of the meter. Motion made by Luettel, second by Maricle to approve Resolution No. 2016-65, granting permission to Black Hills Energy, Inc. to bore a natural gas line for relocation of gas line and meter under a county road commonly known as 270th Street to the NW1/4 of Section 34, Township 20 North, Range 7 West of the 6th P.M., Boone County, Nebraska, as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board received an estimate from Dewitt Construction for a courthouse display stand for the north entrance. Regulation changes require some forms or flyer information that need to be displayed in a public display area in as much that the public do not need to visit the appropriate office for certain forms until they wish to file the form. Motion made by Maricle, second by Tisthammer to approve the estimate of \$1,450.00 from Dewitt Construction for a courthouse display stand for the north entrance as presented. Roll call vote: Yeas; Maricle, Tisthammer and Luettel. 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 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 various meetings scheduled this week.
- Commissioner Maricle reported on the Ag trip she attended in Germany.
- Commissioner Luettel informed the Board that Jarecki Lawncare will be spraying the area of the County Communications Tower.
- Mary Ziemba, Zoning Administrator, updated the Board regarding zoning activities.

Chairman Luettel declared the meeting adjourned at 11:00 A.M., with the next Board meeting scheduled for Monday, November 14, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 14, 2016

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 14, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 - \$59,787.26; Road - \$111,922.85; Boone County Visitor's Promotion - \$1,100.86; Inheritance Tax Fund - \$2,245.00; 911 Emergency Management (2910) - \$737.21; 911 Wireless Service (2913) - \$677.44; Ambulance - \$1,376.32. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$2,339.70, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Tisthammer and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of October 31, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the following reports of the County Officials as presented for October 2016:

- Clerk - \$10,402.50 (State of Nebraska \$5,825.92) (County of Boone \$4,576.58)
- Clerk of the District Court - \$703.85 (State of Nebraska \$328.00) (County of Boone \$375.85)
- Sheriff - \$1,238.16
- County Planning & Zoning - \$457.25
- Treasurer - Treasurer's Fees - \$4.00; Miscellaneous Receipt Nos. 15307-15363 - \$316,716.87; Total Collections - \$583,549.97

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

The Board and Denny Johnson, Sheriff, held a lengthy telephone conference with Don Prochaska and Bill Huey, Prochaska and Associates of Omaha, Nebraska, regarding possible renovations to the law enforcement building on October 11, 2016. Prochaska works with the State of Nebraska, Jail Standards Division, to make sure that the renovation project satisfies the requirements for security and safety issues following the review/study of the county jail facility by the State of Nebraska, Jail Standard Division. The Board received a Letter Agreement to review that describes the contractual terms under which Prochaska & Associates will provide Architectural/Engineering services to Boone County for addressing the safety issue upgrades to the jail identified by Nebraska Jail Standards. Motion made by Tisthammer, second by Maricle to approve and authorize the Board Chairman to sign the Letter Agreement with Prochaska & Associates, not-to-exceed a cap



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of \$25,000.00, plus out-of-pocket reimbursable expenses as presented. 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 Albion Area Arts Council requested assistance to advertise the String Beans Concert and Daniel Christian Concert scheduled for December 3 and 4, 2016. 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.

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report for the Board to review. There were twenty distress warrants delivered to the Boone County Sheriff on November 1, 2016 for collection of unpaid 2015 personal property taxes. The amount of uncollected 2015 personal property taxes, not including penalties is \$3,004.03. The total to be collected on distress warrants, with penalties is \$3,162.42. Motion made by Luettel, second by Maricle to accept and approve the County Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The County of Boone DBA Boone County Ambulance Service has an Agreement with EMS Billing Services, Inc. of Omaha, Nebraska to provide billing and collection services for the county ambulance services. The EMS Billing Services mail three billing statements to the patient for their ambulance service. If EMS Billing Services does not receive payment they send the file information to the Boone County Ambulance liaison. The Boone County Ambulance liaison mails three billing statements to the patient for the ambulance service with the third billing request saying, if no payment is received in 30 days the billing will be turned over to the County Attorney for collection. The Boone County Ambulance Service submitted an uncollectible ambulance account for a November 2015 ambulance service in the amount of \$2,245.00, as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$2,245.00 from the EMS Billing Services account for purposes of bookkeeping and turn the account over to the County Attorney to attempt further collection. Motion made by Tisthammer, second by Maricle to turn the November 2015 County Ambulance Service account balance of \$2,245.00 over to the County Attorney for further collection. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

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 Luettel, second by Maricle to designate the official county newspapers for 2017 to include the Albion News, Petersburg Press and The St. Edward Advance. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin updated the Board regarding the county bridges that are showing structure deficiency according to the latest Nebraska Department of Roads bridge inspections.
- Thorin informed the Board that LTAP will be in Boone County on Wednesday, November 16, 2016 for hands on motor grader operator instructions. Thorin plans to have all the county employee motor grader operators to participate in the training.



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- Thorin informed the Board that he plans to notify the truck drivers that signed a non-exclusive contract for services to back-haul aggregate for the county, that the county will not need the back-haul services again until in the spring of 2017.

An annual certification of a County Highway Superintendent is due each year by December 31st 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 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

On October 26, 2016 the Board; Darrel Thorin, County Highway Superintendent; Denny Johnson, Sheriff; Brent Lipker, Albion Police Department; Tom Smith, Region 44 Emergency Manager; Jay Olson, Cargill Northwest Region Operations representative; Jonathan Petersen and Terry Reicks, Cargill representatives; and Andy Roberts and Michael Pugh, Valero Renewables representatives, met to discuss safety concerns. The hazardous safety issues discussed were in regard to when truck traffic is staging on State Highway 14-39 and County Road known as 260th Street while waiting to unload grain at Cargill.

The Board invited Kevin Domogalla, Nebraska Department of Roads (NDOR) District 3 Highway Engineer, to participate in the ongoing discussion of safety concerns and possible solutions for truck staging on the state highway during certain times of the year. The following participated in the discussion: Board of Commissioners; Darrel Thorin, County Highway Superintendent; Denny Johnson, Sheriff; Brent Lipker, Albion Police Department; Jonathan Petersen and Terry Reicks, Cargill representatives; and Andy Roberts and Michael Pugh, Valero Renewables representatives, and Kevin Domogalla, District 3 NDOR Highway Engineer.

Domogalla said that the trucks are not allowed to stage on the highway and that the southbound lane or west side of Highway 14-39 has been posted for no parking. Domogalla said the enforcement of the no parking signs is up to local law enforcement. Discussion was held on a possible safety improvement to eliminate trucks staging on the southbound side of State Highway 14-39 by using the highway junction and connecting spur to the south. Trucks could use that as a turn-around area, so that all grain trucks would be northbound and staging on the east edge of the highway as they wait to turn onto 260th Street. The short turning radius onto 260th Street was listed as a drawback to the plan, although it could be safer because there are fewer driveways south of the 260th Street intersection. Domogalla reiterated that the state cannot allow trucks staging on the highway, no matter the location. Getting the staging trucks off the highway is ultimately the best solution. Cargill noted they have added more staging area within its facility and have room for 40 semi-truck/trailers. Cargill noted that they unload about 96 percent semi-truck/trailers and only about four percent straight trucks.

The group referenced a traffic study that was completed in 2009. The group discussed a possible reduction of the speed limit in the vicinity of State Highway 14-39 and 260th Street. It is currently 45 mph in that area and also noted that there are more businesses in the area than there were when the last traffic study was completed in 2009. A suggested reduction to 35 mph would reduce the danger from lack of visibility at the intersections when trucks are staging on the highway. Domogalla said that the 2009 traffic study did not indicate sufficient traffic to reduce the speed limit. The group believes that the traffic volume on the highway is higher than it was in 2009 and that a new traffic study would prove that. Other suggestions were to add a flashing amber light at the intersection and install an electronic roadside speed monitor sign in that area to notify drivers of their speed. It was suggested that this could be done as a cost share project between the city and county. Plans for possibly widening the turning radius at the intersection of State Highway 14-39 and County Road 260th Street was



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discussed. The right-of-way is owned by the State of Nebraska, but Domogalla said this is a county road intersection, so a widening construction project would be at the county expense.

At the conclusion of the meeting, Domogalla said he will check into a new traffic study of the area and gather traffic data from Cargill and Valero. Domogalla said the waiting time for a traffic study is usually four to six months.

The Board served a written notice to Sequoia Consulting Group, terminating the agreement regarding Indirect Costs Allocation for fiscal year ending June 30, 2017, effective October 11, 2016. The Board and Wesley J. Ehlers, Sequoia Consulting Group, discussed the Indirect Costs Allocation services via telephone conference. The County of Boone, Nebraska has received a letter from the Nebraska Department of Health and Human Services (DHHS) denying the requests dated September 15, 2014 and September 21, 2015, for payment for office space in regard to indirect costs. There is confusion regarding what allocation funds were recently denied by DHHS that the Sequoia Consulting Group submitted for Indirect Costs Allocation services reimbursement for the county. In January DHHS finance department and internal audit reviewed DHHS practice of receiving invoices from counties for free space, running the costs through a cost allocation plan, and reimbursing counties for the space with federal dollars. DHHS concluded that it was not able to properly claim federal funds for this space for the current and future cost allocation plans. Ehlers expressed his thoughts on the recent action by DHHS and asked the Board to reconsider continuing to use Sequoia Consulting Group services. Ehlers said that that the consulting groups are possibly proposing legislation to clear up the issues that recently surfaced following an internal audit of the DHHS finance department. The Board made no decision at the meeting and plan to call Wesley Ehlers, Sequoia Consulting Group, on Monday, November 21, 2016 to further discuss the issue.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board, Denny Johnson, Sheriff, and Rod Nelson, Maintenance, discussed the generator inspections conducted by NMC. The generator located at the County Communications Tower and the generator located at the Sheriff's office are both in need of some maintenance repairs. The consensus of the Board was to have the necessary repairs completed on both generators.

Commissioner Luettel declared the meeting adjourned at 12:20 P.M. with the next Board meeting scheduled for Monday, November 21, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, November 21, 2016 at 9:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Maricle, second by Commissioner Tisthammer to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Hilary K. Maricle, Jerry L. Tisthammer and Ken Luettel, and Mary Ziemba, County Planning and Zoning Administrator. Also present for said hearing to answer any questions were Otto Taake, Applicant and Kurt Kettelson. Chairman Luettel acknowledged the publication 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 Conditional Use Permit submitted by Otto Taake. Otto and Sharon Taake, Trustees are the property owners of the real estate referenced herein. The application request is to divide 5.74± acres from a parcel of farm ground for the existing building site located on the N1/2NW1/4 of Section 23, Township 22 North, Range 5 West of the 6th P.M., Boone County, Nebraska.

Otto Taake explained to the Board that the purpose for dividing the 5.74± acres from the farm ground is to sell the existing building site. A survey for the 5.74± acres is completed and Waiver of Distances are signed. Ziemba explained that the County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the Agricultural 1 Zoning District, which gives priority to agricultural land uses. Taake informed the group that Kurt Kettelson and his family have moved back to Boone County and is interested in purchasing the existing building site.

The County Planning Commission Board recommended approval to divide 5.74± acres from the parcel of farm ground for the existing building site.

Motion made by Tisthammer, second by Maricle to close said public hearing at 9:35 A.M. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Luettel to approve the Conditional Use Permit submitted by Otto Taake to divide 5.74± acres from a parcel of farm ground for the existing building site located on the N1/2NW1/4 of Section 23, Township 22 North, Range 5 West of the 6th P.M., Boone County, Nebraska, to sell the existing building site. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATIONS

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, November 21, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Tisthammer, second by Commissioner Luettel to open said public hearing. Present for roll call were Commissioners Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle and Darrel Thorin, County Highway Superintendent.

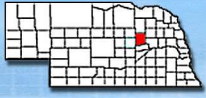
The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of five sections of county roads located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska:

1. A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile, to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street.
2. A section of road commencing at the NW corner of the S1/2 of the SW1/4 of Section 29, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue.
3. A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4 of Section 29, known as 295th Avenue.
4. A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue.
5. A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW1/4 of Section 34, thence running east for one (1) mile, known as 275th Street.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated September 15, 2016 recommending that said five sections of county roads located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska be officially vacated, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. The above sections of county roads are not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation funds received by the County. Thorin mailed certified letters to all area landowners and received no opposition. The said roads are inaccessible and are currently still open roads according to the road records in the County Register of Deeds office. No opposition was received at the hearing.

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

Motion made by Maricle, second by Luettel to officially vacate the said five sections of county roads: (1) A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile, to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street; (2) A section of road commencing at the NW corner of the S1/2 of the SW1/4 of Section 29, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue; (3) A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4 of Section 29, known as 295th



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Avenue; (4) A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue; and (5) A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW/4 of Section 34, thence running east for one (1) mile, known as 275th Street, all in Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
NOVEMBER 21, 2016
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 21, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel 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 Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle, Denny Johnson, Rod Nelson, Tom Smith, Kathy Thorberg and Darrel Thorin. Nelson addressed old business regarding the completion of the replacement of steps to the law enforcement/sheriff building front door, a new surveillance system has been installed in the law enforcement/sheriff building and courthouse building, new signage on courthouse property regarding no smoking and concealed weapons are installed. New business was discussed: (1) Nelson plans to re-paint the blue handicap parking lines in the courthouse parking lots; (2) Thorin installed boards around the new generator at the County Communications Tower to keep snow out of the generator; and (3) Smith updated the group regarding emergency management activities, emergency action plans, table top exercises and threat assessments. Nelson reported no accidents for last quarter. The next safety committee meeting is scheduled for 9:00 A.M. on Tuesday, February 21, 2017. The Safety Committee meeting was adjourned by Rod Nelson at 9:15 A.M.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of November 14, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board did not take up the agenda item relating to the county general assistance utilities request, because the person requesting the assistance did not appear.

The Board and Wesley J. Ehlers, Sequoia Consulting Group, continued their discussion from the November 14, 2016 Board meeting regarding Indirect Costs Allocation services via telephone conference. The Board asked Ehlers to explain how he arrived at the FY2017 – 204.17% when the FY2016 was 45.43%. Ehlers said it is making up for the low rate when the county should have received more for FY2013. The Board and Ehlers exchanged questions/discussion regarding Indirect Costs Allocation services. The Board made no change regarding their decision made on October 11, 2016 at this time.

The State of Nebraska, Department of Roads (NDOR) submitted an Agreement for the Board to review for Project No. STP-14-3(116), Albion South. The construction may involve the obliteration or destruction of land survey corners and witness corners. The County agrees to perform work under a Registered Land Surveyor to tie out land monuments as necessary for the project prior to construction work beginning and to tie out and re-establish monuments as necessary after construction is completed. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign an Agreement between Boone County, Nebraska and the State of Nebraska, Department of Roads for surveying services for Project No. STP-14-3(116), Albion South as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.



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The Board and Chuck Rolf and David Noble, Boone County Agricultural Society, Inc., discussed the recent real estate purchase by the County of the approximate thirty-five acres south of the present fairgrounds property. The Board asked Noble and Rolf if they had any ideas for the use of the additional acres. The Agricultural Society have no immediate ideas. Rolf suggested that the County may possibly rent the acres out and plant alfalfa for a ground cover. Also suggested was possibly planting a tree line on the east side of the property between the housing development area and the shooting range that is already located on the fairgrounds property. The Board is in the process of having surveys completed for property line ownership with complete legal descriptions. It appears that the present east and south fence lines are not located on the property lines according to a preliminary survey of the present property known as the fairgrounds. The Board is not ready to make a move on the use of the additional thirty-five acres until property/boundary lines are surveyed. The Board plans to contact legal counsel for guidance of what the County can legally do as a governmental agency regarding rent/crops.

Judd Allen, NACO Marketing Representative, met with the Board to answer any questions or concerns regarding the county health insurance. Allen answered the questions and updated the Board regarding NACO health insurance opportunities.

Darrel Thorin, County Highway Superintendent, updated the Board and discussed the following:

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin submitted three separate bridges for the bridge match program with hopes of at least getting one bridge re-construction approved. Thorin explained the paper process and the type of bridges submitted for the program.
- Thorin updated the Board regarding a micro-surfacing project.
- Thorin informed the Board that the footings are poured for the new open-end building construction located at the Cedar Rapids Road Shop yard.
- Thorin and the Board discussed repair costs for a bridge on 250th Street, the estimate for material is \$20,504.00 plus labor.

The Board held a Public Hearing at 10:00 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of five sections of county roads located in Township 20 North, Rang 5 West of the 6th P.M., Boone County, Nebraska. No opposition was heard at the public hearing. Motion made by Maricle, second by Luettel to approve as presented Resolution No. 2016-66, to vacate (1) A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile, to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street; (2) A section of road commencing at the NW corner of the S1/2 of the SW1/4 of Section 29, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue; (3) A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4 of Section 29, known as 295th Avenue; (4) A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue; and (5) A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW/4 of Section 34, thence running east for one (1) mile, known as 275th Street, all in Township 20 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried



Boone County Board Minutes



The Nebraska Department of Health & Human Services submitted the paper documents for the Boone County Ambulance Service license renewal as an EMS Advanced Service. Randall Bruland, County Ambulance Administrator, completed the documents and acquired the appropriate signatures. The documents require approval and signature of the Board of Commissioners as the head of the governmental unit. Motion made by Luettel, second by Maricle to approve and sign the EMS Advance Service license renewal notice as submitted. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, Boone County Highway Superintendent, plans to retire on December 31, 2016. The Board received applications for the advertised Boone County Highway Superintendent position. The Board scheduled applicant interviews for today, November 21, 2016 starting at 11:30 A.M.

Open discussion and miscellaneous public comments:

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

Chairman Luettel declared the meeting adjourned at 1:39 P.M. with the next Board meeting scheduled for Monday, November 28, 2016.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
NOVEMBER 28, 2016
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 28, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$89,623.45, BCBS \$44,176.54, Ameritas Ret \$6,192.41, EFTPS \$6,687.48, Section 125 Fees \$12.50, Wellness Program \$86.16; Road \$46,533.58, BCBS \$24,170.06, Ameritas Ret \$3,141.03, EFTPS \$3,506.92; Ambulance \$915.00, Ameritas Ret \$33.76, EFTPS \$69.98; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,277.56, Ameritas Ret \$329.54, EFTPS \$480.25, which is all reimbursed back to the County. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment from the road fund in the amount of \$21,900.00, Schalk Auto. 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 November 21, 2016 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Zoning Public Hearing Proceedings of November 21, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Road Vacation Public Hearing Proceedings of November 21, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board discussed the abandonment of real estate at their February 16, 2016 Board meeting with Jeff Jarecki, Jarecki Yosten PC LLO. The Board, Darrel Thorin, County Highway Superintendent and Jeff Jarecki discussed the feasibility study completed by Thorin and a survey completed by Chris Hays, County Surveyor, regarding the disposition of road right-of-way property located southeast of Cedar Rapids. Jarecki had previously provided a copy of a document where the State of Nebraska, Department of Roads relinquished their interest in a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska to Boone County, Nebraska in 1975. Jarecki previously said that his client(s) have farmed the strip of real estate property for many years and have been paying taxes on the said property. The Board authorized Darrel Thorin, County Highway Superintendent, to advertise and prepare documents for a public hearing regarding said strip of real estate property. Jarecki offered to prepare the necessary documents to transfer said 0.82 acres to the adjoining landowner(s) upon Board approval following a public hearing that is set for December 19, 2016.



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Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. Thorin said that the wet snow last week caused the sloppy road problems. In addition, the hard rain received on Sunday helped pack some of the area road surfaces.

Darrel Thorin, County Highway Superintendent, submitted a quote for three micro-surfacing projects from Sta-Bilt Construction Company of Harlan, Iowa. The three asphalt area roads included in the micro-surfacing quote are known as the Cemetery, District 13 and Raeville Roads. Thorin said that the plan is to include the other four area asphalt roads for micro-surfacing on the 2017 One & Six Year/Six Year Road Improvement Plan. The quote is for approximately a ½ inch micro-surface overlay on the three said asphalt roads for approximately \$94,560.00 with a second overlay quote of \$94,560.00 and a mobilization quote of \$1,500.00 for a total of \$190,620.00. Thorin said that it is possible that all three said roads may not need a second overlay and the county will not send payment until completion of work. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the quotation of \$190,620.00 from Sta-Bilt Construction Company at a locked in price of \$1.97 per square yard for three asphalt micro-surface projects for completion in Spring of 2017 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a LPA Program Agreement for the Board to review. The Agreement is between Boone County, Nebraska and State of Nebraska, Department of Roads for Project No. HRRR-STWD(116), Advanced Railroad Warning Signs. The State's High Risk Rural Road Implementation Team selected this local safety project for funding with federal-aid funds. The federal-aid funds will purchase the advance railroad warning signs and the agreement is that the County will complete the installation of said signage by December 31, 2017. Motion made by Maricle, second by Luettel to approve Resolution No. 2016-67, an Agreement between Boone County, Nebraska and State of Nebraska, Department of Roads for Project No. HRRR-STWD(116) as presented. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board interviewed applicants on November 21, 2016 and reviewed applications for the position of Boone County Highway Superintendent. The Board of Commissioners reached the final stage in their consideration and offered the position to Stacey L. Robinson of Fullerton, Nebraska. Robinson started working for Nance County Road Department in November of 2012 and earned her Class B Highway Superintendent License in April of 2016. Motion made by Luettel, second by Maricle to approve Stacey L. Robinson of Fullerton, Nebraska as an assistant Boone County Highway Superintendent beginning December 1, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board received a written resignation from a full time County Sheriff's office employee. Motion made by Tisthammer, second by Maricle to accept the resignation of full time employee Tennille Fries effective November 25, 2016. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Jacqueline Wells, Veteran Service Officer, submitted a quote for a new laptop computer for the Board to review. Wells said that the present laptop purchased in 2010 is not working properly and will be destroyed by Shred Monster of Columbus after the information is transferred to a new laptop computer. The quote from Applied Connective Technologies of Albion is for an Inspiron 15 5000 2-in1 Laptop with a one year hardware warranty, Office 365 Business monthly subscription and included freight. The quote does not include installation and configuration. Motion made by Luettel, second by Maricle to approve the quote for a new laptop for the County Veteran Service Office from Applied Connective Technologies for \$997.82 not including installation and configuration rate as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



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The Board discussed how the Boone County Ambulance Service rates are being paid for the drivers and medical personnel. The suggestion from the labor attorney's that assist NIRMA with the employee handbook that the Ambulance Service personnel be all hourly paid position for all logged worked hours per FLSA. The Board plans to discuss how the ambulance personnel are paid at their December 12, 2016 Board meeting to change payment from a "per run" basis to an hourly basis.

Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Jeff Jarecki, Public Defender, updated the Board regarding the status of the forty-three cases that he has received to date in 2016. Jarecki informed the Board that thirteen of the cases are still open.
- Commissioner Maricle updated the Board in regard to the BCDA, Inc. and Boone County Health Center Board meetings she attended.
- Mary Ziemba, County Planning & Zoning Administrator, provided the Board with a copy of a letter she received from Oakland Farms, LLC to withdraw their conditional use permit applications following the Zoning Commission Board public hearing held on November 21, 2016.

Chairman Luettel declared the meeting adjourned at 11:36 A.M., the next Board meeting is scheduled for Monday, December 12, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 12, 2016

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 12, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$64,297.71; Road - \$245,112.96; Road Buyback Program (0650) - \$206,922.31; Boone County Visitor's Promotion - \$810.64; 911 Emergency Management (2910) - \$460.85; 911 Wireless Service (2913) - \$575.92; Ambulance - \$813.74. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$900.33, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Maricle and Tisthammer. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Tisthammer to approve a Payroll Claim filed for payment on the General Fund for a net amount of \$679.35 with the withholding amounts being included in the General Fund Accounts Payable Vendor Claims as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Tisthammer to approve the County Board Proceedings of November 28, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer 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 November 2016:

- Clerk - \$6,255.25 (State of Nebraska \$3,349.60) (County of Boone \$2,905.65)
- Clerk of the District Court - \$1,214.44 (State of Nebraska \$572.00) (County of Boone \$642.44)
- Sheriff - \$974.52
- County Planning & Zoning - \$97.50
- Treasurer - Treasurer's Fees - \$40.00; Miscellaneous Receipt Nos. 15364-15413 - \$432,742.20; Total Collections - \$734,500.57

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

Commissioner Maricle informed the Board that there is a Boone County Fitness Center Board meeting on Tuesday, December 13, 2016. Maricle said that following the Boone County Fitness Center Board meeting they may plan to visit with the Board of Commissioners on December 19, 2016.



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. Saint John the Baptist Church of Petersburg requested assistance to advertise the St. John's Bazaar Fall Festival event that was held on September 11, 2016. The Board discussed the application request. Applications requesting assistance with advertising are to be submitted a minimum of 30 days prior to the event. Motion made by Luettel, second by Maricle to deny the application requesting funding assistance for advertisement from the Visitor's Promotion Fund due to the application was received on December 5, 2016 and not before the event that was already held September 11, 2016. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

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

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin and the Board reviewed and discussed correspondence that was received regarding county road conditions.

The Board, Chuck Rolf, Boone County Agricultural Society, Andy Devine, Albion City Administrator, and Dana Andersen discussed a possible housing development proposed subdivision to be located adjacent to the east side of the present fairgrounds property. Andersen explained that he was approached by an economic development group regarding the need for housing development in the Albion area. Andersen owns property south of the Fuller Park that lays adjacent to the east side of the Boone County Fairgrounds. The preliminary subdivision plat includes a street running east-west. Devine said that the City cannot allow a dead end street within a platted subdivision. Andersen asked the Board if they would consider allowing an easement for the west side of the proposed subdivision through the county fairgrounds. The group discussed other possibilities of real estate ownership and responsibilities regarding the east side of the present fairgrounds property lying in the area of the museum, Fuller Park, campground and proposed subdivision. The Board plans to contact the County Surveyor for assistance.

Laurie Krohn, County Treasurer, presented a bond payment, per Nebraska State Statute, for the Board to review. The Boone County School District 0001 (Boone Central Schools) General Obligation Bonds were issued in 2015 and 2016. The Boone Central Schools General Obligation Bonds, Series 2015 second payment is due December 15, 2016 for \$156,438.13 and Series 2016 second payment is due December 15, 2016 for \$419,050.00. Motion made by Luettel, second by Maricle to authorize Laurie Krohn, County Treasurer, to process the bond payments when due to BOK Financial as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

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

- Pledge of Allegiance
- County officials reported on activities with regard to their respective offices.
- Discussed placement of a Patriotic Motto in the Board/break room.
- The group was reminded that "as needed employees" have to work under twenty hours in a work week.
- Alan Rasmussen, newly elected County Commissioner District #2 introduced himself.
- Darrel Thorin introduced Stacey Robinson as the incoming County Highway Superintendent.



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- An employee appreciation meal is planned for Wednesday, December 28, 2016 from 11:00 a.m. to 1:00 p.m. at the Albion KC Hall and prepared by the Albion Senior Center. A retirement open house will follow from 1:00 p.m. to 2:00 p.m. at the courthouse in the meeting room for retiring employees.

Pat Wagner, Karen Stewart and Leon Magsamen, Smoyer/Wathen Monument Committee, presented a history of the June 17, 1937 deaths of Sheriff Lawrence Smoyer and Constable William Wathen at the hands of unknown assailants. The committee presented a proposal for the Board to review for a permanent memorial to be placed on the courthouse grounds. The committee will make plans for funding the project upon Board approval for placement of a memorial on the courthouse property. Motion made by Luettel, second by Tisthammer to approve the placement of a memorial on the courthouse property with the location to be decided later. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board and Jeff Jarecki, who is representing county road workers, briefly discussed the county employee vacation policy. Commissioner Maricle suggested a closed session for the discussion. Motion made by Tisthammer, second by Maricle to go into executive session at 11:59 a.m., per Open Meeting Act §84-1410, for the prevention of needless injury to an individual/threat of litigation. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. The Board, Jeff Jarecki and Department Heads present discussed vacation policy issues. Motion made by Tisthammer, second by Maricle to come out of the executive session at 12:45 p.m. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried. Vacation policies were discussed, no action was taken by the Board.

The Board reviewed the 2017 calendar to set dates for the 2017 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 2017 which are subject to change: January 5, 9, 17, 25 and 30; February 13, 24 and 27; March 13, 20 and 27; April 10, 17 and 26; May 8, 15, 24 and 30; June 12, 19 and 28; July 10, 17, 26 and 31; August 14, 21 and 28; September 11, 18 and 27; October 10, 16, 25 and 30; November 13, 20 and 28; December 11, 18 and 27. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Abstain: Tisthammer. Motion carried.

The Board discussed the Boone County Ambulance transport services base rate pay for drivers and medical personnel. The ambulance personnel have been receiving a base rate of pay depending on the distance of the transport from Boone County medical facility to a larger medical facility. The ambulance personnel are not full time county employees, but are considered county employees when operating the county ambulance transport service due to the county owning the ambulance. The type of pay structure change is from a base rate to an hourly rate. The ambulance personnel would log in and out on the computer that is in the ambulance to track their hours of service, of which would be tied to the county time and attendance system. The Board plans to propose an hourly rate for ambulance personnel based off of the present base rates for the ambulance personnel to review for further discussion.

The Board/Highway Superintendent are advertising for a General Road Foreman/Weed Superintendent position. Motion made by Maricle, second by Tisthammer to advertise the General Road Foreman/Weed Superintendent position with an application acceptance deadline of December 23, 2016. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.



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Commissioner Luettel declared the meeting adjourned at 1:34 P.M. with the next Board meeting scheduled for Monday, December 19, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 19, 2016

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 19, 2016, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

The Board discussed the Boone County Ambulance transport services base rate pay for drivers and medical personnel at their December 12, 2016 Board meeting. The ambulance personnel have been receiving a base rate of pay depending on the distance of the transport from Boone County medical facility to a larger medical facility. The ambulance personnel are not full time county employees, but are considered county employees when operating the county ambulance transport service due to the county owning the ambulance. The type of pay structure change is from a base rate to an hourly rate. The Board proposed an hourly rate for ambulance personnel to review. The Board and Randall Bruland, County Ambulance Administrator, discussed the Board's proposed hourly rates and the ambulance personnel suggested hourly rates. The Board plans to adopt a resolution regarding the hourly pay rates for ambulance personnel at their December 28, 2016 Board meeting. Motion made by Maricle, second by Luettel to upgrade the county ambulance cell phone to a smartphone to allow for internet capabilities for the ambulance personnel to be able to clock in/out within the county time and attendance software system. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to approve the County Board Proceedings of December 12, 2016 as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board of Equalization Proceedings of December 12, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board, Boone County Fitness Center, Inc. board members Jay Wolf, Dave Skillstad, and Bryce Spann, and Anji Kendrick, Fitness Center Manager, discussed several changes involving the Boone County Fitness Center, Inc. (Fitness Center). Wolf presented a complete financial report, along with a membership and usage report for the Board to review. Wolf pointed out that the Fitness Center's membership has grown from 261 members in 2006 to 405 members in 2016. The present membership includes 212 that live in the city limits of Albion; 81 that live outside city limits with an Albion address; and 114 that do not have an Albion address that live within Boone County and surrounding counties. Wolf said there is probably no longer a need for the Park and Recreation Board if a lease is signed and the Boone County Fitness Center, Inc., a nonprofit 501(C)(3) organization operates on its own federal identification number. The insurance and payroll have been handled by the County for several years with the Fitness Center reimbursing the County each month. Therefore, in regard to county audits they appear on paper to be county government employees. The fitness center members said they hope that the Board of Commissioners will continue to attend the Fitness Center Board meetings. County representatives were also invited to take a tour of the facility. Commissioner Luettel invited the Fitness Center Board member's to attend an upcoming meeting in March that will be held in Albion for non-profit organizations. UNL Extension will provide training to non-profits on how to remain in compliance.



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The Fitness Center Board met on December 13, 2016 to take action regarding the operation of the Boone County Fitness Center, Inc. that has been discussed the past several months. Boone County, Nebraska, a political subdivision, has owned the fitness center building, real estate and all of its appurtenances since August 29, 1986 per a Corporation Warranty Deed recorded in the Boone County Register of Deeds office. The county will continue to carry property insurance on the building through the Nebraska Intergovernmental Risk Management Association (NIRMA). The Fitness Center will continue to reimburse the County for the cost of coverage. The Fitness Center will carry its own general liability, workman's compensation and director/officer's coverage starting January 1, 2017. The Fitness Center payroll will be handled by Schmeits, Mueller and Martinsen, P.C. effective January 1, 2017. A lease agreement at a nominal fee of \$1.00 per year will be signed and all previous agreements/resolutions will be rescinded. The Lease Agreement draft will be reviewed by NIRMA before the Board of Commissioners sign the document. Motion made by Maricle, second by Tisthammer to approve the Boone County Fitness Center, Inc. proposed operation changes and the payroll to be processed through the Fitness Center identification number effective January 1, 2017. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

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. Jane Prothman has completed two consecutive three-year terms. Brian Andreasen has resigned from the Boone-Nance County Extension Board. The Boone-Nance County Extension Board recommends the appointment of Amanda Berg of Cedar Rapids to complete the term of Brian Andreasen and Roger Voichoski of Albion to serve his first three-year term on the Boone-Nance County Extension Board beginning January, 2017. Motion made by Maricle, second by Luettel to appoint Amanda Berg to complete the term of Brian Andreasen (2016-2018) and Roger Voichoski to serve his first three-year term on the Boone-Nance County Extension Board beginning January, 2017. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board received two sealed bids for gravel belly dump semi-trailers. The bids are as follows: Siouxland Trailer Sales, Inc., 42 ft. CPS - \$42,000.00, 46 ft. CPS - \$44,000.00; Murphy Tractor & Equipment Co., 42 ft. Ranco - \$45,850.00. The Board and Highway Superintendent reviewed and discussed the submitted bids. Thorin said he expected more than two companies bidding. Motion made by Luettel, second by Maricle to authorize Darrel Thorin, County Highway Superintendent, to make the semi-trailer(s) purchase decision and to negotiate the bids for the purchase of two new semi-trailers. 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. St. Michael's Parish of Albion requested assistance to advertise the St. Patrick's Carnival fundraiser event scheduled for March 12, 2017. 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.

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.



Boone County Board Minutes



Jeff Jarecki, Jarecki Yosten PC LLO, representing county road workers met briefly with the Board regarding county employee vacation policy on December 12, 2016. Brandi Yosten, Jarecki Yosten PC LLO, presented their clients agreeable amended vacation time policy. The vacation policy change is for the employees hired in 2009 and prior. The change is to continue the merge of vacation policies so that all employees are on one of the same policy and that a policy is in compliance with federal regulations and labor laws. The County Payroll is a 22/21 pay period with the December 22nd-31st of each calendar year being a part of the next calendar year payroll. Motion made by Maricle, second by Luettel to approve the following vacation policy change for the employees hired in 2009 and prior:

- 2017- The earned 2016 vacation hours will be posted on December 22, 2016 and the 2017 earned vacation hours will be posted on the 21st of each month beginning January 21, 2017, with a carryover of unused vacation hours capped at 200 hours on December 21, 2017, with any excess over 200 hours will be paid out on December 21, 2017.
- 2018-The carryover of accrual vacation capped at 200 hours will be posted on December 22, 2017 and the 2018 earned vacation hours will continue to be posted on the 21st of each month, with a carryover of unused vacation hours capped at 100 hours on December 21, 2018, with any excess over 100 hours will be paid out on December 21, 2018.
- At the end of 2018 (December 21st), only 100 hours of accrued unused vacation time can be carried over into 2019 and each successive year following. However, the Board of Commissioners reserve the right to review benefits at four-year intervals when the county receives federal wage and hour updates from the Nebraska Intergovernmental Risk Management Association (NIRMA). The next review will be in 2019 with a possibility of the accrued unused vacation hour's carryover being changed/capped at 80 hours.

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

Rebecca Rayman and Roberta Miksch, East-Central District Health Department (ECDHD), presented a report of public health activities in Boone County for July through November 2016. Rayman said that the three year Community Health Improvement Plan (CHIP) for 2016-2018 are focused on substance abuse prevention, cancer prevention, health literacy and access to health care with a particular in-patient access to mental health. ECDHD has provided a number of different services to the residents of Boone County. Some of the services provided were the WIC program, senior citizens health related presentations, elementary and junior high school presentations, disease investigations and radon test kits. ECDHD has a staff member at the Boone County Health Center on Thursday each week to help clients with economic assistance such as health care applications, food stamps and other medical needs.

ECDHD board members meet every other month. Rayman thanked Commissioner Tisthammer for his years of service on the ECDHD Board. The Board informed Rayman that a new county official representative on the ECDHD Board will be appointed at the Board's reorganizational meeting scheduled for January 5, 2017 due to Tisthammer retiring. Rayman presented a slate of names for the East Central District Health Department Board for approval by the Board of Commissioners. The Boone County representatives on the ECDHD Board are Jerry L. Tisthammer, County Commissioner and Mary Staub, Public Minded Citizen. Motion made by Luettel, second by Tisthammer to approve the slate of East-Central District Health Department Board members as presented for 2017. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



The Board held a Public Hearing at 10:02 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road right-of-way located in Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. No opposition was heard at the public hearing. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-68, to officially vacate all that portion of the right-of-way lying South of the South r.o.w. line of 360th Street and lying West of the West r.o.w. line of 200th Avenue, located in the NE1/4NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, described as follows: Beginning at the SE corner of said NE1/4; thence West 33.00 feet; thence North, and on the West r.o.w. line of 200th Avenue, 2078.9 feet to the point of beginning; thence on a 539.96 foot radius curve to the left, 850.4 feet to a point on the South r.o.w. line of 360th Street; thence on the South r.o.w. line of said 360th Street, 274.86 feet; thence on a 605.96 foot radius curve to the right, 381.29 feet to a point of the West r.o.w. line of 200th Avenue; thence South and on the West r.o.w. line said 200th Avenue, 274.71 feet to the point of beginning and containing 0.82 of an acre more or less and authorize the Board Chairman to sign a Quitclaim Deed, conveying said real estate to said adjoining landowners, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board discussed a concern from a road employee about security of personal information. The Board decided a checklist would be composed regarding personnel forms for employees. The employees will need to complete their choice on the checklist form at the beginning of each calendar year.

Open Discussion and miscellaneous public comments:

- Department heads present discussed updated information received at the NACO Convention.
- Darrel Thorin, County Highway Superintendent, and the Board reviewed pictures recently taken by Thorin regarding destruction to county road right-of-way ditches. The structure of a county road ditch has been altered and contains animal waste runoff.

Commissioner Luettel declared the meeting adjourned at 12:23 P.M. with the next Board meeting scheduled for Wednesday, December 28, 2016.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, December 19, 2016 at 10:02 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel, Jerry L. Tisthammer and Hilary K. Maricle. Also, present for the hearing were Darrel Thorin, County Highway Superintendent, Stacey Robinson, Assistant County Highway Superintendent, Brandi Yosten, Jarecki Yosten PC LLO, and Jim Cox, adjoining landowner.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road right-of-way:

- All that portion of the right-of-way lying South of the South r.o.w. line of 360th Street and lying West of the West r.o.w. line of 200th Avenue, located in the NE1/4NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, described as follows: Beginning at the SE corner of said NE1/4; thence West 33.00 feet; thence North, and on the West r.o.w. line of 200th Avenue, 2078.9 feet to the point of beginning; thence on a 539.96 foot radius curve to the left, 850.4 feet to a point on the South r.o.w. line of 360th Street; thence on the South r.o.w. line of said 360th Street, 274.86 feet; thence on a 605.96 foot radius curve to the right, 381.29 feet to a point of the West r.o.w. line of 200th Avenue; thence South and on the West r.o.w. line said 200th Avenue, 274.71 feet to the point of beginning and containing 0.82 of an acre more or less.

On February 16, 2016 the Board appointed Darrel Thorin, County Highway Superintendent, to complete a feasibility study regarding a strip of real estate property, being a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska in regards to being identified as county road right-of-way or real estate relinquished to the county off of a former State Highway. The State of Nebraska, Department of Roads relinquished their interest in a strip of roadway lying over and across the NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska to Boone County, Nebraska in 1975. Thorin informed the Board that when he was measuring the portion of the property in question, some of the property may need to remain as county road right-of-way. Thorin suggested the property be surveyed for accurate measurements for all parties involved.

On November 28, 2016 the Board, Darrel Thorin, County Highway Superintendent and Jeff Jarecki, Jarecki Yosten PC LLO, discussed the feasibility study completed by Thorin and a survey completed by Chris Hays, County Surveyor, regarding the disposition of road right-of-way property located southeast of Cedar Rapids. Larry R. Cox and James L. Cox have farmed the strip of real estate property for many years and have been paying taxes on the said property. The Board authorized Darrel Thorin, County Highway Superintendent, to advertise and prepare documents for a public hearing regarding said strip of real estate property.

Cox gave a history of the road right-of-way along State Highway 52 where the state established radius curves during road construction. The State of Nebraska, Department of Roads relinquished said strips of roadway in January 1975 to Boone County, Nebraska with reservations and conditions. Cox informed the Board that there is several areas along the State Highway where the road right-of-ways should be cleared up as to ownership.



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Motion made by Luettel, second by Tisthammer to close said hearing at 11:02 A.M. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Tisthammer, second by Maricle to officially vacate all that portion of the right-of-way lying South of the South r.o.w. line of 360th Street and lying West of the West r.o.w. line of 200th Avenue, located in the NE1/4NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, described as follows: Beginning at the SE corner of said NE1/4; thence West 33.00 feet; thence North, and on the West r.o.w. line of 200th Avenue, 2078.9 feet to the point of beginning; thence on a 539.96 foot radius curve to the left, 850.4 feet to a point on the South r.o.w. line of 360th Street; thence on the South r.o.w. line of said 360th Street, 274.86 feet; thence on a 605.96 foot radius curve to the right, 381.29 feet to a point of the West r.o.w. line of 200th Avenue; thence South and on the West r.o.w. line said 200th Avenue, 274.71 feet to the point of beginning and containing 0.82 of an acre more or less and authorize the Board Chairman to sign a Quitclaim Deed, conveying said real estate to said adjoining landowners, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 28, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, December 28, 2016 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Luettel 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 Luettel 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 \$96,696.49, BCBS \$44,176.54, Ameritas Ret \$6,684.64, EFTPS \$7,221.07, Section 125 Fees \$12.50, Wellness Program \$71.80; Road \$51,234.89, BCBS \$25,966.18, Ameritas Ret \$3,458.34, EFTPS \$3,859.80; Ambulance \$1,915.00, Ameritas Ret \$61.09, EFTPS \$146.48; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,484.16, Ameritas Ret \$346.57, EFTPS \$496.05, 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 December 19, 2016 as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Road Vacation Public Hearing Proceedings of December 19, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, Stacey L. Robinson, Assistant County Highway Superintendent, and the Board discussed the following topics:

- Thorin updated the Board regarding road/bridge maintenance, materials and projects.
- Thorin informed the Board that the new motor grader was delivered December 22, 2016.
- Thorin informed the Board that two 46 ft. CPS gravel belly dump semi-trailers were ordered from Siouxland Trailer Sales, Inc. at \$44,000.00 each.
- Thorin, Robinson and the Board discussed responsibility of culverts for driveways. The consensus following the discussion was to have one policy in place by a resolution and the new resolution will void and take precedence over all prior resolutions and board proceedings.
- Thorin and Robinson presented the information they researched through zoning regulations and state statutes regarding the pictures recently taken by Thorin showing destruction to county road right-of-way ditches. The structure of a county road ditch has been altered and contains animal waste runoff. The Highway Superintendent plans to visit with the landowner regarding the destruction.
- Thorin informed the Board that he felt a certified signage technician would benefit the county road department.



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A Memorandum of Understanding was received for the Board to review and approve regarding Juvenile Services grants. The purpose of the Memorandum of Understanding (MOU) is to designate the Madison County Attorney's Office as the official applicant and "lead county" for the Nebraska Crime Commission's 2017 Community-Based Juvenile Services Grant application for Madison and Boone Counties. As such, the Madison County Attorney's Office will serve as the fiscal agent for the grant application program. Effective dates for the MOU will be from July 1, 2017 to June 30, 2018. Funds not used by Boone County will be used for other services in the Northeast Nebraska Juvenile Justice Partnership Plan. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Memorandum of Understanding for the Nebraska Crime Commission's 2017 Community-Based Juvenile Services Grant as presented. Roll call Vote: Yeas: Luettel, Maricle 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 Maricle, second by Tisthammer to approve as written Resolution No. 2016-69 to accept and approve the written applications of the following designated County Depositories of the County Funds for calendar year 2017: 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: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

The Board held several discussions regarding how the Boone County Ambulance Service rates are being paid for the drivers and medical personnel. The ambulance personnel have been paid by a flat rate per transport ambulance service. The suggestion from the labor attorney's that assist NIRMA with the employee handbook that the Ambulance Service personnel be all hourly paid position for all logged worked hours per FLSA. The ambulance personnel will be paid an hourly rate for their hours of service recorded through the County Time & Attendance System. The rates per hour are as follows: Registered Nurses - \$42.00; Paramedics - \$40.00; Licensed Practical Nurses, Emergency Medical Technicians, Emergency Medical Technicians/Drivers, Driver/Ambulance Administrator - \$35.00; and Drivers - \$25.00. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-70, Boone County Ambulance Service hourly rates of pay for ambulance personnel as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board reviewed the year end June 30, 2016 audit report prepared by Michael J. Pommer, CPA. A "Notice of Completion of Audit" was submitted to the Albion News for publication the week of December 26, 2016. Motion made by Luettel, second by Maricle to accept and approve the audit as presented for fiscal year ending June 30, 2016 and said audit is on file with the Boone County Clerk and the Nebraska Auditor of Public Accounts. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board and County Highway Superintendent/Assistant Superintendent discussed the applications received for the advertised General Road Foreman/Weed Superintendent position. The consensus of the group was to interview the applicants on January 5, 2017 following the County Board Reorganizational meeting. The applicants interviewed on January 5, 2017 will have the option for their application to be on file for the possibility of an additional road position or road/composition position.



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Mary Ziemba, Boone County Planning and Zoning Administrator, presented a Contract for Services Agreement between Boone County, Nebraska and Marvin Planning Consultants, Inc. for the Board to review. Ziemba asked the Board to hire a new Zoning Consultant for the County. The purpose of the agreement is for the project entitled Boone County, Nebraska Zoning Assistance. The agreement shall begin upon signing of the document and is estimated to be continuous until either party terminates said agreement. The agreement contains the scope of services, general conditions and payment rates for Keith A. Marvin, Marvin Planning Constants, Inc. and David Ptak, Attorney at Law. Motion made by Tisthammer, second by Luettel to approve and authorize the Board Chairman to sign the Contract for Services Agreement between Boone County, Nebraska and Keith A. Marvin, Marvin Planning Consultants, Inc. effective December 28, 2016 as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

Open discussion and miscellaneous public comments:

- Denny Johnson, Sheriff, updated the Board regarding the law enforcement/jail building project.
- IRS is changing the mileage rate reimbursement beginning January 1, 2017 to 53.5 cents per mile.
- An employee appreciation meal is today December 28, 2016 from 11:00 a.m. to 1:00 p.m. at the Albion KC Hall and prepared by the Albion Senior Center. A retirement open house will follow from 1:00 p.m. to 2:00 p.m. at the courthouse in the meeting room for retiring employees.

Chairman Luettel declared the meeting adjourned at 2:05 P.M., the next Board meeting is the 2017 Reorganizational Meeting scheduled for Thursday, January 5, 2017 and the next regular Board meeting is scheduled for Monday, January 9, 2017.

Kathy Thorberg,
Boone County Clerk