



Boone County Board Minutes



2018 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 Wednesday, January 3, 2018, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

Motion made by Rasmussen, second by Maricle to appoint Ken Luettel as Chairman of the Boone County Board of Commissioners for the year 2018. Roll call vote: Yeas: Rasmussen and Maricle. Abstain: Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to appoint Alan Rasmussen as Vice Chairman of the Boone County Board of Commissioners for the year 2018. Roll call vote: Yeas: Luettel and Maricle. Abstain: Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, 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 2018.

Motion made by Luettel, second by Maricle that the budget committee for the ensuing 2018-2019 budget year is the Boone County Board of Commissioners, Boone County Clerk and Boone County Treasurer.

Motion made by Rasmussen, second by Luettel to reappoint Schmeits, Mueller & Martinsen, P.C., Richard Martinsen, CPA, Albion, Nebraska, to prepare the County Budget for the 2018-2019 budget year, to be paid from the County General fund.

Motion made by Maricle, second by Rasmussen to appoint Stacey L. Robinson, Fullerton, Nebraska, as full time County Highway Superintendent under the supervision of the County Board for 2018.

Motion made by Luettel, second by Maricle to reappoint Christopher C. Hays, 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 Maricle, second by Luettel to reappoint Jacqueline Lynne Wells as full time Boone County Veteran Service Officer under the supervision of the County Board for 2018. In addition, the office may employ an As-Needed employee at less than 20 hours per week. In addition, there is a signed agreement with Greeley County for Boone County Veteran Service Officer to provide services for Greeley County.

Motion made by Luettel, second by Rasmussen to continue the contract for the services of Public Defender for Boone County with Jeffrey C. Jarecki of Jarecki Yosten Maul PC LLO, Albion, Nebraska, pursuant to the terms of an Agreement that shall commence on January 1, 2018 and continue until January 1, 2020.



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Motion made by Maricle, second by Luettel to reappoint Randall Bruland as the Administrator and Maintenance Director of the Boone County Ambulance Service under the supervision of the County Board for 2018.

Motion made by Luettel, second by Rasmussen 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 2018.

Motion made by Rasmussen, second by Maricle to reappoint Mary Ziemba as County Planning and Zoning Administrator, Regulatory Zoning Investigator and Floodplain Manager under the supervision of the County Board for 2018. The road clerical duties for the County Highway Superintendent's office are also included as part of the County Planning and Zoning Administrator duties.

Motion made by Luettel, second by Rasmussen to reappoint Jack Nordeen as a full time Boone County Weed Superintendent/Signage Technician under the supervision of the County Board for Weed Superintendent and under the supervision of the County Highway Superintendent for Signage Technician for 2018.

Motion made by Maricle, second by Luettel to reappoint the Boone County Clerk as the Title VI representative for 2018.

Motion made by Luettel, second by Rasmussen to reappoint the Boone County Veteran Service Officer as the American with Disabilities Act (ADA) Coordinator for 2018.

Motion made by Luettel, second by Maricle to appoint the Boone County Sheriff and his staff to be the E911 Coordinator for 2018.

Motion made by Luettel, second by Maricle to appoint Alan Rasmussen as Courthouse Custodian supervisor for 2018.

Motion made by Maricle, second by Rasmussen to appoint Ken Luettel as County Weed Superintendent supervisor.

Motion made by Maricle, second by Rasmussen 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 Maricle, second by Rasmussen to appoint the Boone County Clerk as the contact person for Boone County for the NIRMA Insurance for 2018.

Motion made by Luettel, second by Maricle 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 2018.

Motion made by Rasmussen, second by Luettel that the depository for the Boone County Clerk account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account; and depository



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for the Boone County Imprest Vendor account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Commissioners Ken Luettel, Hilary K. Maricle, Alan Rasmussen 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 Maricle, second by Rasmussen 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 Maricle that the depository for the Boone County Imprest Payroll account will be the Cornerstone Bank of York, Albion Branch, with Commissioners Ken Luettel, Hilary K. Maricle, Alan Rasmussen and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account.

Motion made by Luettel, second by Rasmussen 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 of Fullerton (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 Maricle, second by Rasmussen 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 Rasmussen, second by Luettel that the courthouse hours shall be 8:00 AM to 4:30 PM with a one-half hour unpaid break, and that all offices will post their hours, including the lunch break; and notice shall be posted on the respective office door only if an office is to be closed when it otherwise would be open.

Motion made by Maricle, second by Rasmussen 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. In addition, Arbor Day shall be a floating holiday and is designated for Monday, December 24, 2018. The Courthouse "Closed" notices will be posted by Board directive on the north and west outside entrance courthouse doors.

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

Motion made by Maricle, second by Rasmussen to approve the IRS mileage reimbursement rate of 54.5 cents per mile, effective January 1, 2018 as referenced in the Boone County Employee Handbook.

Motion made by Luettel, second by Maricle to approve County meal reimbursable dollar amount, as referenced in the Boone County Employee Handbook, for 2018 overnight travel policy: (1) Includes reimbursement by submitting an itemized receipt for actual expense up to \$11.00 for breakfast, \$12.00 for lunch and \$23.00 for supper; (2) No reimbursement of meals for one day travel; (3) If an unforeseen situation occurs for one day



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travel and return is after 7:00 P.M., the meal may be reimbursed and will be taxed and added to the employee W-2; (4) Itemized receipts are required for all travel expenses.

Motion made by Maricle, second by Rasmussen 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.

Motion made by Maricle, second by Luettel 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, 2018, 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. In addition, the Accounts Payable Vendor meeting will be held on Wednesday, January 10, 2018, due to conflicts with Monday, January 8, 2018. 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 29, February 26, March 26, April 25, May 29, June 27, July 25, August 27, September 26, October 29, November 28 and December 27, 2018. 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 Maricle, second by Luettel that (1) the following will serve on the Safety Committee for 2018: Region 44 Emergency Management Director; County Sheriff; Board of Commissioners; County Highway Superintendent; County Treasurer; County ADA Coordinator; Custodial Maintenance Supervisor; and (2) the Safety Committee meetings are tentatively scheduled for February 26, 2018, May 14, 2018, August 13, 2018 and November 19, 2018, 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. The Board 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 Maricle, second by Luettel to make no changes in 2018 to the above adopted pre-designated list approved in December 2013.

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

Appointment to the various boards that the County of Boone, Nebraska is associated with for 2018:

Americans with Disabilities Act Board:

(1) Third Member of the Boone County Board of Commissioners



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- (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

Agricultural and Educational Activities Building
Committee Member

Board Chairman

Boone County Recreational Trails System Project

Hilary Maricle

BCDA, Inc.

Alan Rasmussen
Hilary K. Maricle

Central Nebraska Joint Housing Authority, Loup City

Hilary K. Maricle
Ken Luettel - Alternate

East-Central District Health Department, Columbus

Alan Rasmussen
Hilary K. Maricle - Alternate

Northeast Nebraska Area Agency on Aging, Norfolk

Ken Luettel
Hilary K. Maricle - Alternate

Northeast Nebraska Juvenile Services, Inc., Madison

Ken Luettel
Hilary K. Maricle - Alternate

Region 4 Behavioral Health System, Norfolk

Alan Rasmussen
Ken Luettel - Alternate

Region IV, Inc. / NorthStar Services, Wayne

Hilary K. Maricle
Alan Rasmussen – Alternate

Region 44 Emergency Services Supervisory Committee

Hilary K. Maricle
Ken Luettel – Alternate

Quarterly Attendance by the Board of Commissioners (Non-Voting):

Boone County Agricultural Society, Inc.

Hilary K. Maricle

Boone County Fitness Center, Inc.

Alan Rasmussen

Boone County Health Center

Ken Luettel

Motion made by Maricle, second by Luettel to continue the 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 Luettel, second by Rasmussen to name the following people to serve on the Boone County Extension Board as recommended by Steve Pritchard, Boone/Nance County Extension Educator. This board is in accordance with an Interlocal Agreement with the University of Nebraska for Cooperative Extension



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Services signed on December 14, 1998. A term is three years with a maximum of six years. The terms are as follows:

Amanda Berg	(2017-2018) – 1st term (complete the term of B. Andreasen)
Roger Voichoski	(2017-2019) – 1st term
Jeri Wies	(2018-2020) – 1st term
Ken Schriver	(2018-2020) – 2nd term

Motion made by Maricle, 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, 2018:

Justin Frey, Mark Jensen and Morgan Mogensen	(2018)
Chris Baum, Mark Wagner and Shelley Towey	(2018-2019)
Paul Groeteke, Brad Stephens and Clyde Stuhr	(2018-2020)

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, 2018:

Vacancy	(2018)
H. Thomas Fick and Deb Mitchell	(2018-2019)
Paul Kettelson and Mark Jensen	(2018-2020)
Vacancy	Alternate

Motion made by Luettel, second by Rasmussen 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:

Irene Dresch	(2015-2018)
Marcus Johnson	(2017-2018) (complete term of W. Hoefer)
Brian Yosten	(2015-2018)
Mary Jeanne Stokes	(2017-2020)
Connie Sugden	(2017-2020)

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 the County Attorney at that time said that the drug board may be appointed at the County Board's reorganizational meeting each year in order to be kept current. Motion made by Maricle, second by Luettel that the following be appointed to serve on the County Drug Law Enforcement and Education Fund Board:

Boone County Attorney, shall serve as Chairperson	
Investigator Tim Stopak, Nebraska State Patrol, shall serve two years	(2018-2019)
Boone County Sheriff's Department, shall serve two years	(2018-2019)
Albion Chief of Police, shall serve one year	(2018)

Motion made by Luettel, second by Rasmussen that the following are appointed to the Local Emergency Planning Committee for 2018:

Region 44 Emergency Manager



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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
Stacey L. Robinson – Boone County Highway Superintendent
Justin Ranslem – Private Industry/Helena Chemical
Josh Thayer – Private Industry/Tallgrass
Joan Carraher – Riverside Public Schools
Rob Hotovy – East-Central District Health Department
Lowell Imus – Boone Central Schools
Jon Lindgren – State of Nebraska, Department of Roads, Albion Yard

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

Motion made by Luettel, second by Maricle to approve all motions for the respective appointments at the 2018 Boone County Board of Commissioners Reorganizational Meeting as noted. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Acknowledgement of Boone County Board of Commissioners serving on County/State Boards:

- Environmental Quality Council/Department of Environmental Quality (EQC/DEQ) – Hilary K. Maricle - (2016-2019)
- Greater Nebraska Workforce Development Board/Chief Elected Officials Board (GNWDB/CEOB) – Hilary K. Maricle - (2015-2018)
- Nebraska Intergovernmental Risk Management Association (NIRMA) – Ken Luettel - (2018-2020)

Chairman Luettel declared the 2018 Boone County Board of Commissioners Reorganizational meeting adjourned at 10:35 A.M.

Kathy Thorberg
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JANUARY 10, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, January 10, 2018, 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 Alan Rasmussen. 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 Accounts Payable Vendor Claims filed for payment from the various funds: General - \$38,079.86; Road/Weed - \$76,566.52; Boone County Visitor's Promotion - \$1,100.00; Inheritance Tax - \$15,731.10; 911 Emergency Management (2910) - \$289.81; 911 Wireless Service (2913) - \$124.57; Ambulance - \$2,219.15. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of December 27, 2017 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board of Equalization Proceedings and County Board of Equalization Public Hearing Proceedings of December 27, 2017 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board Reorganizational Proceedings and County Board of Equalization Reorganizational Proceedings of January 3, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen 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 December, 2017:

- Clerk - \$14,700.25 (State of Nebraska \$9,546.52)(County of Boone \$5,153.73)
- Clerk of the District Court - \$1,630.01 (State of Nebraska \$778.00)(County of Boone \$852.01)
- Sheriff - \$1,443.68
- County Planning and Zoning - \$158.75
- Treasurer - Treasurer's Fees - \$26.00; Miscellaneous Receipt Nos. 16078-16132- \$188,623.16; Total Collections - \$4,193,834.63

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

Keri Carraher, RN, Boone County Health Center, presented a Home Health Agency Renewal Licensure Application for the Board to review. Carraher updated the Board in regard to the services that the Boone County Health Center Home Health Agency provides for the area. The geographical area served are in the counties of Boone, Antelope, Greeley, Madison, Nance, Platte and Wheeler. The Division of Public Health, Lincoln, Nebraska approved services are nursing, home health aide and physical, occupational, speech, intravenous therapies. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman and Vice Chairman to sign the application for the Boone County Health Center Home Health Agency



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renewal license as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board received the first application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's costs for permits, shop drawings and stored materials. Denny Johnson, Sheriff, informed the Board that a pre-construction meeting is scheduled for January 30, 2018 and renovation construction to possibly start February 5, 2018. Motion made by Luettel, second by Maricle to approve the first payment request of \$15,731.10 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager, presented a Weather Radio Hazard Mitigation Project for the Board to review. Smith explained that the Hazard Mitigation Grant Program (HMGP) is funded by the Federal Emergency Management Agency (FEMA) to provide grants to State and local governments to implement long-term mitigation measures after a major disaster declaration. Smith applied for fifteen All-hazard Radios for public facilities throughout Boone County, Nebraska. The grant agreement total is \$478.95 with FEMA providing seventy-five percent of the cost and the County providing twenty-five percent of the cost for the fifteen All-hazard Radios for the public facilities such as the schools, city/village offices, etc. Motion made by Maricle, second by Rasmussen to approve the County providing \$119.74 for the purchase of the All-hazard Radios to be placed in public facilities throughout Boone County as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager, updated the Board regarding emergency management activities and scheduled emergency management training(s).

Stacey L. Robinson, County Highway Superintendent, and the Board discussed the Non-Exclusive Contract for Services for truckers to back-haul aggregate for the County. Robinson informed the Board that ten trucker's completed the Non-Exclusive Contract for Services to back-haul aggregate for the County in 2017. The Board and Robinson discussed the number of contracts and decided to contact each contractor from 2017 to see if they are interested in completing a contract for 2018. The Board and Robinson discussed the contractor compensation and requirements to include an attached copy of the truck driver's CDL, insurance coverage and that the back-hauler contacts the County Highway Superintendent, before any load is accepted by Boone County. Motion made by Maricle, second by Rasmussen to approve the back-hauler compensation for 2018 being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate and requirements to include an attached copy of the truck driver's CDL, insurance coverage and that the back-hauler contacts the County Highway Superintendent, before any load is accepted by Boone County. Roll call vote: Yeas: Maricle and Rasmussen. Nays: None. Abstain: Luettel. 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 Rasmussen, second by Maricle to approve Resolution No. 2018-01, (1) Any board member may enter into a contract with Boone County during the year 2018 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: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



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

Albion Area Arts Council requested assistance to advertise the Acoustic Eidolon Concert and Art Show event scheduled for February 4, 2018. Motion made by Maricle, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

St. Michael's Parish requested assistance to advertise the St. Patrick's Carnival event scheduled for March 11, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

A group of approximately 100 concerned citizens attended the Board meeting in regard to the proposed Agricultural and Educational Activities Building for the Boone County Fairgrounds. The Board; County Attorney; Boone County Agricultural Society, Inc. board members; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Agricultural and Educational Activities Building committee members; Steve Pritchard, UNL Extension; and the county citizens in attendance discussed the proposed \$4,250,000.00 building project. Discussion presented was both in favor of the project and opposed to the project.

The majority of the tax paying citizens in attendance want to be able to vote on the project and are asking why the citizens are not having the opportunity to vote on the building project. Some of the questions asked were answered, some questions were not answered and some of the questions the building committee could not yet address. Some of the alternative ideas presented were:

- County purchase building across the street from courthouse for the UNL Extension office and activities use, thus removing that portion from the proposed building project;
- If the present concern is the indoor show arena, obtain open and closed structure costs just for replacement of show arena;
- Look into green-solar power; and
- Do fund raising and grant writing to help lower the tax payers cost of the project.

Some of the concerns voiced by the group were:

- The initial proposed cost of the building does not include heat/air for the show arena and livestock area, livestock panels or any furnishings;
- No line by line item costs of the building construction project;
- Continued maintenance;
- Building insurance;
- Paying a manager;
- Custodial services;
- Upkeep/cleaning of show arena after each use; and
- Endowment fund for future maintenance.

Some of the support expressed for a new facility were:

- Livestock buildings in need of renovation/replacement;
- Indoor show arena to small and dangerous;
- Larger space for the 4-H youth meetings, workshops and to practice archery;



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- Larger indoor show arena would allow the youth to work with their horses year round; and
- Look at the building project as economic development with the opportunity to host larger/more events in the area.

The Board plans to address the citizens' concerns regarding the building project at their meeting scheduled for Tuesday, January 16, 2018.

Public Comments:

- Meetings: Boone County Joint Planning Commission – January 15, 2018; Boone County Agricultural Society, Inc. – January 15, 2018; LEPC – January 16, 2018; Senior Official Training and Table Top Exercise – January 24, 2018.

Chairman Luettel declared the meeting adjourned at 12:48 P.M., with the next Board meeting scheduled for Tuesday, January 16, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JANUARY 16, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, January 16, 2018, 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 Alan Rasmussen. 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 Rasmussen to approve the County Board Proceedings of January 10, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Treasurer submitted a Semiannual Statement for July 1, 2017 through December 31, 2017. Motion made by Rasmussen, second by Luettel to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of December 31, 2017. Motion made by Maricle, second by Luettel to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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 2017 year-end/2018 year-anticipated weed report that was prepared by Jack Nordeen, Boone County Weed Superintendent. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the annual weed reports as presented. Roll call vote: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

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 2018 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, 2018 to June 30, 2019. Funds not used by Boone County will be used for other services in the Northeast Nebraska Juvenile Justice Partnership Plan. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Memorandum of Understanding for the Nebraska Crime Commission's 2018 Community-Based Juvenile Services Grant as presented. Roll call Vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Wellness Partners of McCook, Nebraska contacted the County Clerk's office inquiring if the Boone County Board of Commissioners are interested in their health screening services for the county employees that are interested in participating. Motion made by Luettel, second by Rasmussen to approve Wellness Partners to provide a Wellness Health Fair on Thursday, March 22, 2018 for county employees interested in participating on their own time. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Mary Ziemba, County Planning and Zoning Administrator, submitted a name for the Board to consider to fill the board member vacancy position on the County Zoning Board of Adjustment. The Board and Ziemba



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discussed the current vacant positions of a board member and an alternate board member for the County Zoning Board of Adjustment. Motion made by Maricle, second by Luettel to appoint John Frey, Albion, Nebraska as a board member of the County Zoning Board of Adjustment effective January 16, 2018. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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.

A group of approximately 50 concerned citizens returned to attend the Board meeting in regard to the proposed Agricultural and Educational Activities Building for the Boone County Fairgrounds. The majority of the citizens had attended the Board meeting on January 10, 2018. The Board; Boone County Agricultural Society, Inc. board members; Agricultural and Educational Activities Building committee members; Steve Pritchard, UNL Extension; and the county citizens in attendance held additional discussion regarding the proposed \$4,250,000.00 building project. Discussion presented was both in favor of the project and opposed to the project.

The meeting started with a discussion in regard to state statutes. The Boone County Agricultural Society, Inc., a governmental entity in accordance with state statute, is governed under the County Agricultural Society Act, Sections 2-250 to 2-273.

The Board and group discussed the use of the County Inheritance Tax Fund. Some citizens felt that the fund should be used primarily to improve the county roads. The Inheritance Tax Fund has been previously used in the past to help keep the county levy lower. However, the fund has been used to purchase road equipment, county vehicles, renovation of courthouse and law enforcement building's, telephone system, etc. over the years.

The majority of the tax paying citizens in attendance continued to voice that they want to be able to vote on the project and are asking why the citizens are not having the opportunity to vote on the building project. Some of the questions asked were answered, some questions were not answered and some of the questions the building committee could not yet address. Some of the alternative ideas and concerns presented were the same as the January 10, 2018 meeting.

Some of the comments voiced by the group were:

- The project and cost is too large for what is needed at the fairgrounds;
- The Event Center should be paid off before another large project is started;
- The proposed indoor arena area is not cooled or heated, it would not attract use or attendance year round;
- Get back to what needs renovated/replaced, the indoor show arena and small livestock building;
- The proposed facility will be used, but not enough revenue will generate for the payments, employment of a manager, insurance, future maintenance and upkeep, will always be a tax levy;
- No line by line item costs of the building construction or furnishings;
- Building project represents a want, not something that is a need; and
- There is no need to build an office for UNL Extension at the fairgrounds, why can't they use one of the present buildings out there now for their youth meetings.

Commissioner Maricle said that the planning committee proposed a structure with multiple uses and longer term benefits. Maricle said she committed to this project in December and I am not going back on my word. Some of the support expressed for the proposed new facility were the same as the January 10, 2018 meeting:



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- The support group plans to seek grants and donations to reduce the tax load for the project;
- Livestock buildings in need of renovation/replacement;
- Indoor show arena too small and dangerous;
- Larger space for the 4-H youth meetings, workshops and to practice archery;
- Larger indoor show arena would allow the youth to work with their horses year round; and
- Look at the building project as economic development with the opportunity to host larger/more events in the area.

Commissioner Luettel said he would suggest that the Agricultural Society and building committee go back to the drawing board and come up with a new proposal. A vote to rescind the resolution that pertained to the capital construction financing of the proposed building project followed more than an hour of additional discussion. The Board action did not rule out a bond issue of the proposed project.

Concerned citizens attended the Board of Commissioners meetings on January 10, 2018 and January 16, 2018 in regard to the proposed Agricultural and Educational Activities Building project for the Boone County Fairgrounds. The public is asking for the opportunity to vote on the large proposed building project. The present proposed building project is \$4,250,000.00 and does not include furnishings or heat/air for the proposed all year-round use indoor show arena. The Board approved Resolution No. 2017-50 dated December 18, 2017 that pertained to the capital construction financing of a proposed Agricultural and Educational Activities Building to be located at the Boone County Fairgrounds. The Board received information that the Boone County Agricultural Society, Inc., a governmental entity in accordance with state statute, is not authorized under the County Agricultural Society Act, Sections 2-250 to 2-273, to obtain a financial loan. Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-02, that the governing body, Boone County Board of Commissioners of the County of Boone, Nebraska, hereby rescinds all of Resolution No. 2017-50, pertaining to the financing of a proposed Agricultural and Educational Activities Building to be located at the Boone County Fairgrounds as stated in the resolution and effective January 16, 2018. Roll call vote: Yeas: Rasmussen and Luettel. Nays: Maricle. Motion carried.

Public Comments:

- Meetings: LEPC – January 16, 2018; Region 4 Behavioral Health System – January 17, 2018; BCDA, Inc. – January 17, 2018; Northeast NE Area Agency on Aging – January 18, 2018; Northeast NE Juvenile Services - January 19, 2018; Greater NE Workforce Development – January 18, 2018; Boone County Recreational Trails System Project - January 19, 2018; and Senior Official Training and Table Top Exercise – January 24, 2018.
- Mary Ziemba, County Planning and Zoning Administrator, informed the Board that the previously scheduled Boone County Joint Planning Commission meeting for January 29, 2018 has been cancelled.
- Commissioner Rasmussen updated the Board regarding the Boone County Agricultural Society, Inc. meeting held January 15, 2018.
- The Board observed the Boone County Joint Planning Commission meeting held January 15, 2018.

Chairman Luettel declared the meeting adjourned at 12:25 P.M., with the next Board meeting scheduled for Monday, January 22, 2018.

Kathy Thorberg,
Boone County Clerk



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MINUTES OF PUBLIC HEARING PROCEEDINGS

Ken Luettel, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Monday, January 29, 2018 at 11:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Rasmussen, 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 Alan Rasmussen, Hilary K. Maricle and Ken Luettel. Also, present for the hearing was the 2017 cropland lessee, Nathan Olson. Chairman Luettel read the notice for the record.

The County Board of Commissioners has power to lease real estate owned by the county. The County Board shall hold an open and public hearing prior to any such lease at which any interested party may appear and speak for or against the lease and raise any issue concerning the County Board leasing cropland.

The County Board of Commissioners ran a public notice the weeks of January 1, 2018 and January 8, 2018, prior to the hearing date set for January 22, 2018 in the four county newspapers of Albion News, Cedar Rapids Press, Petersburg Press and St. Edward Advance. Due to inclement weather (winter blizzard) conditions on January 22, 2018 the courthouse was closed and the Board of Commissioners meeting was cancelled. The Board of Commissioners agenda items were moved to their January 29, 2018 Board meeting at the same scheduled times. A "Notice of Public Hearing Date Change to January 29, 2018" was posted in the Boone County Courthouse and the post office lobbies of Albion, Cedar Rapids, Petersburg and St. Edward.

There was no one present in opposition at the public hearing. The County Board is considering a cropland lease for the 2018, 2019, and 2020 crop years ending December 31, 2020 for approximately 24.68 acres, according to FSA records, of dry cropland located in a fraction of the S1/2NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, located south of and adjacent to the present Boone County Fairgrounds. The County Board shall set a date to offer said real estate for lease to the highest bidder. If the County Board receives no bids or if the bids received are substantially lower than the fair market value, the County Board may negotiate a contract for lease of the real estate if such negotiated contract is in the best interests of the county.

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

Motion made by Rasmussen, second by Luettel to advertise in the four county newspapers the week of January 29, 2018 to accept lease bids for the 2018, 2019, and 2020 crop years ending December 31, 2020 for approximately 24.68 acres, according to FSA records, of dry cropland. Sealed bids will be accepted until 4:00 P.M. on Friday, February 9, 2018, at the office of the Boone County Clerk and will be opened and reviewed at 11:00 A.M. at the County Board meeting scheduled for Monday, February 12, 2018. A copy of the Lease Bids advertisement is attached hereto these proceedings. Roll call vote: Yeas: Rasmussen, Luettel and Miracle. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JANUARY 29, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, January 29, 2018 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 Alan Rasmussen, 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.

Due to inclement weather (winter blizzard) conditions on January 22, 2018 the courthouse was closed and the Board of Commissioners meeting was cancelled. The Board of Commissioners agenda items were moved to their January 29, 2018 Board meeting at the same scheduled times. A "Notice of Public Hearing Date Change to January 29, 2018" was posted in the Boone County Courthouse and the post office lobbies of Albion, Cedar Rapids, Petersburg and St. Edward. A notice of the cancelled January 22, 2018 Board meeting appeared in the area newspapers of the Albion News, Petersburg Press and St. Edward Advance. Motion made by Luettel, second by Maricle to acknowledge the cancellation of the January 22, 2018 scheduled Board meeting due to inclement weather with the agenda items moved to the January 29, 2018 Board meeting at the same scheduled times. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$96,150.05, BCBS \$52,013.60, Ameritas Ret \$6,674.27, EFTPS \$7,151.81, Section 125 Fees \$10.00, Wellness Program \$88.68; Road \$55,974.07, BCBS \$30,495.80, Ameritas Ret \$3,778.23, EFTPS \$4,211.90; Ambulance \$5,132.40, Ameritas Ret \$161.78, EFTPS \$392.62; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to amend a sentence in the January 16, 2018 Board proceedings from "The Inheritance Tax Fund is considered the reserve for the county to help keep the levy lower" to read "The Inheritance Tax Fund has been previously used in the past to help keep the county levy lower." Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of January 16, 2018 with the above amended sentence as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Nebraska State Auditor's Office has audited several counties in 2016 and 2017. The State Auditor's Office is making County Government aware that the counties are not to be making a vendor payment to another entity without actual supporting documentation. A County must be able to point to a statute that allows a procedure to occur before the county can perform such procedure. Constitution XIII-3 outlines that subdivisions of the State cannot expend public money for private purposes. A non-profit is not a public entity. The County has to restructure the manner in which it distributes funds to other agencies. The County has supported the five public libraries for several years with an annual amount to purchase books/media for the respective libraries. The library support for books/media continued following the closing of the rural mobile libraries (bookmobiles on wheels). The County has no supporting documentation such as a procedure (agreement) in place or copies of invoices showing how the money was spent.

At the December 27, 2017 Board meeting the Board approved a motion that the libraries will be required to submit paid itemized receipts showing the purchase of books/media material for the year 2017 with the



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reimbursement support to be in the amount of the itemized receipts and will not exceed the annual support threshold. The Board has been asked to define what will qualify for “media” reimbursement. The Board discussed the request of defining media reimbursement to be Web-based research subscriptions (Ex. EBSCO), magazine/newspaper subscriptions, and academic videos. The consensus of the Board is that this is not an inclusive list and that they will review each reimbursement request.

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 Cedar Cares for Kids requested assistance to advertise the annual Toma Rutten Memorial Polar Bear Dip fundraiser event scheduled for February 17, 2018. Motion made by Maricle, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor’s Promotion Fund as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Faith Lutheran Church of St. Edward requested assistance to advertise the Steak & Burger Feed fundraiser event scheduled for February 24, 2018. 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 Rasmussen. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, presented a resolution to place an extended moratorium on any new conditional use applications for small parcel splits in the A-1 Agricultural-Primary District. The Board approved a moratorium resolution on October 30, 2017 with an effective date of October 31, 2017 through January 31, 2018. Ziemba indicated that it would be best to work on the implementation of new and/or revised regulations without the threat of new applications. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-03, to place an extended moratorium on any new small parcel split, conditional use applications effective January 29, 2018 through April 16, 2018 and/or until such time the approval of the new and/or revised zoning regulations are finalized. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. Robinson and the Board discussed the heating unit and needed repairs to the Road District #1 Cedar Rapids Shop building. Robinson plans to research options for heating the Road District #1 Shop building.

Stacey Robinson, County Highway Superintendent, prepared a Non-Exclusive Contract for Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2018 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers need to attach a copy of the truck driver’s CDL and insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed Non-Exclusive Contract for Services submitted by Jason Hoefer Trucking; Duane Kuhlman/Kuhlman Bros LLC; Rollie C. Huffman/RCH Transfer and Randy Schlecht/Schlecht Trucking, LLC. Motion made by Rasmussen, second by Maricle to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



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The agenda item regarding a Non-Exclusive Contract for Services referencing the Resolution No. 2018-01, with Jack Dynamic LLC/Ken Luettel to back-haul aggregate for the County was not presented for review. Motion made by Maricle, second by Rasmussen to table the Non-Exclusive Contract for Services for Jack Dynamic LLC to the February 20, 2018 Board meeting. Roll call vote: Yeas: Maricle and Rasmussen. Nays: None. Abstain: Luettel. 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 Maricle, second by Luettel to approve Resolution No. 2018-04, to set a public hearing for 10:00 A.M. on Tuesday, February 20, 2018 for the County One and Six Year Road Improvement Program. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, advertised for sealed bids for gravel belly dump semi-trailer(s) for the county road department. Robinson and the Board discussed trading in a semi-trailer that was purchased in 2017. A representative was present from Murphy Tractor & Equipment Co. to answer any questions in regard to the company bid and product. Robinson received three sealed bids for new gravel belly dump semi-trailer(s) as follows: Iowa Trailer Manufacturing Co LLC, Storm Lake, IA, ITM-\$53,455.00 with no trade-in allowance; Murphy Tractor & Equipment Co., Grand Island, NE, Ranco - \$54,915.00 with trade-in allowance of \$26,000.00; RDO Truck Centers, Lincoln, NE, R-Way - \$50,012.00 with no trade-in allowance. The Board and Highway Superintendent reviewed and discussed the submitted bids. Robinson and the Board decided that only one bid submitted a trade-in allowance and that the \$26,000.00 was not justifiable for the trailer that was purchased new in 2017. Motion made by Luettel, second by Maricle to reject all bids due to the trade-in allowance not being justifiable for the 2017 belly dump trailer and continue to use the semi-trailers the county owns. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are five-year terms. The Boone County Veteran Service Officer submitted the name of William Loeffler of Cedar Rapids, Nebraska for the Board to consider for appointment to the Boone County Veterans Service Committee. Motion made by Maricle, second by Rasmussen to appoint William Loeffler to complete the five-year term of the late Ronald Braun on the Boone County Veterans Service Committee effective January 29, 2018 through June 30, 2022. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to advertise in the four county newspapers the week of January 29, 2018 to accept lease bids for the 2018, 2019, and 2020 crop years ending December 31, 2020 for approximately 24.68 acres, according to FSA records, of dry cropland following the public hearing on January 29, 2018. Sealed bids will be accepted until 4:00 P.M. on Friday, February 9, 2018, at the office of the Boone County Clerk and will be opened and reviewed at 11:00 A.M. at the County Board meeting scheduled for Monday, February 12, 2018. Roll call vote: Yeas: Rasmussen, Luettel and Miracle. Nays: None. Motion carried.

The Board; Chuck Rolf, Boone County Agricultural Society, Inc.; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Kurt Kruse, fairgrounds building committee; Steve Pritchard, UNL Extension; Kristine Schrad, Boone County 4-H Council; Linda Rasmussen; Ed Braun; and Patricia Neidhardt discussed the proposed \$4,250,000.00 building project for the Boone County Fairgrounds. The prior resolutions have been rescinded in regard to the financing of the proposed project. Following a lengthy discussion in regard to the pros, cons and alternatives of the proposed building project, the consensus of the group is to seek legal opinions in regard to the financing of the proposed building project.



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Rolf suggested including the legal counsel for the Nebraska Association of Fair Managers. Jarecki suggested attorneys representing all pertinent organizations could discuss the matter together on a conference call in order to provide a joint opinion for the legal procedure of financing the proposed project. Motion made by Maricle, second by Luettel for legal counsel on behalf of the County of Boone/County Board of Commissioners and Boone County Agricultural Society, Inc. to discuss the legality of financial statutes/procedures in order to obtain a joint opinion for the legal procedure of financing the proposed building project to be presented at the February 20, 2017 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Public Comments:

- Meetings: Region 44 Emergency Services Supervisory Committee – January 30, 2018; BCDA, Inc. – February 7, 2018.
- The Board acknowledge Paul VanDeWalle for 40 years of service as a board member of the Boone County Agricultural Association, Inc.
- The Board acknowledged the positive comments received from county residents on the work of the county road personnel in opening of the roads after the January 21-22, 2018 blizzard. In addition, Ed Braun commended the road crew on opening of the roads and that the snow blowers worked great.
- Commissioner Luettel updated the Board regarding the NIRMA board meeting.
- Commissioner Maricle updated the Board regarding the Greater NE Workforce Development board meeting.
- Commissioners Luettel, Maricle, Rasmussen and Sheriff Johnson attended the Senior Official Training and Table Top Exercise on January 24, 2018. The disaster training session/exercise instructors were from the Nebraska Emergency Management Agency. Tom Smith, Region 44 Emergency Manager coordinated the event.
- Commissioner Maricle informed the Board that she will be attending the National Grocers Association Show and apologized for not being present for the February 12, 2018 Board meeting.

Chairman Luettel declared the meeting adjourned at 12:29 P.M., with the next Board meeting scheduled for Monday, February 12, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
FEBRUARY 12, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 12, 2018, 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 Alan Rasmussen. 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 and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1117 submitted for \$210.00. The Board approved the 2018 summer meeting registration fee of \$110.00 and the \$50.00 dues for the appointed County Highway Superintendent. The Board partially rejected payment of Vendor ID No. 1117, the County only pay's for elected and appointed officials' association dues. Motion made by Luettel, second by Rasmussen to partially reject Vendor ID No. 1117, the \$50.00 submitted for 2018 dues to the Nebraska Association of County Highway Superintendent's for the general road foreman. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$62,693.56; Road/Weed - \$65,691.61; Boone County Visitor's Promotion - \$806.50; Inheritance Tax - \$5,291.35; 911 Emergency Management (2910) - \$445.49; 911 Wireless Service (2913) - \$524.89; Ambulance - \$2,827.10. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board Proceedings of January 29, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board of Equalization Public Hearing Proceedings of January 29, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Public Hearing Proceedings of January 29, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the following reports of the County Officials as presented for January 2018:

- Clerk - \$12,477.00 (State of Nebraska \$7,749.22)(County of Boone \$4,727.78)
- Clerk of the District Court - \$965.98 (State of Nebraska \$426.00)(County of Boone \$539.98)
- Sheriff - \$1,716.51
- Treasurer - Treasurer's Fees - None; Miscellaneous Receipt Nos. 16133-16184 - \$1,379,790.36; Total Collections - \$2,580,865.09

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



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The Boone County and Greeley County Board of Commissioners entered into their first County of Greeley/County of Boone, NE Interlocal Agreement for cooperative services to veterans in March of 2015. The cooperative agreement enables the Boone County Veteran Service Officer to also serve as the Greeley County Veteran Service Officer. The Boone County Veteran Service Officer spends approximately six hours one day a week in Greeley County. The present Interlocal Agreement ended on December 31, 2017. The Greeley County Attorney prepared a new Interlocal Agreement for the Board to review. Motion made by Luettel, second by Rasmussen to approve an Interlocal Agreement for the years 2018 and 2019 between County of Greeley and County of Boone for Veteran Service Officer services as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The Boone County Ambulance Service submitted an uncollectible ambulance account for a January 2017 ambulance service in the amount of \$163.70, as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$163.70 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 Luettel, second by Rasmussen to turn the January 2017 County Ambulance Service account balance of \$163.70 over to the County Attorney for further collection. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Denny Johnson, Sheriff, presented two Contract Change Proposals (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 1 is for \$569.00 for additional electrical work and CCP No. 2R is for \$86.00 for an additional shower curtain. Motion made by Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the two Contract Change Proposals (CCP) submitted by RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Denny Johnson, Sheriff, presented a quote for the Board to review from Cornhusker State Industries in regard to the law enforcement building renovation. The quote is for additional equipment being a floor mounted metal table and three floor mounted metal stools for the jail area in the amount of \$1,213.00. Johnson informed the Board that the quote needed Board approval before the equipment could be ordered. Motion made by Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the quote for the metal table and stools as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed a resolution submitted by Mary Ziemba, County Zoning Administrator, to extend the existing extraterritorial distance around Village of Petersburg, Nebraska by one-fourth (1/4) mile. The Village Board of Trustees of the Village of Petersburg, Nebraska requests that the County of Boone, Nebraska cede a one-fourth (1/4) mile of land outside the area extending one mile from the corporate boundaries of the Village of Petersburg, Nebraska. Motion made by Luettel, second by Rasmussen to adopt and approve Resolution No. 2018-05, to amend the official Boone County Zoning Map to transfer to the Village of Petersburg, Nebraska extraterritorial zoning jurisdiction of one-quarter (1/4) mile of land outside the area extending one mile from the corporate boundaries of the Village of Petersburg, Nebraska pursuant to Nebraska State Statute effective February 12, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.



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The Board held a meeting with the department heads.

- Chairman Luettel asked all present to join in the Pledge of Allegiance.
- County officials/department heads reported on activities with regard to their respective office.
- The Shred Monster Truck services is scheduled for February 27, 2018.
- The Wellness Partners Health Fair is scheduled for Thursday, March 22, 2018 from 6:00 A.M. – 9:00 A.M., for the county employees that are interested in participating. A reminder to County employees that your participation is on your own time, not on the County clock time.
- Mariah Woolsoncroft of Central City, NE is a UNL Extension Beef Specialist that will be working out of the Nance County Extension office. Woolsoncroft coverage area includes the counties of Boone, Hamilton, Merrick, Nance, Platte, Polk and York.
- Chairman Luettel reminded the group present that the County pays dues to an association only for the Elected and Appointed Officials.

The Boone County Board of Commissioners advertised for sealed bids for the 2018, 2019 and 2020 crop years ending December 31, 2020 for approximately 24.68 acres, according to FSA records, of dry cropland. The County of Boone, Nebraska owns and will be leasing a fraction of the S1/2NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, consisting of approximately 24.68 acres of dry cropland located south of the present Boone County Fairgrounds. The Board received two sealed bids that were received before the advertised deadline. The two bids received were: Krohn Brothers/Mike Krohn - \$162.00/acre; and Nathan Olson - \$230.75/acre. Motion made by Rasmussen, second by Luettel to approve and accept the bid from Nathan Olson of \$230.75/acre for the 2018, 2019 and 2020 crop years ending December 31, 2020. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board and Jim Ely, County Attorney, discussed the legality of the County and/or Boone County Agricultural Society, Inc. financing plan for a proposed building project at the fairgrounds. Steve Pritchard, UNL Extension and Chuck Rolf, Boone County Agricultural Society, Inc., were in attendance during the Board's discussion with the County Attorney. The Board and County Attorney discussed various sources that could help with the interpretation of the state statutes/procedures in regard to the proposed building project issue.

Public Comments:

- Meetings: Northeast Nebraska Area Agency on Aging – February 15, 2018; Northeast Nebraska Juvenile Services – February 16, 2018; Northeast Nebraska Association of County Officials – March 16, 2018.
- The County received funds from the NIRMA ASSIST program to cover a portion of the costs of safety vests, medical kits, flags, safety glasses and tow cables for the county road department.
- The County received funds from the NIRMA ASSIST program to cover a portion of the costs for in-car camera for the county sheriff department.

Chairman Luettel declared the meeting adjourned at 11:48 A.M., with the next Board meeting scheduled for Tuesday, February 20, 2018.



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Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 20, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, February 20, 2018 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 Alan Rasmussen. 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.

Chairman Luettel opened the meeting and asked if there were any requests to amend the agenda today to add a general assistance request as an emergency item. The individual asking for general assistance was present to request an amendment to the Board's agenda to add a general assistance request as an emergency item. Motion made by Luettel, second by Maricle to add the general assistance request as an emergency agenda item. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

No one present objected to the amendment of the Board's agenda. The requested agenda item is for a general assistance request regarding a propane heating bill. The Board heard the general assistance request regarding the heating bill. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Luettel, second by Maricle to approve the January propane heating bill amount, less the sales tax, payable directly to the entity. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of February 12, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

Bruce Benne, Albion Fire Chief; Jason Borer and Paul Kyncl, Albion Volunteer Fire Department; Randall Bruland, County Ambulance Administrator; and the Board of Commissioners discussed options for the county owned ambulance unit that is being housed in the Albion Fire Department building. Benne informed the Board that the Boone County Ambulance unit is plugged in at all times when not on an ambulance call, is washed when needed at the fire hall, and a portion of the oxygen cylinder tanks/oxygen gas are used by the county ambulance. The fire department representatives and the Board discussed billings from the fire department each month for the County Ambulance actual usage(s) or an Interlocal Rental Agreement between the County of Boone and City of Albion, owner of the fire hall building. The fire department representatives felt that it would be hard to determine what portion of the oxygen gas/cylinder billings and utilities billings would actually be used by the county unit. The County could pay a monthly rental fee to the City of Albion that would cover all usage fees and space to house the county ambulance under an Interlocal Rental Agreement. Following the discussion the group decided to have the Boone County Clerk work with the City of Albion Administrator to draft an Interlocal Rental Agreement. Motion made by Maricle, second by Rasmussen for the County of Boone, Nebraska to enter into an Interlocal Rental Agreement with the City of Albion, Nebraska on behalf of the Boone County Ambulance unit and Albion Volunteer Fire Department. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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The Board approved and signed-off for two proposed changes to the law enforcement building renovation project at their February 12, 2018 Board meeting. Prochaska & Associates submitted Change Order No. 001 that changes the original contract amount from \$188,200.00 to an adjusted amount of \$147,074.00. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Contract Change Order No. 001 submitted by Prochaska & Associates for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted a jail video visitation proposal for the Boone County Law Enforcement/Sheriff building for the Board to review. Video visitation for jail inmates replaces in-person contact of regular visits with jail inmates, therefore reduces the possibility of items that may be passed from a visitor to an inmate. Johnson asked the Board to table the equipment proposal due to the electrical and cabling installation fees may not be included in the proposal. Motion made by Luettel, second by Maricle to table the jail video visitation proposal submitted for review on February 20, 2018 as requested by the Boone County Sheriff. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, prepared a Non-Exclusive Contract for Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2018 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers needed to attach a copy of the truck driver's CDL and insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed the Non-Exclusive Contract for Services submitted by Ron Beckman/Beckman Lumber Inc. and Corey Dobson/Dobson Transfer LLC. Motion made by Luettel, second by Rasmussen to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, submitted a Non-Exclusive Contract for Services referencing the Resolution No. 2018-01, from Ken Luettel/JACK Dynamic LLC to back-haul aggregate for the County. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Vice Chairman to sign the Non-Exclusive Contract for Services for JACK Dynamic LLC as presented. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. Robinson and the Board discussed the mold test results (non-dangerous type), heating unit, needed repairs and other issues in regard to the Road District #1 Cedar Rapids Shop building. Robinson plans to make a list of all the issues with the Road District #1 Shop to submit to the Board at a later date. Robinson informed the Board that the Road District #2 Albion Shop building water damage has been repaired by the county road employees.

Stacey Robinson, County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-06, adopting the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska as presented at the public hearing. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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The Board; Jim Ely, County Attorney; Chuck Rolf, Dave Noble and Jeryl Kettelson, Boone County Agricultural Society, Inc.; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Kurt Kruse and Kevin Rasmussen, fairgrounds building committee; Steve Pritchard and Jo Weltruski, UNL Extension; Ed Braun; Paul Kettelson; Dennis Krohn; and Patricia Neidhardt discussed the proposed \$4,250,000.00 building project for the Boone County Fairgrounds. The prior resolutions have been rescinded in regard to the financing of the proposed project. The group meeting today is in regard to the Board motion of their meeting held January 29, 2018, for legal counsel on behalf of the County of Boone/County Board of Commissioners and Boone County Agricultural Society, Inc. to discuss the legality of financial statutes/procedures in order to obtain a joint opinion for the legal procedure of financing a proposed building project at the county fairgrounds.

Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc., contacted Alan Wood, Legal Counsel for Nebraska Association of Fair Managers and presented their opinion in writing in regard to the Boone County Agricultural Society, Inc. being able to borrow money from a local bank and use budgeted tax levy to repay a loan. Jim Ely, County Attorney, had stated his opinion previously that the Agricultural Society could not borrow money and said he just recently received the information/material from Jarecki and has not had time to review the material or consult with outside resources.

The group discussed the differences of building project alternatives, needs and wants. The group asked who the fairgrounds building committee members were. Chuck Rolf said it is a group of 12 to 17 individuals and responded with some of the names: Board of Commissioners Chairman Ken Luettel, Chuck Rolf, Kurt Kruse, Kevin Rasmussen, Steve Pritchard, Bill Robinson, Paul Groeteke, Ron Coakes, Mark Benes, Karen Kayton and Hilary Maricle.

The legality of funding a proposed building project has not been confirmed today. A County bond issue for public vote on a proposed building project will need to be submitted by September 1, 2018 to be on the November 6, 2018 General Election ballot.

Several residents agree that there is a need for repair/upgrade of the show arena and barn/stalls. Kevin Rasmussen said he would lead a fundraiser to get donations for a new building once a final plan is decided. Rasmussen said that Pender raised seven million in donations for new facilities, and he felt that Boone County should be able to build with donations to lessen a tax levy. Several residents expressed they did not have as many concerns with a \$2,000,000.00 project as they do with a \$4,250,000.00 project.

Commissioner Maricle suggested the Board move forward in discussion of building plan options that could be considered and hiring of an architect. The group discussed if the County Board should have competitive bidding for the architect services since this is a government project. The past County renovations and large projects have had competitive bidding. The building committee members pointed out that the architect they have been working with has already completed preliminary building plans. Following a lengthy discussion in regard to the pros, cons and alternatives of competitive bidding for architect services, the consensus of the Board is to retain architect Ryan D. Stearns, Joseph R. Hewgley and Associates of North Platte, Nebraska. The group would like the fairgrounds building committee to provide different options from the initial proposed plan that has been presented to date. Options such as: just arena and barns with no extension office/conference room, concessions, etc.; replace arena/west barn with renovation to existing east barn; or arena/barns with concessions/bathrooms. Motion made by Maricle, second by Rasmussen to proceed with architect Ryan D. Stearns, Joseph R. Hewgley & Associates of North Platte, Nebraska to provide the fairgrounds building committee with different options for a building project and to pay the architect fees from the County Inheritance Tax Fund. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Public Comments:

- Commissioner Luettel and Denny Johnson, Sheriff, updated the Board regarding the Nance County Board of Supervisors meeting they attended on February 13, 2018.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Area Agency on Aging meeting and the Albion Senior Citizen situation.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Juvenile Services board meeting.
- Commissioner Maricle update the Board regarding the Region IV, Inc./NorthStar Services board meeting.
- Jim Dickerson, Albion News, introduced Gabby Christensen of Fullerton, NE formerly of Cedar Rapids, NE as the new employee for the Albion News.

Chairman Luettel declared the meeting adjourned at 1:01 P.M., with the next Board meeting scheduled for Monday, February 26, 2018.

Kathy Thorberg,
Boone County Clerk



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PUBLIC HEARING PROCEEDINGS

2018 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 20, 2018 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 Maricle to open said public hearing. Commissioners present for said public hearing were Ken Luettel, Hilary K. Maricle and Alan Rasmussen. Stacey L. Robinson, County Highway Superintendent, was present to answer the 2018 Road Improvement Program questions. Notice of the hearing was 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 2018 One and Six Year Road Improvement Program for Boone County, Nebraska. The hearing is to remain open for one hour.

Stacey L. Robinson, Boone County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for Boone County, Nebraska. The one-year road improvement plan consists of eight projects and the six-year plan consists of six projects. Robinson prepared a map to use as a visual aid showing the location of the proposed projects. The Board received no opposition at the hearing.

Robinson acknowledged that Project No. C-6(391) and C-6(393) are bridge projects that need to be completed as soon as possible. Robinson acknowledged Project No. C-6(394), road re-surfacing of four miles of asphalt from 210th Avenue west to 170th Avenue. Robinson and the Board discussed each of the projects. Ed Braun inquired about the condition of a culvert on 190th Avenue. Robinson said she plans to check out the culvert concern. In addition, the one-year projects include three bridge replacements and three micro-surfacing of asphalt roads. The six-year projects include bridge replacements and road reconstruction. The federal and state regulations regarding bridge and road construction project funding is pushing more of the burden onto the county.

Attached hereto as part of the proceedings is a copy of the 2018 proposed projects one-year plan and six-year plan as presented by Boone County Highway Superintendent, Stacey L. Robinson.

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

Motion made by Maricle, second by Rasmussen to approve the 2018 One and Six Year Road Improvement Program for Boone County, Nebraska as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
FEBRUARY 26, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 26, 2018 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, Alan Rasmussen 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 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Stacey Robinson and Kathy Thorberg. Nelson reported for Tom Smith, Region 44 Emergency Manager, as he was unable to attend the meeting. Nelson addressed old business: noted the very good participation of county employees for the NIRMA Fire Extinguisher Training and Loss Leader Prevention Training held in December 2017; a fire drill was held in fire safety month of October 2017 with plans to schedule a second fire drill in the Spring; discussed the courtroom scanning system; and the grants received that the departments of Emergency Management, Road and Sheriff applied for in fall of 2017 through the NIRMA ASSIST program for the purchase of safety equipment. New business was discussed: (1) Tom Smith held an emergency action plan presentation in Merrick County and it was decided to have Smith do the presentation for Boone County; (2) Decided to participate in the national/statewide tornado drill the last Wednesday of March at 10:00 A.M.; (3) Smith informed the group that at the NIRMA conference each year an Outstanding Loss Prevention Efforts Award is given to a county for their proactive approach to loss prevention and safety; and (4) The committee discussed preventability and safety suggestions were addressed by the committee regarding a worker's compensation claim. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, May 14, 2018. The Safety Committee meeting was adjourned by Alan Rasmussen at 9:13 A.M.

Motion made by Rasmussen, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$97,670.08, BCBS \$51,758.56, Ameritas Ret \$6,757.50, EFTPS \$7,269.23, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$61,766.91, BCBS \$30,240.76, Ameritas Ret \$4,169.29, EFTPS \$4,655.89; Ambulance \$2,725.68, Ameritas Ret \$87.46, EFTPS \$208.51; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of February 20, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board One and Six Year Road Improvement Program Public Hearing Proceedings of February 20, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board heard/reviewed a general assistance utility request at their February 20, 2018 Board meeting. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Maricle, second by Luettel to approve the January propane heating bill amount, less the sales tax, payable directly to the entity. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented three Contract Change Proposals (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 3 is for \$115.00 for door bumpers



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at cell doors to prevent breaking windows; CCP No. 5 is for \$201.00 per TV switch outside of cell; and CCP No. 6R is for \$4,106.00 additional labor/material for scope of work at the west wall of Dormitory Cell #117. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the three Contract Change Proposals (CCP) submitted by RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted a jail video visitation equipment proposal and two proposals for installation of cable for the video visitation equipment for the Boone County Law Enforcement/Sheriff building for the Board to review. Video visitation for jail inmates replaces in-person contact of regular visits with jail inmates, therefore reduces the possibility of items that may be passed from a visitor to an inmate. The Cidnet Video equipment proposal is \$7,000.00 from Encartele that does not include conduit, cabling or internet connections. Motion made by Maricle, second by Rasmussen to approve the jail video visitation equipment quote from Encartele as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Johnson said that the plan is for the jail video visitation equipment to be placed in the courthouse, not in the law enforcement/sheriff building. The quotes for the conduit, cabling, internet connections to connect the equipment between the law enforcement/sheriff building and the courthouse are as follows: Applied Connective Technologies - \$1,131.90; RaDec Construction Co. - \$2,856.00 for Cat 6 or \$5,712.00 for Fiber. Motion made by Maricle, second by Rasmussen to approve the local business quote of \$1,131.90 from Applied Connective Technologies as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, advertised for sealed gravel bids in the Albion News. Robinson informed the Board that no bids were received for gravel. Motion made by Luettel, second by Maricle to authorize Stacey Robinson, County Highway Superintendent, to continue purchasing gravel and other aggregate material as needed at the available price and quality on the open market. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, advertised for sealed culvert bids in the Albion News. Robinson informed the Board that no bids were received for culverts. Motion made by Luettel, second by Maricle to authorize Stacey Robinson, County Highway Superintendent, to continue purchasing the culvert(s) size needed for project(s) at the available price and quality on the open market. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Tanya Sharp, Boone County Health Center Chief Executive Officer, presented the Boone County Health Center audit report for year ending September 30, 2017 to the Board for their review. Sharp reviewed areas of the financial audit in regard to the statements of net position, revenue, expenses and cash flow with the Board. The audit report shows composition of patient receivables to consist of the following: Medicare – 36%; Medicaid – 8%; Private Pay – 23%; and Other Third-party pay – 33%. Sharp said they are working on strategic planning for a new Albion clinic due to the present clinic was built for a physician staff of five and today they have thirteen physicians in the clinic. Sharp informed the Board that the new Newman Grove clinic is scheduled to open April 1, 2018. Sharp said the health center presently has no long term debt and in year 2017 employed 225 in the health center and clinics. Motion made by Luettel, second by Maricle to accept the Boone County Health Center audit report for year ending September 30, 2017 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board; Jim Ely, County Attorney; Chuck Rolf and Dave Noble, Boone County Agricultural Society, Inc.; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Steve Pritchard and Jo Weltruski,



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UNL Extension; Ed Braun; Mark Jensen; Patricia Neidhardt and LeRoy Schroeder continued the discussion regarding the legal procedure of financing a proposed building project at the county fairgrounds.

Jim Ely, County Attorney, reviewed the materials and statutes and said he still feels that the Agricultural Society has no statutory authority to borrow money and use the capital fund levy for payment of indebtedness. Ely suggested asking the Attorney General's office for an Attorney General's opinion.

Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc., presented his opinion in writing in regard to the Boone County Agricultural Society, Inc. being able to borrow money from a local bank and use budgeted tax levy to repay a loan at the February 20, 2018 Board meeting. Jarecki discussed that if the disagreement continued a declaratory judgment could be pursued but proposed that it was best to avoid that if possible.

The group discussed the differences of building project alternatives, needs and wants. The discussion continued in length regarding the size of a show arena and the type of material for stalls in barns. Open panels for barn stalls are good for livestock, but not for horses. Rolf said depending on the type/size of a new building at the fairgrounds, an idea would possibly be to keep the current east barn and change the stalls to meet the needs for horses. The public asked if there were any concerns of alcohol being served on the fairgrounds by the Ag Society and if the Ag Society could be held responsible for any injuries or deaths. Jarecki said there is no Dram Shop Law in the state of Nebraska.

The legality of funding a proposed building project has not been confirmed today. A County bond issue for public vote on a proposed building project will need to be submitted by September 1, 2018 to be on the November 6, 2018 General Election ballot.

Commissioner Maricle suggested the Board move forward in discussion of building plan options with architect Ryan D. Stearns, Joseph R. Hewgley & Associates of North Platte, Nebraska. The fairgrounds building committee plans to have a working meeting in early March to decide on how many and type of options to discuss with the architect. Then the later part of March the fairgrounds building committee will plan to meet with the architect to discuss their option plans for the architect to design. Following the preparation of the architect designs the committee will plan to hold a public meeting for input to decide which building plan to present to the Board of Commissioners for consideration. A decision on the type of financing will follow the building plan proposal.

Public Comments:

- Meetings: Boone County Planning Commission – February 26, 2018 and March 14, 2018; Boone County Health Center – February 27, 2018.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Area Agency on Aging meeting and the closing of the Albion Senior Center.
- The Lease Agreement document for the county owned cropland has been prepared and is ready for signatures between the County of Boone and Nathan R. Olson.
- The Board acknowledge receipt of a letter from the Primrose Public Library.

Chairman Luettel declared the meeting adjourned at 12:00 P.M., with the next Board meeting scheduled for Monday, March 12, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 12, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 12, 2018, 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 Alan Rasmussen. 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 and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1599 in the amount of \$66.31 submitted for reimbursement of meeting meals. The Board approved the meal reimbursements that included the itemized receipts in accordance with the County Employee Handbook in the amount of \$35.74. The Board partially rejected payment of Vendor ID No. 1599 in the amount of \$30.57, the County does not reimburse for meals submitted for the day/evening travel before a meeting and two of the reimbursement requests did not include an itemized receipt. Motion made by Luettel, second by Rasmussen to partially reject Vendor ID No. 1599, the \$30.57 submitted without itemized receipts and evening meal of day before meeting in accordance with the County Employee Handbook. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$43,198.58; Road/Weed - \$48,554.46; Boone County Visitor's Promotion - \$403.70; Inheritance Tax - \$55,217.88; 911 Emergency Management (2910) - \$640.42; 911 Wireless Service (2913) - \$1,026.14; Ambulance - \$699.33. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$2,881.25, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Maricle and Rasmussen. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board Proceedings of February 26, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board of Equalization Proceedings of February 26, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Jacqueline Wells, Veteran Service Officer, has registered to attend a County Veteran Service Officers meeting in Grand Island, Nebraska on March 14, 2018. The Board received information that the Burt County Veteran Service Officer may carpool with Boone County to Grand Island. Motion made by Luettel, second by Maricle to approve the Burt County Veteran Service Officer to occupy/operate the Boone County vehicle that is being used to carpool to a meeting in Grand Island, Nebraska on March 14, 2018. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Motion made by Rasmussen, second by Luettel to approve the following reports of the County Officials as presented for February 2018:

- Clerk - \$9,089.00 (State of Nebraska \$5,111.90)(County of Boone \$3,977.10)
- Clerk of the District Court - \$1,021.01 (State of Nebraska \$503.00)(County of Boone \$518.01)
- County Planning and Zoning for January and February - \$134.50
- Sheriff - \$1,596.66
- Treasurer - Treasurer's Fees - \$90.00; Miscellaneous Receipt Nos. 16185-16233 - \$415,998.13; Total Collections - \$833,102.98

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

The Board received the second application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's costs for permits, mobilization, and construction work completed through February 26, 2018. Motion made by Rasmussen, second by Maricle to approve the second payment request of \$55,217.88 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board and Rod Nelson, Maintenance, discussed courthouse lawn care for 2018. The 4-Step Lawn Care Application has been alternated between the two local businesses for the last several years. The Board discussed consistency and advertising for proposals in the event there may be additional lawn care services in the area. Motion made by Maricle, second by Luettel to advertise for one week in the four county newspapers for the 2018 courthouse lawn care with sealed proposals accepted until 4:00 p.m. on Friday, March 23, 2018 with said proposals opened and reviewed on March 26, 2018 at 10:00 a.m. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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 Cedar Rapids Community Club requested assistance to advertise the Cedar Rapids Community Club Melodrama event scheduled for April 6, 7, 8, 13, and 14, 2018. 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 Rasmussen. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested assistance to advertise the Boone County Fair, Chris Lane Concert, scheduled for July 7, 2018. Motion made by Rasmussen, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Boone County Home, Farm and Garden Show, LLC requested assistance to advertise the Boone County Home, Farm and Garden Show event scheduled for March 23 and 24, 2018. Discussion regarding the application was that approvals have been for organizations such as community clubs, church groups, fire departments, etc. that are for non-profit. The record research did not show a non-profit status for the above mentioned LLC. The consensus of the Board was to deny the request to keep consistency with the prior approval/denials of applications. Motion made by Luettel, second by Rasmussen to deny the application



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

Stacey Robinson, County Highway Superintendent, prepared a Non-Exclusive Contract for Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2018 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers needed to attach a copy of the truck driver's CDL and insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed the Non-Exclusive Contract for Services submitted by Allen Primrose/PPK Transportation LLC and Allen Primrose/PPK Two Transportation LLC. Motion made by Maricle, second by Rasmussen to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented a Contract Change Proposal (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 8 is for \$80.00 for two stainless steel combination push-pull plates to be installed on cell doors. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Contract Change Proposal (CCP) No. 8 for \$80.00 as submitted by RaDec Construction Co., Inc. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented a Contract Change Proposal (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 9 is for \$6,795.00 for a desktop turret for two door control and three DPS indication and provide/install wire in empty conduit. The Board and Johnson contacted William R. Huey, III, Prochaska & Associates, by speaker phone to discuss the CCP No. 9. The control system for the cell doors was discussed at length as to why it was not included in the original contract proposals. It appears to be a communication breakdown between the companies involved in the renovation project and was overlooked during planning. Following the lengthy discussion the Board decided to allow additional time for Johnson to make some local contacts in regard to the installation of wire for the CCP No. 9 renovation change request. Motion made by Luettel, second by Maricle to table the Contract Change Proposal (CCP) No. 9 decision to the March 19, 2018 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Tobin Buchanan, First National Capital Markets of Kearney, Nebraska introduced their bank services to the Board. Buchanan provided information in regard to different types of bonds, lease purchase programs, tax exempt direct loans and general obligation. Buchanan answered questions from the Board and those present at the meeting.

In August of 2012 the Boone County Board of Commissioners appointed Jeff Jarecki, Public Defender, for Boone County. Jarecki reported that the cases assigned in 2012 through 2016 are all completed. Jarecki presented a report to the Board regarding the status of the forty-nine court cases he was assigned to in 2017, with nineteen of the cases remaining open. Jarecki explained that twelve of the nineteen cases remaining open from 2017 are juvenile cases. Jarecki explained to the Board that some juvenile cases take a long time to complete. Juvenile cases may remain open until the court case is resolved or the age of nineteen. Jarecki reported that he has been assigned fourteen cases to date for 2018. Jarecki said that three of the 2018 cases are closed and that he had one conflict of interest to date in 2018. 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. Jarecki thanked the Board and is very appreciative of the contract for



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public defender services. Motion made by Rasmussen, second by Maricle to accept the Boone County Public Defender report as presented. Roll call vote: Yeas: Rasmussen, 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 Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign Resolution No. 2018-07 an Interlocal Agreement between the County of Boone and City of Albion for law enforcement purposes commencing on April 1, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County of Boone, Nebraska owns and operates the Boone County Ambulance Service. The County Ambulance unit is being housed at the Albion Fire Station building. The City of Albion shall pay for all costs of utilities and maintenance to the building and all costs to provide oxygen gas supply to the Boone County Ambulance. The County shall pay to the City of Albion \$300.00 per quarter for rental space for the Boone County Ambulance unit. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign Resolution No. 2018-08 an Interlocal Agreement between the County of Boone and City of Albion for rental space for the Boone County Ambulance unit as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Andy Devine and Darren Wright, City of Albion representatives, Chuck Rolf, Boone County Agricultural Society, Inc., and the Board, discussed water and well testing on County owned property south of the present fairgrounds (formerly known as the Kohtz property). There is a water well located beside a hydrant on the County owned property being a tract of land comprising a part of the NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Devine asked the Board for permission to test the existing well on said property. Devine said that the findings would be shared with the County. Motion made by Maricle, second by Luettel to approve/allow the City of Albion access to test the existing water/well on said County property. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

An updated Interlocal Agreement/resolution was submitted in regard to an agreement dated February 16, 1961 between the City of Albion (City) and County of Boone, Nebraska (County). The 1961 agreement referred to the drilling of a well and installed adequate pumping facilities upon the land that the County owned, presently known as the county fairgrounds. There is a 1978 Lease Agreement between the County of Boone and Boone County Agricultural Society, Inc. for the County owned property known as the fairgrounds. In 1961 the City agreed to furnish free water to the fairgrounds for reasonable and normal functions and the County agreed to grant a permanent easement to the property for the city water wells (Well #2 and Well #3) as long as the same existed as a well. Andy Devine, Albion City Administrator, explained that Well #2 has been decommissioned and capped and the Well #3 on the fairgrounds property is considered moderate emergency status and cannot be used by itself. The City of Albion's new water Well #4 is located southeast of the County owned property. Devine said that the City may be considering a transmission line from Well #4 in order to combine the sources of the new generator and well house to the Well #3. In addition, within the resolution the City is asking the County for permission to access the County property (formerly Kohtz property) to test and possibly develop a municipal Well #5 site.

Chuck Rolf, Boone County Agricultural Society, Inc., expressed his concerns of paragraph four of the revised resolution where it refers to the County transferring ownership of the site of the existing wells and associated



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ingress and egress easements located upon Lots 2, 3, and 4 and those portions of Fairview, South, Park View and 11th Streets, Fairgrounds 1st Subdivision to the City of Albion. Rolf also expressed concerns of paragraph six of the revised resolution where it referred to the City for any reason, fails to develop a municipal well upon the site, or abandons and decommissions any and all wells developed upon same site, water service to the fairgrounds will be charged based on the City utilities rate schedule as established annually. Rolf said that the language in the revised resolution needs to guarantee continued free water for the fairgrounds (Ag Society) in the event that there is no city water well on county property.

Rolf and Commissioner Maricle felt that free water for the fairgrounds (Ag Society) should be locked in with an exchange for the Lots 2, 3 and 4, Fairgrounds 1st Subdivision, City of Albion, Boone County, Nebraska in the event that there is no city well on county property in the future. In addition, Rolf and Maricle would like the City to build a restroom facility on Lot 4 for use during the seasonal events, but it would not be a facility opened all year round. In addition, Rolf was wanting the City to provide electrical only hookups for three to five camper sights to the west of Lot 3 in order for the Ag Society to control some camper hookups and guarantee vendors a place for their campers during fair week. The City has plans to develop more camper sites on Lot 4 and Lot 3 if the area is feasible. There was a suggestion that possible electrical only hookups could be placed on Lot 3 and the City would hold rental position on them during fair week for the fair vendors.

Devine said that the City will try to make revisions to paragraphs four and six to better reflect the water situation. The County and City goal is to reach a mutual beneficial arrangement for all parties, liability protection for both the County and City and work together for the betterment of the tax payers. The survey and annexation plat of the Fairgrounds 1st Subdivision preparation/intention is to clarify/straighten out the property lines, ownership and areas of responsibility between the governmental entities. Motion made by Luettel, second by Maricle to table Resolution No. 2018-09, Interlocal Agreement with the City of Albion regarding municipal well test sites and free water for the fairgrounds to the March 19, 2018 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Public Comments:

- Meetings: Albion City Council Board – March 13, 2018; County Planning and Zoning Commission – March 14, 2018 and March 26, 2018; Boone County Recreational Trails System Project – March 14, 2018; Northeast Nebraska Association of County Officials – March 16, 2018; BCDA – March 21, 2018..
- Commissioner Luettel updated the Board regarding the Boone County Health Center board meeting.
- Commissioner Maricle updated the Board regarding the BCDA, Inc. board meeting.
- Commissioner Maricle updated the Board regarding the County Planning & Zoning Commission board meeting.
- The Board received a thank you from the Village of Cedar Rapids/ Cedar Rapids Library.
- Commissioner Maricle responded to Ed Braun's questions in regard to alcohol possibly being served in the current proposed building if the County Extension office is in part of the proposed building and who is paying for the 4-H shooting sports supplies/activities.
- Ed Braun asked the Board whose insurance covers the shooting range at the fairgrounds in case of an accident? Commissioner Maricle said that the 4-H Clubs carry insurance for their groups, but not sure how other groups are covered that use the shooting range.
- Ben Rutten, County Commissioner District #1 candidate, introduced himself and observed the Board meeting.

Chairman Luettel declared the meeting adjourned at 12:15 P.M., with the next Board meeting scheduled for Monday, March 19, 2018.



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Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
MARCH 19, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 19, 2018, 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 Alan Rasmussen. 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 Board Proceedings of March 12, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent, General Road Foreman and thirteen of the sixteen full time road employees met with the Board to discuss/express their concerns regarding how their work hours are compensated when they are called out due to inclement weather on a weekend, paid holiday or board courthouse closure day. The Board contacted NIRMA Legal Counsel by telephone to help answer questions and explain the Fair Labor Standards Act in regard to non-exempt employees 40 hour work week before overtime is earned. Following approximately a two hour lengthy discussion it was concluded that page 52 of the current County Employee Handbook needs to be re-evaluated for better clarification. The employee handbook and benefit concerns presented today will be discussed and re-evaluated. The Board agreed it is important to take care of its employees, but the Board also needs to remain fiscally responsible with use of tax payer funds and labor laws.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials, projects and purchase of bulk fuel. Robinson and the Board discussed the Bridge Project No. C-6(391) and Road Project No. C-6(394). More information and approximate costs will be presented to the Board at a later date.

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 Petersburg Volunteer Fire Department Cruise Night and Dance fundraiser event scheduled for June 9, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented two Contract Change Proposals (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 9 was tabled from the March 12, 2018 Board meeting to allow additional time for Johnson to make some local contacts in regard to the installation of wire in empty conduit with pull string. Johnson and the Board discussed the information received from local contacts in regard to the purchase of the specific wire and installation. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the CCP No. 9 submitted by RaDec Construction Co., Inc. for \$6,795.00 for a desktop turret for two door control and three DPS indication and provide/install wire in empty conduit as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Denny Johnson, Sheriff, updated the Board in regard to the law enforcement renovation project and the Contract Change Proposal, CCP No. 11. The CCP No. 11 is for time/material change order to project due to unforeseen circumstances of conduits and wire ran into walls, as well as circuits and boxes that needed to be eliminated or reran. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the CCP No. 11 submitted by RaDec Construction Co., Inc. for \$3,555.00 for time/material change order as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted LCD TV enclosure(s) proposal for the flat screen televisions located within the jail cells in the county law enforcement building. The flat screen LCD TV enclosures are designed for demanding environments. The Board and Johnson discussed the need for the TV enclosures for safety reasons. The proposal is \$574.95 per television from Bob Barker Company. Motion made by Luettel, second by Maricle to authorize the purchase of three LCD TV enclosures at \$574.95 each for the jail cells with the purchase payable from the law enforcement building renovation portion of the County Inheritance Tax Fund. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board tabled Resolution No. 2018-09 following a lengthy discussion at their March 12, 2018 Board meeting. The resolution pertained to an Interlocal Agreement with the City of Albion regarding municipal well test sites and free water for the fairgrounds. Andy Devine and Darren Wright, City of Albion representatives, made revisions to the resolution as discussed on March 12, 2018. Upon construction of a municipal well by the City upon property owned by the County, the County will transfer ownership of the site of the existing wells and property as described in said resolution. Upon the transfer of said property from County to the City as described in said resolution, the City agrees to construct a public restroom facility upon Lot 3 as well as six campsites with electrical hookups that will be made available to the County and Ag Society for reservation at their discretion. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-09, an Interlocal Agreement between the County of Boone, Boone County Agricultural Society, Inc. and the City of Albion, all located in Nebraska in regard to construction of a municipal well upon property owned by the County and water for the fairgrounds as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing on Tuesday, February 20, 2018. Due to the February 20, 2018 notice of public hearing not being published in the local newspapers, Robinson represented the One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing on Monday, March 19, 2018 as advertised. This resolution shall void and take precedence over Resolution No. 2018-06 dated February 20, 2018. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-10, adopting the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska as presented at the public hearing. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Janice Tisthammer requested permission to bore an electrical line under a county road commonly known as 270th Avenue running north and south between Sections 13 and 14, all in Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The bored electrical line is for irrigation purposes located in the NW1/4 of Section 13. The electrical line commences from an electrical pole located in the fence line of the NE1/4 of Section 14; thence running east to an irrigation well located in the NW/4 of Section 13, all in Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-11, granting permission to Janice Tisthammer to bore an electrical line under a county road known as 270th Avenue to the NW1/4 of Section 13, all in Township 21 North, Range 6 West of the



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6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to go into executive session at 12:44 P.M., per the Open Meeting Act §84-1410, prevention of 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 Rasmussen. Nays: None. Motion carried. The Board reviewed an employee request. Motion made by Maricle, second by Luettel to come out of the executive session at 1:00 P.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried. Motion made by Rasmussen, second by Luettel to approve a portion of the employee request. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – March 19, 2018; County Planning and Zoning Commission – March 26, 2018; Northeast Nebraska Association of County Officials – re-scheduled to April 6, 2018.
- Commissioner Maricle updated the Board regarding the Boone County Recreational Trails System Project meeting.
- Commissioner Maricle updated the Board regarding the fairgrounds building sub-committee meeting.
- The Board received the NIRMA 2017 annual report to review.

Chairman Luettel declared the meeting adjourned at 1:40 P.M., with the next Board meeting scheduled for Monday, March 26, 2018.

Kathy Thorberg,
Boone County Clerk



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PUBLIC HEARING PROCEEDINGS

2018 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 Monday, March 19, 2018 at 10:00 A.M. in the County Commissioners Meeting Room, Boone County Courthouse in Albion, Nebraska. Motion made by Commissioner Maricle, second by Commissioner Rasmussen to open said public hearing. Commissioners present for said public hearing were Hilary K. Maricle, Alan Rasmussen and Ken Luettel. Stacey L. Robinson, County Highway Superintendent, was present to answer the 2018 Road Improvement Program questions. Notice of the hearing was 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 2018 One and Six Year Road Improvement Program for Boone County, Nebraska. The hearing is to remain open for one hour.

Stacey L. Robinson, Boone County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska on February 20, 2018. Due to the February 20, 2018 notice of public hearing not being published in the local newspapers, Robinson re-presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing on Monday, March 19, 2018 as advertised and posted.

The one-year road improvement plan consists of eight projects and the six-year plan consists of six projects. Robinson prepared a map to use as a visual aid showing the location of the proposed projects. The Board received no opposition at the hearing.

Robinson acknowledged that Project No. C-6(391) and C-6(393) are bridge projects that need to be completed as soon as possible. Robinson acknowledged Project No. C-6(394), road re-surfacing of four miles of asphalt from 210th Avenue west to 170th Avenue. Robinson and the Board discussed each of the projects. Ed Braun inquired about the condition of a culvert on 190th Avenue. Robinson said she plans to check out the culvert concern. In addition, the one-year projects include three bridge replacements and three micro-surfacing of asphalt roads. The six-year projects include bridge replacements and road reconstruction. The federal and state regulations regarding bridge and road construction project funding is pushing more of the burden onto the county.

Attached hereto as part of the proceedings is a copy of the 2018 proposed projects one-year plan and six-year plan as presented by Boone County Highway Superintendent, Stacey L. Robinson.

Motion made by Luettel, second by Maricle to close said hearing at 11:05 A.M. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the 2018 One and Six Year Road Improvement Program for Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Kathy Thorberg,



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 26, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 26, 2018 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 Alan Rasmussen. 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 Rasmussen to approve the County Payroll Claims filed for payment from the various funds: General \$89,020.85, BCBS \$51,758.56, Ameritas Ret \$6,119.75, EFTPS \$6,607.55, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$53,146.80, BCBS \$30,240.76, Ameritas Ret \$3,587.40, EFTPS \$3,996.46; Ambulance \$4,562.52, Ameritas Ret \$145.41, EFTPS \$349.03; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of March 19, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board One and Six Year Road Improvement Program Public Hearing Proceedings of March 19, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, submitted a quote for a computer processor and wireless keyboard from Applied Connective Technologies for the Board to review. Ziemba informed the Board that the computer hard drive purchased in 2015 is losing programs and data information. Motion made by Rasmussen, second by Maricle to approve and authorize the County Zoning Administrator to purchase an OptiPlex 3050 Computer Processor, wireless keyboard/mouse and Office 365 Business monthly subscription quote from Applied Connective Technologies for \$959.50 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted a quote for a camera to be placed in the visitors' visitation room to be located in the courthouse for the Board to review. The audio camera in the visitors' visitation room is for surveillance of the video visitation for jail inmates. Video visitation replaces in-person contact of regular visits with jail inmates, therefore reduces the possibility of items that may be passed from a visitor to an inmate. Motion made by Maricle, second by Luettel to approve and authorize the County Sheriff to purchase the audio camera quote for the visitors' visitation room from Applied Connective Technologies for \$1,131.90 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



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Barb Hanson, Assessor, appeared before the Board regarding a Contractor/Lister Agreement between the County of Boone, Nebraska and Larry Petsche for pickup work. Hanson advised the Board that she had consulted with the State regarding the contract and that the State advised that the contract be written to show Petsche as a Contractor/Lister. The term "Lister" was included inasmuch as a Contractor can assess values and Petsche does not do this. Hanson informed the Board that there is an increase to a few of the 2018-2019 Pickup Work Wage categories. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the agreement as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board opened the two proposals submitted for the courthouse lawn care. The Board and Rod Nelson, Maintenance, reviewed the proposals. The 4-Step program with fertilizer, weed control, grub control, insecticide, iron and nut sedge grass control proposals were received from Jarecki Lawncare & Greenhouse, LLC - \$1,200.00 and Schrad's KLawn - \$1,275.00. Jim Jarecki was present at the Board meeting to present and answer questions regarding the proposal. The group discussed the differences between applications of liquid/granular form and blanket/spot spraying. 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 Rasmussen, second by Luettel to approve the 2018 lawn care proposal for the courthouse lawn care from Jarecki Lawncare & Greenhouse LLC for \$1,200.00 for one year with the option to take lawn care bids and/or rotate the lawn care services each year. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board held a meeting with the department heads:

- 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.
- The Wellness Partners Health Fair was held Thursday, March 22, 2018 from 6:00 A.M. – 9:00 A.M., for the county employees that signed up to participate. Some employee feedback is that they appreciate the health fair opportunity.
- The County Law Enforcement/Jail building renovation is moving along and there is a construction meeting scheduled for March 27, 2018.
- The County plans to participate in the state wide tornado drill on Wednesday, March 28, 2018.

The Board received a Letter of Agreement to review for approval for architectural services in regard to a proposed building project at the county fairgrounds. Jim Ely, County Attorney, reviewed the Letter of Agreement and asked the Board to contact Joseph R. Hewgley & Associates, Inc. by telephone in order to clarify some concerns with the agreement. The Board; Jim Ely, County Attorney; Chuck Rolf, Boone County Agricultural Society, Inc.; Steve Pritchard, UNL Extension; Ed Braun; Ben Rutten; and Dennis Krohn were present to review the Letter of Agreement by telephone with Ryan D. Stearns, Architect with Joseph R. Hewgley and Associates.

Ryan D. Stearns, Architect with Joseph R. Hewgley and Associates, responded to Ely's questions in regard to Article II, Number 4; Article III, second paragraph; Article IV, fourth and sixth paragraphs. Article III, the "payments are due within ten days" was changed to "thirty days". Stearns said that the effective date of the agreement services is upon approval and signature, not the prior month's contacts. Ely asked if the basic fee was negotiable. Rolf said that the Ag Society already negotiated the basic fee from 9.0% to the 7.0% as stated in the agreement of the total construction cost of the project. The paragraph with the termination fee of 10% was discussed in regard to the project being suspended or abandoned for more than three months. Stearns said



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that if the architect firm is notified within three months of suspended/abandoned project the termination fee of 10% would have no bearing.

Stearns made the change where payments are due within ten days to thirty days and resubmitted the document for consideration. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Letter of Agreement, with changes as discussed, between the Boone County Board of Commissioners and Joseph R. Hewgley & Associates, Inc. of North Platte, Nebraska for architect services and basic fee of 7% of total construction cost of a proposed building project at the county fairgrounds as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Planning Commission – March 26, 2018; Boone County Health Center – March 27, 2018; Fairgrounds Building Committee – March 27, 2018; LEPC meeting at Albion Fire Hall at 7:00 P.M. – April 3, 2018; Northeast Nebraska Association of County Officials – April 6, 2018; NIRMA Leadership Development Seminar – April 13, 2018; Annual FFA Auction – April 15, 2018.
- The Board reviewed the Northeast Community College 2016-2017 report.
- The Board reviewed the Central Nebraska Community Action Partnership 2017 Annual report.

Chairman Luettel declared the meeting adjourned at 11:40 A.M., with the next Board meeting scheduled for Monday, April 9, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
APRIL 9, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 9, 2018, 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, Alan Rasmussen 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 and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1225 in the amount of \$135.71 submitted for reimbursement for mileage to a meeting. The Board approved the mileage reimbursements in accordance with the County Employee Handbook Exhibit "F-1" in the amount of \$123.17, with the direct route from the courthouse to the meeting site. The Board partially rejected payment of Vendor ID No. 1225 in the amount of \$12.54, the County mileage reimbursement when using a personal vehicle is the direct route from the courthouse to the meeting site. Motion made by Luettel, second by Rasmussen to partially reject Vendor ID No. 1225, the \$12.54 submitted in excess mileage of direct route from courthouse to meeting site in accordance with the County Employee Handbook. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$54,547.41; Road/Weed - \$86,378.91; Boone County Visitor's Promotion - \$143.05; Inheritance Tax - \$48,979.95; 911 Emergency Management (2910) - \$422.10; 911 Wireless Service (2913) - \$465.03; Ambulance - \$2,898.27. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of March 26, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the following reports of the County Officials as presented for March 2018:

- Clerk - \$44,309.00 (State of Nebraska \$30,540.12)(County of Boone \$13,768.88)
- Clerk of the District Court - \$1,060.64 (State of Nebraska \$362.00)(County of Boone \$698.64)
- County Planning and Zoning - \$600.00
- Sheriff - \$1,948.96
- Treasurer - Treasurer's Fees - \$560.00; Miscellaneous Receipt Nos. 16234-16301 - \$949,036.26; Total Collections - \$1,725,506.45

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

Larry Temme, Rae Valley Market LLC, presented an application for a Special Designated License (SDL) for May 26, 2018. The Board reviewed the application for a Special Designated License (SDL) for a wedding reception scheduled for Saturday, May 26, 2018 at the St. Bonaventure Church Hall in Raeville, Nebraska. Motion made by Maricle, second by Luettel to approve, as presented, the Application for a Special Designated Liquor License request from Rae Valley Market LLC for a wedding reception at St. Bonaventure Church Hall,



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Raeville, Nebraska on May 26, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted four applications to the Board for permission for Special Designated License(s) (SDL) to serve alcohol at the Boone County Fair for July 7, 8, 9 and 10, 2018. The four applications event times are from 4:00 p.m. to 1:00 a.m. on each respective day. Rolf informed the Board that the July 7, 2018 SDL request is for under the grandstand and includes an additional fenced off area outside the grandstand during the concert. He also indicated that individual security people had been hired in addition to law enforcement coverage provided by the Boone County Sheriff's Department and that IDs will be checked and arm bands issued at the point of purchase. The request(s) for July 8, 9 and 10, 2018 are for the grandstand area only. Rolf informed the Board that the Boone County Ag Society, Inc. dba Boone County Raceway Liquor License will be used for the July 11, 2018 fair date. The security coverage for events is completed on the SDL forms that are submitted by the requestor to the Nebraska Liquor Control Commission. Motion made by Rasmussen, second by Maricle to approve, as presented, the Application for a Special Designated Liquor License(s) request from the Boone County Agricultural Society, Inc. for the 2018 Boone County Fair dates of July 7, 8, 9 and 10, 2018. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Martin D. Vogel requested permission to trench an electrical cable under a county road commonly known as 260th Street running east and west between Sections 24 and 25, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The electrical cable commences from an electrical pole located in the NW1/4 of Section 25; thence running north to an irrigation well located in the SE1/4SW1/4 of Section 24, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Rasmussen, second by Maricle to approve Resolution No. 2018-12, granting permission to Martin D. Vogel to trench an electrical cable under a county road known as 260th Street to the SE1/4SW1/4 of Section 24, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

In June of 2017 a Recreational Trails System Committee presented a proposed trail project around the Albion City Park (Fuller Park); extending south along 8th Street; thence west connecting to County property; thence continuing west on County property to the Fairgrounds Road; thence North along the County property and County Fairgrounds property; and thence east through the County Fairgrounds property back to Fuller Park. The City and County have each approved construction of such trails system subject to the Friends of the Boone County Trails System (a group of private citizens) raising sufficient funds for construction of the Boone County Recreational Trails System. The City of Albion presented an Interlocal Agreement for the Board of Commissioners to review. The City agrees to oversee all initial construction of the trails system. The County approved the construction of a trail system on County property. The County did not approve contributing any tax funding to the project. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-13, an Interlocal Agreement between the County of Boone, Nebraska, City of Albion, Nebraska and Boone County Agricultural Society, Inc. of Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects.

The Board and County Highway Superintendent discussed disposal of surplus property. The annual FFA auction is scheduled for April 15, 2018. The road department plans to consign used concrete culverts, corrugated culvert pipe, bridge stringers and miscellaneous items on the annual FFA auction. The used motor



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grader and other equipment items will be listed with Big Iron for disposal. Disposal of used office desks/chairs are at the discretion of the department head.

The Board discussed setting a date and time for a public hearing in regard to Boone County Zoning Regulations. Commissioner Maricle said that she had been asked by the public for the Board of Commissioners Public Hearing be held in the evening for the convenience of the public so that they would not have to take time off of work or school to attend the public hearing. Commissioner Luettel felt that the public hearing should be held during regular Board meeting scheduled hours and that if they are interested about the subject they will find a way to be there or represented. Commissioner Rasmussen felt it was not necessary to have a public hearing late in the evening that could possibly go to midnight or after. The public hearing is in relation thereto the proposed changes in the A-1 Primary Agricultural District. Following a lengthy discussion regarding a date and time, a compromise was made to start the public hearing at 5:00 p.m. Motion made by Luettel, second by Maricle to set a Board of Commissioners Public Hearing regarding proposed changes in the A-1 Primary Agricultural District at 5:00 p.m. on Tuesday, May 29, 2018. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. 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 2018 Board Reorganizational Meeting Proceedings.

The copy machine located in the County Assessor's office was purchased in 2013 and has been in need of more frequent maintenance services. Mikki Mangus, Deputy Assessor, presented a quote of \$7,890.00 for a new Sharp MX-3050N model color copy machine from Eakes Office Solutions. A maintenance agreement of \$.0111 per B/W and \$.0636 per Color copy page includes parts, labor, image drums, toners and service calls. Motion made by Luettel, second by Maricle to approve as presented the purchase of a new Sharp MX-3050N color copy machine from Eakes Office Solutions of Grand Island for \$7,890.00 with maintenance agreement for the County Assessor's office. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, updated the Board in regard to the law enforcement renovation project and the Contract Change Proposal, CCP No. 12. The CCP No. 12 is for the cost to paint two existing bunks in a jail cell. Motion made by Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the CCP No. 12 submitted by RaDec Construction Co., Inc. for \$400.00 for painting existing bunks as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board received the third application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's costs for masonry, drywall, painting, plumbing, electrical, mobilization, and construction work completed through March 26, 2018. Motion made by Luettel, second by Maricle to approve the third payment request of \$45,635.05 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board approved and signed-off for six proposed changes to the law enforcement building renovation project. Prochaska & Associates submitted Change Order No. 002 that changes the adjusted contract amount of Change Order No. 001 from \$147,074.00 to an adjusted amount of \$162,613.00. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Contract Change Order No. 002



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submitted by Prochaska & Associates for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to go into executive session at 11:35 A.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried. The Board met with the County Highway Superintendent to discuss a personnel issue. Motion made by Luettel, second by Rasmussen to come out of the executive session at 11:53 A.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. No action was taken by the Board.

Public Comments:

- Meetings: Boone County Recreational Trails System Project – April 11, 2018.
- The Board reported on various meetings that they respectively attended the past week.
- The Board discussed contacting NIRMA Labor Law Legal Counsel regarding correct practices.

Chairman Luettel declared the meeting adjourned at 11:55 A.M., with the next Board meeting scheduled for Monday, April 16, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 16, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 16, 2018, 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, Alan Rasmussen 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 Rasmussen, second by Luettel to approve the County Board Proceedings of April 9, 2018 as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board reviewed the Contract Change Proposal, CCP No. 11.2 in regard to the law enforcement building renovation project. The CCP No. 11.2 is for additional time and electrical material costs due to unforeseen circumstances of conduit and wire ran into the walls. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the CCP No. 11.2 submitted by RaDec Construction Co., Inc. for \$432.00 for additional time and electrical material costs as presented. Roll call vote: Yeas: Maricle, Rasmussen 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.

The Boone County Ambulance Service submitted two uncollectible ambulance accounts for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$1,245.00 for a July 16, 2017 ambulance service and the balance of \$256.65 for an August 19, 2017 ambulance service from the EMS Billing Services account for purposes of bookkeeping and turn the two accounts over to the County Attorney to attempt further collection. Motion made by Maricle, second by Luettel to turn the July 2017 County Ambulance Service account balance of \$1,245.00 and the August 2017 County Ambulance Service account balance of \$256.65 over to the County Attorney for further collection. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Will McInnis and Caitlin Schneider, East-Central District Health Department (ECDHD), presented a report of public health activities in Boone County for July 2017 through March 2018. ECDHD has provided a number of different services to the residents of Boone County. Some of the services provided were: Alcohol Literacy Challenge at St. Michael's School; the WIC program; disease investigations; Mass Casualty training in St. Edward; and conducted store audits at all tobacco retailers in Boone County. Schneider said that ECDHD encourages county residents to pick up a radon kit to test their home. Schneider said that Certified Application Counselors (CAC's) are available at the Boone County Health Center usually on Thursday's to assist county residents in applying for WIC programs, health care services and/or insurance.

In addition, Boone County citizens are encouraged to attend the Boone County Health Center and ECDHD presentation of the results of the service area's comprehensive Community Health Needs Assessment to the community on May 3, 2018, from 8:30 a.m. to noon at the Boone County Health Center.



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The Board heard public constituents concerns regarding the asphalt portion of a county road known as 145th Street west of Petersburg on several occasions and on August 21, 2017 the Board approved an engineer study to be completed to determine costs and options for permanent repairs for the asphalt portion of 145th Street. The group said that 145th Street west of Petersburg is a main route for areas west and northwest of Petersburg and for the Volunteer Fire Department/Rescue Squad. The first mile of asphalt that is mostly in Petersburg village limits is in good condition with a thicker base and the remaining length of asphalt is what is in need of good repair.

Thiele Geotech, Inc. has completed an engineering evaluation of said portion of 145th Street. They provide analysis for subsurface soil, foundation, slope stability, seepage, settlement and other geotechnical engineering related items. Brian McDonald, Engineer with JEO Consulting Group, Inc., presented to the Board information regarding a study of Project C-6 (394), Petersburg west, a portion of a county road known as 145th Street. McDonald submitted information of the road foundation/soil study prepared by Thiele Geotech for the Board to review. McDonald presented five different costs and overlay scenarios for the approximate four miles of asphalt west of Petersburg on 145th Street. The East portion is 9,700 feet and the West portion 11,600 feet in regard to the five construction scenarios that range from: (1) east- mill 1" and overlay with 2" asphalt, west-complete reconstruction with 8" asphalt pavement for approximately \$2,177,431.00; (2) east-mill 1" and overlay with 6" asphalt, west-complete reconstruction with 8" asphalt pavement for approximately \$2,592,548.00; (3) east-complete reconstruction with 8" asphalt pavement, west-complete reconstruction with 8" asphalt pavement for approximately \$3,083,398.00; (4) east-mill 1" and 6" concrete overlay, west-complete reconstruction with 8" concrete pavement for approximately \$2,772,481.00; and (5) east-complete reconstruction with 8" concrete pavement, west-complete reconstruction with 8" concrete pavement for approximately \$3,624,130.00. The estimated figures do not include upgrading the bridge, surveying costs and for the possible purchase of more right-of-way, as the west two miles would need to be brought up to standards for 55 mph. McDonald said that usually concrete will be good for 20-30 years with maybe some crack sealant now and then. Asphalt is known for 10-15 years depending on weight of traffic with overlay in warped areas more often. McDonald said that if concrete pavement is used the preference for the project is to let bids in November/December and lay the concrete pavement in the spring. Commissioner Maricle questioned the justification of the expense to upgrade said portion of four miles of road by Petersburg in comparison to other county roads within the county that may need upgrading. Commissioner Luettel emphasized that the 145th Street, when in good driving condition, is an arterial road to Petersburg from the north and west and used as a main route for fire and rescue squads.

Surveys have been completed for the current County owned properties known as the Boone County Fairgrounds and the County owned cropland. The present east fence line on the fairgrounds property appears that it needs to be moved back a few feet to the east in order to be located on the boundary lines. The Board discussed if they need to put in a new fence line or just remove the present fence line. Chuck Rolf, Boone County Agricultural Society, Inc., was present for the discussion due to the Ag Society's leasing the current fairgrounds property. Rolf suggested that if the fence is replaced in the boundary line location to use smooth wire instead of barb wire for safety reasons. The Recreational Trails System committee plans to walk a proposed route on Tuesday, April 17, 2018 to determine the placement of the proposed concrete trail. The County Surveyor, upon request, has offered to flag the stakes/boundary lines with a Board member present to determine if all of the east fence line needs moving or just the fairgrounds portion of the east fence line and if the south fence line/trees are on the County or adjacent land owner. No decision was made by the Board at the meeting.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding when the county road department may begin the four ten hour work days. The county road department plans to lease a smaller excavator for cleaning culverts/ditches to see how it works before purchasing a different excavator.



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Stacey (Robinson) Ziemba, County Highway Superintendent, appeared before the Board requesting the County Board to appoint Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, to complete a feasibility study. The Boone County Board of Commissioners deemed it may be in the best interest of Boone County to consider vacating a portion of 310th Street. The proposed portion of a county road known as 310th Street, commencing at the intersection of 310th Street and 110th Avenue, in the N1/2 of Section 19 and the S1/2 of Section 18, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence west one (1) mile. The said portion of county road is located west and south of Primrose, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-14, appointing Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of a portion of county road known as 310th Street. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to go into executive session at 11:11 A.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried. The Board met with the County Highway Superintendent and General Road Foreman for an employment evaluation. Motion made by Rasmussen, second by Luettel to come out of the executive session at 11:50 A.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried. No action was taken by the Board.

Public Comments:

- Meetings: Recreational Trails System Committee to walk a proposed trail route - April 17, 2018.
- The Board of Commissioners have several meetings scheduled for their attendance this week.
- Commissioner Luettel and County Highway Superintendent encourages department heads to attend the NIRMA Leadership Seminar, was very informative.

Chairman Luettel declared the meeting adjourned at 11:52 A.M., with the next Board meeting scheduled for Wednesday, April 25, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 25, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, April 25, 2018 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 Alan Rasmussen. 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, presented a letter for the Board to review regarding a disaster declaration for the April 2018 blizzard and wind damages. Smith explained the procedure for a local government to declare a local disaster or an emergency. The blizzard and wind caused severe damage to public and private property, disruption of utility service and endangerment of health and safety of the citizens of Boone County within the disaster area. The Public Power District costs are initially estimated at \$169,514.00 for Boone County. The County files a proclamation with the State of Nebraska; the State files a proclamation with the Federal (FEMA); and the Federal decides if funding is available for the said proclamation. The Boone County Board of Commissioners Chairman, Ken Luettel, has declared a state of emergency authorized under Nebraska State Statute §81-829.50 and signed a Local Disaster Declaration on behalf of Boone County for the April 2018 blizzard and wind damages.

Motion made by Rasmussen, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$94,703.10, BCBS \$51,758.56, Ameritas Ret \$6,547.21, EFTPS \$7,042.22, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$58,335.40, BCBS \$30,240.76, Ameritas Ret \$3,937.64, EFTPS \$4,393.37; Ambulance \$1,938.54, Ameritas Ret \$49.90, EFTPS \$148.31; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board Proceedings of April 16, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Barb Hanson, County Assessor, submitted a written resignation for the Board to review from a part-time employee in the Assessor's office. Motion made by Maricle, second by Luettel to accept the retirement resignation of Cynthia Kraus, full and part-time county employee of eighteen and one-half years effective April 19, 2018. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Jim Jarosz requested permission to bore an electrical line under a county road commonly known as 340th Street running east and west between Section 36, Township 19 North and Section 1, Township 18 North, all in Range 8 West of the 6th P.M., Boone County, Nebraska. The electrical line commences from an electrical pole located on the North side of 340th Street; running thence South to an existing irrigation well located in the NW1/4 of Section 1, all in Township 18 North, Range 8 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-15, granting permission to Jim Jarosz to bore an electrical cable under a county road known as 340th Street to the NW1/4 of Section 1, Township 18 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Stacey (Robinson) Ziemba, County Highway Superintendent, appeared before the Board requesting the County Board to appoint Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, to complete a feasibility study. The Boone County Board of Commissioners deemed it may be in the best interest of Boone County to consider vacating a portion of 110th Avenue. The proposed portion of a county road known as 110th Avenue, commencing at the intersection of 310th Street and 110th Avenue, in the W1/2 of Section 18 and the E1/2 of Section 17, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence north one-half (1/2) mile. The said portion of county road is located west and south of Primrose, Nebraska. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-16, appointing Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, to do a feasibility study regarding the vacation of a portion of county road known as 110th Avenue. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board approved and signed-off for two additional proposed changes to the law enforcement building renovation project. Prochaska & Associates submitted Change Order No. 003 that changes the adjusted contract amount of Change Order No. 002 from \$162,613.00 to an adjusted amount of \$163,160.00. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Contract Change Order No. 003 submitted by Prochaska & Associates for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, and the Board discussed her attendance of extra scheduled Nebraska Planning & Zoning meetings throughout the year. Ziemba said that usually she attends the four yearly scheduled meetings/workshops. The Board felt that the extra scheduled meeting for Saturday, June 9, 2018 would be a beneficial and informational meeting for the County Zoning Administrator to attend.

Mary Ziemba, County Zoning Administrator, and the Board discussed GIS software programs to help with the drawing/locations for distance areas regarding conditional use permits and other zoning setback distance applications. Ziemba said that the quote for the software program that she received is \$9,450.00 for programs and setup and \$4,000.00 per year thereafter for the updates and maintenance. The consensus of the Board and Zoning Administrator is that the current volume of work and manual time to draw the maps does not warrant the quote for the need of the software.

Mary Ziemba, County Zoning Administrator, and the Board discussed matters regarding the Board of Commissioners scheduled Zoning Public Hearing on May 29, 2018. The County Planning and Zoning Commission met on Monday, April 23, 2018 and decided to move their regular scheduled meeting from May 29, 2018 to Wednesday, May 30, 2018 due to the County Board of Commissioners scheduled a Zoning Public Hearing on May 29, 2018 beginning at 5:00 P.M. Ziemba presented the packets of information for the Board to review from the County Planning and Zoning Commission Public Hearing that was held on March 26, 2018 for the Board of Commissioners scheduled public hearing on May 29, 2018. Ziemba updated the Board of Commissioners in regard to the issues and concerns discussed by the zoning board members at their April 23, 2018 County Planning and Zoning Commission board meeting. The Board of Commissioners decided to continue with their scheduled public hearing date of May 29, 2018 beginning at 5:00 P.M. The consensus of the Board of Commissioners is to hold their public hearing at the Casey Building at the fairgrounds.



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Public Comments:

- County Highway Superintendent informed the Board that the County Road Department plans to begin the four, ten hour day, work schedule on May 22, 2018 and end on August 16, 2018.
- Commissioner Luettel reported on the NIRMA board meeting.
- Commissioner Maricle updated the Board in regard to an assessment of the needed repairs to the Cedar Rapids Road District shop building.
- Commissioner Maricle reported on the Region IV, Inc./NorthStar Services board meeting.
- Commissioner Maricle reported on the Region 44 Emergency Services Supervisory Committee meeting.
- Commissioner Maricle reported on the Boone County Recreational Trails System Project.
- Commissioner Maricle reported on the Boone County Agricultural Society, Inc. meeting.

Chairman Luettel declared the meeting adjourned at 11:11 A.M., with the next Board meeting scheduled for Monday, April 30, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 30, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 30, 2018, 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 Alan Rasmussen. 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 Rasmussen to approve the County Board Proceedings of April 25, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board of Equalization Proceedings of April 25, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board, County Highway Superintendent, Andy Zoucha, Don Casper, Chad McGown and Rick Martinsen discussed the asphalt portion(s) of county road that is/are getting soft spots and breaking up. The group said that they were at the Board meeting today to make the County aware of the need to repair area(s) of the asphalt portion(s) of the road that is/are breaking up and the need for future plans for repair since they did not see any on the County One and Six Year Road Improvement Program. Some of the asphalt road areas of concern are known as a portion of 260th Street, Fairgrounds Road, Fairway Lane, Hill View Drive, Country Club Road and Highland Road. The Board and County Highway Superintendent indicated that there would be consideration of their concerns in regard to portions of the asphalt road(s) in need of repair to be listed as project(s) on the County 2019 One & Six Year Road Improvement Program. The County Highway Superintendent plans to contact an engineering firm to set up a study to determine what type of base/thickness there is on the said portions of asphalt road(s) that are of concern.

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

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- County Road Department will begin their four, ten hour day, work schedule on May 22, 2018 and end on August 16, 2018.
- The County Road Department received \$4,555.77 from the sale of twenty-five surplus items sold at the annual FFA auction held on April 16, 2018.
- The Board and County Highway Superintendent discussed possibly cleaning up the west side of the County owned cropland/fairgrounds property by removing the fence line and shrubs/trees.



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The Board appointed Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, at the April 16, 2018 Board meeting to complete a feasibility study regarding the vacation of a portion of county road known as 310th Street. Ziemba presented the feasibility study for the Board to review. The feasibility study is in regard to a portion of a county road known as 310th Street, commencing at the intersection of 310th Street and 110th Avenue, in the N1/2 of Section 19 and the S1/2 of Section 18, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence west one (1) mile. The feasibility report indicates that there is no classification for said road and the road is unsafe for the traveling public. The mile of said road appears to have been abandoned for years and no maintenance has been done for quite some time. There is no sign of a road's existence and no land owners will be land locked. The recommendation is to hold a public hearing. If no opposition is voiced at the public hearing the recommendation of the above described road is for the road to be vacated and all right-of-way reverts back to the adjacent landowners.

Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-17, to set a public hearing to be held on Tuesday, May 29, 2018 at 10:00 A.M. to hear comments in favor of or opposition to the vacation of said road known as 310th Street as presented in the County Highway Superintendent's feasibility study. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The Board, Barb Hanson, Assessor, and Ben Rutten discussed a real estate ownership/county road ownership discrepancy of approximately seven acres in the SW1/4 of Section 29, Township 18 North, Range 6 West of the 6th P.M., Boone and Nance County, Nebraska. The land owner and the County Assessor have discussed the taxable acres of the legal description known as a tract of land located in Lot 2 of the SW1/4 of Section 29, Township 18 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Hanson said that according to the survey/map she is looking at, the road appears to be on the Nance County side and Nance County maintains the road. The Board, Hanson and Rutten reviewed the 2017 survey record and discussed the survey portion that notes a Pawnee Reservation Line on the East and South line of Lot 2. The discrepancy question appears to be in regard to the location of the road right-of-way. Hanson asked the Board if the County Surveyor may be authorized to survey the said County line discrepancy in order for the Nance and Boone County Assessor's offices to have a guide for the real state records. Motion made by Rasmussen, second by Luettel to authorize Barb Hanson, County Assessor, to contact Christopher Hays, County Surveyor, for his surveying services in regard to said road/real estate discrepancy. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Public Comments:

- Meetings: 2018 County Board Workshop – June 7 & 8, 2018.
- Commissioner Luettel stressed the importance of the Board of Commissioners to attend the Board meetings and other committee Board meetings, as it is part of the job commitment.

Chairman Luettel declared the meeting adjourned at 10:55 A.M., with the next Board meeting scheduled for Monday, May 14, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
MAY 14, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:01 A.M. on Monday, May 14, 2018, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Rasmussen called the meeting to order and Commissioners present for roll call were Alan Rasmussen and Hilary K. Maricle. Commissioner Luettel called earlier letting the Board know that he would arrive late for the meeting. Commissioner Ken Luettel arrived at 9:05 A.M. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Vice Chairman Rasmussen acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$59,823.58; Road/Weed - \$91,715.18; Boone County Visitor's Promotion - \$988.00; Inheritance Tax - \$290,579.23; 911 Emergency Management (2910) - \$2,396.94; 911 Wireless Service (2913) - \$5,543.19; Ambulance - \$3,309.07. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, 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 \$972.79, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of April 30, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the following reports of the County Officials as presented for April 2018:

- Clerk - \$18,729.50 (State of Nebraska-\$11,660.58)(County of Boone-\$7,068.92)
- Clerk of the District Court - \$1,282.24 (Nebraska Attorney General's Office-\$25.00)(State of Nebraska-\$719.00)(County of Boone-\$538.24)
- County Planning and Zoning - \$512.50
- Sheriff - \$1,366.13
- Treasurer - Treasurer's Fees - \$88.00; Miscellaneous Receipt Nos. 16302-16371 - \$2,160,864.81; Total Collections - \$9,276,919.61

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

Larry Temme, Rae Valley Market LLC, presented an application for a Special Designated License (SDL) for June 9, 2018. The Board reviewed the application for a Special Designated License (SDL) for a wedding reception scheduled for Saturday, June 9, 2018 at the St. Bonaventure Church Hall in Raeville, Nebraska. Motion made by Luettel, second by Maricle to approve, as presented, the Application for a Special Designated Liquor License request from Rae Valley Market LLC for a wedding reception at St. Bonaventure Church Hall, Raeville, Nebraska on June 9, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



Boone County Board Minutes



The County Safety Committee met at 9:07 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Tom Smith, Kathy Thorberg and Stacey Ziemba. Old business that was addressed: the courtroom scanning system; the confusion during the tornado drill that was held in March 2018, for employees to know the difference when the weather radio issues a watch or warning. A watch is to be prepared and know where the safe designated location is when there is a warning for immediate action. Sheriff Johnson said that the two sirens have been fixed that did not work during the tornado drill (the one by county law enforcement building and the one at the county fairgrounds). New business was discussed: (1) Tom Smith, Region 44 Emergency Manager, will have a presentation of the Boone County Emergency Preparedness Action Plan for employees on Tuesday, June 12, 2018 at 2:00 P.M. and 3:00 P.M., with a goal for all to attend; (2) a fire drill for the courthouse is scheduled for Thursday, May 31, 2018 at 8:15 A.M.; (3) the group was informed that NIRMA has two \$500.00 "Money for Minutes" award that will be drawn from the pool of counties that submit safety minutes and reports to NIRMA on a quarterly basis. The \$500.00 award is for the purchase of safety items for the respective county; (4) discussed putting in a weather radio in the driver's license room; (5) discussed having an office in the courthouse to have the telephone intercom capability for emergency weather situations in addition to the Sheriff's office, due to the sheriff's office may not have time to notify the rest of the courthouse; (6) Commissioner Maricle shared the information received from Nebraska Emergency Management Agency and congratulated Tom Smith for being in compliance with the State Homeland Security Grant/Emergency Management Performance Grant monitoring visit; and (7) the committee discussed preventability and safety suggestions were addressed by the committee regarding a worker's compensation claim. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, August 13, 2018. The Safety Committee meeting was adjourned by Alan Rasmussen at 9:32 A.M.

Ross Davidson of Albion discussed noxious weed problem areas and crops planted in the county road right-of-ways with the Board and County Highway Superintendent. The group held a lengthy discussion in regard to area pastures/fields that have an abundance of Leafy Spurge and Musk Thistle. Davidson said that they have asked neighboring landowner(s) to spray or remove the noxious weeds for years to help stop the spreading of the noxious weeds to their ground. The County Highway Superintendent plans to check the area of 330/340th Avenue and 290th Street in regard to the landowner(s) planting crops in county road right-of-ways and irrigation systems watering county roads. The Board said that the areas where the crops are planted in the county road right-of-ways which present safety and visibility issues will result in the crop(s) being removed. The Board will have the County Weed Superintendent address the noxious weed issue.

The Board received the fourth application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's costs for masonry, painting, plumbing, electrical, general trades and construction work completed through April 29, 2018. Motion made by Maricle, second by Rasmussen to approve the fourth payment request of \$39,185.97 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board received a Certificate of Substantial Completion from the contractor RaDec Construction Co. Inc. for the Boone County Law Enforcement building renovation project. The project is completed with a retention left to pay of \$6,390.00 when the Board/Sheriff/Contractor agree that the work is completed and that there are no problems with the renovation material. Motion made by Luettel, second by Rasmussen to approve and authorize the Board Chairman to sign the Certificate of Substantial Completion of the law enforcement building renovation project. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



Denny Johnson, County Sheriff, presented a quote from Digital-Ally for a new in-car camera for one of the patrol vehicles. The quote is for a DMV-800 Complete Kit with a five year warranty for \$3,995.00 plus \$30.00 freight for a total of \$4,025.00. Johnson said that a NIRMA ASSIST grant was approved to help pay twenty-five percent of the cost of an in-car camera. Motion made by Rasmussen, second by Maricle to approve and authorize Denny Johnson, Sheriff, to purchase one new in-car camera from Digital-Ally for \$4,025.00 with a NIRMA ASSIST grant providing \$1,006.25 towards the new in-car camera purchase. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board reviewed the information provided by NACO BCBS regarding the employee health/dental insurance. The NACO BCBS overall rates for the group health insurance will increase by 3% for fiscal year 2018-2019 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 May 31, 2018. 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 Rasmussen, second by Luettel to approve the NACO BCBS Blue Preferred PPO Health Plan with \$1,500.00 individual deductible and Dental PPO Plan (Premier Option 3) for the period of July 1, 2018 through June 30, 2019 and authorize Ken Luettel, Board Chairman, to sign the 2018 NACO Subgroup Application Coverage Election Form. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

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

The St. Edward Alumni Association requested assistance to advertise the St. Edward Alumni Association Street Dance event scheduled for May 26, 2018. 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 Rasmussen. Nays: None. Motion carried.

The Petersburg Community Club requested assistance to advertise the Petersburg Community Club Carnival Days event scheduled for June 26 and 27, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The St. Edward Community Club requested assistance to advertise the St. Edward Community Club Beaver Valley Days event scheduled for July 27, 28 and 29, 2018. Motion made by Maricle, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. 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 2018 Board Reorganizational Meeting Proceedings.

Kathy Thorberg, County Clerk/Register of Deeds, presented a quote to the Board for their review regarding the purchase of ten hard bound books for Register of Deeds records. The quotes were 1-9 books at \$97.50 each or 10-24 books at \$83.00 each from RC Enterprises. Motion made by Luettel, second by Maricle to approve the purchase of ten record books for \$830.00 plus freight from RC Enterprises as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



Boone County Board Minutes



Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The consensus of the Board is for all County Road Employees to obtain a CDL license.
- Discussed suggestions/changes for the County Road Department shop buildings/grounds located in St. Edward and Cedar Rapids.

Larry Beierman requested permission to trench an electrical line under a county road commonly known as 220th Avenue running North and South between Sections 25 and 30, all in Township 19 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The electrical line commences from an electrical pole located in the county road right-of-way in the NW1/4 of Section 30; running thence West to an existing irrigation well located in the NE1/4 of Section 25, all in Township 19 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-18, granting permission to Larry Beierman to trench an electrical line across a county road known as 220th Avenue to the NE1/4 of Section 25, Township 19 North, Range 7 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Barb Hanson, County Assessor, updated the Board in regard to the rural village values (example: Boone, Loretto and Raeville) currently at 82.75% of market value and acreage values are at 93.84% of market value. Hanson informed the Board that the acreages and rural villages assessed values should be between 92-100% of market value. Hanson asked the Board permission to contact Stanard Appraisal Services, Inc. of Central City, Nebraska to provide a quote for reappraisal services to update the acreages and rural villages for 2019. The consensus of the Board to have Hanson contact Stanard Appraisal Services for quotes to complete reappraisal services for the acreages and rural villages to be reviewed at a later date.

The Board authorized Barb Hanson, County Assessor, at their April 30, 2018 Board meeting to contact Christopher Hays, County Surveyor, for his surveying services in regard to the real estate ownership/county road ownership discrepancy in the SW1/4 of Section 29, Township 18 North, Range 6 West of the 6th P.M., Boone and Nance County, Nebraska. The Board and Hanson reviewed the May 2018 survey completed by the Boone County Surveyor. A survey dated June 2017 showed ownership and county line discrepancies with portions of 230th Avenue in question being on the Nance County side and the recent survey is showing the road/line discrepancy on the Boone County side. The discrepancy question appears to be in regard to the location of the road, road right-of-way and taxable acres along the Boone/Nance boundary line in the SW1/4 of Section 29, Township 18 North, Range 6 West of the 6th P.M., Boone and Nance County, Nebraska. The Boone and Nance County Assessors will continue to research the real estate/road portion in question with the help of the Boone County Surveyor.

Public Comments:

- Boone County Board of Commissioners will meet on Tuesday, May 29, 2018 at the Casey Building located at the Boone County Fairgrounds in Albion, Nebraska to hold a Public Hearing to discuss proposed changes in the A-1 Agricultural - Primary District regulations regarding agricultural growth and single-family residences.
- Commissioner Maricle asked the Board members if it was okay for her to forward information to them that UNL prepared in regard to zoning issues.

Chairman Luettel declared the meeting adjourned at 11:49 A.M., with the next Board meeting scheduled for Monday, May 21, 2018.



Boone County Board Minutes



Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MAY 21, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, May 21, 2018 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 Alan Rasmussen. 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 Rasmussen, second by Luettel to approve the County Board Proceedings of May 14, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Tom Smith, Region 44 Emergency Manager, and the Board reviewed the nomination form for the Nebraska Regional Interoperability Network (NRIN) Board of Directors. NRIN is a locally-operated, regional and statewide wireless communication system that connects Public Safety Answering Points, emergency operation centers and local governments, allowing real time, on-demand communication to help mitigate emergencies and promote public safety. The implementation of the NRIN system/costs was funded by Homeland Security and Nebraska Association of County Officials (NACO) handles the funding. The maintenance/costs will be assessed to the respective counties when the Homeland Security Funds are no longer available. Smith informed the Board that the NRIN Board of Directors are volunteers and that the East Central Region representative nominee is Tim Hofbauer. Motion made by Rasmussen, second by Luettel to approve, vote for Tim Hofbauer of Columbus, Nebraska to the Nebraska Regional Interoperability Network Board of Directors and authorize the Board Chairman to cast/sign the voting form. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Tom Smith, Region 44 Emergency Manager, presented an Interlocal Agreement for Emergency Management Services for the Board to review. The Interlocal Agreement is between Boone, Nance and Merrick Counties in regard to Emergency Management Services and to employ a Region 44 Emergency Management Coordinator. The present Region 44 Emergency Management Interlocal Agreement expires June 30, 2018. Smith informed the Board that the agreement was basically the same except for changes made with regard to a motor vehicle. Motion made by Luettel, second by Rasmussen to approve and authorize the Board Chairman to sign as presented the Interlocal Agreement for Emergency Management Services effective July 1, 2018 through June 30, 2024. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The Board accepted a three-year audit bid proposal on March 13, 2017 from Schumacher, Smejkal, Brockhaus & Herley, P. C. of Norfolk, Nebraska to audit the county governmental activities. The Board reviewed an Engagement Letter for auditing services for the 2017-2018 fiscal year submitted by Schumacher, Smejkal, Brockhaus & Herley, P. C. Motion made by Luettel, second by Rasmussen to approve and authorize the Board Chairman, County Clerk and County Treasurer to sign the Engagement Letter for auditing services for the 2017-2018 fiscal year as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes



The Board held a meeting with the department heads:

- County officials/department heads reported on activities with regard to their respective office.
- A Courthouse Fire Drill is scheduled for 8:15 A.M. on Thursday, May 31, 2018.
- Tom Smith, Region 44 Emergency Manager, plans to present the Boone County Emergency Preparedness Action Plan for courthouse employees on Tuesday, June 12, 2018 at 2:00 P.M. and 3:00 P.M. Employees are encouraged to attend.
- Tiffany Settles, Constituent Services Representative, will be in the Boone County Courthouse Jury Room on May 21, 2018 from 10:00-11:00 A.M., on behalf of U.S. Senator Deb Fischer.
- County Sheriff's office plans to participate in the Click It or Ticket program the weeks of May 21 and 28, 2018.
- Region 44 Emergency Manager has a Mass Casualty Exercise planned for June 26, 2018 from 3:00-6:00 P.M. at the Cloverlodge Care Center in St. Edward.

The County of Boone used the Indirect Cost Allocation Services of Sequoia Consulting Group beginning in 2011. Wesley Ehlers, Sequoia Consulting Group, submitted an Agreement for consulting services based upon year-end financial data for fiscal year 2017. The consulting group plan and indirect cost rates as computed would be all inclusive for claiming indirect costs for all County grants including Title IV-D Claiming. Sequoia's agreement of recovered funds will be shared 60% by the County and 40% by the Consultant not to exceed \$3,650.00 annually to the consultant. Motion made by Luettel, second by Rasmussen to approve and authorize the Board Chairman to sign an Agreement with Sequoia Consulting Group to provide professional consulting services to Boone County, Nebraska for fiscal years 2017 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The County Elected Officials recognizes the necessity of providing the most efficient and highest quality services for the citizens of Boone County, Nebraska. The Board and Elected Officials reviewed/discussed information received in regard to county employee benefits such as health insurance, retirement, cost of living/salaries, longevity program, vacation carry over hours to the next calendar year and Board courthouse closure day due to inclement weather, etc. No action/decisions were made in regard to county employee benefits or the 2018-2019 budget preparation.

Public Comments:

- Meetings: East-Central District Health Department – May 24, 2018; County Planning and Zoning Commission – May 30, 2018; NIRMA Board of Directors – May 30, 2018.
- The Board received a thank you from the Cedar Rapids Community Club in regard to the advertisement reimbursement that was received from the County Visitor's Promotion Fund.

Chairman Luettel declared the meeting adjourned at 11:50 A.M., with the next Board meeting scheduled for Tuesday, May 29, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
MAY 29, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, May 29, 2018 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 Alan Rasmussen. 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 \$90,401.13, BCBS \$51,758.56, Ameritas Ret \$6,262.22, EFTPS \$6,716.04, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$52,704.23, BCBS \$30,240.76, Ameritas Ret \$3,557.53, EFTPS \$3,962.58; Ambulance \$2,810.31, Ameritas Ret \$85.90, EFTPS \$214.99; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board Proceedings of May 21, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Abstain: Maricle. Motion carried.

The Board reviewed submitted quotes for the copy paper for the county courthouse fiscal year 2018-2019. The quote request was for sixty cases on six 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 - \$32.50; Eakes Office Solutions - \$32.99; and One Source, One Solution - \$29.90. The Board discussed the little difference between the quotes and felt they should keep the purchase local. Motion made by Maricle, second by Rasmussen to accept and approve the sixty case copy paper quote for the fiscal year 2018-2019 for \$32.50 per case paid upon delivery from Albion News as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Laurie Krohn, County Treasurer, submitted a quote for the purchase of three new Dell Counter Micro PC's for the new Treasurers' programs for \$819.79 each from MIPS for the Board to review. Krohn informed the Board that MIPS plans to install the new Treasurers' programs onto the PC's before delivery and installation of the PC's in the County Treasurer's office. Motion made by Maricle, second by Luettel to authorize the County Treasurer to purchase three new Dell PC's from MIPS for approximately \$2,459.37 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Cornhusker Public Power District requested permission to bore an electrical cable/pipe under a county road, commonly known as 260th Street running east and west between Sections 24 and 25, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The electrical line commences from an electrical pole located on the South side of 260th Street; running thence north to the SE1/4SW1/4 of Section 24, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for a new residential home. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-19, granting permission to Cornhusker Public Power District to bore an electrical cable/pipe under a county road known as 260th Street to the SE1/4SW1/4 of Section 24, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for a new residential home. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects.



Boone County Board Minutes



Stacey (Robinson) Ziemba, County Highway Superintendent, and the Board discussed disposal of surplus property, such as: JD Motor Grader; International Truck; Belly Dump Trailers; etc. Motion made by Maricle, second by Luettel to approve and authorize the County Highway Superintendent to list surplus property of various used road equipment through Big Iron Auction Company of St. Edward, Nebraska. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Denny Johnson, County Sheriff, submitted quotes for the Board to review regarding the purchase of a stackable washer/dryer set for the County Law Enforcement building. The quotes for a stackable washer dryer set were as follows: Criss Company, Spalding, Nebraska – Whirlpool for \$1,599.00; Speed Queen for \$2,600.00; and Best Buy of Grand Island, Nebraska – Whirlpool for \$1,500.00. Johnson informed the Board that a smaller sized washer/dryer set is feasible to cover the care of inmate clothing. The Board and Johnson discussed purchasing from an area vendor as the repair service would be closer if needed. Motion made by Maricle, second by Rasmussen to approve and authorize the County Sheriff to purchase a Whirlpool stackable washer/dryer set from a local area vendor, Criss Company, for approximately \$1,599.00 plus installation as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

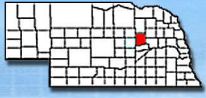
Denny Johnson, Sheriff, and the Board discussed interior office door(s) for the County Law Enforcement building booking area. Johnson plans to visit with the Fire Marshall to discuss the type of door that may be required for the project. No action was taken at the meeting.

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 County Attorney's office has received several uncollectible ambulance accounts where the Board approves to remove the uncollectible amounts from the EMS Billing Services account for purposes of bookkeeping and turn the accounts over to the County Attorney to attempt further collection.

There are different deadlines, depending on the type of ambulance service claim, for the County Attorney to file action for collection of the unpaid Boone County Ambulance Service accounts. There are seven accounts where the time to file action for collection has lapsed. The following date of service for the unpaid accounts are as follows: 2/20/2014 - \$1,113.75, court dismissed; 9/26/2014 - \$538.74, 1/06/2017 - \$163.70, deceased; and 6/28/2012 - \$1,120.00, 8/11/2014 - \$2,185.00, 2/22/2015 - \$209.69, 2/20/2015 - \$949.50, three years have lapsed since date of service. Motion made by Luettel, second by Rasmussen to designate said unpaid Boone County Ambulance Accounts in the amount of \$6,280.38 as uncollectible for auditing purposes as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Planning Commission Board – May 30, 2018; NIRMA Board – May 30 & 31, 2018; 2018 County Board Workshop – June 7 & 8, 2018.
- Commissioner Maricle reported on the Greater Nebraska Workforce Development Board meeting.



Boone County Board Minutes



Motion made by Commissioner Maricle, second by Commissioner Rasmussen to recess said Board of Commissioners meeting at 11:03 A.M. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to reconvene the Board of Commissioner meeting. Motion made by Rasmussen, second by Maricle to reconvene the Board of Commissioners meeting on Tuesday, May 29, 2018 at 5:00 P.M. at the Casey Community Building located at the Boone County Fairgrounds, Albion, Nebraska. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board of Commissioners held a public hearing in regard to the Boone County Zoning regulations. The Public Hearing Proceedings are separate from the Board of Commissioners Proceedings.

Motion made by Rasmussen, second by Luettel to adjourn the May 29, 2018 Boone County Board of Commissioners meeting at 6:30 P.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. 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 Tuesday, May 29, 2018 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 Rasmussen, second by Commissioner Maricle to open said public hearing. Present for roll call were Commissioners Alan Rasmussen, Hilary K. Maricle, Ken Luettel and Stacey (Robinson) Ziemba, Boone 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 a portion of county road:

- A portion of a county road known as 310th Street, commencing at the intersection of 310th Street and 110th Avenue, in the N1/2 of Section 19 and the S1/2 of Section 18, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence west one (1) mile.

Stacey L. (Robinson) Ziemba, Boone County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated April 30, 2018 recommending that said portion of county road known as 310th 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. There is no sign of a road's existence and it is not on the current county road inventory. Upon completion of an on-site evaluation of the said existing road, in accordance with real estate records, said portion of road is unsafe for the traveling public. The said one mile of road appears to have been abandoned for years and no maintenance has been done for quite some time. It does not appear that vacating said road will land lock any landowners in this section. The adjacent landowners were notified and they have no problem with the recommendation to vacate said portion of road.

Present for the public hearing were Linda Doughty and Karen Miller. No opposition was received at the hearing.

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

Motion made by Luettel, second by Rasmussen to officially vacate said portion of 310th Street, commencing at the intersection of 310th Street and 110th Avenue, in the N1/2 of Section 19 and the S1/2 of Section 18, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence west one (1) mile, 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, Rasmussen and Maricle. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS BOONE COUNTY ZONING REGULATIONS

Motion made by Commissioner Luettel, second by Commissioner Maricle to open the public hearing on Tuesday, May 29, 2018 at 5:01 P.M. at the Casey Community Building located at the Boone County Fairgrounds in Albion, Nebraska. Notice of hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Ken Luettel, Hilary Maricle and Alan Rasmussen.

Also present at the hearing were Mary Ziemba, Planning and Zoning Administrator, and Boone County Planning Commission board members: Paul Groetke, Mark Wagner, Mark Jensen, Morgan Mogensen, Brad Stephens and Clyde Stuhr; together with interested members of the public.

The purpose of the hearing is for discussion, consideration, hearing testimony in favor of or opposition to, to answer questions and take necessary action in relation thereto the proposed changes in the A-1 Agricultural – Primary District regulations regarding agriculture growth and single-family residences, specifically:

1. Leave the current setbacks in the Boone County Zoning Regulations in the A-1 District, clean up the verbiage on Page 21, Paragraph 21 by taking out the written-out explanations and put the regulations on a chart; put the information in 2-18 (Residential housing on-site of a livestock producer or crop producer, provided:
 - A. The housing is for hired employees of the operations;
 - B. In no case, when the housing is ceased, the residences shall not be split off the property.
2. Raise acres to 160 to build a house without a conditional use permit. A 5-acre minimum for any parcel split which shall require a Conditional Use Permit including the right-of-way with three (3) or four (4) straight lines; only exception is a naturally occurring boundaries (river, creek and highway not included); and the residential density shall not exceed five (5) houses per section.

The group discussed several items. Some of the issues discussed related to the livestock setbacks, cleaning up the verbiage by taking out the written explanations and converting them to a chart/grid format, various scenarios regarding conditional use permits, the lifting of the current moratorium relating to conditional use permits and making Boone County competitive with its neighboring counties with regard to livestock operations.

Motion made by Maricle, second by Luettel to close said public hearing at 6:19 P.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to leave the current setbacks in Boone County Zoning Regulations in the A-1 District, clean up the verbiage with regard to Paragraph 21 on Page 21 by taking out the written explanations and replacing the information with a chart/grid and include in 2-18 (residential housing on-site of a livestock producer or crop producer provided:

- A. The housing is for hired employees of the operations;
- B. When the housing is ceased, the residences shall not be split off the property.

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



Boone County Board Minutes



Commissioner Maricle made a motion to table the issue regarding the conditional use permits until such time as the Planning Commission Board and Board of Commissioners could meet for a workshop in June to revisit the subject of the setbacks and proposed changes relating to conditional use permits with a resolution of the matters being made no later than July, second by Rasmussen. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve lifting the moratorium and the Boone County Zoning Administrator shall accept the filing of any application for conditional use permits as permitted by the current Boone County Zoning Comprehensive Plan and the Boone County Zoning Regulations effective upon approval of a resolution at a regular Board of Commissioners meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Lorrie Nicklasson
Deputy Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 11, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:10 A.M. on Monday, June 11, 2018, 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 Alan Rasmussen. 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 Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$176,484.58; Road/Weed - \$96,409.38; Inheritance Tax - \$7,212.03; 911 Emergency Management (2910) - \$620.31; 911 Wireless Service (2913) - \$465.03; Ambulance - \$2,935.23. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, 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 \$1,067.64, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of May 29, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Road Public Hearing Proceedings of May 29, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Zoning Public Hearing Proceedings of May 29, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Official's reports that were submitted in accordance with state statute were reviewed by the Board. The Board noted that they would appreciate a Veteran Service office activity report. Motion made by Maricle, second by Rasmussen to approve the following reports of the County Officials as presented for May 2018:

- Clerk - \$18,852.75 (State of Nebraska-\$12,234.60)(County of Boone-\$6,618.15)
- Clerk of the District Court - \$958.00 (State of Nebraska-\$313.00)(County of Boone-\$645.00)
- County Planning and Zoning - \$118.00
- Sheriff - \$1,168.93
- Treasurer - Treasurer's Fees - \$66.00; Miscellaneous Receipt Nos. 16372-16421 - \$204,367.47; Total Collections - \$972,102.72

Roll call vote: Yeas: Maricle, Rasmussen 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 Cedar Rapids Community Club requested assistance to advertise the Cedar Rapids Community Club Community Picnic event scheduled for June 30, 2018. Motion made by Maricle, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Albion Area Arts Council requested assistance to advertise the Missoula Children's Theatre scheduled for June 25 through June 30, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Dave Boschult, Nebraska Department of Agriculture Noxious Weed Program Specialist, updated the Board in regard to the weed program and overview of the 2017 Boone County noxious weed activity. Boschult informed the Board that his territory covers twenty-six counties. Boschult explained to the Board the required certifications a County Weed Superintendent needs to acquire and the twenty hours of continuing education each calendar year. The twenty hours of continuing education certification stays with the County not the individual. The County Weed Superintendent has an opportunity four times in a calendar year to become re-certified. Boschult informed the Board that he felt Jack Nordeen, Boone County Weed Superintendent, is doing a good job. Boschult, Nordeen and the Board discussed the types of noxious weeds and the abundance of Leafy Spurge showing up in the County. Motion made by Maricle, second by Luettel to accept and approve the 2017 written report and requirements for Boone County Weed Superintendent from the Nebraska Department of Agriculture, Bureau of Plant Industry as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Nebraska State Statute 80-101 refers to County Veterans Service Committee appointments and terms. The committee members are five-year terms. The term of Richard Good of St. Edward expires in June 2018. Motion made by Luettel, second by Maricle to re-appoint Richard Good of St. Edward to a five-year term expiring in June 2023 to the Boone County Veterans Service Board. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board reviewed the NIRMA insurance renewal costs and property deductible levels for the fiscal year 2018-2019. The County's present deductible levels are as follows: \$250.00 for Auto Physical Damage; and \$500.00 for Inland Marine and Property, Building & Contents. The Board discussed the present deductible levels and the savings of the 2018-2019 premium costs of \$1,339.00 if they would increase the Auto Physical Damage deductible from \$250.00 to \$500.00. Motion made by Maricle, second by Rasmussen to increase the Auto Physical Damage deductible with NIRMA from \$250.00 to \$500.00 for the fiscal year 2018-2019, therefore all three property coverages will have the same deductible. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Denny Johnson, County Sheriff, and Laurie Krohn, County Treasurer, submitted a Distress Warrant Report with regard to the 2016 personal property taxes. The distress warrants that were issued in November 2017, were all collected by the County Sheriff's office and returned back to the County Treasurer's office on May 30, 2018. The total collected on eight distress warrants without penalties was \$2,835.39. There are no distress warrants unpaid as of June 4, 2018. Motion made by Maricle, second by Rasmussen to accept and approve the County Sheriff and Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



Boone County Board Minutes



Rod Nelson, Maintenance, submitted quotes for the Board to review from NMC regarding maintenance agreements for the Winco generator at the Sheriff's office and the Olympian generator located at the County Communications Tower. The Winco generator would be inspected once a year. The Olympian generator will automatically run for 53 minutes every two weeks and be inspected twice 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. Nelson informed the Board that the maintenance agreement quote for the three inspections for the year 2018 is approximately a three percent increase from the 2017 services. Nelson asked the Board to allow him some time to discuss the proposed quote and time of year listed for the maintenance with the NMC representative. Motion made by Luettel, second by Rasmussen to table a decision regarding a Maintenance Agreement with NMC for the two County generators to a future Board meeting. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, presented a resolution to lift the moratorium on any new small parcel split conditional use applications in the A-1 Agricultural-Primary District. The resolution presented voids and takes precedence over the resolution approved by the Board on January 29, 2018. The Board approved Resolution No. 2017-47 on October 30, 2017 placing a moratorium in the A-1 Agricultural-Primary District and extended the moratorium on January 29, 2018 with Resolution No. 2018-03 allowing the Boone County Planning Commission time to review and debate possible changes to the Boone County Zoning regulations. The County has zoning regulations in place which are intended to direct the location of specific uses and provide for proper separation of conflicting uses. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-20, thus voiding and taking precedence over Resolution No. 2018-03, lifting the moratorium and the Boone County Zoning Administrator shall accept the filing of any application for conditional use permits as regulated in the Boone County Zoning Comprehensive Plan and the Boone County Zoning Regulations effective May 29, 2018. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects.

The Board held a public hearing on May 29, 2018, to consider whether to take action to vacate a portion of county road known as 310th Street, commencing at the intersection of 310th Street and 110th Avenue, in the N1/2 of Section 19 and the S1/2 of Section 18, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, running thence west one (1) mile. No one present at the public hearing objected to the vacation of said county road. Motion made by Rasmussen, second by Maricle to approve Resolution No. 2018-21, vacation of a portion of a county road known as 310th Street as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Public Comments:

- Commissioner Maricle reported on the ground breaking for the Boone County Recreational Trails System Project.

Chairman Luettel declared the meeting adjourned at 12:13 P.M., with the next Board meeting scheduled for Monday, June 18, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes





Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 18, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 18, 2018 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, Alan Rasmussen 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 Board Proceedings of June 11, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board of Equalization Proceedings of June 11, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. 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 Maricle, second by Luettel to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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 'Bash in the Burg' event scheduled for July 28, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Jay Wolf, Larry Krings, Jonathan Hall and Steve Bygland were present to discuss possible dust control on 250th Street with the Board and County Highway Superintendent. The group presented information in regard to LIQUIDOW Calcium Chloride for dust control that helps reduce cost of maintaining unpaved roads. The said portion of 250th Street that is northeast of Albion is a heavily traveled road and the residents informed the Board that everything is covered with dust, even the vehicles inside the garage(s). The Board, County Highway Superintendent and concerned citizens discussed different options for dust control. Bygland explained to the Board a mixture that was used up in Antelope County on some of the graveled roads to help control dust on heavily traveled areas. The Board suggested that the County Highway Superintendent make some contacts in regard to the Calcium Chloride products, pricing, and if/how improves the road surface quality. The Board and/or County Highway Superintendent plan to contact the concerned citizens upon their findings and decision on dust control.



Boone County Board Minutes



The Board of Commissioners held a public hearing on May 29, 2018 in regard to Boone County Zoning regulations. The Board tabled the issue regarding revisions to the Conditional Use Permit regulations at the May 29, 2018 public hearing. The Board discussed the Boone County Planning Commission board members recommended changes regarding Conditional Use Permit regulations. Motion made by Maricle, second by Rasmussen to approve raising acres to 160 to build a house without a Conditional Use Permit. A 5-acre minimum for any parcel split which shall require a Conditional Use Permit including the right-of-way with three (3) or four (4) straight lines; only exception is a naturally occurring boundaries (river, creek and highway not included); and the residential density shall not exceed five (5) houses per section effective June 18, 2018. Roll call vote: Yeas: Maricle and Rasmussen. Nays: Luettel. Motion carried.

The Board tabled a decision regarding a Maintenance Agreement with NMC for the two County generators at their June 11, 2018 Board meeting. Rod Nelson, Maintenance, discussed the time of year for the maintenance of the generators, a three year agreement and the proposed three onsite maintenance quotes with an NMC representative. Nelson submitted the 2018 NMC service agreement pricing for 2018-2020 as follows: Winco generator at the Sheriff's office an October inspection for \$654.00; Olympian generator located at the County Communications Tower an April inspection for \$441.00 and October inspection for \$656.00. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign a 2018-2020 Maintenance Agreement quote of \$1,751.00 each year with NMC for three inspections of the County generators each year as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – June 18, 2018; BCDA, Inc. – June 20, 2018; Boone County Planning Commission – May 25, 2018.
- The Board appreciates and says thank you to the employees that attended/participated in the Boone County Emergency Preparedness Action Plan on Tuesday, June 12, 2018 presented by Tom Smith, Region 44 Emergency Manager.
- Commissioner Maricle reported on the Central Nebraska Joint Housing Authority board meeting.
- Steve Bygland, Bygland Dirt Contracting, Inc., updated the Board in regard to the Boone County Recreational Trails System Project.
- Commissioner Luettel reported on the County/County Road involvement for the filming of the movie "Road Kill" west of Petersburg.

Chairman Luettel declared the meeting adjourned at 11:40 A.M., with the next Board meeting scheduled for Wednesday, June 27, 2018.

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, June 18, 2018 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, 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. Present for roll call were Commissioners Ken Luettel, Hilary K. Maricle and Alan Rasmussen. David Roberts, the Property Purchaser, was present for said hearing to answer any questions. 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 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 James Roberts. James L. and JoAnn E. Roberts are the property owners of the real estate referenced herein. The application request is to divide 8.07± acres from a parcel of real estate to sell the existing farmstead located on a fraction of the E1/2 of the SE1/4 of Section 1, Township 18 North, Range 5 West of the 6th P.M., Boone County, Nebraska.

David Roberts explained to the Board that the purpose for dividing the 8.07± acres from a parcel of real estate is for estate purposes. David Roberts is purchasing the existing farmstead of 8.07± acres from his father James Roberts. Roberts informed the Board that Nebraska State Highway #39 is located on the northeast property line and the County Road known as 350th Street is located on the south property line of said acreage. A survey for 8.07± acres is completed. A Waiver of Distance has been signed by David and Jill Roberts.

The County Planning Commission Board recommended approval to divide 8.07± acres from the parcel of real estate to sell the existing farmstead.

Motion made by Maricle, second by Luettel to close said public hearing at 10:05 A.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the Conditional Use Permit submitted by James Roberts to divide 8.07± acres from a parcel of real estate to sell the existing farmstead to David Roberts located on a fraction of the E1/2 of the SE1/4 of Section 1, Township 18 North, Range 5 West of the 6th P.M., Boone County, Nebraska, for estate purposes as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JUNE 27, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, June 27, 2018 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 Alan Rasmussen, 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.

Tom Smith, Region 44 Emergency Manager, presented a Grant Agreement between Nebraska Emergency Management Agency (NEMA) and Boone County, Nebraska for the Board to review. The Grant Assistance Agreement is to provide Boone County with federal assistance from the Hazard Mitigation Grant Program. The FEMA-4321-DR-NE Project #0003 All-Hazard Radio Project Agreement is for weather radios to be installed in public facilities in the county. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Grant Agreement between Nebraska Emergency Management Agency (NEMA) and Boone County, Nebraska for the FEMA-4321-DR-NE Project #0003 All-Hazard Radio Project Agreement as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$98,086.27, BCBS \$55,399.52, Ameritas Ret \$6,820.41, EFTPS \$7,300.34, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$65,331.98, BCBS \$31,135.96, Ameritas Ret \$4,409.93, EFTPS \$4,928.61; Ambulance \$3,109.80, Ameritas Ret \$99.23, EFTPS \$237.89; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of June 18, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Zoning Public Hearing Proceedings of June 18, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board of Commissioners held a public hearing on May 29, 2018 in regard to recommended changes to the Boone County Zoning regulations by the Boone County Planning Commission board members. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-22, to amend and update Article 12: A-1 Agricultural-Primary District Section 2 Conditional Uses, 2.3 B. and 2.20 A. and Table 1 and a new segment with a new number; Section 4. Lot Requirements and Intensity of Use. 4.1 A., effective June 18, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



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 percentage of the set aside funds left in Fund 2913 is to be transferred to the Fund 2914 before the close of the fiscal year end June 30th each year. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-23, authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$34,290.62 from the 911 Wireless Service Fund (2913) to the 911 Wireless Service Holding Fund (2914) as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

William David Primrose requested permission to trench an 8” pipe under a county road commonly known as 120th Avenue running North and South between Sections 8 and 9, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The 8” pipe commences from an existing irrigation well located on the SW1/4 of Section 9; running thence west to the SE1/4 of Section 8, all in Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-24, granting permission to William David Primrose to trench an 8” pipe under a county road known as 120th Avenue to the SE1/4 of Section 8, Township 19 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board received an Agreement to review for a highway improvement project in Boone County. The Agreement is between Boone County, Nebraska and the State of Nebraska, Department of Roads for Project No. STP-56-5(107), Cedar Rapids-St. Edward. The construction may involve the obliteration or destruction of land survey corners and witness corners. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Agreement for Project No. STP-56-5(107), Cedar Rapids-St. Edward between Boone County, Nebraska and the State of Nebraska, Department of Roads for registered land surveyor services as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

An Agreement with Darla McIntosh to provide meals for the prisoners held in the Boone County Jail expires June 30, 2018. The Boone County Sheriff’s office submitted a renewal Agreement with the rates remaining the same that were approved and effective through June 30, 2018. Motion made by Rasmussen, second by Maricle to approve an Agreement with Darla McIntosh to provide meals for the prisoners held in the Boone County Jail, effective July 1, 2018 and ending June 30, 2019, 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: Rasmussen, 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.

The Boone County Historical Society requested assistance to advertise the Boone County Historical Society Manderson Lehr events scheduled for July 14 & 15, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor’s Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



Boone County Board Minutes



The Primrose Rural Fire Department requested assistance to advertise the Primrose Rural Fire Department Car Show event scheduled for August 11, 2018. 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 Rasmussen. Nays: None. Motion carried.

The Board reviewed an estimate for appraisal services from Stanard Appraisal Services, Inc. of Central City, Nebraska for acreages and rural village properties located in Boone County, Nebraska. The amount of the proposal to provide the appraisal of 400 Acreages and 98 Rural Village properties in Boone County is \$89,640.00. Motion made by Luettel, second by Rasmussen to approve Stanard Appraisal Services to prepare agreements for the Boone County Acreages and Rural Village properties as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board reviewed an Agreement with GIS Workshop for the Assessor's office WebGIS Subscription Renewal. The GIS Workshop renewal contracts are as follows: One Year-\$13,184.00; Three Year-\$13,440.00 per year; and Five Year-\$12,800.00 per year. Motion made by Maricle, second by Rasmussen to approve a Masters Services Agreement between GIS Workshop, LLC and Boone County, Nebraska for five years at \$12,800.00 per year (subscription-\$4,800.00; standard support-\$8,000.00) effective May 1, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board and Rod Nelson, Maintenance, discussed disposal of smaller county office equipment/furniture that is valued under a \$100.00, that is in storage or no longer in use. The Board discussed the idea of having the small office surplus items in the courthouse hallway tagged for sale each fall in conjunction with the Albion City wide garage sales in order to dispose of any surplus property each year. Motion made by Maricle, second by Luettel to approve disposal each year in the fall for any surplus smaller county office equipment/furniture that is valued under a \$100.00, to be tagged for sale in the hallway of the courthouse. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Chuck Rolf and Dave Noble, Boone County Agricultural Society, Inc., Board of Commissioners and approximately twenty county residents discussed the agenda item concerning a new building project at the county fairgrounds. Rolf and Noble presented two attorney bills that the Boone County Agricultural Society, Inc. have received for professional services from December 27, 2017 through April 13, 2018. The attorney bills are in regard to sales tax and agricultural society's statutes, community development loans and new building projects. There are two separate attorney bills for a total of \$6,459.90 (\$4,284.00 and \$2,175.90). The Ag Society representatives are asking the County of Boone, Nebraska to help pay \$4,800.00 of their attorney fees. The group discussed/commented on different subjects in regard to the fairgrounds building project such as: the bid opening scheduled for Friday, June 29, 2018; did the construction bid ad appear in any other newspaper besides the Albion News; is infrastructure for sewer, water, electricity to new building location included in construction bids; how much has been received from private donations; how many building designs are the contractors bidding on; the Inheritance Tax Fund is for the County's reserve to help keep the tax levy low; are the architect fees and attorney fees that the County pays from the Inheritance Tax Fund going to be deducted from the one million of Inheritance Tax, if used towards the project, etc. Motion made by Rasmussen, second by Maricle to pay \$4,800.00 of the \$6,459.90 Boone County Agricultural Society, Inc. attorney fees from the County Inheritance Tax Fund payable directly to the attorneys. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



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The Board and Elected Officials/Highway Superintendent discussed handbook clarifications, benefits, cost of living and 2018-2019 budget preparation. The group has been discussing current employee handbook pages 17, 20, 22, 26, 27, 28, 52, Exhibit 'D', 'I', 'J' and employer handbook Exhibit "3.0". Some of the changes are wording/charts for improved clarification, the benefit policies such as vacation, etc. will be merged from multiple policies that occurred over the years, to being the same policy for all employees. The current Exhibit "D" Longevity Program will no longer be part of the employee benefits beginning with the January 2019 payroll to coincide with the 22/21 pay period. The employees longevity earned through December 21, 2018 will be added onto the respective employee's hourly salary effective December 22, 2018 to coincide with the 22/21 pay period. A merit based pay of (0-12 cents) based on an employee performance evaluation every November will be a new benefit beginning with the January 2019 payroll to coincide with 22/21 pay period. The employee performance evaluation is to be placed in the employee personnel file and the employee recommendation performance forms will be submitted to the Board for review at the first Board meeting in December each year. After review the Board will submit the performance forms to the County Clerk's office in order to prepare the payroll system for the next calendar year and be placed in the employee personnel file. The performance cents added to the employee's hourly wage is a benefit in addition to what is set as a cost of living, if given, each year in January. Motion made by Maricle, second by Rasmussen to approve the employee handbook changes/updates as discussed, current longevity program ending December 21, 2018, a merit based pay with employee performance evaluation begins December 22, 2018, a Cost of Living for January 2019 of forty-eight cents per hour for full time county employees effective December 22, 2018 to coincide with the 22/21 pay period and no increase to prior year adopted budget codes 2 through 5; hourly salary/benefits as approved above for the fiscal year 2018-2019 budget. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Public Comments:

- Commissioner Luettel reported on the Boone County Health Center Board meeting.
- Commissioner Maricle reported on the Animal Science 4-H Quiz Bowl teams.
- Region 44 Emergency Manager, Tom Smith, reported on the Mass Casualty Exercise that was held on June 26, 2018 at the Cloverlodge Care Center in St. Edward.
- Sheriff, Denny Johnson, informed the Board that he will be attending a meeting on June 29, 2018 in regard to the State Wide Radio System project.
- Veteran Service Officer, Jacqueline Wells, informed the Board that there is an Honor Flight in September for women only that served in the military.

Chairman Luettel declared the meeting adjourned at 1:25 P.M., with the next Board meeting scheduled for Monday, July 9, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 9, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 9, 2018, 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 Alan Rasmussen. 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 a reimbursement request that was submitted by Vendor ID#1225. Motion made by Rasmussen, second by Luettel to approve the reimbursement request upon submission of sufficient documentation from requestor in accordance with county reimbursement policy. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$54,345.58; Road/Weed - \$149,882.34; Inheritance Tax - \$6,390.00; 911 Emergency Management (2910) - \$396.54; 911 Wireless Service (2913) - \$465.03; Ambulance - \$946.89. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of June 27, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board of Equalization Proceedings of June 27, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the following reports of the County Officials as presented for June 2018:

- Clerk - \$7,804.80 (State of Nebraska-\$3,479.10)(County of Boone-\$4,325.70)
- Clerk of the District Court - \$853.18 (State of Nebraska-\$292.00)(County of Boone-\$561.18)
- County Planning and Zoning - \$300.69
- Sheriff - \$1,176.11
- Treasurer - Treasurer's Fees - zero; Miscellaneous Receipt Nos. 16422-16477 - \$317,866.78; Total Collections - \$578,464.75

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

The Board heard a general assistance request regarding a utility bill. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Luettel, second by Rasmussen to approve the County General Assistance Program maximum amount payable for utilities of the requestors natural gas heating bill, payable directly to the entity. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Carrie Rodriguez, Chief Probation Officer for District Five Probation, appeared before the Board. Rodriguez introduced herself as the Chief Probation Officer, Jeff Banholzer, Chief Deputy Probation Officer, and Tiffany



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Egger, Juvenile Probation Officer, for the eleven counties comprising District Five Probation. Rodriguez reviewed the 2017 District Five Probation report with the Board. The District Five Probation's fifty staff members served 2492 clients in 2017, four district court judges, five county/juvenile court judges and worked with Regions 3, 4 & 5 for Behavioral Health services. Rodriguez informed the Board that District Five Probation served thirty-one adults and fifteen juveniles for Boone County in 2017. Due to the decreased number of clients served in the county, Rodriguez indicated that the probation budget for Boone County would be reduced by approximately \$1,201.00 from \$8,496.00 to \$7,295.00. The budget has been submitted for approval to the Platte County Commissioners as the principal county for the district. Rodriguez explained some of the programs provided by the district and indicated that they have been advocating using Northeast Nebraska Juvenile Services, Inc. for detention purposes.

The County Treasurer submitted a Semiannual Statement for January 1, 2018 through June 30, 2018. Motion made by Rasmussen, second by Luettel to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Rasmussen 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 June 30, 2018. Motion made by Luettel, second by Rasmussen to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

No report was submitted by the Boone County Highway Superintendent.

Cornhusker Public Power District requested permission to trench an electrical cable/pipe across a county road commonly known as 130th Street running East and West between Sections 13 and 24, all in Township 22 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The existing electrical overhead line is being changed to an underground electrical line to continue service to an existing farmstead located in Section 13, Township 22 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-25, granting permission to Cornhusker Public Power District to trench an electrical cable/pipe across a county road known as 130th Street to change the overhead electrical line to an underground electrical line for service to an existing farmstead located in Section 13, Township 22 North, Range 7 West of the 6th P.M., Boone County, Nebraska, as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board received the fifth application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's retainage costs. Motion made by Luettel, second by Rasmussen to approve the fifth and final payment request of \$6,390.00 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

In August of 2012 the Boone County Board of Commissioners appointed Jeff Jarecki, Public Defender, for Boone County. Jarecki reported that the cases assigned in 2012 through 2017 are all completed. Jarecki reported that he has been assigned twenty-eight cases to date for 2018. Jarecki said that fourteen of the 2018 cases are closed, ten cases remain open and that he had four conflicts of interest to date in 2018. Jarecki explained to the Board that some juvenile cases take a long time to complete. Juvenile cases may remain open



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until the court case is resolved or the age of nineteen. 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. Jarecki thanked the Board and is very appreciative of the contract for public defender services. Motion made by Rasmussen, second by Luettel to accept the Boone County Public Defender report as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Schmeits, Mueller & Martinsen, P.C., 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 Luettel, second by Rasmussen to approve the Letter of Understanding with Schmeits, Mueller & Martinsen, P.C., Richard D. Martinsen, CPA, to assist in the preparation of the county budget for fiscal year 2018-2019. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Rasmussen, second by Luettel for the Board to go into executive session at 11:07 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: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried. The Board and County Clerk discussed real estate purchases. Motion made by Luettel, second by Rasmussen to come out of the executive session at 11:25 a.m. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried. Discussed a maximum amount for possible real estate purchase.

Public Comments:

- Meetings: Region 44 Emergency Services Supervisory Committee – July 10, 2018; County Planning and Zoning Commission – July 23, 2018.
- Commissioner Luettel informed the Board that Tom Smith, Region 44 Emergency Manager, serving Boone, Merrick and Nance Counties has resigned effective July 21, 2018, to take a job position in Dodge County.

Chairman Luettel declared the meeting adjourned at 12:05 P.M., with the next Board meeting scheduled for Monday, July 16, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 16, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 16, 2018 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 Alan Rasmussen. 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.

A group of approximately forty concerned citizens attended the Board meeting in regard to a proposed new building project at the county fairgrounds. Chuck Rolf (Rolf), representing the Boone County Agricultural Society, Inc., presented a written letter from the Boone County Agricultural Society, Inc. (Agricultural Society) and design/construction documents prepared by Ryan D. Sterns, Architect with Joseph R. Hewgley & Associates, Inc. of North Platte, Nebraska for the Board to review. The new building facility proposal is 54,295 square feet, with a building of approximately 150' x 300' for arena area, small and large livestock pen areas, small and large livestock wash areas, etc. and a building of approximately 150' x 75' for restrooms, concession and storage areas, classroom, and extension office. Rolf presented and read a written statement supporting a new facility at the fairgrounds.

Motion made by Luettel, second by Rasmussen to accept the new fairgrounds building proposal less the office space area. During some discussion Ryan D. Sterns, Architect, said that the estimated cost difference of the project would just be \$100,000.00 less by removing the extension office space, storage and classroom. Following further discussion a motion was made by Luettel, second by Rasmussen to withdraw the above motion. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to accept the new fairgrounds building proposal submitted by the Boone County Agricultural Society, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Upon the acceptance of the new county fairgrounds building proposal as presented, the group discussed the financing of said building project. The County owns the real estate and leases to the Agricultural Society. If the Agricultural Society owned or was purchasing real estate they could possibly apply for a mortgage per Nebraska State Statute Chapter 2, 250-273, The County Agricultural Society Act. The Agricultural Society has no statute authority to issue bonds for indebtedness. The County cannot borrow funds for indebtedness, except through bonds. Bill Robinson, building committee member, presented scenarios of annual payments with various interest rates for bonds/mortgage loans. The Architect fee of approximately \$210,000.00 and the Agricultural Society attorney fees of \$4,800.00 have been approved to be paid from the Boone County Inheritance Tax Fund. The three million dollar project does not include the cost of the office, classroom, storage, concession area furnishings, or the livestock panels/arena bleachers in the new fairgrounds building proposal.



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Motion made by Luettel, second by Rasmussen to approve one million dollars from the Boone County Inheritance Tax Fund and a County Bond Election issue on the 2018 General Election ballot for two million dollars for the proposed new fairgrounds three million dollar building structure of 54,295 square feet that includes arena; small and large livestock pen areas; small and large livestock wash areas; radiant heat; plumbing; electrical; fire system; all utilities infrastructure needed for building construction; dirt work/foundation; restrooms; concession and storage areas; classroom and extension office space. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Upon the acceptance of the written proposal and County Bond Election for a portion of the new fairgrounds building proposal, the county needs to work with a bond counsel and underwriter to prepare the necessary documents for a bond election. Andy Forney, D. A. Davidson & Co., had been working with the architect firm of Joseph R. Hewgley & Associates, Inc. of North Platte, Nebraska who the Agricultural Society had been working with from the beginning of their fairgrounds building proposal. The Boone County Board of Commissioners decided to retain the architect firm that the Agricultural Society had been working with at their February 20, 2018 Board meeting. The County Purchasing Act provides the Board with the option that competitive bidding is not required when obtaining professional services. Michael Rogers with Gilmore & Bell, P.C., has been retained as bond counsel upon recommendation and endorsement from Nebraska Association of County Officials (NACO).

Motion made by Rasmussen, second by Maricle directing the Boone County Clerk to work with Gilmore & Bell, P. C., as the County's bond counsel and D. A. Davidson & Co., as underwriter, to prepare the necessary resolution to call a County Bond Election for two million dollars to be held at the 2018 General Election on November 6, 2018. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested and received bids in regard to the construction of a new county fairgrounds building project and opened the bids on June 29, 2018. Rolf presented the six bids that were received: Rathman Manning Construction of Chapman, NE - \$2,966,035.00; Bierman Contracting, Inc. of Columbus, NE - \$2,997,300.00; RaDec Construction Co. of Hartington, NE - \$3,218,800.00; Chief Construction Co. of Grand Island, NE - \$3,496,000.00; Rogge General Contractors, Inc. of Lincoln, NE - \$3,728,000.00; and B-D Construction, Inc. of Columbus, NE - \$4,329,260.00. Motion made by Maricle, second by Rasmussen, dependent upon the passing of the Bond issue on November 6, 2018 General Election, accept the bid of Rathman Manning Construction of Chapman, NE of \$2,966,035.00. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board advertised for sealed bids for a Wheel Excavator for the county road department. The Board received three sealed bids and present to represent their companies were Paton Heusinkvelt for Murphy Tractor & Equipment Co. of Grand Island, NE and Eddie Bomar for NMC of Norfolk, NE. The following bids were received: Murphy Tractor & Equipment Co. - \$199,500.00 for Model 190GW; NMC - \$240,500.00 for Model M318F; and Wise Heavy Equipment, LLC of LaVista, NE - \$196,740.00 for Model EW180E/non-tilting and \$201,510.00 for Model EW180E/tilting. Motion made by Rasmussen, second by Maricle to table a decision to the July 25, 2018 Board meeting to allow time for the Board and County Highway Superintendent to review the bids in order to compare with the specs. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to recess at 10:18 A.M. to open the Board of Equalization. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to reconvene the Board of Commissioners meeting at 11:49 A.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 9, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: 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. St. John's The Baptist Catholic Church of Petersburg requested assistance to advertise the St. John's Bazaar Fall Festival event scheduled for September 2, 2018. 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 Rasmussen. Nays: None. Motion carried.

Robert Ziemba requested permission to trench an electrical line under a county road commonly known as 390th Street running East and West between Sections 27 and 34, all in Township 18 North, Range 8 West of the 6th P.M., Boone County, Nebraska. The electrical line commences from a power pole located in the road right-of-way of Section 27; running thence south to the NE¹/₄ of Section 34, all in Township 18 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for a new grain bin. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-26, granting permission to Robert Ziemba to trench an electrical line under a county road known as 390th Street to the NE¹/₄ of Section 34, Township 18 North, Range 8 West of the 6th P.M., Boone County, Nebraska, for a new grain bin. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Clerk submitted a Statement of Receipts and Disbursements for fiscal year end June 30, 2018. Motion made by Maricle, second by Rasmussen to accept and approve as presented the County Clerk/Register of Deeds 2017-2018 fiscal year-end report. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board reviewed the 2017-2018 fiscal year-end Boone County Ambulance Services report. Motion made by Luettel, second by Maricle to accept and approve as presented the Boone County Ambulance Service 2017-2018 fiscal year-end report. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Public Comments:

- Commissioner Maricle reported on the BCDA, Inc. board meeting.
- County Highway Superintendent updated the Board in regard to the roof damage of a county building located in Petersburg and that the natural gas line to the county building in Cedar Rapids has been shut off due to a leak in the gas line.
- County Highway Superintendent updated the Board in regard to some public concerns received in regard to road drainage/maintenance issues.

Chairman Luettel declared the meeting adjourned at 1:13 P.M., with the next Board meeting scheduled for Wednesday, July 25, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 25, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, July 25, 2018 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, Alan Rasmussen 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 the County Payroll Claims and Accounts Payable Vendor Claims filed for payment from the various funds. Motion made by Maricle, second by Rasmussen to approve the County Payroll Claims filed for payment from the various funds: General \$92,552.41, BCBS \$55,399.52, Ameritas Ret \$6,393.65, EFTPS \$6,877.21, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$52,943.89, BCBS \$30,873.26, Ameritas Ret 3,573.70, EFTPS \$3,985.59; Ambulance \$3,613.68, Ameritas Ret \$112.42, EFTPS \$276.44; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, 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 \$3,216.71, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 16, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the Boone County Board of Equalization Proceedings of July 16, 2018 as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The County Treasurer submitted to the Board a list of delinquent 2015 real estate taxes not sold at the tax sale held in March 2018, as per Nebraska State Statute. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-27, 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 2015 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: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

At the July 16, 2018 Board meeting the Board approved the Boone County Clerk to work with Gilmore & Bell, P. C., as the County's bond counsel and D. A. Davidson & Co., as underwriter, to prepare the necessary resolution to call a County Bond Election for two million dollars to be held at the 2018 General Election on November 6, 2018. The Board reviewed the Engagement Letter submitted between the County of Boone, NE and D.A. Davidson & Co. as underwriter, in connection with the issuance of Bonds for a new fairgrounds building. A lengthy discussion in regard to the agenda item number thirteen was held with concerned county citizens at today's meeting. Motion made by Maricle, second by Luettel to table the Engagement Letter with D.A. Davidson & Co. to the August 20, 2018 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



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The Board reviewed Resolution No. 2018-28, prepared by Gilmore & Bell, P.C., calling an election on November 6, 2018 for the issuance of General Obligation Bonds of the County in the amount of two million dollars for a new building at the fairgrounds. A lengthy discussion in regard to the agenda item number thirteen was held with concerned county citizens at today's meeting. Motion made by Maricle, second by Luettel to table the resolution calling an election on November 6, 2018 for the issuance of General Obligation Bonds in the amount of two million dollars for a new building at the fairgrounds to the August 20, 2018 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Delmer Pelster, Shelley Lueken and Todd Flinn were present to request a Board approval of a Special Designated License (SDL) for an event scheduled to be held at the Boone County Fairgrounds on September 2, 2018. Delmer Pelster and Shelley Lueken, were representatives for the Boone County Ag Society, Inc. DBA Boone County Raceway liquor license. Todd Flinn had asked the Boone County Agricultural Society, Inc. for permission to hold a concert on September 2, 2018, Chancey Williams and the Younger Brothers Band, at the Boone County Fairgrounds. Pelster indicated that the SDL request would be for the Boone County Raceway license. Motion made by Maricle, second by Rasmussen to table a decision to a future Board meeting, dependent upon the submission of the Application for Special Designated License for the Board to review and sign. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Edmond Knott, Applied Connective Technologies LLC, and the Board discussed the Agreements that the County of Boone has regarding IT related needs for the county equipment, Managed Firewall/Cyber Security Services, Qualys Vulnerability Assessment Service, Webroot Endpoint Protection, Ninja RMM and TeamViewer Enterprise protection for the county owned computers.

Motion made by Maricle, second by Luettel to approve the Managed Service Agreement between the Boone County Courthouse and Applied Connective Technologies, LLC for 110 service hours for \$13,200.00 for the fiscal year 2018-2019 to be billed and paid in monthly payments for only County owned equipment as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the Software As A Service (SaaS) Agreement between Boone County Courthouse and Applied Connective Technologies, LLC for Managed Firewall, Cyber Security, Qualys Vulnerability Assessment, Webroot Endpoint, Ninja RMM, and TeamViewer for \$3,300.00, for the fiscal year 2018-2019 to be billed and paid in monthly payments for only County owned equipment as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board opened three sealed bids on July 16, 2018 for a Wheel Excavator for the county road department. The County Highway Superintendent and the Board reviewed the bids. The County Highway Superintendent made a recommendation to the Board after reviewing the specifications and completed comparisons between the three company bids. Motion made by Rasmussen, second by Luettel to approve the Nebraska Machinery Company (NMC) CAT of \$240,500.00 for Model M318F with a five year/5,000 hour warranty as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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The Board, Mary Ziemba, Zoning Administrator, Dan Preister and Tim Preister discussed the regulations and requirements regarding county road services to a residential dwelling. Dan Preister would like to build a new residential home on 260th Street of which 6/10 of a mile of county road is currently classified as minimum maintenance. Ziemba explained the county zoning regulations in regard to building a residential dwelling on land that would be accessed off of a minimum maintenance county road. The Board explained that the Nebraska Department of Roads regulations require involvement of a licensed engineer to provide hydraulic/hydrology studies before a decision can be made to reclassify a minimum maintenance road to a local county road. Ziemba said as it stands today the burden of the cost to upgrade a county road from minimum maintenance to local, is on the individual who wants to build on land off of a classified minimum maintenance road, and said road upgrade needs to meet the Nebraska Department of Roads standards. The consensus of the Board is to have the County Highway Superintendent contact an engineer for a cost estimate for engineering services and for upgrading the county road from minimum maintenance to local. The County Highway Superintendent plans to contact Dan Preister with the cost estimates.

The Board; Tim Cornwell, Chairman Nance County Board of Supervisors; Denny Johnson, Boone County Sheriff; Ben Bakewell, Nance County Sheriff; and Steve Schwarz, Nance County Chief Deputy Sheriff, discussed the possibility of merging the Boone and Nance County 911 Communications dispatching services. A regional dispatch center was discussed and a study completed in 2017 for Boone, Nance and Merrick Counties. Boone County decided not to proceed with a regional dispatch center. Since that decision Merrick County has entered an agreement with Hamilton County and Nance County is not currently fully staffed for dispatching services with the deputy sheriff's helping dispatch. A merger between Boone and Nance would move all 911 Communications dispatching services to Boone County. Boone County has been talking about upgrading the radio counsel system and Johnson said there is a possibility that the State of Nebraska may put a state wide radio on the County Communications Tower. Bakewell said that Nance County is already on the state radio system. Sheriff Johnson said that Boone County would possibly need to hire an additional two full time and one part time employee for the 911 Communications and Law Enforcement staff. Nance County does not have a jail facility and is requesting the use of Boone County's jail facility as part of the agreement, as they would like to have a centralized place to house inmates. Johnson felt that Nance County should help pay for a portion of the new radio counsels and cover the cost of two additional employees. No details have been worked out in regard to an agreement with Nance County and their portion of the monthly expenses. Motion made by Luettel, second by Maricle to authorize Denny Johnson, Sheriff, to contact Stacen Gross, consultant for communication mergers, to prepare recommendations for a Boone/Nance 911 Communications dispatching services. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board and approximately twenty-four county residents discussed the agenda item number thirteen. A request from the Boone County Agricultural Society, Inc. asking the Board to rescind their July 16, 2018 decision of a Bond Election for construction of a new fairgrounds building and in the alternative take action to fund the project directly, due to significant donor commitments. Members of the new fairgrounds building project said that they received a significant commitment of \$85,000.00 per year for ten years for a total of \$850,000.00 towards the building project, if the Board would rescind the November Bond Election. In further discussion, it was said that the \$850,000.00 is a match commitment over ten years. In addition, it was mentioned that the donor commitment to date figure is approximately \$950,000.00 over a ten year period, provided only if the project does not go before the vote of the people. In addition, the discussion addressed that there is a difference between pledge/commitment/donation for a project. A donation is cash in hand and that there is no guarantee that each of the next ten years that the pledge/commitment will actually be received and used towards payment of the building.



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The group discussion included trying to find other types of financing procedures for the building project with the use of the ten year pledge/commitments. The group was informed that the County of Boone, governmental entity, cannot borrow funds except by bonding. The Agricultural Society has no statute authority to borrow funds by bonding. The fairgrounds real estate was deeded to the County in March of 1944 due to mortgage foreclosure. The Agricultural Society does not own the real estate in order to secure a loan. Following an hour and half lengthy discussion of many topics in regard to the funding, bonding, election ballot for a fairgrounds building project, no action was taken by the Board with agenda item number thirteen of the Agricultural Society request.

Chairman Luettel declared said meeting recessed at 12:59 P.M., for the Board of Equalization meeting.

Chairman Luettel declared the Board of Commissioners meeting to be reconvened at 2:20 P.M.

Public Comments:

- Commissioner Luettel reported that four applications have been received to review for the Region 44 Emergency Manager position.
- Commissioner Rasmussen updated the Board in regard to a road issue discussion with a Madison County Commissioner and road foreman.
- Commissioner Maricle reported on the BCDA, Inc. strategic planning workshop.
- An appraiser for NIRMA will be conducting on-site inspections and appraisals of nine of the County buildings on Thursday, July 26, 2018.

Chairman Luettel declared the meeting adjourned at 3:01 P.M., with the next Board meeting scheduled for Monday, July 30, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 30, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 30, 2018 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, Alan Rasmussen 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 Rasmussen, second by Maricle to approve the County Board Proceedings of July 25, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board of Equalization Proceedings of July 23, 2018 and July 25, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Richard Martinsen, CPA, Schmeits, Mueller & Martinsen, P. C., prepared the annual county budget and submitted a preliminary 2018-2019 budget for the Board to review. The Board and Martinsen discussed the preliminary 2018-2019 budget requests submitted by the county departments. The Inheritance Tax Fund has been used for several years to reduce the county's property tax request, resulting in a low levy. A fairgrounds building fund for possible expenses and revenue has been added to the county budget due to the ongoing discussion of the possibility of a new building to be located on the fairgrounds. If the budget for bonds for new building construction is not used there is not a problem. If there is no budget set up within the 2018-2019 County Budget when approved at the budget hearing and a building project is decided after the adoption of the fiscal year budget, the County would have to follow statutorily procedure to amend the adopted budget. Martinsen plans to meet with the Board on August 27, 2018 to complete the Fiscal Year 2018-2019 County budget for publication.

Motion made by Luettel, second by Rasmussen to set the budget hearing for the Fiscal Year 2018-2019 County Budget on Monday, September 17, 2018 at 9:00 A.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- Bridge work on 250th Street and 240th Street are nearing completion.
- The insurance company has deemed the county road building in Petersburg that received wind storm damage a total loss.
- The Board and Highway Superintendent discussed telephone calls that the Board has received from concerned citizens that have called them in regard to some road issues.



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Andrew Devine, Albion City Administrator, Ron Morearty, Albion City Water Commissioner, and the Board discussed decommissioning of a stock well located on a fraction of the S1/2NE1/4 of 28-20-6 of the County owned property, known as the leased cropland. At the March 19, 2018 Board meeting the County Board of Commissioners approved the City of Albion request to perform a water test for possible development of a new municipal water well on said County property. The City of Albion plans to develop municipal Well #5 on said County property. The stock well located near the old radio tower needs to be decommissioned to prevent any type of contamination for a future new water well. Devine said that there is a specific method that seals the annulus that surrounds the column. Devine informed the Board that the City of Albion would perform the decommission of the stock well in accordance with State of Nebraska regulations and the City of Albion will cover the costs of the decommission.

Motion made by Rasmussen, second by Luettel to approve the City of Albion and authorize Andrew Devine, Albion City Administrator, to proceed with the protocol procedure to decommission the stock well, at the City of Albion expense, that is located on County of Boone, Nebraska property known as leased cropland being on a fraction of the S1/2NE1/4 of 28-20-6. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Boone County Visitors Promotion Committee met on July 23, 2018 at 4:30 P.M. at the Boone County Courthouse, Jury Room, Albion, Nebraska. The Committee reviewed and discussed the following material: Boone County Lodging Tax received since 2006; Organizations that have requested/received reimbursement since 2006; Organizations with no reimbursement/denied since 2006; Visitor's Fund caps, disbursements and collections since 2006. The committee discussed the past fiscal year revenue amounts received being less than the year before where only one cent was received in October 2017; ten cents in February 2018; and no funds received in March and April 2018. The committee suggested that the County Clerk ask the Board of Commissioners to write a letter to State of Nebraska, Department of Revenue, inquiring as to why the County did not receive any revenue during the above months and who/what action may be taken to find out why no funds were submitted/received. The committee discussed the Visitors Promotion Fund revenue on hand as of June 30, 2018 and decided to change the application funding cap from \$400.00 to \$500.00 per event and an organization cap from \$1,600.00 to \$2,000.00 per organization for fiscal year July 1, 2018 through June 30, 2019 and possibly some clarification language to the application form.

Motion made by Luettel, second by Maricle to change the application funding cap to \$500.00 per event and an organization cap of \$2,000.00 for fiscal year July 1, 2018 through June 30, 2019; and revised clarification(s) to the application form. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to authorize the County Clerk to write a letter for the Board Chairman to sign, to the State of Nebraska, Department of Revenue, inquiring as to why the County did not receive revenue during four months of the last fiscal year and who/what action may be taken to find out why no funds were submitted/received. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

A Nance County Supervisor and the Nance County Sheriff and Deputy Sheriff discussed the possibility of merging the Boone and Nance County 911 Communications dispatching services with the Boone County Board of Commissioners and Sheriff on July 25, 2018. The Board authorized Denny Johnson, Sheriff, to contact Stacen Gross, consultant for communication mergers, to prepare recommendations for a Boone/Nance 911 Communications dispatching services agreement.



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John Buck, Chief Deputy Sheriff and Darla McIntosh, Sheriff Office Supervisor, presented a Professional Services Agreement for the Board to review between Boone County, Nebraska and SCG Consulting Services, LLC of Bellevue, Nebraska. Buck said that the dispatch services consolidation costs analysis service will be \$1,000.00 for each County and any additional on-site meetings will be billed at \$700.00 for each County. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign a Professional Services Agreement between Boone County, Nebraska and SCG Consulting Services, LLC as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Tom Smith, Region 44 Emergency Manager, resigned to take a position in Dodge County. Region 44 Emergency Management consists of Boone, Nance and Merrick counties. The Board discussed the Region 44 Emergency Manager vacancy applications that were received from Nance County for their review. Motion made by Rasmussen, second by Luettel to authorize the Boone County committee representative for the Region 44 Emergency Management, Hilary K. Maricle, to interview the applicants and provide a recommendation to the respective counties for approval. Roll call vote: Yeas: Rasmussen Luettel and Maricle. 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.

Motion made by Luettel, second by Maricle for the Board to go into executive session at 10:38 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, Maricle and Rasmussen. Nays: None. Motion carried. The Board and County Clerk discussed real estate purchases. Motion made by Maricle, second by Rasmussen to come out of the executive session at 10:56 a.m. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried. Discussed a maximum amount for possible real estate purchase.

Public Comments: None.

Chairman Luettel declared the meeting adjourned at 10:59 A.M., with the next Board meeting scheduled for Monday, August 13, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 13, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 13, 2018, 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 Alan Rasmussen. 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 Chairman, Alan Rasmussen, opened the safety meeting at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Laurie Krohn, Rod Nelson, Kathy Thorberg and Jacqueline Wells. Old business that was addressed/reviewed: the fire drill for the courthouse that was held on May 31, 2018; the Boone County Emergency Preparedness Action Plan for employees that was presented by Tom Smith, Region 44 Emergency Manager on Tuesday, June 12, 2018; discussed the difference when the weather radio issues a watch or warning. A watch is to be prepared and know where the safe designated location is when there is a warning for immediate action; the sirens that did not work for the drills, have been fixed; and discussed having an office in the courthouse to have the telephone intercom capability for emergency weather situations in addition to the Sheriff's office, due to the sheriff's office may not have time to notify the rest of the courthouse has not been completed. New business was discussed: (1) Tom Smith, Region 44 Emergency Manager, resigned effective July 21, 2018 to take a position in Dodge County; (2) a fire drill for the courthouse is scheduled for Monday, October 1, 2018 at 8:15 A.M.; (3) discussed checking the phones and intercom system on a regular schedule for testing purposes; (4) discussed the idea of a security camera system to be placed on the County Communications Tower located on the fairgrounds and on the Albion City Water Tower to cover the new Boone County Recreational Trail; and (5) the committee discussed preventability and safety suggestions that were addressed by the committee regarding a worker's compensation claim. Motion made by Luettel, second by Rasmussen to approve the May 14, 2018 Safety Committee Minutes as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, November 19, 2018. The Safety Committee meeting was adjourned by Chairman Alan Rasmussen at 9:19 A.M.

Motion made by Maricle, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$35,125.51; Road/Weed - \$196,949.63; County Visitors Promotion - \$238.90; Inheritance Tax - \$4,284.00; 911 Emergency Management (2910) - \$190.04; 911 Wireless Service (2913) - \$513.83; Ambulance - \$2,535.50. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, 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 \$5,097.26, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of July 30, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Motion made by Rasmussen, second by Luettel to approve the following reports of the County Officials as presented for July 2018:

- Clerk - \$3,084.25 (State of Nebraska-\$787.52)(County of Boone-\$2,296.73)
- Clerk of the District Court - \$544.72 (State of Nebraska-\$333.00)(County of Boone-\$211.72)
- County Planning and Zoning - \$171.25
- Sheriff - \$1,233.89
- Treasurer - Treasurer's Fees - \$22.00; Miscellaneous Receipt Nos. 16478-16532 - \$316,122.33; Total Collections - \$740,805.26

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

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

The Albion Chamber of Commerce, Inc. requested assistance to advertise the Albion Chamber of Commerce Rhythm & Ribs event scheduled for August 18, 2018. Motion made by Rasmussen, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Rae Valley Heritage Association, Inc. requested assistance to advertise the Nebraska State Antique Tractor and Horse Plowing Bee event scheduled for August 24-26, 2018. 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 Rasmussen. Nays: None. Motion carried.

The Board Chairman heard and reviewed a county burial request on July 31, 2018 along with staff of the Miller-Levander Funeral Home of Albion. The Board Chairman updated the Board in regard to the burial request. 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 Rasmussen. 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, 2018 through September 30, 2019, the completion date. The purpose of this agreement is for a cooperative arrangement with Boone County, Nebraska on behalf of the court pursuant to Nebraska Revised Statutes. The past years the Subaward Agreement arrived by mail with the signator being the Chairman of the Board of Commissioners. Beginning in 2018 the agreement arrived by email with the signator being an electronic signature. Motion made by Maricle, second by Rasmussen to approve and authorize the Boone County Clerk of District Court to electronically execute the Subaward Agreement between the Nebraska Department of Health and Human Services and the County of Boone for the Child Support Enforcement Program from October 1, 2018 through September 30, 2019 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Brian McDonald, JEO Consulting Group, Inc., County Highway Superintendent and the Board discussed and reviewed construction plans for Bridge Project No. C-6 (391), Albion East. The bridge project is located on 260th Street and is for removal of the existing bridge and construction of a concrete box culvert. McDonald explained the bid specification details for the bridge replacement. McDonald estimated the Albion East Project cost of \$170,000.00 for contractor and dirt work. The cost estimate does not include the JEO Consulting Group engineering fees. Motion made by Luettel, second by Maricle to approve and proceed with construction bid letting advertisement for Bridge Project No. C-6 (391), Albion East, with said sealed bids to be opened at 10:00 a.m. on Monday, September 10, 2018. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The insurance company has deemed the county road building in Petersburg that received wind storm damage a total loss. Continued discussion of the damaged building as to either remove completely, repair or replace, the Board made no decision at this time.
- The natural gas line valve has been shut off that serviced the Cedar Rapids Road District #1 Shop building. The Board asked the Highway Superintendent to obtain cost estimates for different heat options, such as propane force air or radiant heat, before deciding on the type of heating unit to install in the shop building.
- The Board and Highway Superintendent discussed a complaint received about crops planted in the county road right-of-way. It was suggested to go in and shred the crops that are in the line of sight at road intersections for safety reasons. The planting of crops on county road right-of-way has been discussed many times over the years. The Board and Highway Superintendent plan to contact other counties in regard to a policy addressing removal of crops planted on county road right-of-ways.
- The Board, Highway Superintendent and McDonald discussed possible options for the approximate four miles of asphalt on 145th Street from Petersburg west. The approximate cost of \$380,000.00 of the first two miles of asphalt, would be milling the top one-inch off and overlaying with two-inch asphalt. An approximate cost of \$130,000.00 of the west two miles, would be to grind the asphalt and lay back down for a more solid base for a gravel road. The Board made no decision at this time.

The Board reviewed a written resignation from a full-time road employee. Motion made by Maricle, second by Rasmussen to accept and approve the resignation of Ed Beister that was effective August 9, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Commissioner Maricle updated the Board in regard to the Region 44 Emergency Management vacancy position. The Region 44 Emergency Services Supervisor Committee interviewed two of the four applicants. Maricle said that two of the applicants had already accepted other jobs. A concern was addressed in regard to the proposed starting wage being offered for the position to an individual with little experience in the emergency management field. Maricle said she will contact the other committee members in regard to the wage concern.

The Board; John Buck, Boone County Chief Deputy Sheriff; Ben Bakewell, Nance County Sheriff; and Michael Epley, Platte Valley Communications of Kearney, Nebraska, discussed a request to install equipment for the



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Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds. There is some spotty coverage in Boone County that the state has been discussing. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties.

The State of Nebraska is funding a site addition to the SRS to boost radio coverage in the area. This coverage addition would benefit the State Patrol, State Fire Marshall, Nance County, Boone County and other public safety agencies in the area. The state outlined a plan to install the state equipment, clean off old antennas and lines, install new antennas and lines, license new frequencies and reprogram local radios. The state has offered to assist with the costs of maintaining the county tower and generators as part of the SRS maintenance. The State of Nebraska Office of the Chief Information Officer (OCIO) will coordinate and manage the project. The OCIO is statutorily responsible for the communications systems and technology solutions for State agencies, including the management of the SRS that is used by public utilities and public safety agencies/entities, including emergency and medical services, law enforcement services, fire management services and disaster relief services.

Nance County Sheriff said his agency recently converted to SRS and it has been a great benefit so far. Boone County does not currently participate in the Nebraska Statewide Radio System. The approximate cost of converting Boone County law enforcement and emergency vehicles to the SRS system is \$240,000.00, plus monthly costs per radio. Epley explained some of the equipment that would be used for SRS. The consensus of the Board is to allow Denny Johnson, Sheriff, to move forward with discussion of the SRS project.

Delmer Pelster for the Boone County Ag Society, Inc. DBA Boone County Raceway presented an application for a Special Designated License (SDL) for September 2, 2018. The Board reviewed the application for a Special Designated License (SDL) for a concert scheduled for Sunday, September 2, 2018 at the Boone County Fairgrounds, Albion, Nebraska. Motion made by Maricle, second by Rasmussen to approve, as presented, the Application for a Special Designated Liquor License request from Boone County Ag Society, Inc. DBA Boone County Raceway for a concert at the Boone County Fairgrounds, Albion, Nebraska on Sunday, September 2, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Public Comments:

- Meetings: BCDA, Inc. – August 14, 2018; County Planning and Zoning Commission – August 27, 2018.
- Commissioner Maricle updated the Board in regard to the agricultural sessions she attended last week.

Chairman Luettel declared the meeting adjourned at 12:02 P.M., with the next Board meeting scheduled for Monday, August 20, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS AUGUST 20, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 20, 2018 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 Alan Rasmussen. 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 accepted and approved a written resignation from a full-time road employee at their August 13, 2018 Board meeting. Motion made by Maricle, second by Rasmussen to approve a Payroll Claim filed for payment on the Road Fund \$2,861.02, Ameritas Ret 193.12, and EFTPS \$218.88 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service has used a Pump & Pantry Fleet Services Card for diesel on occasions when the ambulance returns back to Albion after local business hours following a patient transfer. The company changed their card service system and issued new account service cards in June 2018 with the understanding the billing information of the ambulance account would transfer to the new ambulance account. The billing information apparently was not transferred to the new account in time to be available for payment when the County pays the Accounts Payable Vendor Claims. Motion made by Maricle, second by Rasmussen to approve an Accounts Payable Vendor Claim of \$124.60 from the County Ambulance Fund with the understanding that the prior account billing information will be transferred to the new account service card. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of August 13, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. 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 Economic Development requested assistance to advertise the Vintage in the Valley event scheduled for October 6, 2018. 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 Rasmussen. Nays: None. Motion carried.

Ken Luettel, County Commissioner, plans to attend the Nebraska Intergovernmental Risk Management Association (NIRMA) Board of Directors meeting scheduled for August 22-24, 2018 at Wildcat Hills State Recreation Area and Nature Center, Gering, Nebraska. The Board received information that a Madison County Commissioner and spouse may carpool with the Boone County Commissioner to Gering, Nebraska. Motion made by Rasmussen, second by Maricle to approve other Nebraska County Commissioner(s) and/or spouse to occupy the Boone County vehicle that is being used for transportation to the NIRMA meeting in Gering, Nebraska. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



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Stacen Gross, SCG Consulting Services, LLC, a consultant for communication mergers, was contacted to provide recommendations for a merger of the Boone and Nance Counties communications dispatching services. Gross provided written estimated costs summary and assignment by agency costs for joint dispatching services. Gross reviewed the estimated costs with and answered questions of the Boone County Board of Commissioners; Tim Cornwell and Dennis Jarecke, Nance County Board of Supervisors; John Buck, Boone County Chief Deputy Sheriff; Ben Bakewell, Nance County Sheriff; Michael Epley, Platte Valley Communications of Kearney, Nebraska; and by teleconference Denny Johnson, Boone County Sheriff. Gross presented the variations of estimated costs amounts for each county which is dependent upon the 911 Funds available for purchase of new equipment in accordance with Nebraska State Statutes. The present Nebraska State Statutes regulate what services qualify to be paid and what new equipment/upgraded equipment can be purchased from the 911 Land Line, 911 Wireless, or 911 Holding Funds.

Gross informed the Boards that Boone and Nance County Sheriff's offices have been considering the purchase of Justice Data Solution (JDS), Records Management Software (RMS) and Computer Aided Dispatch (CAD) software as an add-on to the existing Jail Management software each agency uses today. In order to effectively share records and data between agencies and provide metrics and statistics on dispatch activity, the counties should jointly implement this technology with some costs share to reflect that portion of the system that will actually be used by each county. Wireless reserve funds can be used to pay for the "CAD and data conversion services" portion of the JDS quote. Similar to the RMS and CAD software, both agencies have been contemplating the purchase of the web-accessible GeoComm mapping system that would allow Nance County to access the mapping system remotely from their office to see the locations of 9-1-1 calls and CAD incidents in their county which are being dispatched by Boone County. This system would replace the existing Emergency Call Works map.

Gross informed the Boards that there is the possibility of changes in the future as the State of Nebraska (State) looks for reduction costs and moves for consolidation of regional dispatch services, currently Boone County is a member of the EC911 East-Central Region. In addition, the State may start charging maintenance fees for the NRIN equipment and in the future the State may reconsider changing the 911 Funds payments of services and equipment regulations. The estimated cost for new radio console, software and communications equipment, etc. is \$360,000.00 and annual recurring costs of \$7,325.00 for Boone County. The estimated figures do not include the new radio equipment for the law enforcement vehicles. Gross informed the Boards that upon a merger Boone County would receive about half of the amount of the 911 Wireless Service Funds that Nance County presently receives from the Public Service Commission. Both the County Boards' and County Sheriffs' plan to review the information provided and further discuss what would be beneficial for both counties. The Boards' and Sheriffs' plan to meet again at a later date.

Michelle Olson, BCDA, Inc. Executive Director and BCDA, Inc. Executive Committee representatives Irene Dresch, Primrose, and Danielle O'Brien, AEDC, appeared before the Board regarding the Membership Agreement and Disbursement Agreement for fiscal year 2018-2019. Olson presented and reviewed a report with the Board in regard to the economic development group activities and an overview of available resources to help business. The County of Boone, Nebraska financial contribution for 2017-2018 was \$105,784.80. The financial request from BCDA, Inc. for 2018-2019 is \$109,000.00. The BCDA, Inc. 2017-2018 budget was \$149,675.00 and the 2018-2019 budget request is \$154,050.00. The Nebraska Auditor of Public Accounts recent BCDA, Inc. audit report was discussed. The BCDA, Inc. representatives informed the Board that steps are being taken to adhere to the auditor's suggestions and are implementing operational compliance and transparent procedures.



Boone County Board Minutes



Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Membership Agreement for fiscal year 2018-2019 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Disbursement Agreement for fiscal year 2018-2019 committing a sum of \$109,000.00 payable to BCDA, Inc. from the County Inheritance Tax Fund payable in two payments as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

A group of approximately thirty concerned citizens attended the Board meeting in regard to a continued discussion of a proposed new building project at the county fairgrounds. On July 16, 2018 the Board approved one million dollars from the Boone County Inheritance Tax Fund and a County Bond Election issue on the 2018 General Election ballot for two million dollars for the proposed new fairgrounds three million dollar building structure of 54,295 square feet that includes arena; small and large livestock pen areas; small and large livestock wash areas; radiant heat; plumbing; electrical; fire system; all utilities infrastructure needed for building construction; dirt work/foundation; restrooms; concession and storage areas; classroom and extension office space.

A request from the Boone County Agricultural Society, Inc. asking the Board to rescind their July 16, 2018 decision of a Bond Election for construction of a new fairgrounds building and instead take action to fund the project directly due to significant donor commitments was discussed at length on July 25, 2018 with no action taken by the Board. At the Board meeting today, August 20, 2018, Kevin Rasmussen said that to date the donor commitment figure is approximately \$1,635,000.00. Members of the new fairgrounds building project said that of the \$1,635,000.00, \$850,000.00 being a significant match commitment of \$85,000.00 per year for a ten year period, which is pledged with the condition of the Board rescinding their motion for a November Bond Election, and \$785,000.00 being pledged commitments payable from one to ten year periods. Kevin Rasmussen said that he is confident that the group can raise pledges/commitments for the rest of the two million for the building project and for the furnishings that are not included in the building project construction bids. Jeff Jarecki, Attorney for the Boone County Agricultural Society, Inc. and Kevin Rasmussen said that upon approval of a said 501(c)(3) entity, they will be able to apply for grants to help pay for the construction of the building project and the furnishings for the building that were not included in the three million dollar construction quotes. The Board of Commissioners originally committed \$1.3 million of the County Inheritance Tax Fund towards the building project. To date \$172,284.00 of the \$1.3 million has been used to pay architect and attorney fees. A three million dollar building project is not all for the construction, but includes payments for all of the regulatory permits, attorney and architect fees, etc.

In addition, the discussion addressed that there is a difference between a pledge, commitment, and donation for funding of a project. A donation is cash in hand and with a pledge/commitment there is no guarantee that each of the next ten years that the pledge/commitment will actually be received and used towards payment of the building project. James Ely, County Attorney, cautioned that the pledge agreements for said building project must be in writing and signed by the donor to assure the payments for ten years of the County issued Limited Tax Building Bonds. The Board and the building group said that the individuals that pledged/committed will be signing agreements for payment(s) of said building project. County issued Limited Tax Building Bonds are bonds approved by the Board of Commissioners, not bonds approved by voters at an election. Therefore, \$1.3 million dollars of the County Inheritance Tax Fund is the tax payer's portion of the building project, of which \$172,284.00 has already been used, and the \$1.7 million dollars funded with commitments/donations provides for a three million dollar building project. Any expenses beyond the three million dollar building project will need to come from fundraising/donations, not from the County or a tax levy assessed upon the tax payers.



Boone County Board Minutes



Motion made by Maricle, second by Rasmussen to rescind the Board of Commissioners motion of July 16, 2018 for a County Bond Election issue on the 2018 General Election ballot for two million dollars for the proposed new fairgrounds three million dollar building structure. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the Agricultural and Educational Activities Building project at the Boone County Fairgrounds and engage bonding attorney Michael Rogers, Gilmore & Bell, P.C.; underwriter/placement agent Andrew Forney, D.A. Davidson & Co.; Boone County Attorney, James W. Ely, Jr.; and Boone County Agricultural Society, Inc. attorney, Jeff Jarecki, Jarecki Yosten Maul, P.C., to assist in the alternative financing plan subject to approval of the Board of Commissioners' parameters. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board tabled Resolution No. 2018-28, prepared by Gilmore & Bell, P.C., calling for a Bond Election at the General Election on November 6, 2018 for the issuance of General Obligation Bonds of the County in the amount of two million dollars for a new building at the fairgrounds on July 25, 2018. The resolution was tabled and never approved or signed. Motion made by Rasmussen, second by Maricle to not proceed with the resolution calling for a General Obligation Bond Election on November 6, 2018 and authorize the County Clerk to use the Resolution No. 2018-28 for the next resolution document. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

At the Board meeting held on July 25, 2018, the Board tabled the Engagement Letter with D.A. Davidson & Co., as underwriter, in connection with the issuance of General Obligation Bonds for a Bond Election at the November 6, 2018 General Election dependent upon the passing of the Bond Election. Motion made by Luettel, second by Maricle to not proceed with the Engagement Letter with D.A. Davidson & Co. as underwriter for General Obligation Bond, Series 2018, but approve Andrew Forney, D.A. Davidson & Co., as an underwriter/placement agent to help prepare the documents to fund the fairgrounds building project with County issued Limited Tax Building Bonds. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Public Comments:

- Meetings: Northeast Nebraska Juvenile Services, Inc. – August 24, 2018; NIRMA –August 22-24, 2018; County Planning and Zoning Commission – August 27, 2018.
- Commissioner Maricle reported that BCDA, Inc. new administrative assistance is Jaime Hendrickson of Spalding, Nebraska.
- Commissioner Maricle reported that the new Region 44 Emergency Manager is Denise Ziemba of Clarks, Nebraska.
- Commissioner Rasmussen reported on the BCDA, Inc. and Region 4 Behavioral Health System board meetings.
- Commissioner Maricle informed the Board that she received an inquiry in regard to upkeep of the Naomi Cemetery.

Chairman Luettel declared the meeting adjourned at 12:40 P.M., with the next Board meeting scheduled for Monday, August 27, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 27, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 27, 2018 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, Alan Rasmussen 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 Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$93,245.62, BCBS \$55,399.52, Ameritas Ret \$6,452.70, EFTPS \$6,930.26, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$55,474.29, BCBS \$28,765.04, Ameritas Ret \$3,744.52, EFTPS \$4,181.27; Ambulance \$2,835.13, Ameritas Ret \$62.99, EFTPS \$216.89; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of August 20, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Richard Martinsen, CPA, Schmeits, Mueller & Martinsen, P. C., met with the Board to discuss the proposed fiscal year 2018-2019 County Budget. The proposed property tax request is \$3,679,011.00, which is an increase from the 2017-2018 property tax request of \$3,606,824.00. The proposed 2018 county tax rate is 0.153638, which is different from the 2017 county tax rate of 0.150708. Martinsen provided answers to questions asked with regard to the proposed budget. Nebraska Legislation changes are as follows: eliminates delinquent tax allowance unless Federal Prime Rate is Above 10%; eliminates budgeting for anticipated litigation claims; supermajority Board approval is not needed for 1% increase to restricted funds authority, only Board approval; listing of capital improvement projects and the corresponding amount being used as lid exemption; and Highway Allocation is no longer a restricted fund and no additional calculation is needed this year. The Interlocal Agreement Report (LB 51) (2017) is to be filed with the State Auditor's office on or before September 20th and impacts the county budget hearing, audits and contracts. The overall County taxable value increased \$1,339,086.00 primarily due to the re-valuations of the Commercial and Commercial Hog Confinement properties. Motion made by Luettel, second by Rasmussen to set the County of Boone, Nebraska budget hearing for 10:00 A.M. on Monday, September 17, 2018. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

On or before August 1st, all political subdivisions subject to county levy authority shall submit a preliminary request for levy allocation to the County Board. The preliminary request shall be in the form of a resolution. The Nebraska State Statutes provides that each County Board shall adopt a resolution which determines a final allocation of levy authority and forward a copy of such resolution to the chairperson of the governing body of each of its political subdivisions by September 1st. The Boone County Board of Commissioners received levy allocation requests from various political subdivisions for the 2018-2019 fiscal year. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-28, authorizing the levy allocation requests for the 2018-2019 fiscal year for the Albion, Cedar Rapids, Petersburg, Primrose and St. Edward Rural Fire Districts, Boone County Agricultural Society, Inc. and Boone County Historical Society, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



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Jacqueline Wells, Veteran Service Officer, has registered to attend the annual Nebraska County Veteran Service Officers Association schooling in North Platte, Nebraska in September 2018. The Board received information that other Veteran Service Officers from other counties may carpool with the Boone County Veterans Service Officer to North Platte, Nebraska. Motion made by Luettel, second by Rasmussen to approve other Nebraska County Veteran Service Officers to occupy the Boone County vehicle that is being used for transportation to arrive in North Platte on September 11, 2018 for said schooling that is scheduled for September 12-14, 2018. Roll call vote: Yeas: Luettel, Rasmussen 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 Rasmussen, second by Maricle to approve the County Offices' 2017-2018 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: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The Board and Highway Superintendent discussed different types of heating sources for the County Road shop building located at Cedar Rapids. The Board suggested that the Highway Superintendent advertise for quotes for propane forced air heat system and propane radiant heat system in order to compare the differences before installing a new heat system in the shop building.
- The Highway Superintendent presented a list of the road surplus items that were sold on the Big Iron Auctions. Upon receiving payment for the sold items, the said items will then be removed from the County insurance and inventory.
- The County Highway Superintendent informed the Board that there are some areas in the County that need attention in regard to mowing the road ditches and that a notice will appear in the newspaper addressing the landowners to mow all weeds.

The Board and Rod Nelson, Maintenance, discussed disposal of smaller county office equipment/furniture that is valued under a \$100.00, that is in storage or no longer in use at the June 27, 2018 Board meeting. The Board approved disposal each year in the fall for any smaller surplus county office equipment/furniture that is valued under a \$100.00, to be tagged for sale in the hallway of the courthouse in conjunction with the Albion City wide garage sales. Motion made by Maricle, second by Rasmussen to allow smaller surplus county office equipment/furniture that is valued under \$100.00 to be tagged for sale in the hallway of the courthouse from September 3-14, 2018. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board; Denny Johnson, Boone County Sheriff and John Buck, Boone County Chief Deputy Sheriff; Michael Epley, Platte Valley Communications of Kearney, Nebraska; and Mike Jeffres, State of Nebraska Office of the Chief Information Officer, discussed a request to install equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds.



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The installation of equipment on the County Communications Tower for the SRS was discussed at length on August 13, 2018. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties.

Jeffres said that the State of Nebraska is funding a site addition to the SRS to boost radio coverage in the area. This coverage addition would benefit the State Patrol, State Fire Marshall, Nance County, Boone County and other public safety agencies in the area. The state outlined a plan to install the state equipment, clean off old antennas and lines, install new antennas and lines, license new frequencies and reprogram local radios. The state has offered to assist with the costs of maintaining the county tower and generators as part of the SRS maintenance. The State of Nebraska Office of the Chief Information Officer (OCIO) will coordinate and manage the project. The OCIO is statutorily responsible for the communications systems and technology solutions for State agencies, including the management of the SRS that is used by public utilities and public safety agencies/entities, including emergency and medical services, law enforcement services, fire management services and disaster relief services. Jeffres said that the Nebraska Public Power District (utilities side) and State of Nebraska Office of the Chief Information Officer (safety side) entered into an Interlocal Agreement to jointly own, operate, maintain and manage the SRS and created the System Operating Group to carry out the ownership and management responsibilities. Jeffres said that if the Board agrees to install equipment for the SRS on the County Communications Tower, the state's goal is to complete the project in November 2018.

Motion made by Luettel, second by Maricle to approve and authorize Mike Jeffres, State of Nebraska Office of the Chief Information Officer; Michael Epley, Platte County Communications of Kearney, Inc.; and Denny Johnson, Boone County Sheriff, to proceed with the drafting of an agreement and installation of equipment for the SRS on the County Communications Tower located at the Boone County Fairgrounds. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

A group of approximately twenty concerned citizens attended the Board meeting in regard to a continued discussion of a proposed new building project at the county fairgrounds. The Boone County Board of Commissioners reviewed bid proposals that were submitted to the architect, Joseph R. Hewgley & Associates, Inc. for a new building for the Boone County Fairgrounds. The following six bids were received: VRL Construction, Inc. DBA Rathman Manning Construction of Chapman, NE - \$2,966,035.00/455 calendar days; Bierman Contracting, Inc. of Columbus, NE - \$2,997,300.00/325 calendar days; RaDec Construction Co., Inc. of Hartington, NE - \$3,218,800.00/365 calendar days; Chief Industries DBA Chief Construction Co. of Grand Island, NE - \$3,496,000.00/300 calendar days; Rogge General Contractors, Inc. of Lincoln, NE - \$3,728,000.00/365 calendar days; and B-D Construction, Inc. of Columbus, NE - \$4,329,260.00/400 calendar days. Kurt Kruse, fairgrounds building committee, said that the two low bids were for Behlen buildings and that discussion had been held with Rathman Manning Construction where they agreed to shorten the construction days. Motion made by Maricle, second by Rasmussen to accept the bid proposal of \$2,966,035.00 from VRL Construction, Inc. DBA Rathman Manning Construction of Chapman, Nebraska. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board and Jeff Jarecki, Attorney for Boone County Agricultural Society, Inc., discussed the appointment of an advisory committee for/during the construction of a new county owned building at the county fairgrounds. The advisory committee will oversee construction of the building project and any change orders will need to be presented as an agenda item at a Board of Commissioners meeting for approval.

Motion made by Luettel, second by Maricle to appoint and approve the following to serve as the advisory committee for/during construction: Chairman of the Boone County Board of Commissioners; Boone County Agricultural Society, Inc. President and one other board member (Chuck Rolf); one board member of the Boone



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County 4-H Council (Kristine Schrad); one board member from the Boone County Planning and Zoning Commission (Paul Groeteke); and one Boone County resident committee member at large (Ron Coakes). Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Andrew Forney, Vice President of D.A. Davidson & Co., presented an Engagement Letter for the Board to review. The Engagement Letter is disclosures by D.A. Davidson & Co. as Underwriter/Placement Agent pursuant to MSRB Rules G-17 and G-23 for Limited Tax County Building Bonds, Series 2018. Forney answered questions and explained the ten year bond issue parameters. Forney said that current market interest rate is 2.77 percent, but the final interest rate will not be determined until the bonds are sold. The group seeking commitments for the building project asked Forney if the sale of the bonds could be offered locally first in order to try to keep the funds in the county. Forney said that priority in bond allocation could be given locally. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Engagement Letter with D.A. Davidson & Co. as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Michael Rogers, Gilmore & Bell, P. C., prepared a resolution authorizing the issuance of Limited Tax Building Bonds, Series 2018, of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,000,000.00 for a new county owned building at the county fairgrounds. Kevin Rasmussen, fairgrounds building committee, said that the fund pledge/commitment drive is going well and that he is confident in raising more than the \$1.7 million. Forney explained that the bond issue includes an extraordinary redemption provision that would allow for repayment of the bonds early if donations come in earlier than expected and that the County also has an option to refinance the bonds after five years if a lower interest rate is available. The bond resolution states that the first bond payment will be made by October 15, 2019 and the final payment by October 15, 2029. The October 15, 2019 payment will include two interest payments and first principal payment. Beginning with the year 2020 bond payments there will be an interest payment due each May and principal/interest payment due each October.

It was noted that all pledge/commitment agreements must be signed. The attorneys Jim Ely and Jeff Jarecki said they are in the process of finalizing the pledge/commitment agreements. The County Clerk noted that the State Statutes of the County Agricultural Society Act, does not allow County Agricultural Society's to receive gift, pledge or bequest of any type. Jarecki noted that is why a 501(c) (3) nonprofit organization is being formed for the collection of the donations to repay the bonds.

Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-29, authorizing the issuance of Limited Tax Building Bonds, Series 2018, of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,000,000.00 for a building owned by the County and initially to be used as an Agricultural and Educational Activities Building at the county fairgrounds. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Mary Ziemba, Boone County Zoning Administrator, and the Board discussed suggested proposed changes to the County Zoning Regulations. The Board decided to visit with the State of Nebraska, Department of Roads, for a better understanding of the road classification requirements, following a lengthy discussion regarding the regulation for not allowing any residential structure to be built on a minimum maintenance road. No suggestions or decisions were made in regard to the County Zoning Regulations by the Board.



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Public Comments:

- Meetings: County Planning and Zoning Commission – August 27, 2018.
- The Boone County Clerk, Election Commissioner's office received approval from the State of Nebraska, Secretary of State, John A. Gale, of the Mail Only precinct application for the North Manchester, Southeast Manchester, and Southwest Manchester precincts starting with the 2020 Election cycle. Starting with the 2020 Election cycle all of the election voting in Boone County will be Mail Only precincts.

Chairman Luettel declared the meeting adjourned at 1:22 P.M., with the next Board meeting scheduled for Monday, September 10, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS SEPTEMBER 10, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:15 A.M. on Monday, September 10, 2018, 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 and Ken Luettel. Commissioner Alan Rasmussen was absent due to personal matters. 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.

Larry Temme, Rae Valley Market LLC, presented an application for a Special Designated License (SDL) for October 27, 2018. The Board reviewed the application for a Special Designated License (SDL) for a wedding reception scheduled for Saturday, October 27, 2018 at the St. Bonaventure Church Hall in Raeville, Nebraska. Motion made by Maricle, second by Luettel to approve, as presented, the Application for a Special Designated Liquor License request from Rae Valley Market LLC for a wedding reception at St. Bonaventure Church Hall, Raeville, Nebraska on October 27, 2018 as presented. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Maricle, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$33,656.85; Road/Weed - \$120,136.50; County Visitors Promotion - \$708.00; Inheritance Tax - \$54,500.00; 911 Emergency Management (2910) - \$605.18; 911 Wireless Service (2913) - \$1,201.49; Ambulance - \$2,671.83. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of August 27, 2018 as presented. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for August 2018:

- Clerk - \$8,559.25 (State of Nebraska-\$4,513.38)(County of Boone-\$4,045.87)
- Clerk of the District Court - \$623.73 (State of Nebraska-\$97.00)(County of Boone-\$526.73)
- County Planning and Zoning - \$247.25
- Sheriff - \$3,336.42
- Treasurer - Treasurer's Fees - Zero; Miscellaneous Receipt Nos. 16533-16586 - \$222,643.55; Total Collections - \$5,473,446.08

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

The Boone County Ambulance Service submitted a July 2016 uncollectible ambulance account that the Board reviewed on March 13, 2017 and turned over to the County Attorney for further collection. There is no receipt of any payment and the patient is deceased. Motion made by Luettel, second by Maricle to write off the July 2016 County Ambulance Service account balance of \$2,070.00 as presented. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.



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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 the appraisal review of the designated Rural Residential and Acreage property in Boone County to properly equalize property values in Boone County, Nebraska. The compensation is for 400 Acreage parcels for \$72,000.00 and 98 Rural Residential properties for \$17,640.00 to be billed and paid in monthly payments. Motion made by Maricle, second by Luettel 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: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

Tom Smith, Region 44 Emergency Manager, resigned in July 2018 to take a position in Dodge County. Region 44 Emergency Management consists of Boone, Nance and Merrick counties. The Region 44 Emergency Services Supervisor Committee interviewed applicants and recommended Denise Ziemba of Clarks, Nebraska as Region 44 Emergency Manager with a start date of August 20, 2018. Motion made by Maricle, second by Luettel to approve the appointment of Denise Ziemba, Region 44 Emergency Manager, to serve Boone, Nance and Merrick counties. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., County Highway Superintendent and the Board discussed and reviewed construction plans for Bridge Project No. C-6 (391), Albion East on August 13, 2018. The construction bid letting was advertised to open sealed bids on Monday, September 10, 2018. McDonald prepared an Addendum to postpone the bid letting date to September 17, 2018 for the Board to review. Motion made by Luettel, second by Maricle to approve the Addendum No. 1 to change the construction bid letting for Bridge Project No. C-6 (391), Albion East, with said sealed bids to be opened at 10:45 a.m. on Monday, September 17, 2018. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.

Chuck Rolf, Kurt Kruse and Kevin Rasmussen were present at the Board meeting during the review of the Preliminary Official Statement for issuance of Limited Tax County Building Bonds, Series 2018 and the AIA Document Agreement between the Boone County Board of Commissioners and Rathman Manning Construction for a new building for the Boone County Fairgrounds.

On August 27, 2018 the Board approved a resolution authorizing the issuance of Limited Tax Building Bonds, Series 2018, of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,000,000.00 for a building owned by the County and initially to be used as an Agricultural and Educational Activities Building at the county fairgrounds. Michael Rogers, Gilmore & Bell, P. C., and Andrew Forney, D.A. Davidson & Co., prepared the Preliminary Official Statement for issuance of Limited Tax County Building Bonds, Series 2018 for the Board to review. The first principal payment of \$135,000.00 plus two interest payments will be payable beginning October 15, 2019 and semiannually thereafter with interest on April 15th and interest/principal on October 15th. The semiannual bond interest payment amounts will not be determined until completion of the sale of the bonds. The Bonds will be dated Date of Delivery and will bear interest from that date. The Bonds are subject to an "Extraordinary Optional Redemption" in whole or in part, at any time prior to maturity at the option of the County, at par, plus accrued interest to the date fixed for redemption, with no redemption premium upon the occurrence of the "Extraordinary Event". The "Extraordinary Event" is the receiving of commitments, pledges, donations made by area residents and businesses to fund the \$2,000,000.00 (principal plus interest) bond project, without the request of a tax levy upon real and personal property. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Preliminary Official Statement for issuance of Limited Tax County Building Bonds, Series 2018 as submitted and any additional documents specifically referencing the aforementioned bonds. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.



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On August 27, 2018 the Board accepted a bid proposal of \$2,966,035.00 from VRL Construction, Inc. DBA Rathman Manning Construction of Chapman, Nebraska for the construction of a new building project for the Boone County Fairgrounds. The Board received an AIA Document Agreement to review for the new building project. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Agreement between the Boone County Board of Commissioners and Rathman Manning Construction for a new building for the Boone County Fairgrounds as submitted. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

The Rapiscan x-ray equipment that is used on court days is in need of some repairs. The portable walk through metal detector sometimes works and other days not. The x-ray screening systems has a constant annoying buzzing sound. Applied Connective Technologies, LLC was contacted in regard to the x-ray screening system and they are able to order a new replacement battery for \$95.00 in order to take care of the buzzing sound. The service agreements expired in 2012 and at that time the technicians would have come from St. Louis, Missouri. The x-ray equipment is only used on court days which is on an average of three or four days a month. Denny Johnson, Sheriff, said that they can use their wands in place of the walk through metal detector. The consensus of the Board was for the portable walk through metal detector to be put in storage and out of the hallway temporarily and for the law enforcement to use their wands. Motion made by Maricle, second by Luettel to authorize Applied Connective Technologies, LLC to order and install a new replacement battery for the x-ray screening system. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

A request to install equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds was discussed on August 13, 2018. There is some spotty coverage in Boone County that the state has been discussing. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties. On August 27, 2018 the Board approved and authorized Mike Jeffres, State of Nebraska, Office of the Chief Information Officer; Michael Epley, Platte County Communications of Kearney, Inc.; and Denny Johnson, Boone County Sheriff, to proceed with the drafting of an agreement and installation of equipment for the SRS on the County Communications Tower located at the Boone County Fairgrounds. Jeffres and Johnson presented a Communications Tower and Shelter Facilities Agreement to the Board today for review. Jeffres answered questions from the Board. The Agreement outlines cost responsibilities of the parties. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Communications Tower and Shelter Facilities Agreement between Boone County, Nebraska and The State of Nebraska, Office of the Chief Information Officer as presented. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

At the Board's meetings of July 25th, July 30th and August 20th, 2018 the Board discussed the possibility of merging the Boone and Nance County 911 Communications dispatching services. The Board; Denny Johnson, Boone County Sheriff; John Buck, Boone County Chief Deputy Sheriff; Ben Bakewell, Nance County Sheriff; and Troy V. Cordle, ENP, State of Nebraska 9-1-1 Field Coordinator, discussed the present Nebraska State Statute regulations of what services qualify to be paid and what new equipment/upgraded equipment can be purchased from the 911 Land Line, 911 Wireless, or 911 Holding Funds. Cordle explained how and what each of the 911 communication funds could be used to pay for some of the costs involved with a merger. The dispatching for both counties would be handled out of the Boone County Law Enforcement Building and Sheriff Johnson said he would possibly need to increase dispatching staff by 2.5 positions. Sheriff Johnson proposed an estimated cost for Nance County to reimburse Boone County annually for wages of \$108,265.00 plus 3% each year for cost of living and a \$30,000.00 one-time fee towards the cost of a new 911 system. Sheriff Bakewell plans to discuss the proposal with the Nance County Supervisors on September 11, 2018.



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Bakewell plans to visit with the Nance County Attorney to draw up an Agreement for both Boards to review for a final approval and a merger start date of the Boone-Nance County 911 Communications dispatching services.

Public Comments:

- Meetings: Advisory committee for/during construction of new building at the Boone County Fairgrounds – September 10, 2018; Advisory committee pre-construction with Architect and Contractor – September 12, 2018; Central Nebraska Joint Housing Authority, Loup City – September 13, 2018.
- Commissioner Maricle updated the Board in regard to the Boone County Recreational Trails System project and said a grand opening is tentatively scheduled for October 18, 2018.
- Commissioner Maricle reported on the debate of governor candidates held at the Nebraska State Fair.

Chairman Luettel declared the meeting adjourned at 12:25 P.M., with the next Board meeting scheduled for Monday, September 17, 2018.

Kathy Thorberg,
Boone County Clerk



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PUBLIC HEARING PROCEEDINGS 2018-2019 COUNTY BUDGET

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, September 17, 2018 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Rasmussen 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, Alan Rasmussen and Hilary K. Maricle. Chairman Luettel read the notice for the record. Richard Martinsen, CPA, for Schmeits, Mueller & Martinsen, P.C., was present to answer budget questions. Ben Rutten of Cedar Rapids, NE and Jim Dickerson, Albion News, were 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 2018-2019 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 2018-2019 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 29, 2018 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 2018-2019 is \$3,679,011.00, which is different from the 2017-2018 property tax request of \$3,606,824.00, being an increase of \$72,187.00 from fiscal year 2017-2018. The proposed tax rate for 2018 of 0.153638 is higher than the 2017 tax rate of 0.150708. A 2017 lid limit changed the vote to exceed the 2.5% lid limitation by an additional 1% budget authority growth to a Board majority approval. 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 2018 County valuation is \$2,394,598,707.00 compared to the 2017 valuation of \$2,393,259,621.00 an increase of \$1,339,086.00. The overall County taxable value increased primarily due to the re-valuations of the Commercial and Commercial Hog Confinement properties.

The adopted 2018-2019 County Budget has a tax request expense increase from the 2017-2018 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.

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

Discussion: The county tax rate will be 0.153638. 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.

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



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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.

Nebraska Legislation changes are as follows: eliminate delinquent tax allowance unless Federal Prime Rate is Above 10%; eliminate budgeting for anticipated litigation claims; supermajority Board approval is not needed for 1% increase to restricted funds authority, only Board approval; listing of capital improvement projects and the corresponding amount being used as lid exemption; and Highway Allocation is no longer a restricted fund and no additional calculation is needed this year. The Interlocal Agreement Report (LB 51) (2017) is to be filed with the State Auditor’s office on or before September 20th and impacts the county budget hearing, audits and contracts.

Motion made by Luettel, second by Rasmussen to approve and adopt the County Budget for 2018-2019 as published and presented with an Unused Budget Authority created for next year of \$386,092.63; and set the 2018 County Tax Rate at 0.153638, which is different than the County Tax Rate of 0.150708 for 2017. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve exceeding the 2.5% lid limitation on restricted funds by an additional 1% budget authority growth for fiscal year 2018-2019. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. 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



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS SEPTEMBER 17, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 17, 2018, 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, Alan Rasmussen 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 Board Proceedings of September 10, 2018 as presented. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Abstain: Rasmussen. Motion carried.

The County Highway Superintendent asked for the County Road Department employees to be on the Board agenda in regard to further explanation to their questions of the County Employee Handbook changes that were approved by the Board in June 2018. County Road employees in attendance were Stacey Ziemba, Highway Superintendent, Tom Buettner, Steve Rasmussen, Jamie Smith, and Russell Zarek. In addition, Ben Rutten, Steve Pritchard, Denny Johnson, Darla McIntosh, Mary Ziemba, Rod Nelson, and Pam Jochum joined in on the handbook question/answer discussion. The significant change is the replacement of the Longevity Pay benefit that has been in place since 1979 being changed to a yearly employee performance evaluation Merit Based Pay benefit. The road employee's questions were heard and answered during this portion of the agenda in regard to handbook policies. The handbook policies discussion continued later in the Board meeting with agenda item number seventeen.

Tanya Sharp, Boone County Health Center President & CEO, and Rita Liss, Boone County Health Center CFO, presented the Boone County Health Center statement of operations budget for their fiscal year October 1, 2018 through September 30, 2019 to the Board. Sharp reviewed the budget with the Board and explained that areas of the anticipated operating revenue of \$35,548,552.00, with expenses of \$33,739,837.00, leaving a projected margin of \$1,808,715.00. Motion made by Maricle, second by Rasmussen to accept the Boone County Health Center 2018-2019 operations budget as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Sharp updated the Board in regard to an anticipated health center building project. The anticipated health center new clinic building project would be adjacent to the south of the present health center clinic area. Sharp plans to file an Application with the City of Albion to request the vacation of the west half of Fuller Street between 7th and 8th Streets, Albion, Nebraska. In addition, Sharp asked the Board to sign the Application due to the County is a property owner along Fuller Street. Motion made by Luettel, second by Maricle to approve and sign the Application request to the City of Albion Planning Commission for vacation of the west half of Fuller Street between 7th and 8th Streets, Albion, Nebraska for an anticipated Boone County Health Center new clinic building project as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent updated the Board regarding road/bridge maintenance, materials and bridge/culvert projects.



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The Board and Highway Superintendent discussed different types of heating sources for the County Road shop building located at Cedar Rapids on August 27, 2018. The Board suggested that the Highway Superintendent advertise for quotes for propane forced air heat systems and propane radiant heat systems in order to compare the differences before installing a new heat system in the shop building. The County Highway Superintendent advertised for bids for a propane heating system for County Road Shop District #1, Cedar Rapids. The Highway Superintendent received two estimates/quotes: Stephens Electric & Supply, Inc. of Saint Edward, Nebraska - \$4,054.01 with 5 year warranty; Heatec, Inc. of Lincoln, Nebraska - \$2,800.00 with 10 year warranty. Following discussion of the differences between the quotes and warranties the Board suggested that the Highway Superintendent contact the representatives of the estimates/quotes and ask them to attend the September 26, 2018 Board meeting. The Board would like the representatives to explain their estimated/quoted heating systems in order to compare any differences. Motion made by Luettel, second by Rasmussen to table a decision to Wednesday, September 26, 2018 of the heating source for the Boone County Road shop building located at Cedar Rapids. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., County Highway Superintendent and the Board discussed and reviewed construction plans for Bridge Project No. C-6 (391), Albion East on August 13, 2018. The construction bid letting was advertised to open sealed bids on Monday, September 10, 2018. The Board approved Addendum No. 1 on September 10, 2018 to change the construction bid letting for Bridge Project No. C-6 (391), Albion East, with said sealed bids to be opened at 10:45 a.m. on Monday, September 17, 2018. Three sealed bids for said bridge project were received: A & R Construction Co. of Plainview, NE - \$130,880.02, start date July 2019; M.E. Collins Contracting Co., Inc. of Wahoo, NE - \$138,295.16, start date April 2019; and Starostka Group Unlimited, Inc. of Grand Island, NE - \$166,131.43, start date October 2018. The three contractors that submitted bids were represented at the meeting. The Board, Highway Superintendent and McDonald reviewed and discussed the bids. McDonald said that the difference in the bid start dates was not a problem due to the loaded weight of said bridge is posted. Upon completion of the bridge project the County may be responsible for the seeding and erosion control. Motion made by Maricle, second by Luettel to accept and recommend approval of the A & R Construction Co. of Plainview, Nebraska bid for \$130,880.02, dependent upon full review of numbers in Group 1 and 4 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Boone County Highway Superintendent prepared and presented a resolution for the Board to review in regard to a Low Water Crossing. The plan is to replace the wooden bridge on 310th Avenue between the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 21 North, Range 5 West, of the 6th P.M., Boone County, Nebraska, with a Low Water Crossing. Motion made by Rasmussen, second by Maricle to approve Resolution No. 2018-30, replacing a wooden bridge on 310th Avenue with a Low Water Crossing located between Sections 27 and 28, Township 21 North, Range 5 West, of the 6th P.M., Boone County, Nebraska as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The 2018-2019 County Budget public hearing for the County of Boone, Nebraska was held at 10:00 A.M. on September 17, 2018. Motion made by Rasmussen, second by Luettel to approve exceeding the 2.5% lid limitation on restricted funds by an additional 1% budget authority growth for fiscal year 2018-2019. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to set a Board of Equalization meeting to be held on Tuesday, October 9, 2018 at 11:00 A.M. to set the 2018 tax year levies. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Andy Devine, Albion City Administrator, submitted an Interlocal Agreement for the Board to review between the County of Boone and City of Albion. The City of Albion requires a Street Superintendent and desires the Street Superintendent to be licensed with the State of Nebraska. Stacey L. (Robinson) Ziemba is a Class B Licensed County Highway Superintendent, a licensed Street Superintendent and a full time employee for the County of Boone. The County Highway Superintendent is a full time salaried employee of Boone County and City of Albion desires to remit payment directly to Boone County on a monthly basis for each month of this agreement. All parties on an annual basis shall review the Interlocal Agreement. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign Resolution No. 2018-31 an Interlocal Agreement between the County of Boone and City of Albion for licensed Highway and Street Superintendent services in effect for one year commencing on January 1, 2019 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. 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 Maricle, second by Luettel to approve Resolution No. 2018-32, authorizing the accounts within County Offices as stated in the resolution. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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 2018-2019 property tax request be set at \$3,679,011.00, which is different from the 2017-2018 property tax request of \$3,606,824.00; and the 2018 county tax rate is at 0.153638, which is different from the 2017 tax rate of 0.150708. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-33 at the September 17, 2018 public hearing to adopt and approve the County Budget for 2018-2019 as published and presented with the above property tax requests. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Commissioner Alan Rasmussen excused himself from said Board meeting at 11:30 A.M.

The County Road Department has surplus property to sell. Motion made by Luettel, second by Maricle to advertise in the four county legal newspapers the Boone County Road Departments surplus property and accept sealed bids to be opened on October 9, 2018. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. Motion carried.

The Board discussed installation of a fence along the East property line of the County owned property known as the fairgrounds and leased cropland. Consensus of the Board is to move forward with the installation of some type of fence along the East property line of the County owned property. The Board plans to visit with the City of Albion to discuss any regulations in regard to type of fence, permits, etc. that may be required from the City of Albion due to the annexation of property into the city limits on the east side of the county fairgrounds property.

The Board, County Highway Superintendent, Brian McDonald of JEO Consulting Group, Inc., Tim Preister and Dan Preister discussed an engineering proposal for upgrading 0.6 miles of a minimum maintenance road on



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260th Street to an approved County road. The Board, Zoning Administrator and Preister's discussed the Zoning regulations and requirements regarding county road services to a residential dwelling on land that would be accessed off of a minimum maintenance road at the July 25, 2018 Board meeting. McDonald explained that the Nebraska Department of Roads regulations require involvement of a licensed engineer to provide hydraulic/hydrology studies before a decision can be made to reclassify a minimum maintenance road to a local county road. As it stands today the County Zoning regulations states that the burden of the cost to upgrade a county road from minimum maintenance to local, is on the individual who wants to build on land off of a classified minimum maintenance road, and said road upgrade needs to meet the Nebraska Department of Roads standards. McDonald presented a cost estimate of \$11,000.00 for engineering services and construction phase estimated of \$3,500.00. McDonald said that at some point a classification change would need to be requested from the Nebraska Department of Roads Classifications and Standards Board because this road is Minimum Maintenance and a residence cannot have its only access be a minimum maintenance roadway. During the discussion McDonald was asked if he had an estimate for the development of an approved County road. McDonald said he physically looked at the road and estimated development of the road could cost up to \$50,000.00 for dirt work and \$8,000.00 for culverts. Discussion was held on the following: current county zoning regulations state there is no residential structure to be built with an access from a minimum maintenance road; the burden of the cost to upgrade a county road from minimum maintenance to local, is on the individual who wants to build on land off of a classified minimum maintenance road; share the cost 50/50 between county and individual for road upgrade; or set a percentage share of cost between county and individual. The Board was reminded of setting a precedence when the regulations are not in black and white. The consensus of the Board is to find out how other counties handle these types of requests.

Denny Johnson, Sheriff, informed the Board that the Nance County Board of Supervisors met on Tuesday, September 11, 2018 and approved the merge of their 911 Communications with Boone County. Johnson proposed to Nance County an annual wage responsibility for two full time dispatcher employees of \$108,265.00 with an anticipation of an annual three percent cost of living raise each year. In addition, Johnson proposed a one-time initial payment for the new 911 System of \$30,000.00. Johnson and the Board reviewed and discussed the proposal that Nance County approved. Motion made by Maricle, second by Luettel to move forward with the Boone/Nance 911 Communications merger, the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement with a December 1, 2018 effective date. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

The County employees are directly responsible to an individual elected official or the County Board. Elected officials, in working with their employees, may develop different employment practices and policies than used by other offices. The different practices and policies can result in disharmony among the body of County employees. The Elected officials of Boone County adopted a Boone County Employee Handbook on June 13, 2016 and have approved revisions to the adopted 2016 Boone County Employee Handbook within the County Board Proceedings. The Board approved revisions to the Boone County Employee Handbook on June 27, 2018. The agenda item to approve the resolution that is signed by the elected officials, in regard to the June 27, 2018 handbook revisions, is the follow-up document that follows the review of the revisions by the NIRMA labor law attorney.

The Board; County Assessor, Clerk and Sheriff; Appointed Highway Superintendent, Zoning Administrator and Veteran Service Officer; UNL Extension Educator; Maintenance; and employees Darla McIntosh and Pam Jochum held a lengthy discussion in regard to the Boone County Employee Handbook revisions.

A benefit of merit based pay system for county employees to replace the benefit longevity pay system that has been in place since 1979 was approved on June 27, 2018. The lengthy discussion was the question about who would act as supervisor to determine merit pay for various departments with non-elected official and/or



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appointed department heads. The group decided that a chart would be drawn up to show who would make these final determinations of the merit based pay each year following the employee performance evaluation to be completed yearly in November.

In addition, the Courthouse Open policy during inclement weather was brought up for discussion. The current policy reads “Vacation leave will be deducted for employees unable to be present at work due to inclement weather, except that employees shall be required to use earned compensatory time before using vacation leave for inclement weather. 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. The payroll time/attendance system will post comp/vacation time equivalent to a 40 hour work week”. Some employees feel that they should not have to use vacation time if the courthouse is open and their driveway or county road is not open for them to travel to work. The Board plans to review other county policies in regard to employee attendance when the courthouse is open to serve the public during inclement weather.

Motion made by Maricle, second by Luettel to table the approval of the resolution for the County Employee Handbook revision approved in June 2018 to the October 9, 2018 Board meeting. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

Public Comments:

- Lisa Langan, County Court, asked the Board about the repair(s) for the Rapiscan x-ray equipment that is used on court days that was discussed on September 10, 2018. A replacement battery has been ordered.
- Commissioner Luettel reported on the advisory committee meetings held September 10 and 12, 2018 for the construction of a new county owned building at the county fairgrounds.
- Commissioner Maricle reported on the Central Nebraska Joint Housing Authority board meeting.

Chairman Luettel declared the meeting adjourned at 1:55 P.M., with the next Board meeting scheduled for Wednesday, September 26, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
SEPTEMBER 26, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, September 26, 2018 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 Alan Rasmussen. 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 Rasmussen, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$95,733.93, BCBS \$55,136.82, Ameritas Ret \$6,633.10, EFTPS \$7,122.25, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$57,553.71, BCBS \$28,765.04, Ameritas Ret \$3,884.86, EFTPS \$4,340.34; Ambulance \$2,215.17, Ameritas Ret \$76.63, EFTPS \$169.46; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board Proceedings of September 17, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Budget Public Hearing Proceedings of September 17, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

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

The St. Edward Economic Development requested assistance to advertise the Holiday Extravaganza event scheduled for November 9, 10 and 11, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The Boone County Agricultural Society, Inc. requested assistance to advertise the Dueling Pianos event scheduled for February 15, 2019. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. 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 Luettel, second by Rasmussen to approve Resolution No. 2018-34, authorizing the Boone County Treasurer to transfer funds from the General Fund (0100) 64.299% to the Road Fund (0200) for the 2018-2019 Tax Year on a monthly basis not to exceed \$2,363,000.00. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.



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The Boone County Treasurer requested authorization from the Board of Commissioners to set up a separate bank account for the new fairgrounds building pledged/commitment donations. The account will receive said donations for the Fair Building Bond payments. Motion made by Rasmussen, second by Luettel to approve a separate account and authorize the Boone County Treasurer to set up a separate bank account for the Fair Building Bond payments with the Cornerstone Bank, Albion, Nebraska. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed two estimates/quotes on September 17, 2018 for a propane heating system for County Road Shop District #1, Cedar Rapids and tabled a decision to the September 26, 2018 Board meeting. The two quotes were: Stephens Electric & Supply, Inc. of Saint Edward, Nebraska - \$4,054.01 (Enerco) with 5 year warranty; Heatec, Inc. of Lincoln, Nebraska - \$2,800.00 (Heatstar) with 10 year warranty. The Board noted the substantial differences within the quotes and asked for the representatives to attend the Board meeting on September 26, 2018 in order to explain their heating system quote. A representative for Heatec was present at the Board meeting and a representative for Stephens Electric was present by telephone conference. The Heatec representative explained the infrared and combustion technology of propane forced radiant heating systems. The Heatec quote included the heating equipment/material, but did not include the propane tank, electrical material or installation. The Stephens Electric quote included all installation, heating equipment/material, but did not include the propane tank. The Heatec representative acknowledged support for the local area quote. Motion made by Rasmussen, second by Luettel to approve the quote for an Enerco propane heating system for County Road Shop District #1, Cedar Rapids, for \$4,054.01 from Stephens Electric & Supply, Inc. of Saint Edward, Nebraska and with the understanding that the County purchases the propane tank. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Stacey L. (Robinson) Ziemba, 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 Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the annual SSAR report for fiscal year ending June 30, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The County Highway Superintendent and Board discussed the wind damaged building located on County property by the Boone County Road Department Dist. #3 shop in Petersburg. The said building received wind damage during a June 6, 2018 windstorm. REDI Engineering, Inc. received the assignment from NIRMA to complete a site visit assessment of the damaged building. The cost of repairing said building is cost prohibitive. The wood roof trusses have compressive failures and are sagging. Trusses require replacement, so the entire roof would need to be removed and replaced. Portions of the roof are at an increased risk of collapse onto equipment stored in the building during severe storm events. In addition, the Board and Highway Superintendent discussed removal of some of the trees located on the County property where the County buildings are located. Motion made by Rasmussen, second by Luettel to authorize the County Highway Superintendent to seek local bids for removal of said storm damaged building located at Petersburg, Nebraska and bids for removal of trees located on said County owned property of Block 4, West Petersburg Addition, Petersburg, Nebraska. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes



Barb Hanson, Boone County Assessor and the Board discussed low valued structures. Hanson said that there are several different types of building structures with minimal value that are not useable or falling down. Hanson figured the minimal value has continued on such structures to try and have the owners clean up their property. Hanson said that as long as there is part of a structure it takes time to re-measure, up-date records, etc. during valuation updates. The rural village parcels are currently being updated and revalued. Hanson prepared the rural village parcels that have low valued structures for the Board to review. Hanson said that the fifty-one low valued structures tax amount collected would be \$254.04 for 2017. The Board and Hanson discussed setting a minimal value and then when the structure reaches that minimal value, the Assessor's office would automatically remove the low valued structure from the County tax roll. Motion made by Rasmussen, second by Luettel to authorize the County Assessor's office to use their discretion for assessment of low valued structures. Roll call Vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Barb Hanson, County Assessor, and Mary Ziemba, County Zoning Administrator, presented a scenario in regard to current Zoning regulations in an A-2 District area to the Board. An individual applies for a conditional Use Permit for the permitted ten acres, a survey is completed and zoning regulations were met to build a structure. Say a few years later the individual wants a few more acres, but is less than the required ten acres. The individual did not want to go through the Zoning procedures a second time, so surveyed some adjoining ground next to the ten acres, being around seven acres with the understanding at that time the two surveys of adjoining acreages will then be considered as one parcel for around seventeen acres. The combined surveyed ground becomes one parcel due to the existing zoning regulations and that there is not twenty or more acres involved. Now a few years later the individual wants to possibly sell the combined seventeen acre parcel as two separate acreages that would create a non-conforming lot, which is not permissible within the Boone County Zoning regulations. The consensus of the Board is to abide by the existing Boone County Planning and Zoning regulations within Article 11, Section 2, 2.1 - 2.3.

Public Comments:

- Meetings: NIRMA Self Defense for County Officials Conference – October 4-5, 2018.
- Commissioner Luettel reported on the Northeast Nebraska Association of County Officials fall workshop that was held at St. Benedict Center, Schuyler, Nebraska on September 21, 2018.
- The Boone County Clerk of the District Court's office received a complimentary thank you from Judge Geoffrey C. Hall, Sixth Judicial District, for the assistance and hospitality when he heard a trial in the Boone County Courthouse Courtroom in August.

Chairman Luettel declared the meeting adjourned at 11:08 A.M., with the next Board meeting scheduled for Tuesday, October 9, 2018.

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 Wednesday, September 26, 2018 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Rasmussen 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 Alan Rasmussen. Commissioner Hilary K. Maricle was absent. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator; Joshua Majerus, Applicant, and Katie Sharp, Attorney representing Jarecki Maul, PC LLO. 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 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 Joshua P. Majerus and Rachel E. Majerus. James P. Majerus is the property owner of the real estate referenced herein. The application request is to divide 15.11± acres from a parcel of farm land to residential located in a fraction of the SW1/4SW1/4 of Section 34, Township 22 North, Range 7 West of the 6th P.M., Boone County, Nebraska.

Joshua Majerus explained to the Board that the purpose for dividing the 15.11± acres from the farm land is to move back to the rural life to construct a new residential home and outbuilding on family property. A survey for 15.11± acres is completed. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 15.11± acres from the parcel of farm land to construct a new residential home and outbuilding on family property. Ziemba said that the Boone County Planning Commission Board recommended approval of the Conditional Use Permit request with a condition. The condition being: the driveway entrance is to be accessed from 160th Street. Ziemba informed the Board that a Waiver of Distance has been signed as requested by the Boone County Planning Commission.

Motion made by Luettel, second by Rasmussen to close said public hearing at 10:04 A.M. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Conditional Use Permit submitted by Joshua and Rachel Majerus to divide 15.11± acres from a parcel of farm land to residential to construct a new residential home and outbuilding on family property located in a fraction of the SW1/4SW1/4 of Section 34, Township 22 North, Range 7 West of the 6th P.M., Boone County, Nebraska, with a condition that the driveway entrance is to be accessed from 160th Street. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 9, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, October 9, 2018, 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, Alan Rasmussen 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.

Jack Nordeen, County Weed Superintendent/Sign Technician employee, discussed his personal concerns with the Board regarding the County FMLA policy and sick/vacation/comp policies. Nordeen feels that it is unfair that an employee's earned benefits of comp time, sick leave and vacation are to be exhausted before using the federal Family and Medical Leave Act (FMLA). Eligible employees are entitled to a maximum of 12 weeks of unpaid FMLA leave during a rolling 12-month period for qualifying events. FMLA unpaid leave protects the employee's job position and requires the employer to maintain the employee's health coverage. The Exhibit "K" of the County Employee Handbook refers to FMLA leave policy. Nordeen also questioned the County's full-time employee policy of a forty hour work week to receive the benefits of the County. The County is currently still paying the full health premium for full-time employees. The Patient Protection and Affordable Care Act (Obamacare) requires an employer with fifty or more full-time employees to provide health care coverage for employees that work thirty plus hours per week and the employer is not required to pay the full health care premium. The County has paid the full health care premium, as a benefit, for full-time forty hour work week employees for several years. Beginning with the 2019 year the County is considering to have the employee(s) that do not work/receive compensation for a forty hour work week to pay a portion of their health care premium. Nordeen feels that the employee benefits are being decreased every time there are proposed change(s) to employment policies. The Board asked Nordeen to type out all of his questions and concerns about employee policy for the County Clerk's office to forward to the NIRMA labor law legal counsel for review.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1779 in the amount of \$29.60 submitted for reimbursement of meeting meals. The Board approved the meal reimbursement that included the itemized receipt in accordance with the County Employee Handbook in the amount of \$11.76. The Board partially rejected payment of Vendor ID No. 1779 in the amount of \$17.84, the County does not reimburse for meals submitted for the day/evening travel before a meeting. Motion made by Maricle, second by Rasmussen to partially reject Vendor ID No. 1779, the \$17.84 submitted for an evening meal of the day before meeting in accordance with the County Employee Handbook. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$36,738.90; Road/Weed - \$142,899.35; County Visitors Promotion - \$1,547.35; 911 Emergency Management (2910) - \$174.38; 911 Wireless Service (2913) - \$848.90; Fair Building (4025) - \$111,304.28; Ambulance - \$3,811.96. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Motion made by Rasmussen, 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 \$7,926.37, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the County Board Proceedings of September 26, 2018 as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Zoning Public Hearing Proceedings of September 26, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for September 2018:

- Clerk - \$2,862.50 (State of Nebraska-\$1,020.28)(County of Boone-\$1,842.22)
- Clerk of the District Court - \$1,826.66 (State of Nebraska-\$1,424.50)(County of Boone-\$402.16)
- County Planning and Zoning - \$230.00
- Sheriff - \$3,451.64
- Treasurer - Treasurer's Fees - Zero; Miscellaneous Receipt Nos. 16587-16635 - \$2,239,015.66; Total Collections - \$3,017,687.16

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

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

The Albion Area Arts Council requested assistance to advertise the Farewell Angelina Concert scheduled for October 28, 2018. Motion made by Rasmussen, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Petersburg Community Club requested assistance to advertise the Punkin' Chunkin' event scheduled for October 28, 2018. 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 Rasmussen. Nays: None. Motion carried.

The Board received a Certificate of Cost Allocation Plan and Computation of Indirect Costs from Sequoia Consulting Group for their review. The completed county wide Cost Allocation Plan is based on actual costs for the fiscal year ended June 30, 2017. The Computation of Indirect Costs is for the county's July 1, 2018 through June 30, 2019 fiscal year. The indirect costs reimbursement relates to the Nebraska Health and Human Services when needed and the Clerk of the District Court – IV-D Child Support services. Sequoia Consulting Services receives a percentage of the indirect cost recovery reimbursement received by the county from Nebraska Health and Human Services. Motion made by Rasmussen, second by Luettel to approve the Cost Allocation Plan with Sequoia Consulting Group for fiscal year ending June 30, 2017. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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The Rapiscan x-ray equipment that is used on court days is in need of some repairs. The Board authorized Applied Connective Technologies, LLC to order and install a new replacement battery for the x-ray screening system at their September 10, 2018 Board meeting. Applied Connective Technologies, LLC was contacted to check out the x-ray screening system due to a constant buzzing sound. The replacement battery for the backup would not boot up properly and was still flashing an error code. The replacement battery will not be needed or charged to the County due to the need for a new replacement backup unit. Applied Connective Technologies submitted a quote for a replacement backup unit. The x-ray equipment is only used on court days which is on an average of three or four days a month. Denny Johnson, Sheriff; Lisa Langan, County Court; and Rod Nelson, Maintenance, plan to research for vendors in/close to Nebraska for possible replacement/repair of the portable walk through metal detector and x-ray equipment. Motion made by Rasmussen, second by Maricle to authorize Applied Connective Technologies, LLC to order and install a new replacement backup unit for the x-ray screening system and that Rod Nelson, Maintenance, to be the contact person to work with Applied Connective Technologies. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Tina Landauer, Commander of Boone County American Legion, updated the Board of the scheduled activities planned for County Legion Government Day. Landauer informed the Board that the Humphrey, Nebraska school system would like to participate in the Boone County Legion Government Day activities.

The Boone County Legion Government day is scheduled for Wednesday, November 14, 2018.

The Board and County Highway Superintendent opened sealed bids for the three advertised fuel pumps that were surplus property located at the County Road Shop Dist. #3, Petersburg. The fuel pumps were labeled #1, #2, and #3 in the photo advertisement. The bids were as follows: Pump #1 - \$505.00, John Kaufman of Newman Grove; \$400.00, Nathan Paulson of Albion; and \$251.70, Lance Ferris of Monroe. Pump #2 - \$30.00, Nathan Paulson of Albion. Pump #3 - \$200.00, Nathan Paulson of Albion and \$155.00, John Kaufman of Newman Grove. Motion made by Maricle, second by Luettel to approve and accept the following bids: Pump #1 - \$505.00, John Kaufman of Newman Grove; Pump #2 - \$30.00, Nathan Paulson of Albion; and Pump #3 - \$200.00, Nathan Paulson of Albion, with payment made to either the Boone County Road Department or Boone County Treasurer. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Adrian Mayer, Bader's Highway & Street of Norfolk, Nebraska, and Stacey (Robinson) Ziemba, County Highway Superintendent, presented estimates for crack sealing for several county asphalt roads. The estimate #351 for \$19,770.00 includes Niewohner road from Highway 91 to gravel; Cargill road from Highway 14 to gravel; Six miles of Old Mill Road; Raeville Road; and Central Highway from Highway 39 east to 340th Avenue. Bader's Highway will remove all weeds, blow out all cracks, clean, seal and squeegee all cracks. The Board asked Mayer to check the rest of the county asphalt roads that are not listed within the estimate for possible need of crack sealing. Motion made by Luettel, second by Rasmussen to approve the Estimate #351 for \$19,770.00 for crack sealing of several county asphalt roads from Bader's Highway & Street as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The County Highway Superintendent and Board discussed the wind damaged building located on County property by the Boone County Road Department Dist. #3 shop in Petersburg at the September 26, 2018 Board meeting. The Board authorized the County Highway Superintendent to seek local bids for removal of said storm damaged building. The Highway Superintendent received one bid to date and asked that the Board table a decision for removal of the wind damaged building to allow for additional bids for building removal and disposal. Motion made by Maricle, second by Luettel to table a decision for removal and disposal of the wind



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damaged building to the October 15, 2018 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The Enerco propane heating system for County Road Shop District #1, Cedar Rapids, was installed last week.
- The Board and Highway Superintendent discussed insulation estimates for the County Road Shop District #1 building.
- The Highway Superintendent and Board Chairman plan to interview the applicants for the advertised position in County Road District #2, Albion.

The Petersburg Community Club requested a temporary road closure for safety reasons for the Punkin' Chunkin' event scheduled for October 28, 2018. The road closure 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 Maricle to approve Resolution No. 2018-35 for a temporary road closure relating to the Petersburg Community Club Punkin' Chunkin' event as presented. Roll call vote: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

A request to install equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds was discussed on August 13, 2018 and August 27, 2018. There is some spotty coverage in Boone County that the state has been discussing. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties. On September 10, 2018 the Board approved and authorized the Board Chairman to sign the Communications Tower and Shelter Facilities Agreement between Boone County, Nebraska and The State of Nebraska, Office of the Chief Information Officer as presented by Mike Jeffres, State of Nebraska, Office of the Chief Information Officer and Denny Johnson, Boone County Sheriff. Jeffers contacted Johnson stating that the State legal department wants to use a revised and simpler Agreement to replace the previous Agreement that was signed by the Board. The Board did not receive the revised Agreement to review for today's Board meeting. Motion made by Rasmussen, second by Maricle to table the approval/signing of a revised Agreement to a later date. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board approved to move forward with the Boone/Nance 911 Communications merger, with the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement with a December 1, 2018 effective date at their September 17, 2018 Board meeting. Denny Johnson, Sheriff, presented the Board an Interlocal Agreement draft for their review. The Board and Johnson reviewed and discussed the Interlocal Agreement. Johnson plans to review the Interlocal Agreement with Nance County following today's discussion and plans to have a final document for the October 15, 2018 Board meeting.

Jerad Reimers, representative for Congressman Adrian Smith's office, updated the Board of the congressman's activities and federal issues. The Board and Reimers discussed several issues. Reimers informed the Board to direct citizens that have issues with Federal agencies to direct them to the congressman's office in Grand Island, Nebraska for assistance.



Boone County Board Minutes



The Board received pay application number 1 from Rathman Manning Construction for the fairgrounds building. The payment request is for a portion of the building material deposit and performance and payment bond. Motion made by Maricle, second by Luettel to approve payment number 1 from Rathman Manning Construction for \$111,304.28 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County employees are directly responsible to an individual elected official or the County Board. Elected officials, in working with their employees, may develop different employment practices and policies than used by other offices. The different practices and policies can result in disharmony among the body of County employees. The Elected officials of Boone County adopted a Boone County Employee Handbook on June 13, 2016 and have approved revisions to the adopted 2016 Boone County Employee Handbook within the County Board Proceedings. The Board approved revisions to the Boone County Employee Handbook on June 27, 2018. The agenda item to approve the resolution that is signed by the elected officials, in regard to the June 27, 2018 handbook revisions, is the follow-up document that follows the review of the revisions by the NIRMA labor law attorney. The Board tabled approval of the resolution for the County Employee Handbook on September 17, 2018 following a lengthy discussion. Due to the earlier lengthy discussion regarding the County FMLA, sick, vacation and comp policies, the Board did not take action in regard to the resolution for the handbook.

Public Comments:

- Commissioner Luettel updated the Board in regard to the NIRMA Conference held on October 4 and 5, 2018 and accepted the Boone County dividend check in the amount of \$14,472.00 from NIRMA.
- Commissioner Maricle updated the Board in regard to the Boone County Recreational Trails System project and said a grand opening is tentatively scheduled for October 18, 2018 at 5:30 P.M.
- Commissioner Maricle updated the Board in regard to the BCDA, Inc. meeting and activities.
- Commissioner Maricle updated the Board in regard to the Region IV, Inc. / NorthStar Services meeting.
- Commissioner Maricle updated the Board in regard to the Greater Nebraska Workforce Development Board meeting.

Chairman Luettel declared the meeting adjourned at 1:02 P.M., with the next Board meeting scheduled for Monday, October 15, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 15, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 15, 2018, 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 Alan Rasmussen. 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 Rasmussen, second by Maricle to approve the County Board Proceedings of October 9, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board of Equalization Proceedings of October 9, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

On September 17, 2018 the Board accepted and recommended approval of the A & R Construction Co. of Plainview, Nebraska bid for \$130,880.02, dependent upon full review of numbers in Group 1 and 4 in regard to the construction plans for Bridge Project No. C-6 (391), Albion East. The Board received the Notice to Proceed and Agreement documents prepared by Brian McDonald, JEO Consulting Group, Inc. of Norfolk, Nebraska, for their review and signature. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Agreement and related documents between Boone County, Nebraska and A & R Construction Co. of Plainview, Nebraska for \$130,880.02, for Bridge Project No. C-6 (391), Albion East as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Highway Superintendent and Board discussed the wind damaged building located on County property by the Boone County Road Department Dist. #3 shop in Petersburg at the September 26, 2018 Board meeting. The Board authorized the County Highway Superintendent to seek local bids for removal of said storm damaged building. The Highway Superintendent received two bids as follows: \$3,100.00 – Bygland Dirt Contracting, Inc. and \$2,784.00 – Seda Land Handling, LLC, both of Albion, Nebraska. Both bids included building demolition, landfill disposal, asbestos testing and leaving concrete in place. Motion made by Maricle, second by Rasmussen to approve and accept the building demolition bid of the wind damaged building in Petersburg for \$2,784.00 from Seda Land Handling, LLC as presented. Roll call vote: Yeas; Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The County Highway Superintendent and Board Chairman plan to interview the four applicants for the advertised full-time position in County Road District #2, Albion.
- The County Highway Superintendent and Board discussed the quality of the gravel that is being purchased for use by the County.



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The new propane heating system for County Road Shop District #1, Cedar Rapids building has been installed. A small office/break room is attached to the north side of the shop building and the new heating system was not installed in the office/break room area. The Board and County Highway Superintendent held a lengthy discussion on December 27, 2017 in regard to the need to either repair or replace the present office/break room area that is attached to the shop building and/or a new lean-to office/break room area to be attached to the present shop building. The discussion on February 20, 2018 included the mold test results (non-dangerous type) within the current office/break room area, different heating unit for the shop building, and other issues in regard to the Road District #1 Cedar Rapids Shop building. A portable electric heater may possibly be used to heat the office/break room area for now. Motion made by Maricle, second by Rasmussen to authorize the County Highway Superintendent to prepare specs and advertise for bids for a new office/break room building to either stand alone or to be a lean-to building to be attached to the west side of the county shop building known as the County Road Shop District #1, Cedar Rapids. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The heating costs for the road shop building located at Cedar Rapids has been very high over the past years in comparison to the other County road shop buildings. With the installation of the new propane heating system in the County Road Shop District #1, Cedar Rapids, it was suggested to insulate the roof/ceiling and possibly the walls to help lessen the heating costs. The County Highway Superintendent and the Board discussed the estimates that were presented for the 50' x 60' shop building for two and three inch closed cell foam insulation and paint for roof/ceiling and two inch foam on walls. The consensus of the Board to insulate the roof/ceiling at this time and possibly insulate the walls at a later date. The roof/ceiling closed cell foam insulation estimates are as follows: 2 inches - \$5,565.00, 3 inches - \$7,950.00, paint estimate - \$200.00, Murphy Brothers Insulation, LLC of Spalding, NE; 3 inches - \$9,000.00, no paint estimate, Mid States Sprayfoam, LLC of Saint Edward, NE; and 3 inches - \$9,072.00, paint estimate - \$3,500.00, Superior Foam and Coatings of Scotia, NE. Motion made by Maricle, second by Rasmussen to approve and accept the Murphy Brothers Insulation, LLC estimate for the roof/ceiling of 3 inches closed cell spray foam insulation of \$7,950.00 with added paint cost of \$200.00. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Dan and Tiffany Preister would like to build a new residential dwelling on land with a driveway access off of 260th Street that is currently an existing classified Minimum Maintenance roadway that has a dirt surface. The Board, Mary Ziemba, Zoning Administrator, Dan Preister and Tim Preister discussed the regulations and requirements regarding county road services to a residential dwelling on July 25, 2018. The Board, County Highway Superintendent, Brian McDonald of JEO Consulting Group, Inc., Tim Preister and Dan Preister discussed an engineering proposal for upgrading 0.6 miles of a classified Minimum Maintenance roadway on 260th Street to an improved Local Classification gravel surfaced roadway on September 17, 2018. The Board, County Highway Superintendent, Brian McDonald of JEO Consulting Group, Inc., County Zoning Administrator, Steve Bygland, Bygland Dirt Contracting, Inc., and Dan and Tiffany Preister discussed County Zoning and State of Nebraska, Department of Roads regulations on October 15, 2018.

McDonald explained that the Nebraska Department of Roads regulations require involvement of a licensed engineer to provide hydraulic/hydrology studies before a decision can be made to reclassify a minimum maintenance road to a local county road. As it stands today the County Zoning regulations states that the burden of the cost to upgrade a county road from minimum maintenance to local, is on the individual who wants to build on land off of a classified minimum maintenance road, and said road upgrade needs to meet the Nebraska Department of Roads standards. McDonald said that at some point a classification change would need to be requested from the Nebraska Department of Roads Classifications and Standards Board because this road is classified Minimum Maintenance and a residence cannot have its only access be a minimum maintenance roadway.



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Discussion was held on the following: county zoning regulations; share of all the cost 50/50 between county and individual for road upgrade; set a percentage share of all cost between county and individual for road upgrade; signed agreement between county and individual regarding shared costs and use of individuals land/road right-of-way during construction; possibly cut back on some of the costs by having county road employees do some of the work; the first step for road/bridge project upgrades is to be placed on the Boone County One & Six Year Road Improvement Program; and that an upgraded road meets the Nebraska Department of Roads standards and certification.

The Board was reminded of setting a precedence when the regulations are not in black and white and that it is important to remain consistent moving forward. The consensus of the Board is to set guidelines/procedures for requests to change classifications of county roads and cost share to upgrade a county road.

Brian McDonald, JEO Consulting Group, Inc., per request by the Board, prepared an engineering proposal for upgrading 0.6 miles of 260th Street starting at 300th Avenue and extending east. The engineering document proposal is in regard to an existing classified Minimum Maintenance roadway that has a dirt surface and to improve it to a Local Classification roadway that would have a gravel surface. The current regulations do not allow residential construction to be located on/accessed from a minimum maintenance classified roadway. Motion made by Luettel, second by Maricle to table the Agreement between Boone County, Nebraska and JEO Consulting Group, Inc. for engineering services for the upgrading 0.6 miles of 260th Street starting at 300th Avenue and extending east to a later date. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Jeff Jarecki was appointed Boone County Public Defender in August of 2012. Jarecki reported that the cases assigned in 2012 through 2017 are all completed. Jarecki reported that he has been assigned forty-six cases to date for 2018. Jarecki said that twenty-eight (two were conflicts) are closed and eighteen cases remain open of which seven are juvenile cases. Jarecki explained to the Board that some juvenile cases take a long time to complete. Juvenile cases may remain open until the court case is resolved or the age of nineteen. 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. Jarecki thanked the Board and is very appreciative of the contract for public defender services. Motion made by Luettel, second by Maricle to accept the Boone County Public Defender report as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Will McInnis and Caitlin Schneider, East-Central District Health Department (ECDHD), presented a report of public health activities in Boone County for April 2018 through September 2018. ECDHD has provided a number of different services to the residents of Boone County. Some of the services provided were: My Health My Choice Day for 5th graders from Boone and Nance Counties who were educated on the danger of tobacco and alcohol; the WIC program; student health screenings in area schools; disease investigations; and substance abuse coalition in partnership with Boone County Health Center. The Boone County 2018-2021 CHIP priorities are obesity and substance abuse. Schneider said that Certified Application Counselors (CAC's) are available at the Boone County Health Center usually on Thursday's to assist county residents in applying for WIC programs, health care services and/or insurance.



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The Board approved to move forward with the Boone/Nance 911 Communications merger, with the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement with a December 1, 2018 effective date at their September 17, 2018 Board meeting. Johnson and Nance County reviewed the Interlocal Agreement draft last week. Johnson and the Board discussed the revisions to the original draft. Johnson informed the Board that he would like to discuss a few more items with Nance County before final approval. Motion made by Luettel, second by Rasmussen to table approval of the Boone/Nance 911 Communications merger Interlocal Agreement to a later date. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – October 15, 2018; Boone County Planning and Zoning Commission – October 22, 2018.

Chairman Luettel declared the meeting adjourned at 12:17 P.M., with the next Board meeting scheduled for Monday, October 22, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS OCTOBER 22, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 22, 2018 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 Alan Rasmussen, 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 Rasmussen, second by Maricle to approve the County Board Proceedings of October 15, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The County Highway Superintendent and Board discussed the bid notice for a 16'x16' structure with wooden frame and metal outer walls and roof with 8' interior ceiling for an office/break room building as discussed at the October 15, 2018 Board meeting for County Road Shop District #1, Cedar Rapids. The County will be accepting bids until November 9, 2018. The bid notice will run for two weeks in all of the county newspapers with the bid opening scheduled for Tuesday, November 13, 2018 at 10:00 A.M.
- The County Highway Superintendent presented the Board a written process for the upgrading/improvement of county road structures. The Board and Highway Superintendent discussed the process and the first step for a major road/bridge project is to be placed on the One & Six Year County Road Improvement Program.
- The County Highway Superintendent informed the Board that the Nebraska State Board of Classifications and Standards changed road construction regulations in 2016 due to costly law suits across the region involving vehicle accidents.
- The county road department planned to cover the minimum maintenance roads this week. A County road with a classification of Minimum Maintenance may be graded/maintained twice in a calendar year.

The Board of Commissioners adopted a resolution on November 28, 2016 for NDOR Project Number: HRRR-STWD(116), LPA High Risk Rural Road Advance Railroad Warning Sign Project Program Agreement Number BL1646. The Nebraska Department of Roads obtained federal funds for installation of Advance Railroad Warning Signs on county roads. The Boone County Highway Superintendent has informed the Board that the project has been completed by the County in accordance with the terms of the LPA High Risk Rural Road Advance Railroad Warning Sign Project Program Agreement. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-36, Certificate of Completion of NDOR Project Number: HRRR-STWD(116), LPA High Risk Rural Road Advance Railroad Warning Sign Project Program, is completed by the County of Boone, Nebraska in accordance with the terms of the Program Agreement. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Surveyor, Christopher C. Hays, Hays Land Surveying, LLC, completed a survey for the County owned property located in Blocks 4 and 5, West Petersburg Addition, Petersburg, Nebraska. The Board



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discussed the property lines and removal of trees in Block 4 at prior Board meetings due to a recent land sale of adjoining property in Block 4. After completion of the survey the trees/bushes in question appear to be mostly in the alleys or on the lots south of the county property. The Board Chairman plans to visit with the adjoining land owners and the Village of Petersburg in regard to removal of some of the trees/bushes that are located in the alleys.

The Board approved to move forward with the Boone/Nance 911 Communications merger, with the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement with a December 1, 2018 effective date at their September 17, 2018 Board meeting. Denny Johnson, Sheriff, and Nance County have been reviewing/discussing an Interlocal Agreement that provides services that are best for both counties. Johnson updated the Board in regard to approximate costs of changing the County's analog system to a CAD System. Johnson informed the Board that he would like to discuss a few more items with Nance County and the Boone County Attorney before final approval. No action was taken by the Board at the meeting.

Public Comments:

- Commissioner Luettel reported on the Boone County Agricultural Society, Inc. board meeting.
- Commissioner Maricle reported on the Greater Nebraska Workforce Development Board/Chief Elected Officials Board meeting.
- Commissioner Maricle reported on the Boone County Recreational Trails System dedication held on October 18, 2018.
- Denny Johnson, Sheriff, informed the Board that either the new replacement battery or the new replacement backup unit that were ordered do not work in the Rapiscan x-ray equipment. Johnson said that Applied Connective Technologies contacted the vendor that sold the scanner. The scanner unit requires a 230v output (not common). The 230v BBU replacement for the x-ray screening system with shipping is \$700.00.

Chairman Luettel declared the meeting adjourned at 11:30 A.M., with the next Board meeting scheduled for Monday, October 29, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
OCTOBER 29, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, October 29, 2018 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 Alan Rasmussen 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 Luettel, second by Rasmussen to approve the County Payroll Claims filed for payment from the various funds: General \$89,644.71, BCBS \$55,136.82, Ameritas Ret \$6,223.17, EFTPS \$6,656.42, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$50,860.01, BCBS \$28,765.04, Ameritas Ret \$3,433.03, EFTPS \$3,828.30; Ambulance \$5,863.47, Ameritas Ret \$196.68, EFTPS \$448.54; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of October 22, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. 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 Petersburg Community Club requested assistance to advertise the Petersburg Community Club Christmas Supper & Entertainment event scheduled for December 17, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.

The Albion Area Arts Council requested assistance to advertise the String Beans Concert scheduled for December 1, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Albion Area Arts Council requested assistance to advertise the Nebraska Brass Concert scheduled for December 9, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The Board reviewed the year end June 30, 2018 audit report prepared by Schumacher, Smejkal, Brockhaus and Herley, P.C., Certified Public Accountants. A "Notice of Completion of Audit" was submitted to the Albion News for publication the week of October 29, 2018. Motion made by Luettel, second by Rasmussen to accept and approve the audit as presented for fiscal year ending June 30, 2018 and said audit is on file with the Boone County Clerk and the Nebraska Auditor of Public Accounts. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Absent: Maricle. Motion carried.



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The Boone County Board of Commissioners approved Resolution No. 2013-60 on October 15, 2013, authorizing the deposit of county funds for Certificate of Deposit at the Boone County Bank, Albion, Nebraska. The term of the Certificate of Deposit No. 409227 was 60 months and may be redeemed on October 15, 2018. Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-37 and authorize the Board Chairman to sign the documents required to release the Certificate of Deposit No. 409227 at the Boone County Bank, Albion, Nebraska in the amount of \$30,000.00 plus accrued interest payable to the County of Boone, Nebraska to be deposited in the County General Fund. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The County Highway Superintendent and Board discussed bid specs and advertisement for a new motor grader.
- The County Highway Superintendent and Board discussed bid specs and advertisement for one new truck (pup and trailer).
- The County Road Department has a trailer with a tank attached to the trailer for disposal as surplus property. The tank was used to transport oil.
- The County Highway Superintendent and General Road Foreman interviewed the applicants for the advertise County Road job position for Road District #2, Albion. The Highway Superintendent's recommendation to the Board is to hire two new road employees at this time.

On October 9, 2018 the Board approved the Estimate #351 for crack sealing of several county asphalt roads from Bader's Highway & Street of Norfolk, Nebraska. The Board had asked Adrian Mayer, Bader's Highway & Street, to check the rest of the county asphalt roads that are not listed within the estimate for possible need of crack sealing. The Board and County Highway Superintendent discussed the three additional asphalt roads crack sealing estimated costs that were not included in the approved Estimate #351. The Board and Mayer discussed the Estimate #354 for the three additional county asphalt roads by teleconference. Motion made by Rasmussen, second by Luettel to re-evaluate the need for the county asphalt roads crack sealing Estimate #354 from Bader's Highway & Street in the Spring of 2019. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

The State of Nebraska, Department of Transportation is planning to improve a portion of State Highway 14 in Boone and Antelope Counties. The State needs a temporary easement for County of Boone, Nebraska property known as Lot 1, except the East 80 feet of the South 1 foot, and all of Lot 2, Block 4, City of Elgin, Antelope County, Nebraska. The building on the property will not be affected by the project, however some landscaping improvements do appear to be in the temporary easement area. Motion made by Rasmussen, second by Luettel to approve and accept the nominal compensation for landscaping of \$500.00 and authorize the Board Chairman to sign the necessary documents for Project #: 14-3(119), Albion, Petersburg and Elgin between the County of Boone, Nebraska and the Nebraska Department of Transportation as presented. Roll call vote: Yeas: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.



Boone County Board Minutes



The Board approved to move forward with the Boone/Nance 911 Communications merger, with the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement with a December 1, 2018 effective date at their September 17, 2018 Board meeting. The Interlocal Agreement by and between Boone County, Nebraska and Nance County, Nebraska on behalf of the Boone County Sheriff's Office and Nance County Sheriff's Office was not available for final review for the Board meeting. Motion made by Rasmussen, second by Luettel to table the Interlocal Agreement to a future Board meeting. Roll call vote: Rasmussen and Luettel. Nays: None. Absent: Maricle. Motion carried.

Public Comments:

- Commissioner Luettel plans to attend the Village of Petersburg board meeting on November 6, 2018 to discuss the county owned property survey recently completed. The survey shows two open alleys of which there are trees/bushes and part of a building for discussion that appear to be in the alleys.

Chairman Luettel declared the meeting adjourned at 10:52 A.M., with the next Board meeting scheduled for Tuesday, November 13, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 13, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, November 13, 2018, 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, Alan Rasmussen 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 did not receive tire quotes to review for the County Ambulance unit. Motion made by Maricle, second by Rasmussen to table the purchase of new tires for the County Ambulance unit to a future Board meeting. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 580 in the amount of \$362.65 submitted for reimbursement of meeting expenses. The Board approved the meeting expense reimbursements that included mileage, parking and the itemized receipts for meal expenses in accordance with the County Employee Handbook in the amount of \$198.84. The Board partially rejected payment of Vendor ID No. 580 in the amount of \$163.81, the County does not reimburse for meals without an itemized receipt and the portion of a meal that exceeds the set meal amounts per the 2018 Re-organizational Proceedings. Motion made by Luettel, second by Maricle to partially reject Vendor ID No. 580, the \$163.81 submitted for reimbursement of meals without itemized receipts and the portion of a breakfast receipt that exceeded the set limit in accordance with the County Employee Handbook and 2018 Board Re-organizational Proceedings. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1785 in the amount of \$120.86 submitted for reimbursement of meeting expenses. The Board approved the meeting expense reimbursements that included mileage and the itemized receipts for meal expenses in accordance with the County Employee Handbook in the amount of \$86.08. The Board partially rejected payment of Vendor ID No. 1785 in the amount of \$34.78, the County does not reimburse for meals submitted for the day/evening travel before a meeting and mileage reimbursement is for the direct route from the courthouse to the meeting destination. Motion made by Luettel, second by Maricle to partially reject Vendor ID No. 1785, the \$16.14 submitted for meals for the day/evening travel before a meeting and \$18.64 the difference submitted for mileage in accordance with the County Employee Handbook. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$67,180.21; Road/Weed - \$128,662.08; County Visitors Promotion - \$400.00; Inheritance Tax - \$32,500.00; 911 Emergency Management (2910) - \$619.06; 911 Wireless Service (2913) - \$499.23; Ambulance - \$3,302.08. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Motion made by Maricle, second by Rasmussen to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$7,512.19, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Maricle and Rasmussen. Nays: None. Abstain: Luettel. Motion carried.

The Board reviewed an Accounts Payable Vendor Claim request that was submitted by Vendor ID No. 182. The transaction request is referenced in Resolution No. 2013-60 and Resolution No. 2018-37. Motion made by Maricle, second by Rasmussen to approve the Vendor ID No. 182 request in the amount of \$30,000.00 payable from the County Inheritance Tax Fund. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of October 29, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the following reports of the County Officials as presented for October 2018:

- Clerk - \$3,785.25 (State of Nebraska-\$1,265.29)(County of Boone-\$2,519.96)
- Clerk of the District Court - \$1,458.03 (State of Nebraska-\$1,110.00)(County of Boone-\$348.03)
- County Planning and Zoning - \$235.50
- Sheriff - \$1,427.70
- Treasurer - Treasurer's Fees - Zero; Miscellaneous Receipt Nos. 16636-16695 - \$379,910.16; Total Collections - \$756,601.69

Roll call vote: Yeas: Rasmussen, 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 Boone County Historical Society requested assistance to advertise the Big Give Open House and Carol Singing event at the Boone County Museum scheduled for November 30, 2018. Motion made by Rasmussen, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report for the Board to review. There were ten distress warrants delivered to the Boone County Sheriff on November 1, 2018 for collection of unpaid 2017 personal property taxes. The amount of uncollected 2017 personal property taxes, not including penalties is \$7,200.37. The total to be collected on distress warrants, with penalties is \$7,545.15. 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 Rasmussen. 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. The Albion News, Petersburg Press and St. Edward Advance are all owned by Jim and Julie Dickerson, Dickerson Newspapers, Inc. Motion made by Maricle, second by Rasmussen to designate the official county newspapers for 2019 to include the Albion News, Petersburg Press and The St. Edward Advance. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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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 Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Certification for the Nebraska Department of Roads of Stacey L. Robinson, Boone County Highway Superintendent, for the calendar year 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The First Concord Benefits Group submitted the Section 125 Cafeteria Plan re-enrollment forms for calendar year 2019 and Cafeteria Plan-IRC Section 125 key employees questionnaire/highly compensated employee forms for 2019. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign all necessary documents regarding the Section 125 Cafeteria Plan re-enrollment and maintain the grace period plan for 2019. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

A request to install equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds was discussed on August 13, 2018. There is some spotty coverage in Boone County that the state has been discussing. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties. On September 10, 2018 the Board approved and authorized the Board Chairman to sign the Communications Tower and Shelter Facilities Agreement between Boone County, Nebraska and The State of Nebraska, Office of the Chief Information Officer. Mike Jeffres, State of Nebraska, Office of the Chief Information Officer, informed the County Sheriff and Clerk on September 17, 2018 that the State of Nebraska legal department wants to use a simpler revised agreement. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the revised Interlocal Cooperation Agreement/Tower Use Agreement between the Nebraska Office of the Chief Information Officer (OCIO), an agency of the State of Nebraska and Boone County, Nebraska, a political subdivision of the State of Nebraska and that the revised Interlocal Cooperation Agreement takes precedence/supersedes the Interlocal Agreement that was approved/signed by the Board on September 10, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board approved to move forward with the Boone/Nance 911 Communications merger, with the Boone and Nance County Sheriffs and Attorneys to prepare a three year Interlocal Agreement at their September 17, 2018 Board meeting. Denny Johnson, Sheriff, and the Board have reviewed and discussed the Interlocal Agreement at several of the Board meetings. Johnson presented the Interlocal Cooperation Agreement that has been signed by Nance County for the Board to approve and sign. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Interlocal Cooperation Agreement for Dispatching of Law Enforcement and Emergency Services between Boone County, Nebraska and Nance County, Nebraska as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Counties of Boone, Butler, Merrick, Nance, Polk, Saunders, and the City of Columbus acting as the Platte County Public Safety Answering Point (PSAP) entered into an Interlocal Cooperation Agreement, East Central Region for 911 Emergency Communications Equipment Sharing on September 16, 2013. The Agreement created the East Central 911 Region (EC911), administered by the EC911 Governing Regional Committee. Hamilton County desires to become a party to the EC911 Agreement. Motion made by Luettel, second by Maricle to approve and authorize the Board Chairman to sign the Addendum to add Hamilton County to the Interlocal Cooperation Agreement East Central Region 911 Emergency Communication Equipment Sharing Agreement as submitted. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



Boone County Board Minutes



The County Road Shop District #1, Cedar Rapids, Nebraska is in need of repairs and has been discussed at various Board meetings since October 25, 2017. The Board advertised for bids for the building of a 16' x 16' office/break room for the County Road Shop District #1, Cedar Rapids. The Board received a bid for the construction of an office/break room building from T & A Handyman, Cedar Rapids, Nebraska for approximately \$30,602.00. The bid does not include a restroom stool fixture. The Board asked the Highway Superintendent to contact T & A Handyman for a restroom stool fixture quote. The Board received a quote for painting of the office/break room building from Koziol Painting, Albion, Nebraska for \$895.00. Mary Ziemba, County Zoning Administrator, was present at the meeting to inform the Board that she plans to check the Floodplain area in conjunction with the location of the county shop. Motion made by Maricle, second by Rasmussen to approve the bids as received for construction of an office/break room building from T & A Handyman for approximately \$30,602.00 and painting from Koziol Painting for approximately \$895.00 for the County Road Shop District #1, Cedar Rapids. Roll call vote. Yeas: Maricle, Rasmussen and Luettel. 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 Luettel to approve as written Resolution No. 2018-38 to accept and approve the written applications of the following designated County Depositories of the County Funds for calendar year 2019: Boone County Bank, a division of Madison County Bank, Albion; Cedar Rapids State Bank, Cedar Rapids; Cornerstone Bank, York and Albion and St. Edward Branches; First Bank & Trust of Fullerton, St. Edward Branch; Great Plains State Bank, Petersburg; Homestead Bank of Cozad, Albion Branch; and alternate investment NPAIT, Lincoln. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The County employees are directly responsible to an individual elected official or the County Board. Elected officials, in working with their employees, may develop different employment practices and policies than used by other offices. The different practices and policies can result in disharmony among the body of County employees. The Elected officials of Boone County adopted a Boone County Employee Handbook on June 13, 2016 and have approved revisions to the adopted 2016 Boone County Employee Handbook within the County Board Proceedings. The Board approved revisions to the Boone County Employee Handbook on June 27, 2018. Due to prior lengthy discussions at Board meetings regarding the County FMLA policy, the following revisions/language clarification that was approved on June 27, 2018 were removed from the updated handbook pages until further clarification from labor law legal counsel:

- Pages 17 & 26 – The paragraphs where an employee not working/receiving compensation for a 40 hour work week within two pay periods each calendar year will be subject to paying 20% of their health insurance premium, etc.
- Page 22 - No employee shall be permitted to take leave without pay. Unpaid leave is when an employee qualifies for FMLA leave and all earned benefit leave (comp, sick, vacation) has been exhausted.
- Page 26 & Exhibit "I" - Unpaid leave is when an employee qualifies for FMLA leave and all earned benefit leave (comp, sick, vacation) has been exhausted.
- Page 28 & Exhibit "J" - Unpaid leave is when an employee qualifies for FMLA leave and all earned benefit leave (comp, sick, vacation) has been exhausted.

Motion made by Rasmussen, second by Maricle to approve and sign the Resolution No. 2018-39, the revised Boone County Employee Handbook changes that were approved on June 27, 2018 with the above mentioned exclusions to the revision language until further clarification regarding the County FMLA policy. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board, Elected Officials and/or Department Heads present at the Board meeting discussed the following:



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- County Government Day is scheduled for November 14, 2018.
- Wellness Partners health screen that has been held in the spring the past years is appreciated and the group present would appreciate the Board scheduling a participation date in 2019.
- The group present was informed that Wells Drug is a participating pharmacy for flu vaccinations.
- An employee recognition meal the past years has been tried several different ways with some years of good employee participation and other years not so much. The sheriff's office suggested that the Board purchase either a ham or turkey for each employee for their holiday family meal. Following discussion the group decided on the purchase of a turkey for employees with the Board delivering a turkey to employees in December 2018.

Jack Nordeen, County Weed Superintendent/Sign Technician employee, discussed his personal concerns with the Board regarding the County FMLA policy and sick/vacation/comp policies on October 9, 2018. The Board asked Nordeen to type out all of his questions and concerns about employee policy for the County Clerk's office to forward to the labor law legal counsel for review on October 9, 2018. Nordeen's questions along with the Employee Handbook policy pages that he is questioning were emailed to Pam Bourne, Woods & Aitken, LLP, labor law legal counsel. Nordeen is saying that the County Employee Handbook FMLA policy in the handbook is not correct in accordance with the posted Family and Medical Leave Act. Motion made by Maricle, second by Luettel to ask Pam Bourne, Woods & Aitken, LLP, labor law legal counsel to have a representative at the Board meeting to discuss the FMLA policy issue on October 19, 2018. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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.

Public Comments:

- Tanya Sharp, Boone County Health Center President/Chief Executive Officer, presented forms for the Board to sign in regard to the renewal of the licensee number 031001 for the Hospital Licensure.
- Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects.
- Commissioner Luettel updated the Board in regard to the Petersburg Village Board meeting discussion of the alleys/trees following the survey of the County property located in Petersburg.
- Commissioner Maricle updated the Board in regard to the Region 44 Emergency Services Supervisory Committee meeting.
- Commissioner Maricle updated the Board in regard to the BCDA, Inc. meeting and activities. BCDA Executive Committee Member, Larry Temme of Petersburg, was present at the Board meeting.
- Commissioner Maricle updated the Board in regard to the Boone County Joint Planning Commission meeting.

Chairman Luettel declared the meeting adjourned at 1:00 P.M., with the next Board meeting scheduled for Monday, November 19, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 19, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 19, 2018, 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, Alan Rasmussen 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 Chairman, Alan Rasmussen, opened the safety meeting at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Denny Johnson, Rod Nelson, Kathy Thorberg and Jacqueline Wells. Old business that was addressed/reviewed: the May 2018 worker's compensation claim has been addressed; Johnson and Nelson are still planning to set up a regular schedule for testing the telephones and intercom system; Denise Ziemba of Clarks, Nebraska began her position as Region 44 Emergency Manager on August 20, 2018; a fire drill for the courthouse was held on Monday, October 1, 2018 at 8:15 A.M. and went well; and discussed the idea of a security camera system to be placed on the County Communications Tower located on the fairgrounds and on the Albion City Water Tower to cover the new Boone County Recreational Trail. New business was discussed: (1) Johnson and Nelson plan to apply for a grant for a new generator to replace the current one at the County Law Enforcement building; (2) the safety committee is asking the county employees to be careful on sidewalks and parking lots as the winter snow/ice weather is approaching; (3) discussed the condition of the courthouse square sidewalks and steps, the majority is in good shape; (4) the lights above the north and west courthouse doors keep going out, Nelson has contacted an electrician to check out the light system; (5) Johnson and Terry Baxter, NIRMA, have discussed a class "Stop The Bleed" training for employees, the group present felt it would be a good training for all employees, Johnson plans to set up a date with NIRMA to be on site for the training; and (6) Larry Bird, Friends of the Trail Committee Chair, and the group present discussed the idea of possibly a security camera system to be placed somewhere to cover the new Boone County Trails System; (7) no claims have been filed with NIRMA since July 2018. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, February 25, 2019. The Safety Committee meeting was adjourned by Chairman Alan Rasmussen at 9:18 A.M.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of November 13, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board of Equalization Proceedings of November 13, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to table the review of the donors Pledge Agreement documents to the November 28, 2018 Board meeting, due to no Agreements were available to review. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



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Larry Bird, Friends of the Trail Committee Chair, and the Board discussed committee representatives for the Boone County Trails System that was dedicated on October 18, 2018. Bird presented the names of the seven committee members. Bird informed the Board that the committee is in need of a member from the Albion City Council, Boone County Board of Commissioners and Boone County Agricultural Society, Inc. to complete the Friends of Trail Committee. Commissioner Hilary K. Maricle is the present Board member representative regarding the Boone County Trails System. The consensus of the Board for Commissioner Maricle to complete the County Board representation to the end of her term and at the Board of Commissioners Re-organizational meeting in January 2019 a new representative will be appointed to the committee. The group discussed whether or not ex-officio board members (City, County, and Agricultural Society) would be able to approve minor projects without bringing the issue back to their respective Board meetings each time. There needs to be some structure that outlines what the ex-officio committee members can and cannot approve. The group discussed/brought up several items that included security camera system; regulations such as no horses, no motorized vehicles etc. on the cement trail; clean up after pets when walking the trail; and that the regulations set for City and County property should be a joint agreement with the same regulations. Commissioner Luettel reminded the group present that the Board did not approve contributing any tax funding to the trail system project. Bird informed the group that the request today is to approve a Friends of the Trail Committee. Motion made by Luettel, second by Rasmussen to appoint Hilary Maricle, County Board representative until the end of her term of which a new County Board member will be appointed at the Board of Commissioners Re-organizational meeting in January 2019; and approve the committee members of Michelle Olson, Larry Bird, Kent Olson, Courtney Ruzek, Lara Swerczek; Kier Dane Harner and Rex Mahoney as the Friends of the Trail Committee. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

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 2019 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, 2019 to June 30, 2020. Funds not used by Boone County will be used for other services in the Northeast Nebraska Juvenile Justice Partnership Plan. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Memorandum of Understanding for the Nebraska Crime Commission's 2019 Community-Based Juvenile Services Grant as presented. Roll call Vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Steve Pritchard, Extension Educator, submitted a written request for 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. Amanda Mogensen of Cedar Rapids has completed her first term. The Boone-Nance County Extension Board recommends the re-appointment of Amanda Mogensen of Cedar Rapids to serve her second three-year term on the Boone-Nance County Extension Board beginning January 2019. Motion made by Maricle, second by Rasmussen to re-appoint Amanda Mogensen to serve her second three-year term on the Boone-Nance County Extension Board beginning January 2019. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service submitted two uncollectible ambulance accounts for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$1,405.00 for an October 15, 2017 ambulance service and the \$2,370.00 for a November 11, 2017 ambulance service from the EMS Billing Services account for purposes of bookkeeping



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and turn the two accounts over to the County Attorney to attempt further collection. Motion made by Maricle, second by Rasmussen to turn the October 2017 County Ambulance Service account balance of \$1,405.00 and the November 2017 County Ambulance Service account balance of \$2,370.00 over to the County Attorney for further collection and for the County Attorney to promptly pursue action for collection since both accounts are for deceased individuals. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board conducted an employment evaluation with Rod Nelson, Courthouse Maintenance.

The Board conducted an employment evaluation with Mary Ziemba, Zoning Administrator.

Motion made by Luettel, second by Rasmussen to go into executive session at 11:30 A.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Luettel, second by Maricle to come out of the executive session at 12:04 P.M. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried. Clarification of FMLA policies. No action was taken by the Board.

Motion made by Luettel, second by Rasmussen to go into executive session at 12:19 P.M., per the Open Meeting Act §84-1410, strategy session regarding threatened litigation. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Luettel, second by Rasmussen to come out of the executive session at 12:40 P.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Maricle, second by Luettel to retain Woods & Aitken, LLP to provide legal services. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Public Comments:

- The Board received and reviewed postcards supporting livestock development within Boone County from Alliance for the Future of Agriculture in Nebraska (AFAN).
- Commissioner Luettel and Rasmussen reported on County Government Day that was held on November 14, 2018. The Board extends a Thank You to everyone that was involved and/or participated with the County Government Day activities for area high school youth.
- Commissioner Maricle updated the Board in regard to the Environmental Quality Council/Department of Environmental Quality (EQC/DEQ) meeting.

Chairman Luettel declared the meeting adjourned at 1:16 P.M., with the next Board meeting scheduled for Wednesday, November 28, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
NOVEMBER 28, 2018
ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, November 28, 2018 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, Alan Rasmussen 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 Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$94,648.79, BCBS \$55,136.82, Ameritas Ret \$6,571.30, EFTPS \$7,039.27, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$59,236.10, BCBS \$28,765.04, Ameritas Ret \$3,998.44, EFTPS \$4,467.68; Ambulance \$3,444.92, Ameritas Ret \$78.55, EFTPS \$263.54; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of November 19, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Randall Bruland, Boone County Ambulance Administrator, presented two quotes for the Board to review for the purchase of new tires for the County Ambulance unit. The quotes are for six tires, Continental HSR 225/70R19.5. The quotes are: Main Street Auto Sales & Service of Albion - \$2,052.00 and KAV Tire and Lube of Albion - \$2,179.38 (Tires \$2,173.38; NE State tire fee \$6.00). Bruland informed the Board that he felt it is best to replace the tires at 40,000 miles or less on emergency vehicles. The Board and Bruland discussed disposal of the current tires. Bruland said that in past years sometimes the County Road department has used the tires. Bruland will contact the County Highway Superintendent to see if the road department has use for the tires. Motion made by Luettel, second by Maricle to approve and authorize Randall Bruland, County Ambulance Administrator, to purchase six tires for the Boone County Ambulance from Main Street Auto Sales & Service of Albion for \$2,052.00. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board reviewed the 2019 calendar to set dates for the 2019 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 Maricle, second by Luettel to approve the following meeting dates for 2019 which are subject to change: January 7, 14, 22 and 28; February 11, 19 and 26; March 11, 18 and 26; April 8, 15, 24 and 29; May 13, 20 and 28; June 10, 17 and 26; July 8, 15, 22 and 29; August 12, 19 and 26; September 9, 16 and 25; October 15, 21 and 28; November 12, 18 and 26; December 9, 16, 27 and 30. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board approved allowing up to fifteen dollars as needed per employee on December 11, 2017 regarding the expenditures for one recognition dinner each year held for employees per Nebraska Revised Statute §13-2203. The Board and employees present at the Board meeting on November 13, 2018 discussed the foregoing of a meal and instead purchasing a turkey for employees for their holiday meal.

Motion made by Maricle, second by Luettel to approve the purchase of a turkey for each County Elected Official and full time employee up to \$15.00 per employee; the fifty turkeys will be purchased from the grocery



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stores located within the County; and the Board of Commissioners plan to distribute the turkeys. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Nathan Olson leases the County owned crop ground of 24.68 acres located in a fractional part of the NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Olson's rental lease payment is in March each year and the Lease Agreement provides that the County shall pay Olson reasonable damages due to crop damage for the development of a walking trail or the testing of a new water well. Olson and the Board discussed crop damage costs due to the development of a new Boone County Trails System that was completed in October 2018. The formula used: 24.68 leased acres; less 21.40 crop acres; leaves 3.28 damaged crop acres; 1.64 acres @ \$343.40 cost of production - \$563.18 and 1.64 acres @ \$230.75 rent - \$378.43 for a reimbursement total of \$941.61. Motion made by Luettel, second by Maricle to reimburse Nathan Olson, Lessee, \$941.61 for the 2018 leased year crop damage. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

On November 13, 2018 the Board approved Resolution No. 2018-39, the revised Boone County Employee Handbook changes that were approved on June 27, 2018 with some exclusion to the revisions language until further clarification in regard to the County FMLA policy. Following clarification from labor law legal counsel the clarification language has been changed and updated to the Boone County Employee Handbook pages: Compensatory Time (Comp Time), Page 22; Health Insurance/Vacation, Page 26 and Exhibit "I"; Funeral Leave/Sick Leave, Page 28 and Exhibit "J"; Courthouse Closed, Page 52; Catastrophic Illness Donation, Page 56 and Exhibit "P-2". In addition, some of the federal forms expiration date changed that will be replaced in the portion of the Employer Handbook being Exhibit '2.8a' and Exhibit "4.2" through Exhibit "4.8". Motion made by Luettel, second by Rasmussen to approve and sign the Resolution No. 2018-40, the revised Boone County Employee Handbook and Employer Handbook portion as mentioned above. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to go into executive session at 10:05 A.M., per the Open Meeting Act §84-1410, prevention of needless injury to the reputation of a person and if such person has not requested a public meeting. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. The Board reviewed an employee request. Motion made by Rasmussen, second by Luettel to come out of the executive session at 10:13 A.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried. Motion made by Maricle, second by Rasmussen to approve the employee request. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board conducted an employment evaluation with Jack Nordeen, County Weed Superintendent.

The Board conducted an employment evaluation with Stacey Ziemba, County Highway Superintendent.

The Board conducted an employment evaluation with Jacqueline Wells, County Veteran Service Officer.

Kevin Rasmussen presented a draft copy of the donors Pledge Agreement for the new livestock facility project at the County Fairgrounds to the Board for their review. The Board contacted Jeff Jarecki, Attorney, by telephone, to discuss the donor Pledge Agreement draft he prepared. The Board felt that there are several unanswered questions at this time in regard to the new livestock facility project at the County Fairgrounds. Motion made by Luettel, second by Maricle to table the review of the donors Pledge Agreement document to the December 10, 2018 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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Denny Johnson, Sheriff, presented information he received from Stacen Gross, SCG Consulting Services, LLC, a consultant for communication mergers, in regard to the use of wireless set aside funds for the Interlocal Cooperation Agreement for Dispatching of Law Enforcement and Emergency Services between Boone County, Nebraska and Nance County, Nebraska. Gross attended the Public Service Commission Wireless Advisory Board meeting on October 30, 2018 to present the funding request for the Boone County and Nance County 911 Communications merger project. The following was approved at 100% for Boone County from the 2914 - 911 Wireless Service Holding Fund: Justice Data CAD - \$32,000.00; GeoComm Mapping Upgrade - \$29,937.00; Platte Valley Hardware for CAD & Mapping - \$28,421.06; Platte Valley Logging Recorder Upgrade - \$3,550.00; and GeoComm Address Point Layer Map Updates - \$14,476.00 for a total of \$108,384.06. Gross's message to Johnson said that the Wireless Advisory Board made a special case since Boone and Nance Counties are consolidating, they felt this was a good way to offer some incentive and to encourage others to consolidate and/or join regions. Boone County is already part of the EC911 Region. The next step is for the Commission to approve the Wireless Advisory Board's recommendation. Once the final approval is made, we can get to work on implementing the merger project. Motion made by Maricle, second by Luettel to use the 2914 - 911 Wireless Service Holding Fund as approved by the Public Service Commission in the amount of approximately \$108,384.06. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Michael Epley, Platte Valley Communications of Kearney, Inc., Denny Johnson, Sheriff, and John Buck, Chief Deputy Sheriff, updated the Board in regard to the installation of equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds. Epley informed the Board that the plan is to re-program the frequency of all emergency radios, etc. the week of December 10, 2018 and have the SRS turned on by the end of December 2018. In addition to the updated information Epley presented a quote for an APX7500 Console and additional equipment in the amount of \$11,110.20. The new console will be used to dispatch Nance County Sheriff on the State Radio System (SRS). It will also serve as backup for the new MCC7500e console after being installed. If Boone County moves to the SRS, it will be used to dispatch the Boone County Sheriff's department. Motion made by Luettel, second by Rasmussen to use the 2910 - 911 Emergency Management Fund to purchase a Motorola APX7500 Console and additional equipment and approve the quote of \$11,110.20 from Platte Valley Communications as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Public Comments:

- Commissioner Maricle reported on the Boone County Planning Commission meeting.
- Commissioner Maricle informed the Board that Albion's Holiday Light Parade is scheduled for November 29, 2018.
- County Highway Superintendent informed the Board in regard to liquid deicing material, flagged bridge on 210th Avenue/300th Street area; new propane heating system installed at the County Road Shop District #1, Cedar Rapids; and snow removal policy.

Chairman Luettel declared the meeting adjourned at 1:55 P.M., with the next Board meeting scheduled for Monday, December 10, 2018.

Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 10, 2018

ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 10, 2018, 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, Alan Rasmussen 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 and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1408 submitted for payment number two in the amount of \$41,891.92 for the contractor services in regard to the new building project for the Boone County Fairgrounds. The Board discussed the additional dirt work in regard to the building project due to the discovery of metal and wood debris that has been buried on the County property. Motion made by Maricle, second by Rasmussen to approve payment number two for Vendor ID No. 1408, Rathman Manning Construction, in the amount of \$41,891.92 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$37,778.67; Road/Weed - \$71,415.64; Inheritance Tax - \$2,216.24; 911 Emergency Management (2910) - \$391.59; 911 Wireless Service (2913) - \$471.49; Fair Building (4025) - \$41,891.92; Ambulance - \$6,703.63. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, 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 \$1,933.82, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board Proceedings of November 28, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen 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 November 2018:

- Clerk - \$3,363.50 (State of Nebraska-\$1,253.04)(County of Boone-\$2,110.46)
- Clerk of the District Court - \$717.25 (State of Nebraska-\$244.00)(County of Boone-\$473.25)
- County Planning and Zoning - \$235.50
- Sheriff - \$1,356.99
- Treasurer - Miscellaneous Receipt Nos. 16696-16753 - \$297,871.93; Total Collections - \$546,879.79

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



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The County Longevity Program for full-time employees that was started in August 1979 will end December 21, 2018. A Merit Based Pay Program with employee performance evaluation begins for January 2019 being effective December 22, 2018 to coincide with the 22/21 pay period. An hourly wage increase of (0-12 cents) which is based on a full-time employee's performance evaluation every November will be a new benefit beginning with the January 2019 payroll to coincide with 22/21 pay period. The employee's performance evaluation is to be placed in the employee's personnel file in their respective office and the employee recommendation performance forms will be submitted to the Board for review at the first Board meeting in December each year. After review, the Board will submit the performance forms to the County Clerk's office in order to prepare the payroll system for the next calendar year and will be placed in the employee's respective locked personnel file located in the County Clerk's office. The Board reviewed the submitted Merit Based Pay Recommendations for full time county employees. Motion made by Maricle, second by Luettel to approve the Merit Based Pay Recommendations for full time employees for the 2019 payroll year submitted by the respective office supervisors. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board approved an Interlocal Cooperation Agreement/Tower Use Agreement between the Nebraska Office of the Chief Information Officer (OCIO), an agency of the State of Nebraska and Boone County, Nebraska, a political subdivision of the State of Nebraska, for installation of equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds. Within the Agreement the State of Nebraska will be taking over the maintenance of the County owned Olympian generator located at the tower site. The annual three year generator maintenance Agreement with NMC included both the Olympian generator located at the tower site and the Winco generator located at the Law Enforcement/Sheriff's office building. Rod Nelson, Maintenance, discussed the generator maintenance change with NMC. NMC provided an updated Maintenance Agreement with no change to the maintenance fee for the Winco generator and removed the Olympian generator annual maintenance fee from the County Agreement. Motion made by Maricle, second by Luettel to approve the revised Maintenance Agreement for the annual PM3 inspection for the Winco generator fee of \$654.00 for each year through 2020. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The new propane heating system installed in the County Road Shop at Cedar Rapids is not operating correctly and has been using an average of 40 gallons of propane per day with an average of 55 degrees inside the building. The Board directed the Highway Superintendent to contact the installer again and request that a company representative be sent to the site to check the new system.
- The contractor for the construction of a 16' x 16' office/break room building for the County Road Shop District #1, Cedar Rapids informed the County Highway Superintendent that the concrete and underground wiring would possibly double in expense if they start the construction now due to the frozen ground. The road employees stated that they do not want water services to the new office/break room building addition and would like the Board to consider bringing in a pre-built or portable building to attach to the present shop building. Possible changes will be discussed with the contractor.
- Chairman Luettel had some information on Calcium Chloride (CaCl₂) Dust Control material for dusty County roads. The County Highway Superintendent will check with other counties to see what type of dust control they use and how often they apply the material.

The County Highway Superintendent and the Board discussed the purchase of a tank and liquid deicing material for use by the Boone County Road Department that would be centrally located in Albion for disbursement



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where needed within the County. A company contacted in Colorado had not responded to date with a quote for either the tank or liquid deicing material. A company from Iowa submitted a quote for a 6000 gallon tank with cone stand and fittings, delivered for \$7,350.00. Smith Fertilizer & Grain of Knoxville, Iowa submitted a quote for deicing liquid material at \$1.43 per gallon delivered with a minimum of 4700 gallons. Motion made by Maricle, second by Rasmussen to approve and authorize the County Highway Superintendent to purchase a 6000 gallon tank with stand and fittings for approximately \$7,350.00 and deicing liquid material delivered for approximately \$1.43 per gallon. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Highway Superintendent presented an updated Snow Removal Plan and Policies for the Boone County Department of Roads. The snow removal plan covers the procedure that will be followed in the event of a winter snowstorm. The maps for each area of the County show priority roads for snow removal. Snow plowing will begin when snow accumulation reaches three inches or more. The 2018 Snow Removal Plan and Policies will be posted on the Boone County website. Motion made by Rasmussen, second by Maricle to approve the Boone County Department of Roads, Snow Removal Plan and Policies, effective December 2018 as prepared and submitted by the Boone County Highway Superintendent. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board contacted the NACO office and reviewed the information received regarding guidelines for filling county office vacancies. In a county having a population of less than one hundred fifty thousand inhabitants in which no county surveyor has been elected and qualified, the county board of such county shall appoint a competent surveyor either on a full-time or part-time basis from any other county of the State of Nebraska to such office. An appointed surveyor shall serve the same four-year term as that of an elected surveyor. The county board shall negotiate a contract with the surveyor, such contract shall specify the responsibility of the appointee to carry out the statutory duties of the office of county surveyor. The Board received proposals from Brent D. Cyboron, Initial Point Surveying, LLC of Grand Island, Nebraska and Christopher C. Hays, Hays Land Surveying, LLC of Osceola, Nebraska for the appointment as Boone County Surveyor. Cyboron and Hays were both present at the Board meeting and presented their respective proposal to the Board. The Board acknowledged appreciation for their interest in the appointed position. Motion made by Maricle, second by Luettel to table the decision of the appointment of a Boone County Surveyor to the December 17, 2018 Board meeting to allow the Board to further review the two proposals. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Jeff Jarecki, Jarecki Maul PC LLO and attorney for the Boone County Agricultural Society, Inc., and the Board discussed the Pledge Agreements with the County for the new livestock facility at the Boone County Fairgrounds. Jarecki explained how pledges would be handled after discussion with the Nebraska Community Foundation and Boone County Community Foundation. The Pledge Agreements are between the pledge donor and the Boone County Agricultural Education Center, Inc. Jarecki said that an Account Agreement will be finalized between the Boone County Community Foundation, Nebraska Community Foundation and County of Boone, Nebraska, with specific details on how the donated funds to pay for the bonds for the new livestock building at the county fairgrounds will be held and transferred. Jarecki said that the Account Agreement will come to the Board for approval once it is drafted. The application for the Boone County Agricultural Education Center, Inc. for a 501(c)(3) status is now in final form and ready for submission. The donor funds for the Boone County Agricultural Education Center, Inc. are presently being held by the Boone County Community Foundation due to no approval of the non-profit status to date. This building project needs to be transparent and have continuous communication and cooperation between the County, building advisory committee and the foundations.



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The Boone County Treasurer has set up a separate account to receive the donated funds in order to pay the bonds for the building project. Any interest earned on said building bond account will also be used towards the ten year bond/interest payments. The donated funds may be made directly to the Boone County Treasurer or the Boone County Community Foundation/Boone County Agricultural Education Center, Inc.

The Board received two change orders to review for consideration for the new livestock building project for the Boone County Fairgrounds. Leo Dwyer, president of Rathman Manning Construction, explained that Change Order #2 is for additional dirt work and excavation. The original building site was too close to the new County Communications Tower, of which any building needs to be a minimum of 300 feet from the center of the communications tower. The additional dirt work and excavation costs for Change Order #2 is \$38,680.00. The additional dirt work/excavation is due to the building being straightened from the original plan of setting at an angle; moved further east from its original planned location to avoid the communications tower and recreational trail; building movement requires moving more dirt from hilly area; and during excavation a buried dump site was found under the site containing mainly metal and wood debris that needs moving. The additional cost came to \$46,680.00 and the contractor is donating \$8,000.00 in labor cost, bringing the additional dirt work total down to \$38,680.00. Motion made by Maricle, second by Rasmussen to approve Change Order #2 for additional dirt work/excavation for the new fairgrounds building project in the amount of \$38,680.00 for Rathman Manning Construction as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Dwyer explained that the Change Order #1 in the amount of \$55,893.00 dealt with various changes in the building plan and the movement of the building location. Chuck Rolf, Ag Society, was asked by Pat Neidhardt why some of the plan changes were necessary for the livestock building. Rolf replied that the building advisory committee felt the change would make the building more useable. The Board decided to approve only part of the Change Order #1 requests: changing doors to double doors with card readers; added two 16'L x 10'W overhead doors; transition with doors and squaring up the class/meeting room caused changes to floor tile, etc.; double doors and hallway changes increased the size of the class/meeting room for framing/drywall/painting expense; building movement will need to extend utilities such as electrical, water, etc. lines; and install a fire hydrant and water line. The Board tabled and did not approve Div. 03 additional concrete footing expense due to cold weather - \$3,868.00 and Div. 26, 27, and 28 additional electrical work, utility hookups, panel boxes, etc. - \$50,209.00. Motion made by Maricle, second by Rasmussen to approve Change Order #1 as follows: Div. 08, 09, 22, 23 and not approve/table Change Order #1 as follows: Div. 03, 26, 27, 28 as per attached change order document. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Public Comments:

- Meetings: NACO Conference – December 12-14, 2018; BCDA, Inc. – December 11, 2018.
- Commissioner Maricle reported that the new Region 44 Emergency Manager, Denise Ziemba, plans to attend the December 27, 2018 Board meeting to introduce herself.
- The Board acknowledged receiving a letter of concern from Dan Batenhorst regarding possible erosion occurring on a finished stream bank stabilization site located by Cedar Rapids, Nebraska along 360th Street. The Board forwarded the letter to the County Highway Superintendent.

Chairman Luettel declared the meeting adjourned at 12:57 P.M., with the next Board meeting scheduled for Monday, December 17, 2018.

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, December 10, 2018 at 9:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Maricle, second by Commissioner Luettel to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Hilary K. Maricle, Ken Luettel and Alan Rasmussen. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator and Joseph L. Luettel, 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 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 Joseph L. Luettel. Joseph L. and Carol A. Luettel are the property owners of the real estate referenced herein. The application request is to divide 6.58± acres from a parcel of farm land to residential located in a fraction of the NE1/4 of Section 13, Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska.

Joe Luettel explained to the Board that the purpose for dividing the 6.58± acres from the farm land to sell property to Ryan and Jordynn Luettel to construct a new residential home on family property. A survey for 6.58± acres is completed. A Waiver of Distance has been signed by Joseph L. Luettel. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 6.58± acres from the parcel of farm land to construct a new residential home on family property. Ziemba said that there were no objections to the request. Luettel informed the Board that the next step is to drill a well for water source. Luettel informed the Board that if there is insufficient water source the residential home will not be built on said property.

Motion made by Luettel, second by Rasmussen to close said public hearing at 9:33 A.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Conditional Use Permit submitted by Joseph L. Luettel to divide 6.58± acres from a parcel of farm land to sell property to Ryan and Jordynn Luettel to construct a new residential home on family property located in a fraction of the NE1/4 of Section 13, Township 21 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 17, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 17, 2018, 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 Alan Rasmussen, 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 received proposals from Brent D. Cyboron, Initial Point Surveying, LLC of Grand Island, Nebraska and Christopher C. Hays, Hays Land Surveying, LLC of Osceola, Nebraska for the appointment as Boone County Surveyor at their December 10, 2018 Board meeting. Cyboron and Hays were both present at the Board meeting and presented their respective proposal to the Board. The Board tabled the decision of the appointment of a Boone County Surveyor to the December 17, 2018 Board meeting to allow the Board to further review the two proposals. In a county having a population of less than one hundred fifty thousand inhabitants in which no county surveyor has been elected and qualified, the county board of such county shall appoint a competent surveyor either on a full-time or part-time basis from any other county of the State of Nebraska to such office. An appointed surveyor shall serve the same four-year term as that of an elected surveyor. The county board shall negotiate a contract with the surveyor, such contract shall specify the responsibility of the appointee to carry out the statutory duties of the office of county surveyor. Christopher C. Hays of Osceola, Nebraska is the appointed Boone County Surveyor with the present Surveyor Services Agreement ending December 31, 2018. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign an Agreement for Surveyor Services with Christopher C. Hays of Osceola, Nebraska as set forth in Nebraska State Statutes for a four year term ending December 31, 2022 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of December 10, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Zoning Public Hearing Proceedings of December 10, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. 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 Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:



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- A company representative sent a new replacement part for the newly installed propane heating system at the County Road Shop at Cedar Rapids.
- The county building located in Petersburg that received wind damage in June 2018 was destroyed/removed on December 13, 2018. The cement foundation was left in place.
- A quote from a Colorado company was received for deicing liquid material and appears to be substantially lower in price compared to the quote from an Iowa company that was discussed at the December 10, 2018 Board meeting. The Board and County Highway Superintendent plan to discuss the price difference as an agenda item on December 27, 2018.

The Board held a meeting with the elected officials and/or department heads:

- 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.
- Denny Johnson, Sheriff, reported that the frequencies had been changed on all law enforcement and fire department radios in preparation of the Statewide Radio System (SRS) and the merging of the Boone/Nance Communications Systems.
- Mary Ziemba, County Zoning Administrator, reported that the Nebraska Department of Natural Resources will be updating flood plain maps and regulations for Boone County.
- Steve Pritchard, UNL Extension, reported that UNL Extension will be restructuring to improve administration across the state.
- Commissioner Rasmussen reported that the TERC case held on December 3, 2018 upheld the County of Boone process of the tax year 2016 taxable value.
- Commissioner Rasmussen and Luettel reported on the Nebraska Association of County Officials (NACO) conference held last week in Kearney.
- Commissioner Luettel reported on the new fairgrounds building project.
- Department heads reported on the first annual review of the new Merit Based Pay Program.
- The elected and appointed officials and appointed deputies will be sworn in for their new terms on Thursday, January 3, 2019 at 8:45 A.M.
- Commissioners Maricle and Luettel expressed appreciation to the department heads for working with them throughout their terms.

Public Comments:

- Denny Johnson, Sheriff, updated the Board regarding the possibility of grant funds being available to help with the purchase of a new generator to replace the Winco generator located at the law enforcement/sheriff's office building.
- Denny Johnson, Sheriff, updated the Board regarding the possibility of replacing one of the county sheriff vehicles with a state bid vehicle.

Chairman Luettel declared the meeting adjourned at 11:35 A.M., with the next Board meeting scheduled for Thursday, December 27, 2018.

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, December 17, 2018 at 9:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Rasmussen, second by Commissioner Luettel to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator and Rod Nelson, CLAN Farm LLC applicant representative. 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 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 CLAN Farm LLC, c/o Karla K. Rohwer, Ritch Nelson and Rod Nelson. CLAN Farm LLC are the property owners of the real estate referenced herein. The application request is to divide 11.99± acres of which 0.41± of an acre is occupied by County Road Right-of-Way, from a parcel of land to sell the existing family building site. This parcel of land is located in a fraction of the S1/2SE1/4 of Section 12, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska.

Upon receiving a copy of the application and survey at the December 17, 2018 Board meeting, the following are changed/corrected in the proceedings from the posted Board agenda: acreage changed from 12.00± to 11.99±; fraction of SE1/4SE1/4 changed to fraction of S1/2SE1/4; and build a residential dwelling changed to sell the existing building site.

Rod Nelson explained to the Board that the purpose for dividing the 11.99± acres from the parcel of land is to sell the existing family building site to his son Chris Nelson, whom presently rents the real estate and building site for his cow/calf operation. A survey for 11.99± acres is completed. A Waiver of Distance has been signed by Rod Nelson for CLAN Farm LLC. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 11.99± acres from the existing parcel of land. Ziemba said that there were no objections to the request.

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

Motion made by Rasmussen, second by Maricle to approve the Conditional Use Permit submitted by CLAN Farm LLC to divide 11.99± acres of which 0.41± of an acre is occupied by County Road Right-of-Way, from a parcel of land to sell the existing family building site. This parcel of land is located in a fraction of the S1/2SE1/4 of Section 12, Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. 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, December 17, 2018 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Rasmussen 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, Alan Rasmussen and Hilary K. Maricle. Mary Ziemba, County Planning and Zoning Administrator, was present to answer any questions. The applicant was not represented. 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 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 Nathan A. Mueller. Nathan A. Mueller is the property owner of the real estate referenced herein. The application request is to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, from a parcel of land to sell the existing building site and pasture to the west of the building site. This parcel of land is located in a fraction of the NE1/4NW1/4 and in a fraction of the NW1/4NE1/4 of Section 18, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska.

Upon receiving a copy of the application and survey at the December 17, 2018 Board meeting, the following are changed/corrected in the proceedings from the posted Board agenda: acreage changed from 10.88± to 11.30±; fraction of NE1/4 and fraction of NW1/4 changed to fraction of the NE1/4NW1/4 and fraction of NW1/4NE1/4; and build a residential dwelling changed to sell the existing building site and pasture to the west of the building site.

Mary Ziemba presented the findings and information from the Boone County Planning Commission Board. The Planning Commission Board requested that the survey presented with 10.88± acres and five lines be revised to include the four straight-line in accordance with the County Zoning regulations. A revised survey to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, is completed. A Waiver of Distance has been signed by Nathan A. Mueller. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 11.30± acres from the existing parcel of land. Ziemba said that there were no objections to the request.

Motion made by Rasmussen, second by Maricle to close said public hearing at 10:07 A.M. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the Conditional Use Permit submitted by Nathan A. Mueller to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, from a parcel of land to sell the existing building site and pasture to the west of the building site. This parcel of land is located in a fraction of the NE1/4NW1/4 and in a fraction of the NW1/4NE1/4 of Section 18, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Kathy Thorberg,
Boone County Clerk



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BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 27, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Thursday, December 27, 2018 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 Alan Rasmussen. 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 \$104,083.91, BCBS \$53,028.60, Ameritas Ret \$7,208.56, EFTPS \$7,762.58, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$59,655.57, BCBS \$31,541.18, Ameritas Ret \$4,026.76, EFTPS \$4,504.28; Ambulance \$1,590.43, Ameritas Ret \$59.60, EFTPS \$121.66; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve an Accounts Payable Vendor Claim submitted by Vendor ID Number 998 in the amount of \$978.00 for December 1, 2018 - December 18, 2018, due to the written resignation of the full-time employee and the employee contract for the feeding of prisoners effective December 18, 2018. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of December 17, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the two County Board Zoning Public Hearing Proceedings of December 17, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The St. Michael's Parish of Albion requested assistance to advertise the St. Michael's Parish fundraiser event St. Patrick's Carnival scheduled for March 17, 2019. Motion made by Rasmussen, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board reviewed a written resignation from a full-time County Sheriff/Jail office employee. Motion made by Luettel, second by Rasmussen to accept and approve the resignation of Darla McIntosh that was effective December 18, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



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Denny Johnson, County Sheriff, and the Board discussed the temporary arrangements Johnson has made for prisoner meals since December 19, 2018. Johnson informed the Board of the entities he has visited with in regard to possibly providing meals for prisoners held in the Boone County Jail. Johnson informed the Board that he has placed an ad in the Albion Newspaper for the acceptance of bids for meals for the prisoners held in the Boone County Jail through 4:00 p.m. on Friday, January 11, 2019.

Rod Nelson, Maintenance, and the Board discussed the information received from LifeGuard MD of Omaha, Nebraska in regard to a recall on the 2010 Philips FRx AED unit located in the courthouse lobby. Nelson received information in regard to the defibrillator: three options if the unit is still under the eight year warranty with AED manufactured after 2012-2013; two options if the AED is out of warranty; and a quote for a new defibrillator, Philips HeartStart Onsite with an eight year warranty and recall rebate. The information received stated that the Philips FRx units are currently not in production and that one may trade the FRx unit in for an Onsite unit or wait until FRx units become available. The defibrillator located in the courthouse lobby is eight years old and the unit is out of warranty. The quote received from LifeGuard MD is for a new defibrillator, Philips HeartStart Onsite with an eight year warranty for \$1,218.00. The quote of \$1,218.00 less recall rebate of \$475.00, credit of \$60.30 using existing pads; credit of \$152.10 using existing battery leaves the quote for a new defibrillator for the courthouse lobby at \$530.60. Motion made by Luettel, second by Maricle to approve the quote from LifeGuard MD for a new defibrillator, Philips HeartStart Onsite with an eight year warranty, recall rebate, and using the existing pads/battery for a purchase of \$530.60 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Denise Ziemba, Region 44 Emergency Manager, was not present at the Board meeting to present a report on emergency management activities, due to inclement weather.

Larry Bird, Friends of the Trail Committee Chair, and the Board discussed committee representatives and several other items at the November 19, 2018 Board meeting. Bird and the Board reviewed the City of Albion Ordinance No. 273 (18) regarding recreational trails rules for use and penalties. Bird asked the Board to consider the same regulations as stated in the City of Albion Ordinance for the recreational trail portion located on County property. In addition, Bird mentioned the idea of possibly lighting up the trail, but each respective land owner would be responsible for the electric light bill. Commissioner Luettel reminded those present that the Board did not approve contributing any tax funding to the "Boone County Trails System" project. The Board received information that county government statutes do not have fines and misdemeanor language that relates to recreational trails. The consensus of the Board is to prepare a resolution regarding the trail's rules for use in accordance with the City of Albion Ordinance, but not include the language in regard to fines.

The County Highway Superintendent updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- No additional information received from the manufacturer in regard to the problems with the newly installed propane heating system at the County Road Shop at Cedar Rapids.
- No information received of a date to insulate the County Road Shop at Cedar Rapids.
- The breakroom addition for the County Road Shop at Cedar Rapids may become a spring project due to the frozen ground.
- The tank for the deicing liquid material arrived on December 21, 2018.
- Deicing liquid material arrived on December 26, 2018.



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The Board approved the purchase of deicing liquid material from an Iowa Company at their December 10, 2018 Board meeting. The County Highway Superintendent informed the Board on December 17, 2018 that a Colorado Company deicing liquid material price was significantly lower than the Iowa Company. Motion made by Rasmussen, second by Maricle to rescind the motion of December 10, 2018 that approved the purchase of deicing liquid material at \$1.43 per gallon delivered with a minimum of 4700 gallons from Smith Fertilizer & Grain of Knoxville, Iowa. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to purchase deicing liquid material (NexGen Torch) from GMCO Corporation of Rifle, Colorado for \$1.15 per gallon delivered. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board reviewed change orders on December 10, 2018 with Leo Dwyer, president of Rathman Manning Construction, for the new livestock building project for the Boone County Fairgrounds. The Board tabled and did not approve Div. 26, 27, and 28 which included additional electrical work, utility hookups, panel boxes, etc. - \$50,209.00 at their Board meeting on December 10, 2018.

Leo Dwyer, president of Rathman Manning Construction, and Van Galusha, Galusha Electric, presented Change Order #003, 004A and 004B for Div. 25, 26 and 27 for the new livestock building project at the Boone County Fairgrounds. The Board, Dwyer, Galusha, Chuck Rolf, Boone County Agricultural Society, Inc., and by teleconference Ryan Stearns, Architect, reviewed and discussed the three change orders. Change Order #003 is for a 3-phase hook up with Loup Power and install 570' of conduit underground; repairs of concrete and asphalt from trenching; control button module change; and light fixture change for \$10,747.00. Motion made by Maricle, second by Rasmussen to approve Change Order #003 for additional electrical work for the new fairgrounds building project in the amount of \$10,747.00 for Rathman Manning Construction as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Change Order #004A is for the installation of two additional new panels and eighty additional Twist Lock Receptacles on arena ceiling (no cord drops) for \$52,574.00. Galusha informed the group that if the building project is all completed and ready for use, and then it is decided to add more receptacles, it will take approximately a month of labor to install under the sand based arena. Motion made by Luettel, second by Rasmussen to not approve Change Order #004A as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Change Order #004B is for the installation of two additional new panels with forty single pole breakers that will allow for future receptacle installation if necessary. Motion made by Luettel, second by Maricle to approve Change Order #004B for two additional new panels for the new fairgrounds building project in the amount of \$21,010.00 for Rathman Manning Construction as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Northeast Nebraska Area Agency on Aging received the nomination of Liz French, Cedar Rapids, Nebraska to represent Boone County on the Advisory Board for a three year term. In the twenty-two county service area, the senior center(s) in the county nominate a person to represent them on the Advisory Board. Motion made by Maricle, second by Luettel 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: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



Boone County Board Minutes



The Boone County Ambulance Service submitted an uncollectible ambulance accounts for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$2,230.00 for a July 9, 2018 ambulance service 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 Luettel, second by Rasmussen to turn the July 9, 2018 County Ambulance Service account balance of \$2,230.00 over to the County Attorney for further collection and for the County Attorney to promptly pursue action for collection since the account is for a deceased individual. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Public Comments:

- Rod Nelson, Maintenance, updated the Board regarding a courthouse maintenance job description.
- Denny Johnson, Sheriff, updated the Board in regard to the installation of a Nebraska Statewide Radio System (SRS) on the new County Communications Tower.
- Denny Johnson, Sheriff, updated the Board in regard to the Boone County and Nance County 911 Communications merger project.

Chairman Luettel declared the meeting adjourned at 11:55 A.M., with the next Board meeting scheduled for Monday, December 31, 2018.

Kathy Thorberg,
Boone County Clerk



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
DECEMBER 31, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 31, 2018, 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 Alan Rasmussen, 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 Board Proceedings of December 27, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board of Equalization Public Hearing Proceedings of December 27, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Tanya Sharp, Boone County Health Center, President/Chief Executive Officer, presented a Home Health Agency Renewal Licensure Application for the Board to review. The Boone County Health Center real estate is currently owned by the County of Boone, Nebraska, a governmental agency. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Home Health Agency Renewal Licensure Application as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Jeff Jarecki was appointed Boone County Public Defender in August of 2012. Jarecki reported that the cases assigned in 2012 through 2017 are all completed. Jarecki reported that he has been assigned forty-seven cases to date for 2018. Jarecki said that thirty-four of the cases are closed; two of the cases were conflicts; and eleven cases remain open of which seven are juvenile cases. Jarecki explained to the Board that some juvenile cases take a long time to complete. Juvenile cases may remain open until the court case is resolved or the age of nineteen. 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. Jarecki thanked the Board and is very appreciative of the contract for public defender services. Motion made by Maricle, second by Luettel to accept the Boone County Public Defender report as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The City of Albion Ordinance No. 273 (18) regarding recreational trail(s) rules for use and penalties was reviewed and discussed by the Board on December 27, 2018. Larry Bird, Friends of the Trail Committee Chair, asked the Board to consider the same regulations as stated in the City of Albion Ordinance for the recreational trail portion located on County property. The consensus of the Board on December 27, 2018 was to prepare a resolution regarding the trail's rules for use in accordance with the City of Albion Ordinance, but not to include the language in regard to fines. The Boone County Trails System is intended primarily for pedestrian and bicycling use. Motion made by Rasmussen, second by Maricle to approve Resolution No. 2018-41, trail's rules in regard to the Boone County Trails System located on County property. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



Boone County Board Minutes



The Board reviewed a written resignation from a full-time County Sheriff/Jail office employee. Motion made by Maricle, second by Luettel to accept and approve the resignation of Pamela Sybrant effective January 7, 2019 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented a Professional Services Agreement with Stacen Gross, SCG Consulting Services, LLC, for the Board to review in regard to the Boone and Nance County Sheriff's offices 911 Communications merger. Gross services will provide oversight with regard to the technology aspects of the consolidation of services specifically including vendor equipment changes and new software and hardware implementations and other relevant project tasks. The work will continue for a six month term beginning January 1, 2019 at \$625.00 per month to coincide with the planned transition of emergency 911 dispatch service from Nance County to Boone County. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Professional Services Agreement by and between, Boone County, Nebraska, Nance County, Nebraska and SCG Consulting Services, LLC of Bellevue, Nebraska for consultant services for the Boone and Nance County Sheriff's offices 911 Communications merger as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board of Commissioners approved change orders on December 10, 2018 and December 27, 2018 in regard to the new building project at the Boone County Fairgrounds. Ryan D. Stearns, Architect with Joseph R. Hewgley & Associates, Inc., submitted an AIA Document G701, Change Order Number: 001 that includes the previous discussed change orders into one document for the Board's approval. The following changes: (1) Changes to doors, overhead doors, flooring, drywall, painting, windows, concrete finishing and metal building (-\$15,476.00); (2) Change for removal and re-compaction of garbage dump along with additional excavation, fill, cut & compaction of building site due to building being straightened from the original plan of setting at an angle and movement to the east from its original site (+\$38,680.00); (3) Installation of 4" underground conduit for electrical service, control button modules change and light fixture changes (+\$10,747.00); and (4) Change to install two additional electrical Panels H & J with forty single pole breakers in each panel (+\$21,010.00). Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the AIA Document G701, Change Order Number: 001 from original contract of \$2,966,035.00, less \$15,476.00, plus \$70,437.00, for a contract sum total of \$3,020,996.00 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Public Comments:

- Denise Ziemba, Region 44 Emergency Manager, updated the Board in regard to emergency management activities.
- Commissioner Luettel informed the Board and individuals present that to date the Board has not seen any signed donor pledge agreements or the account agreement from the Nebraska Community Foundation in regard to the new building project at the Boone County Fairgrounds.
- Commissioners elect Ben F. Rutten, District #1 and Larry Temme, District #3, observed the Board meeting December 31, 2018. The Oath of Office for elected officials will be on January 3, 2019.

Chairman Luettel declared the meeting adjourned at 10:34 A.M., with the Board Reorganizational meeting scheduled for Monday, January 7, 2019 and next regular Board meeting scheduled for Monday, January 14, 2019.

Kathy Thorberg,
Boone County Clerk