

BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 27, 2025 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, August 27, 2025, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Lindgren called the meeting to order, and Commissioners present for roll call were Jon Lindgren, Brian J. Yosten and Matt Niewohner. Notice of the meeting was posted on the Boone County Website-Public Notices, in the Courthouse north entrance, and at the Albion Post Office; and published in the Albion News/Boone County Tribune and Petersburg Press on August 20, 2025; and the convened meeting was open to the public.

The agenda was posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Monday, August 25, 2025. Chairman Lindgren acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public. All who were present participated in the Pledge of Allegiance.

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

The Board reviewed the County Payroll Claims filed for the pay period of July 22, 2025 through August 21, 2025. Motion made by Lindgren, second by Yosten to approve the County Payroll Claims filed for payment from the various funds: General \$155,178.17; BCBS \$56,489.74; Ameritas Ret \$11,084.26; EFTPS \$11,498.65; LTD Premiums \$0.00; Section 125 Fees \$127.50; HRA Admin Fees \$261.00; Funded HRA Fees \$4,171.00; Life Insurance Admin Fees \$88.00; BC/BS Deductible Buydown \$2,298.53; Wellness Program \$148.00; Road \$88,253.68; BCBS \$20,392.07; Ameritas Ret \$5,822.12; EFTPS \$6,674.57; HRA Admin Fees \$108.00; Funded HRA Fees \$1,417.00; BC/BS Deductible Buydown \$218.40; Ambulance \$6,486.78; Ameritas Ret \$158.39; EFTPS \$496.25. Roll call vote: Yeas: Lindgren, Yosten and Niewohner. Nays: None. Motion carried.

Randall Bruland, Ambulance Administrator, was present to discuss the quotes received for a new cot and power loader system. They were as follows:

Vendor:	Description	Unit etc	Shipping	Notes:	Total:
Stryker	6507 Power Pro	\$70,782.18	\$926.52	N/A	\$71,708.70
Stryker	6507 Power Pro	\$65,683.87	\$862.79	(\$7,000.00-Trade In)	\$59,546.66
Ferno	Power Light System	\$59,400.00	N/A	N/A	\$59,400.00

Bruland and the Board the difference in the systems and pricing. Bruland has used a Ferno unit in the past, but has recently been with Stryker. Motion made by Yosten, second by Niewohner to approve the Stryker quote with the trade-in, only if the old unit isn't collected until the new ambulance and new cot system is available for immediate use. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

Rick Martinsen, Mueller & Honcik PC, discussed the proposed 2025-2026 County Budget with the Board that was submitted by the county departments. The overall tax asking amount was the same as fiscal year 2024-2025. The Inheritance Tax Fund has been used for several years to reduce the county's property tax request, resulting in a low levy. The Board expressed their concerns regarding the continued push from Legislature to eliminate the Inheritance Tax revenue counties receive. The proposed asked about the County levy decreasing from 0.15 to 0.132810 and if that would affect next fiscal years tax asking abilities. Martinsen explained that the levy amount decreased due to the valuation amount increasing and should not affect next year's tax asking. The proposed budget also showed that the County would not have to participate in the LB 644 public hearing. Motion made by Yosten, second by Lindgren to accept and file the proposed 2025-2026 County Budget as presented. Roll call vote: Yeas: Yosten, Lindgren and Niewohner. Nays: None. Motion carried.

Motion made by Lindgren, second by Yosten to set the Property Tax Request hearing for September 15, 2025 at 8:30 A.M. Roll call vote: Yeas: Lindgren, Yosten and Niewohner. Nays: None. Motion carried.

Eddie Bomar, NMC Exchange LLC, was present to discuss his submitted motor grader Sourcewell quote with the Board. John Deere/Murphy Equipment and NMC Exchange LLC both submitted Sourcewell quotes, but it was for one unit each. The County was wanting to purchase up to two motor graders and the Board asked Bomar if they were to purchase two, would that affect pricing. The Board asked the District 3 Foreman to get another current motor grader's information trade in to both Bomar and Ryba for another Sourcewell quote.

Motion made by Yosten, second by Niewohner to table any further discussion on purchasing motor graders until the September 8, 2025 meeting. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

The Board asked the District 1 Foreman to collect quotes for semi tractors. There were two quotes received but it was found that they were not Sourcewell or state bids. The Board asked the vendor to resubmit the quotes as Sourcewell quotes for further consideration. Motion made by Yosten, second by Niewohner to table further discussion on the semi tractors until the September 8, 2025 meeting. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., the public attendees and the Board opened six sealed bids for Albion Northwest project received by the County Clerk's office by 9:30 A.M. on August 27, 2025. They were as follows:

Bidder:	Start Date:	Total:
A&R Construction Co.	03/16/2026	\$329,328.42
Nemaha Infrastructure	Fall 2025	\$397,957.46
W. Theisen Grading	03/01/2026	\$483,190.45
Myers Construction, Inc	Early Spring 2026	\$650,862.33

Motion made by Lindgren, second by Yosten to award the project to the apparent low, A&R Construction Co., pending a review of the numbers. Roll call vote: Yeas: Lindgren and Yosten. Nays: None. Abstain: Niewohner. 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 Boone County Board of Commissioners received levy allocation requests from various political subdivisions for the 2025-2026 fiscal year. Motion made by Niewohner, second by Yosten to approve Resolution No. 2025-44 authorizing levy allocation requests for the 2025-2026 Fiscal Year with the Budget Hearing set for September 8, 2025 and the Property Tax Request hearing set for September 15, 2025. Roll call vote: Yeas: Niewohner, Yosten and Lindgren. 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 Lindgren, second by Niewohner to approve the County Offices' 2024-2025 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: Lindgren, Niewohner and Yosten. Nays: None. Motion carried.

Dan Lueken, County Assessor, was present to discuss two contracts for his office and they were as follows:

- The proposed Contactor/Lister Agreement between the County of Boone and Larry Petsche for verification services. The agreement is for a period of September 29, 2025 to September 30, 2026 and the agreement will automatically renew for a 12-month period unless either party gives a 60 day notice of termination. Motion made by Niewohner, second by Yosten to authorize the Chairman to sign and approve the Contractor/Lister Agreement as presented with itemized prices attached. Roll call vote: Yeas: Niewohner, Yosten and Lindgren. Nays: None. Motion carried.
- Presented a Stanard Appraisal Services Inc for 1,110 rural properties, 11 commercial properties and 1 large commercial property in Boone County for approximately \$169,320.00. Motion made by Yosten, second by Niewohner to accept the Stanard Appraisal Services Inc. contract for approximately \$169,320.00 and to authorize the Chairman to sign. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

The Board reviewed and decided on a County Burial in a recent meeting and for two members of the Board it was the first time to see what the process entailed. The Board briefly discussed the policy and wanted to invite a representative from Levander's Funeral Home to further discuss the following questions:

- Mileage rate outside of the 60 mile radius.
- Rate of the county burial and how it compares to surrounding counties.
- The process the funeral home goes through with the applicant.
- The cost of a burial and cremation for the funeral home compared to the compensation received for approved county burials.

This will be further discussed at the September 8, 2025 meeting. No action taken.

A Mack truck motor overheated and has been out of service since. The road foremen and the Board have been requesting quotes since the damage was significant. Only one quote was received from Neidhardt Sandblasting and it was for approximately \$59,736.07. The Board discussed if they should move forward with repair or sell as is. Motion made by Niewohner, second by Lindgren to approve and accept the quote from Neidhardt Sandblasting for approximately \$59,736.07 as presented. Roll call vote: Yeas: Niewohner, Lindgren and Yosten. Nays: None. Motion carried.

Public Comments:

- Brian McDonald, Highway Superintendent, discussed Herbst Construction who was the apparent low for the Loretto West/Petersburg East project. They will try to be moved in early, otherwise the project will need to be pushed until February/March 2026.
- Commissioner Yosten reported on the Boone County Ag Society meeting and Northeast Nebraska Juvenile Services meetings.
- Dan Lueken, County Assessor, updated the Board on general office operations and upcoming deadlines/projects.
- Discussed a minimum maintenance road west of the 200th Street and 320th Avenue intersection – a county resident wanted to state that the significant rainfall in June/July has resulted in the road to be tough shape again and needs to be maintained again before harvest.
 - This resulted in further discussion regarding the hope that the road department will one day be able to go out to maintain M&M roads and to re-widen if too narrow.
- Discussed new road hires and which districts they will be assigned to.
- Commissioner Niewohner will be attending the Region IV Behavioral Health meeting.
- Commissioner Yosten will be attending the LEPC meeting.

Chairman Lindgren declared the meeting adjourned at 1:16 P.M. with the next Board meeting scheduled for Monday, September 8, 2025.

Sarah Robinson,
Boone County Clerk

ATTEST:

APPROVED:

Sarah Robinson, Boone County Clerk

Jon Lindgren, Chairman

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

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, August 27, 2025 at 10:02 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Lindgren and second by Commissioner Yosten to open said public hearing. Commissioners present for said public hearing were Jon Lindgren, Brian J. Yosten and Matt Niewohner. Also present for said hearing to answer any questions were Marc Pelster, Applicant; and Victoria Olson, Zoning Administrator. Chairman Lindgren read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the meeting was posted on the Boone County Website-Public Notices on August 22, 2025, and published in the Albion News/Boone County Tribune and Petersburg Press on August 13, 2025. The public hearing notice and agenda were posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Monday, August 25, 2025. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Marc and Ashley Pelster. The owner of the real estate referenced herein is Southern View LLC. The application requested by Pelster is to split off an existing house with 13 acres to live on located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Twenty-seven (27), Township Twenty-two (22) North, Range Six (6) West of the 6th P.M., Boone County Nebraska.

Olson explained that the property is located in the A-1 Zoning District. The proposed parcel follows all zoning regulations for the district such as no more than two houses per quarter, a parcel can be no less than 5 acres and needs to have access to a main road. Olson also informed the Board that no Waiver of Distances would be required for this permit.

Olson stated that the Planning Commission recommended approval of the Conditional Use Permit application as submitted.

Motion made by Lindgren, second by Niewohner to close said public hearing at 10:03 A.M. Roll call vote: Yeas: Lindgren, Niewohner and Yosten. Nays: None. Motion carried.

Motion made by Yosten, second by Lindgren to approve the Conditional Use Permit and attachment submitted by Marc and Ashley Pelster is to split off an existing house with 13 acres to live on located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Twenty-seven (27), Township Twenty-two (22) North, Range Six (6) West of the 6th P.M., Boone County Nebraska. Roll call vote: Yeas: Yosten and Lindgren. Nays: None. Abstain: Niewohner. Motion carried.

Sarah Robinson,
Boone County Clerk

ATTEST:

APPROVED:

Sarah Robinson, Boone County Clerk

Jon Lindgren, Chairman

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

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, August 27, 2025 at 10:15 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Lindgren and second by Commissioner Yosten to open said public hearing. Commissioners present for said public hearing were Jon Lindgren, Brian J. Yosten and Matt Niewohner. Also present for said hearing to answer any questions were Braxton Shively, Applicant; and Victoria Olson, Zoning Administrator. Chairman Lindgren read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the meeting was posted on the Boone County Website-Public Notices on August 22, 2025, and published in the Albion News/Boone County Tribune and Petersburg Press on August 13, 2025. The public hearing notice and agenda were posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Monday, August 25, 2025. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Braxton Shively. The owner of the real estate referenced herein is Melvin Andrews. The application requested by Shively is to split off a 7.70 acre parcel to build a house on located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Thirty-four (34), Township Twenty-one (21) North, Range Seven (7) West of the 6th P.M., Boone County Nebraska.

Olson explained that the property is located in the A-1 Zoning District. The proposed parcel follows all zoning regulations for the district such as no more than two houses per quarter, a parcel can be no less than 5 acres and needs to have access to a main road. Olson also informed the Board that two Waiver of Distances would need to be obtained for this permit.

Olson stated that the Planning Commission recommended approval of the Conditional Use Permit application on the condition that any and all necessary waivers are obtained.

Motion made by Lindgren, second by Niewohner to close said public hearing at 10:20 A.M. Roll call vote: Yeas: Lindgren, Niewohner and Yosten. Nays: None. Motion carried.

Motion made by Lindgren, second by Yosten to approve the Conditional Use Permit and attachment submitted by Braxton Shively is to split off a 7.70 acre parcel to build a house on located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Thirty-four (34), Township Twenty-one (21) North, Range Seven (7) West of the 6th P.M., Boone County Nebraska with the condition that and all Waiver of Distances are obtained. Roll call vote: Yeas: Lindgren and Yosten. Nays: None. Abstain: Niewohner. Motion carried.

Sarah Robinson,
Boone County Clerk

ATTEST:

APPROVED:

Sarah Robinson, Boone County Clerk

Jon Lindgren, Chairman

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

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, August 27, 2025 at 10:30 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Yosten and second by Commissioner Niewohner to open said public hearing. Commissioners present for said public hearing were Jon Lindgren, Brian J. Yosten and Matt Niewohner. Also present for said hearing to answer any questions were Mark Jensen, Applicant; and Victoria Olson, Zoning Administrator. Chairman Lindgren read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the meeting was posted on the Boone County Website-Public Notices on August 22, 2025, and published in the Albion News/Boone County Tribune and Petersburg Press on August 13, 2025. The public hearing notice and agenda were posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Monday, August 25, 2025. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Mark Jensen. The owner of the real estate referenced herein is Mark Jensen. The application requested by Jensen is to split off a 5.01 acre parcel with the existing house on it to make it easier for family in the future and is located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Thirteen (13), Township Nineteen (19) North, Range Five (5) West of the 6th P.M., Boone County Nebraska.

Olson explained that the property is located in the A-1 Zoning District. Jensen owns the West half of the Section and wants to parcel the existing house off to help future generations. The proposed parcel follows all zoning regulations for the district such as no more than two houses per quarter, a parcel can be no less than 5 acres and needs to have access to a main road. Olson also informed the Board that no Waiver of Distances would need to be obtained for this permit.

Olson stated that the Planning Commission recommended approval of the Conditional Use Permit application as submitted.

Motion made by Lindgren, second by Yosten to close said public hearing at 10:31 A.M. Roll call vote: Yeas: Lindgren, Yosten and Niewohner. Nays: None. Motion carried.

Motion made by Yosten, second by Niewohner to approve the Conditional Use Permit and attachment submitted by Mark Jensen is to split off a 5.01 acre parcel with the existing house on it to make it easier for family in the future and is located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Thirteen (13), Township Nineteen (19) North, Range Five (5) West of the 6th P.M., Boone County Nebraska. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

Sarah Robinson,
Boone County Clerk

ATTEST:

APPROVED:

Sarah Robinson, Boone County Clerk

Jon Lindgren, Chairman

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

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, August 27, 2025 at 10:50 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Yosten and second by Commissioner Niewohner to open said public hearing. Commissioners present for said public hearing were Jon Lindgren, Brian J. Yosten and Matt Niewohner. Also present for said hearing to answer any questions was Victoria Olson, Zoning Administrator. Chairman Lindgren read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the meeting was posted on the Boone County Website-Public Notices on August 22, 2025, and published in the Albion News/Boone County Tribune and Petersburg Press on August 13, 2025. The public hearing notice and agenda were posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Monday, August 25, 2025. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Casondra and Shawn Anderson. The owner of the real estate referenced herein is Dale and Veronica Olnes. The application requested by Anderson is to split off a 5.78 acre parcel to build a house to live with family and is located on a parcel of land in a fraction of the Southeast Quarter SE1/4 Section Twenty-seven (27), Township Twenty-two (22) North, Range Six (6) West of the 6th P.M., Boone County Nebraska.

Olson explained that there was an error with the legal description in the publication instead of Southeast Quarter being published Southwest Quarter was. No further action can be taken.

Olson stated that the Planning Commission recommended approval of the Conditional Use Permit application as submitted, but they did not see this error.

Motion made by Yosten, second by Lindgren to close said public hearing at 10:51 A.M. Roll call vote: Yeas: Yosten, Lindgren and Niewohner. Nays: None. Motion carried.

Sarah Robinson,
Boone County Clerk

ATTEST:

APPROVED:

Sarah Robinson, Boone County Clerk

Jon Lindgren, Chairman