

BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 29, 2026 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, July 29, 2026, 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 on July 22, 2026; 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, July 27, 2026. 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 Niewohner, second by Yosten to approve the County Board Proceedings of July 20, 2026 as presented. Roll call vote: Yeas: Niewohner and Yosten. Nays: None. Abstain: Lindgren. Motion carried.

Motion made by Yosten, second by Niewohner to approve the Board of Equalization Public Meeting Proceedings of July 20, 2026 as presented. Roll call vote: Yeas: Yosten and Niewohner. Nays: None. Abstain: Lindgren. Motion carried.

Motion by Lindgren, second by Yosten to approve the Board of Equalization Public Meeting Proceedings of July 24, 2026 as presented. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

Motion by Yosten, second by Niewohner to approve the Board of Equalization Final Proceedings of July 24, 2026 as presented. Roll call vote: Yeas: Yosten, Niewohner, and Lindgren. Nays: None. Motion carried.

The Board reviewed the County Payroll Claims filed for the pay period of June 22, 2026 through July 21, 2026. Motion made by Niewohner, second by Lindgren to approve the County Payroll Claims filed for payment from the various funds: General \$145,027.16; BCBS \$55,927.54; Ameritas Ret \$10,267.55; EFTPS \$10,748.78; LTD Premiums \$0.00; Section 125 Fees \$97.50; HRA Admin Fees \$243.00; Funded HRA Fees \$3,920.00; Life Insurance Admin Fees \$90.00; BC/BS Deductible Buydown \$209.76; Wellness Program \$117.00; Road \$92,158.27; BCBS \$23,046.89; Ameritas Ret \$6,085.69; EFTPS \$6,951.18; HRA Admin Fees \$108.00; Funded HRA Fees \$1,417.00; BC/BS Deductible Buydown \$2,018.56; Ambulance \$1,868.93; Ameritas Ret \$35.62; EFTPS \$142.97. Roll call vote: Yeas: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

Boone County Ag Society applied for a Special Designated License (SDL) for September 12, 2026 for a wedding reception beer garden at Boone County Fairgrounds, Albion, Nebraska. Motion made by Lindgren, second by Niewohner to approve the Application for Special Designated Liquor License request from Boone County Ag Society for a wedding reception beer garden to be held at the Boone County Fairgrounds, Albion, NE on September 12, 2026. Roll call vote: Yeas: Lindgren, Niewohner, and Yosten. Nays: None. Motion carried.

The Board reviewed the quotes received for repair of a damaged cell door in the jail building. Rod Nelson, Courthouse Maintenance, and Denny Johnson, County Sheriff, were present to help answer questions about the quotes below:

- Tisthammer Fabrication- \$2,226.68
- Loeffler Welding & Fabrication LLC- \$5,250.00
- RADEC Construction Co Inc- \$16,065.00 (The majority of the cost would be for travel for two technicians to come from Texas)

Motion by Niewohner, second by Lindgren to approve Tisthammer Fabrication quote for approximately \$2,226.68 for repair of damaged cell door as presented. Roll call vote: Yes: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

The Board reviewed the difference between part time and seasonal road positions. Discussion included adding a new seasonal trainer position for the road department to allow an employee on a short-term basis to come in and help train new employees. Motion by Yosten, second by Niewohner to create a seasonal trainer position for the road department with the base wage of \$25.00 and eligible for CDL differential. Roll call vote: Yeas: Yosten, Niewohner, and Lindgren. Nays: None. Motion carried.

During the July 20, 2026 meeting it was approved to re-hire a former employee Russ Zarek as a seasonal road employee. Motion by Yosten, second by Niewohner to change Russ Zarek to a seasonal trainer for the road department. Roll call vote: Yosten, Niewohner, and Lindgren. Nays: None. Motion carried.

The Board reviewed the 2025-2026 fiscal year-end Boone County Ambulance Services report. The Boone County Ambulance beginning fund balance revenue \$436,775.59; receipted revenue \$149,114.80; expenses \$183,252.60; and a balance as of June 30, 2026 of \$402,637.79. The Ambulance Service Fund (5502) has no levy to receive taxes. Motion made by Niewohner, second by Yosten to accept and approve as presented the Boone County Ambulance Service 2025-2026 fiscal year-end report. Roll call vote: Yeas: Niewohner, Yosten, and Lindgren. Nays: None. Motion carried.

The annual Federal Funds Purchase Program Agreement certification for the Board to review. The certification is for funds used between July 1, 2025 to June 30, 2026, and Boone County did not use any STP or HBP funds for the last fiscal year. Motion made by Yosten, second by Niewohner to approve and authorize the County Highway Superintendent to sign the certification as presented. Roll call vote: Yeas: Yosten, Niewohner and Lindgren. Nays: None. Motion carried.

Resolution 2026-20, to bore an electrical line underneath a County Road in Sections 4 and 5, Township 18, Range 8 West of the 6th p.m., commonly known as 130th Avenue, was presented for the Board to review. James Kennedy requested to bore an electrical line to power a new grain bin. Brian McDonald, Highway Superintendent, had previously reviewed the request. Motion by Lindgren, second by Niewohner to approve Resolution 2026-20 as presented. Roll call vote: Yeas: Lindgren, Niewohner, and Yosten. Nays: None. Motion carried.

The County Treasurer submitted to the Board a list of delinquent 2022 real estate taxes not sold at the tax sale held in March 2026 as per Nebraska State Statute. Motion made by Niewohner, second by Lindgren to approve Resolution No. 2026-21, 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 2022 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: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

During the June 8, 2026 meeting a public hearing was held regarding amending the floodplain regulation: Article 23 of the Boone County Zoning Regulations and the Board of Commissioners voted to approve the amendments. Resolution 2026-22 was presented to adopt the amendments of the floodplain regulation: Article 23 of the Boone County Zoning Regulations. Motion by Yosten, second by Lindgren to approve Resolution 2026-22 as presented. Roll call vote: Yeas: Yosten, Lindgren, and Niewohner. Nays: None. Motion carried.

Denny Johnson, County Sheriff, was present to discuss a Memorandum of Understanding between County of Boone and Town & Country Vet Clinic regarding stray animal control. Johnson explained that the County previously had an interlocal agreement with City of St. Edward dated January 22, 2019 for stray animal control but the City of no longer providing the services with staffing change. Motion by Yosten, second by Lindgren to approve the Memorandum of Understanding between County of Boone and Town & Country Vet Clinic and to have the County Attorney draft a termination notice for the interlocal agreement with City of St. Edward. Roll call vote: Yeas: Yosten, Lindgren and Niewohner. Nays: None. Motion carried.

The Commissioner meeting was relocated to the Courtroom for CO2 Pipeline Regulations Public Hearing at 9:51 A.M.

The Commissioner meeting was moved back to the Commissioner Room at 10:15 A.M. after the conclusion of the CO2 Pipeline Regulations Public Hearing.

The Board reviewed the Drug Testing Policy, Section 4.3b of the Boone County Policy. Discussion included requiring pre-employment drug screenings for all newly hired employees instead of only testing CDL holders and those in a safety position. Motion by Yosten, second by Niewohner to approve requiring pre-employment drug screenings for all newly hired employees. Roll call vote: Yeas: Yosten, Niewohner, and Lindgren. 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 for the events or through County Tourism promotion. The Boone County Visitors Promotion Committee received one request for County Tourism promotion.

- Boone County Development Agency requested assistance for their BCDA's talent attraction campaign for County Tourism promotion. Motion by Niewohner, second by Yosten to approve Boone County Development Agency requesting for funding assistance for their BCDA's talent attraction campaign Roll call vote: Yeas: Niewohner, Yosten and Lindgren. Nays: None. Motion carried.

Public Comments:

- Chuck Rolf, Boone County Ag Society, discussed when their budget request would be needed by.
- Dan Evans, Road Supervisor, discussed hosting meetings with road foremen.
- Kate Noble, County Clerk, discussed looking into a mobile hotspot to be used by the signs technician.

Chairman Lindgren declared the meeting adjourned at 1:00 P.M., with the next Board meeting scheduled for Monday, August 10, 2026.

Kate Noble,
Boone County Clerk

ATTEST:

APPROVED:

Kate Noble, Boone County Clerk

Jon Lindgren, Chairman

MINUTES OF PUBLIC HEARING PROCEEDINGS CO2 PIPELINE REGULATIONS

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Wednesday, July 29, 2026 at 10:00 A.M. in the Boone County Courthouse Court 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. Victoria Olson, Zoning Administrator, was present to answer any questions for said public hearing. Also present for said hearing was eleven members of the public and Abbey DeBoyes, County Attorney. 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 July 15, 2026, and published in the Albion News/Boone County Tribune and Petersburg Press on July 15, 2026. 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, July 27, 2026. The convened hearing was open to the public.

The purpose of the public hearing is to discuss, consider, review, and take the necessary action to amend the Boone County Zoning regulations regarding the CO2 pipeline regulations.

Kate Noble, County Clerk, informed those present that there would be a two-minute time limit on speaking and that they would need to state their name for the record.

Victoria Olson, Zoning Administrator, explained that the Planning Commission met on June 22, 2026 and recommended CO2 pipelines become a permitted use in A-1, I-1, and I-2 zoning districts and a conditional use in A-2, and A-3 zoning district. She also explained that due to a Court case Couser VS Shelby County, the County Regulations cannot be stricter or supersede Federal Regulations.

The public were then allowed to make comments or ask questions.

- Debbie Schmaedeke stated concerns that the Planning Commission or Board of Commissioners did not have a proper definition of CO2 Pipelines and their possible hazards.
- Mary Thieman stated that she does believe that they are hazardous and worry about our water supply.
- Don Salber asked about the Federal Regulations for pipeline regulations.
- Shelli Meyer asked if there were conditions in place for the permitted use.

Each member of the public had their questions or concerns addressed.

Motion by Lindgren, second by Niewohner to close said public hearing at 10:15 a.m. Roll call vote: Yeas: Lindgren, Niewohner, and Yosten. Nays: None. Motion carried.

Motion by Lindgren, second by Yosten accept the Planning Commissions recommendations for permitted use and conditional use for CO2 pipelines depending on Zoning District and a copy of the recommendations to be attached to these proceedings. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

Kate Noble,
Boone County Clerk

ATTEST:

APPROVED:

Kate Noble, 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, July 29, 2026 at 10:37 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Lindgren 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 was 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 July 15, 2026, and published in the Albion News/Boone County Tribune and Petersburg Press on July 15, 2026. 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, April 23, 2026. 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 Dennis Bloom. The owner of the real estate referenced herein is Dennis Bloom. The application requested by Bloom is to split off a 5-acre parcel to build a house and is located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Nineteen (19), Township Twenty (20) North, Range Eight (8) West of the 6th P.M., Boone County Nebraska.

Olson explained that the Planning Commission did not have a quorum during their Monday, July 27, 2026 meeting and that they were unable to take action of the Conditional Use Permit application.

Without a recommendation from the Planning Commission, the Board of Commissioners are unable to take action.

Motion made by Niewohner, second by Yosten to close said public hearing at 10:38 A.M. Roll call vote: Yeas: Niewohner, Yosten, and Lindgren. Nays: None. Motion carried.

Kate Noble,
Boone County Clerk

ATTEST:

APPROVED:

Kate Noble, 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, July 29, 2026 at 10:44 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Niewohner 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 was 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 July 15, 2026, and published in the Albion News/Boone County Tribune and Petersburg Press on July 15, 2026. 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, April 23, 2026. 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 David Merrell. The owner of the real estate referenced herein is David Merrel. The application requested by Merrell is to split off a 5.85 acre parcel to separate an existing house from the quarter and is located on a parcel of land in a fraction of the Southwest Quarter SW1/4 Section Thirty-Two (32), Township Nineteen (19) North, Range Five (5) West of the 6th P.M., Boone County Nebraska.

Olson explained that the Planning Commission did not have a quorum during their Monday, July 27, 2026 meeting and that they were unable to take action of the Conditional Use Permit application.

Without a recommendation from the Planning Commission, the Board of Commissioners are unable to take action.

Motion made by Yosten, second by Niewohner to close said public hearing at 10:45 A.M. Roll call vote: Yeas: Niewohner, Yosten, and Lindgren. Nays: None. Motion carried.

Kate Noble,
Boone County Clerk

ATTEST:

APPROVED:

Kate Noble, Boone County Clerk

Jon Lindgren, Chairman