

BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 10, 2026 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 10, 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; and published in the Albion News/Boone County Tribune and Petersburg Press on August 5, 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 Friday, August 7, 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 29, 2026 as presented. Roll call vote: Yeas: Niewohner, Yosten, and Lindgren. Nays: None. Motion carried.

Motion made by Yosten, second by Lindgren to approve the CO2 Pipeline Regulations Public Hearings Proceedings of July 29, 2026 as presented. Roll call vote: Yeas: Yosten, Lindgren, and Niewohner. Nays: None. Motion carried.

Motion made by Yosten, second by Lindgren to approve the Bloom Conditional Use Public Hearing Proceedings of July 29, 2026 as presented. Roll call vote: Yeas: Yosten, Lindgren, and Niewohner. Nays: None. Motion carried.

Motion by Niewohner, second by Lindgren to approve the Merrel Conditional Use Public Hearing Proceedings of July 29, 2026 as presented. Roll call vote: Yeas: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

Motion by Lindgren, second by Yosten to enter executive session at 9:00 a.m. per Open Meeting Act §84-1410, pertaining to the prevention of needless injury of an individual. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried. Motion by Lindgren, second by Niewohner to close the executive session at 9:02 a.m. Roll call vote: Yeas: Lindgren, Niewohner and Yosten. Nays: None. Motion carried. A request was received for supplemental time to be given from the Catastrophic Fund due to medical leave of an employee due to ongoing health issues. Motion made by Yosten, second Lindgren to approve up to 80 hours to be given from the Catastrophic Fund to supplement the hours of medical leave. Roll call vote: Yeas: Yosten, Lindgren and Niewohner. Nays: None. Motion carried.

Resolution No. 2021-42 was approved November 15, 2021 to authorize the County Treasurer to transfer the accrued interest from the Covid American Rescue Plan Fund (2580) to the General Fund (0100) on an as needed basis. The County Treasurer presented June 2026's accrued interest for the amount to be moved through the vendor process. Motion made by Lindgren, second by Yosten to authorize the transfer of accrued interest from the Covid American Rescue Plan Fund (2580) to the General Fund (0100) in the amount of \$1.26. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

Motion made by Yosten, second by Lindgren to approve County Vendor Claims filed for Vendor #1806, White Star Oil Company LLC: General-\$ 1,406.54, Roads-\$ 15,203.84 and Ambulance-\$ 338.60. Roll call vote: Yeas: Yosten and Lindgren. Nays: None. Abstain: Niewohner. Motion carried.

Motion made by Niewohner, second by Lindgren to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General (0100)-\$50,801.31; Road (0200)-\$553,477.93; ROD Preservation/Modernization Fund (1150)-\$240.15; Covid America Rescue Plan Fund (2580)-\$1.26; 911 Emergency Management (2910)-\$555.94; 911 Wireless Service (2913)-\$577.86 and Ambulance (5502)-\$940.14. Roll call vote: Yeas: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried. Motion made by Lindgren, second by Yosten to approve the following reports of the County Officials as presented for July 2026:

- Clerk - \$11,242.77 (State of Nebraska \$5,808.11) (County of Boone \$5,434.66)
- District Court - \$441.46 (State of Nebraska \$376.00) (County of Boone \$65.46)
- Sheriff - \$712.17
- Zoning- \$903.75
- Treasurer - Miscellaneous Receipt Nos. 23067-23157- \$693,188.64
- Treasurer - Total Collections - \$1,165,385.18

Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

The Board reviewed the preliminary 2026-2027 budget submissions from the County Offices. Motion by Lindgren, second by Yosten to table discussion on the preliminary budget submissions until they are reviewed by the County's CPA firm. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

Motion by Lindgren, second by Niewohner to enter executive session at 10:00 a.m. per Open Meeting Act §84-1410, pertaining to the prevention of needless injury of an individual. Roll call vote: Yeas: Lindgren, Niewohner, and Yosten. Nays: None. Motion carried. Motion by Lindgren, second by Niewohner to close the executive session at 10:14 a.m. Roll call vote: Yeas: Lindgren, Niewohner and Yosten. Nays: None. Motion carried. A request was received from a county citizen for General Assistance. Motion made by Lindgren, second to Niewohner approve payment of three months' worth of rent and Loup Power bill directly to the vendor. Roll call vote: Yeas: Lindgren, Niewohner and Yosten.

Brian McDonald, Highway Superintendent, presented quotes from Mid-State Engineering and Testing for soil boring to test paved roads within Boone County.

- 260th Street Evaluation- three boring samples, laboratory testing and engineering for approximately \$2,775.00 to \$2,995.00
- Albion North 2 Evaluation- ten boring samples, laboratory testing and engineering for approximately \$3,950.00 to \$4,150.00.

Motion by Yosten, second by Niewohner to accept the two above quotes from Mid-State Engineering and Testing for soil boring for totaling approximately \$6,750.00 to \$7,145.00 as presented. Roll call vote: Yeas: Yosten, Niewohner, and Lindgren. Nays: None. Motion carried.

Brian McDonald, Highway Superintendent, provided an update on the 2026 Microsurfacing project. He explained that parts of the project are not holding up to expectations with indentions holding water. His recommendation is to not accept the project as currently is and will reach out to the contractor for possible solutions. No action taken.

The Board reviewed Change Order #1, Payment Application #4, and Certificate of Substantial Completion received from A&R Construction Co. for the Albion Northwest Road Project.

- Change Order #1 lowered the overall project cost by \$8,827.07.
- Payment Application #4 for \$62,617.44.
- Certificate of Substantial Completion indicates the project was completed in full as of July 23, 2026.

Motion by Niewohner, second by Yosten to accept the Change Order #1, Payment Application #4, and Certificate of Substantial Completion for the Albion Northwest Road Project and authorize the chairman to sign the documents. Roll call vote: Yeas: Niewohner, Yosten and Lindgren. Nays: None. Motion carried.

The Board conducted an employment evaluation with Dan Evans, Road Supervisor, for completion of six-month probationary period.

The Board discussed pre-employment background checks for newly hired employees that could be completed by Zelle HR Solutions, the County's HR consulting firm. Motion by Niewohner, second by Lindgren to require pre-employment background checks to be conducted by Zelle HR Solutions for all newly hired employees. Roll call vote: Yeas: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

The Board reviewed the Random Drug and Alcohol Testing Program (NON-CDL Employees) drafted by Zelle HR Solutions. This policy would allow for quarterly drug and alcohol testing for NON-CDL road employees, similar to the testing program required by the FMCSA. Motion by Lindgren, second by Yosten to approve and implement the Random Drug and Alcohol Testing Program (NON-CDL Employees) as presented. Roll call vote: Yeas: Lindgren, Yosten, and Niewohner. Nays: None. Motion carried.

Public Comments:

- Ross Davidson, County Citizen, discussed grass and weed overgrowth in County R.O.W.
- Dan Evans, Road Supervisor, provided update on dump truck damages and is still waiting for further information from NIRMA insurance.
- Dan Evans, Road Supervisor, discussed the leased tractors and hours used.
- Brian McDonald, Highway Superintendent, discussed the County Bridge Match program and that one of the selected bridges is historic.
- Brian McDonald, Highway Superintendent, provided update on overweight vehicle that crossed a county bridge.
- Rod Nelson, Courthouse Maintenance, discussed completion of jail cell door repair.
- Rod Nelson, Courthouse Maintenance, discussed the Courthouse time capsule and possibly contractors to open it.

Chairman Lindgren declared the meeting adjourned at 2:05 P.M., with the next Board meeting scheduled for Monday, August 17, 2026.

Kate Noble,
Boone County Clerk

ATTEST:

Kate Noble, Boone County Clerk

APPROVED:

Jon Lindgren, Chairman

MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATIONS

Jon Lindgren, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, August 10, 2026 at 10:30 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 Niewohner, second by Commissioner Yosten to open said public hearing. Present for roll call were Commissioners Jon Lindgren, Brian J. Yosten, and Matt Niewohner. Also present for the hearing were Brian McDonald, Highway Superintendent; Dan Evans, Road Supervisor; and five members of the public.

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 county road located between Sections 35 and 36, Township 22 North, Range 5 West of the 6th P.M., Boone County, Nebraska commonly know as 330th Avenue between 150th and 160th Street.

Brian McDonald, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review that was accepted on July 13, 2026 recommending that 330th Avenue between Sections 35 and 36, Township 22 North, Range 5 West of the 6th P.M., Boone County, Nebraska be officially vacated, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate.

Ed Hansen, citizen, spoke against the closure of the road as he would lose access to a portion of the farm ground he rents from Ralph Pieke.

Chad Fehringer, citizen, provided possible ideas of having a low crossing area or trying to find drainage solutions for the area.

Brian McDonald, Highway Superintendent, discussed the area that floods and that the County cannot override Federal Wetland Regulations.

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

Motion made by Niewoner, second by Lindgren to keep 330th Avenue between 150th Street and 160th Street open to allow for time for landowners to find other solutions for flooding/drainage issues. Roll call vote: Yeas: Niewohner, Lindgren, and Yosten. Nays: None. Motion carried.

Kate Noble,
Boone County Clerk

ATTEST:

APPROVED:

Kate Noble, Boone County Clerk

Jon Lindgren, Chairman