

Boone County Board Minutes



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

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

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

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

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

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

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



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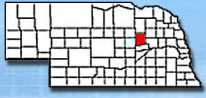
The Fitness Center Board met on December 13, 2016 to take action regarding the operation of the Boone County Fitness Center, Inc. that has been discussed the past several months. Boone County, Nebraska, a political subdivision, has owned the fitness center building, real estate and all of its appurtenances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

Steve Pritchard, Extension Educator, presented the Boone-Nance County Extension Board's member recommendation. The Boone-Nance County Extension Board has four representatives from each county. The board members may serve two consecutive three-year terms. The board meets quarterly, alternating the meetings between the counties. Jane Prothman has completed two consecutive three-year terms. Brian Andreasen has resigned from the Boone-Nance County Extension Board. The Boone-Nance County Extension Board recommends the appointment of Amanda Berg of Cedar Rapids to complete the term of Brian Andreasen and Roger Voichoski of Albion to serve his first three-year term on the Boone-Nance County Extension Board beginning January, 2017. Motion made by Maricle, second by Luettel to appoint Amanda Berg to complete the term of Brian Andreasen (2016-2018) and Roger Voichoski to serve his first three-year term on the Boone-Nance County Extension Board beginning January, 2017. Roll call vote: Yeas: Maricle, Luettel and Tisthammer. Nays: None. Motion carried.

The Board received two sealed bids for gravel belly dump semi-trailers. The bids are as follows: Siouxland Trailer Sales, Inc., 42 ft. CPS - \$42,000.00, 46 ft. CPS - \$44,000.00; Murphy Tractor & Equipment Co., 42 ft. Ranco - \$45,850.00. The Board and Highway Superintendent reviewed and discussed the submitted bids. Thorin said he expected more than two companies bidding. Motion made by Luettel, second by Maricle to authorize Darrel Thorin, County Highway Superintendent, to make the semi-trailer(s) purchase decision and to negotiate the bids for the purchase of two new semi-trailers. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. St. Michael's Parish of Albion requested assistance to advertise the St. Patrick's Carnival fundraiser event scheduled for March 12, 2017. Motion made by Tisthammer, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.

As provided by State Statute, Section 23-1302, the County Clerk shall certify to the County Treasurer as of June 15 and December 15 each year the total amount of unpaid claims of the county. Motion made by Luettel, second by Maricle to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.



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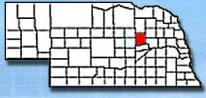
Jeff Jarecki, Jarecki Yosten PC LLO, representing county road workers met briefly with the Board regarding county employee vacation policy on December 12, 2016. Brandi Yosten, Jarecki Yosten PC LLO, presented their clients agreeable amended vacation time policy. The vacation policy change is for the employees hired in 2009 and prior. The change is to continue the merge of vacation policies so that all employees are on one of the same policy and that a policy is in compliance with federal regulations and labor laws. The County Payroll is a 22/21 pay period with the December 22nd-31st of each calendar year being a part of the next calendar year payroll. Motion made by Maricle, second by Luettel to approve the following vacation policy change for the employees hired in 2009 and prior:

- 2017- The earned 2016 vacation hours will be posted on December 22, 2016 and the 2017 earned vacation hours will be posted on the 21st of each month beginning January 21, 2017, with a carryover of unused vacation hours capped at 200 hours on December 21, 2017, with any excess over 200 hours will be paid out on December 21, 2017.
- 2018-The carryover of accrual vacation capped at 200 hours will be posted on December 22, 2017 and the 2018 earned vacation hours will continue to be posted on the 21st of each month, with a carryover of unused vacation hours capped at 100 hours on December 21, 2018, with any excess over 100 hours will be paid out on December 21, 2018.
- At the end of 2018 (December 21st), only 100 hours of accrued unused vacation time can be carried over into 2019 and each successive year following. However, the Board of Commissioners reserve the right to review benefits at four-year intervals when the county receives federal wage and hour updates from the Nebraska Intergovernmental Risk Management Association (NIRMA). The next review will be in 2019 with a possibility of the accrued unused vacation hour's carryover being changed/capped at 80 hours.

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

Rebecca Rayman and Roberta Miksch, East-Central District Health Department (ECDHD), presented a report of public health activities in Boone County for July through November 2016. Rayman said that the three year Community Health Improvement Plan (CHIP) for 2016-2018 are focused on substance abuse prevention, cancer prevention, health literacy and access to health care with a particular in-patient access to mental health. ECDHD has provided a number of different services to the residents of Boone County. Some of the services provided were the WIC program, senior citizens health related presentations, elementary and junior high school presentations, disease investigations and radon test kits. ECDHD has a staff member at the Boone County Health Center on Thursday each week to help clients with economic assistance such as health care applications, food stamps and other medical needs.

ECDHD board members meet every other month. Rayman thanked Commissioner Tisthammer for his years of service on the ECDHD Board. The Board informed Rayman that a new county official representative on the ECDHD Board will be appointed at the Board's reorganizational meeting scheduled for January 5, 2017 due to Tisthammer retiring. Rayman presented a slate of names for the East Central District Health Department Board for approval by the Board of Commissioners. The Boone County representatives on the ECDHD Board are Jerry L. Tisthammer, County Commissioner and Mary Staub, Public Minded Citizen. Motion made by Luettel, second by Tisthammer to approve the slate of East-Central District Health Department Board members as presented for 2017. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.



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The Board held a Public Hearing at 10:02 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road right-of-way located in Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. No opposition was heard at the public hearing. Motion made by Tisthammer, second by Maricle to approve Resolution No. 2016-68, to officially vacate all that portion of the right-of-way lying South of the South r.o.w. line of 360th Street and lying West of the West r.o.w. line of 200th Avenue, located in the NE1/4NE1/4 of Section 15, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska, described as follows: Beginning at the SE corner of said NE1/4; thence West 33.00 feet; thence North, and on the West r.o.w. line of 200th Avenue, 2078.9 feet to the point of beginning; thence on a 539.96 foot radius curve to the left, 850.4 feet to a point on the South r.o.w. line of 360th Street; thence on the South r.o.w. line of said 360th Street, 274.86 feet; thence on a 605.96 foot radius curve to the right, 381.29 feet to a point of the West r.o.w. line of 200th Avenue; thence South and on the West r.o.w. line said 200th Avenue, 274.71 feet to the point of beginning and containing 0.82 of an acre more or less and authorize the Board Chairman to sign a Quitclaim Deed, conveying said real estate to said adjoining landowners, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

The Board discussed a concern from a road employee about security of personal information. The Board decided a checklist would be composed regarding personnel forms for employees. The employees will need to complete their choice on the checklist form at the beginning of each calendar year.

Open Discussion and miscellaneous public comments:

- Department heads present discussed updated information received at the NACO Convention.
- Darrel Thorin, County Highway Superintendent, and the Board reviewed pictures recently taken by Thorin regarding destruction to county road right-of-way ditches. The structure of a county road ditch has been altered and contains animal waste runoff.

Commissioner Luettel declared the meeting adjourned at 12:23 P.M. with the next Board meeting scheduled for Wednesday, December 28, 2016.

Kathy Thorberg,
Boone County Clerk