



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 13, 2017 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 13, 2017, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Maricle 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 Maricle 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 Accounts Payable Vendor Claims filed for payment from the various funds with a change to Vendor ID No. 913 from 0100-620 to 0100-652 budget account: General - \$52,266.55; Road - \$88,536.88; Boone County Visitor's Promotion - \$163.20; Inheritance Tax - \$18,700.00; 911 Emergency Management (2910) - \$460.35; 911 Wireless Service (2913) - \$575.92; Ambulance - \$2,032.14. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. 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 \$4,025.78, 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 received a written resignation from a full time employee in the County Zoning/Highway Superintendent office. Motion made by Maricle, second by Rasmussen to accept the resignation of full time employee Neilani DL Marsh effective March 7, 2017. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve a Payroll Claim filed for payment on the General Fund for a net amount of \$885.56 with the withholding amounts being included in the General Fund Accounts Payable Vendor Claims 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 Proceedings of February 27, 2017 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for February, 2017:

- Clerk - \$3,961.00 (State of Nebraska \$1,604.80)(County of Boone \$2,356.20)
- Clerk of the District Court - \$863.12 (State of Nebraska \$268.75)(County of Boone \$594.37)
- Planning and Zoning - \$59.00
- Sheriff - \$1,884.08
- Treasurer - Treasurer's Fees - \$20.00; Miscellaneous Receipt Nos. 15535-15579 - \$214,218.32; Total Collections - \$575,669.01

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



# Boone County Board Minutes



Jeff Jarecki, Jarecki Yosten PC LLO, and the Board discussed concerns regarding the Dahlsborg Cemetery located in the SE1/4 of Section 1, Township 21 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Connie Jensen contacted several organizations in the fall of 2016 and a letter was received by the Board of Commissioners in October 2016 regarding perpetual care for the Dahlsborg Cemetery. Jensen informed the Board that funds have been left by her father's estate for the stones to be set upright, signage and perpetual care of the Dahlsborg Cemetery that was established in 1888. The Clerk's office traced the real estate history of the Dahlsborg Cemetery. Jarecki reviewed the real estate transactions concerning the Dahlsborg Cemetery and the statutes regarding abandoned cemeteries. Jarecki felt that the abandoned cemetery statutes do not apply to the Dahlsborg Cemetery due to real estate transactions indicate that the quarter of ground including the cemetery acres are privately owned. Jarecki plans to visit with Jensen and the present owners of the real estate to discuss perpetual care of the Dahlsborg Cemetery.

Steve Pritchard, UNL Extension Educator, presented quotes for a new laptop to be used by extension office personnel. Pritchard informed the Board that UNL purchases and is the owner of the equipment that could be leased to Boone County. If Boone County leases the equipment, UNL is asking the County to pay 70% with UNL's share to be 30% of the lease. Pritchard presented the 2017 cost share bundles with options from UNL: Dell Laptop with 1 monitor, no cost share - \$2,475.31; Dell Laptop with 2 monitors, no cost share - \$2,747.22; Dell Desktop with 1 monitor, no cost share - \$1,708.02; Dell Desktop with 2 monitors, no cost share - \$1,993.15; and bundle quotes regarding Apple Laptop computers. Motion made by Maricle, second by Luettel to approve the UNL Bundle #A2 for a new Dell Laptop with 2 monitors, software, UNL Microsoft license, optional equipment being a DVD Drive and UNL administrative fees making the County share a total of \$2,158.15 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc., Ryan Neidhardt, Boone County 4-H Council, and Steve Pritchard, UNL Extension Educator, presented a proposal to the Board of Commissioners regarding the Boone County 4-H Council requesting permission to plant two rows of spruce trees along the east side of the shooting range located on the east side of the county fairgrounds. Neidhardt said that the trees are to be planted twenty-five feet from the power lines. The Board informed the requestors that any trees planted will need to start at the required distance south of the potential Park View Street adjacent to the county fairgrounds through the new housing development area to be known as South Park Subdivision. A tree line needs to end at the existing fence line on the south that currently divides the two parcels of property owned by the County of Boone. The Board noted that a new survey of the fairgrounds is in process and that there are two areas east of the fairgrounds being annexed into the City of Albion for housing development. The Board advised the 4-H Council to know where the correct property lines are and be aware of any regulations regarding distance from road/streets/power lines before planting any trees. In addition, the group discussed that the present archery range may need to be relocated after the 2017 County Fair, the 4-H Council/Ag Society would like a water line/hydrant placed close to the tree line for watering purposes and negotiate with the City of Albion regarding water and sewer be provided to the fairgrounds by the City at no charge in perpetuity for part of the east side of the fairgrounds property the City will likely be taking ownership of in the future. Motion made by Maricle, second by Luettel to allow the Boone County 4-H Council to plant two rows of spruce trees within the legal boundaries on the east side of the fairgrounds property east of the shooting range and according to regulations regarding distances from electrical poles and streets. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. 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 a request for advertisement funding. The Smoyer-Wathen Monument Project Committee requested assistance to fund the printing of a brochure to promote an event scheduled for June 10, 2017, dedication of a monument to celebrate the 80<sup>th</sup> anniversary of the slaying of Smoyer and Wathen. The Board discussed the Visitor's Promotion Committee denial and the Smoyer-Wathen committee concerns for not approving the application. Motion made by Maricle, second by Luettel to table the application requesting funding assistance for advertisement from the Visitor's Promotion Fund in order to receive more information. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

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 Boone County Ambulance Service submitted an uncollectible ambulance account for a July 2015 ambulance service in the amount of \$2,070.00, as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$2,070.00 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 Rasmussen, second by Luettel to turn the July 2015 County Ambulance Service account balance of \$2,070.00 over to the County Attorney for further collection. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Mary Ziembra, County Zoning Administrator, presented a resolution placing a moratorium on any new small parcel split conditional use applications. The resolution presented voids and takes precedence over the resolution approved by the Board on February 13, 2017. The County of Boone, Nebraska has seen a large influx of existing and proposed noncomplying small parcel splits in the A-1 Agricultural-Primary District. The change to remove the moratorium from the A-2 Agricultural-Secondary District was recommended by the Boone County Planning and Zoning Commission at their February 27, 2017 meeting. Motion made by Luettel, second by Maricle to approve a moratorium with Resolution No. 2017-06, thus voiding and taking precedence over Resolutions No. 2017-04, the Boone County Zoning Administrator shall not accept the filing of any application for conditional use permits for small parcel split, effective March 13, 2017 through September 1, 2017 and/or until such time the approval of the new and/or revised zoning regulations are finalized by a vote of approval and signed by the Boone County Board of Commissioners in the A-1 Agricultural-Primary District. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. Robinson informed the Board that Brian McDonald, JEO Consulting Engineer, recently inspected county bridge(s) with some structure deficiency that are in need of replacement. McDonald will prepare engineering proposals for the bridges to be reviewed at the March 20, 2017 Board meeting.



# Boone County Board Minutes



Stacey Robinson, County Highway Superintendent, presented a motor grader repair estimate of \$28,419.00 for a rebuilt transmission with a one year warranty from Road Builders Machinery and Supply Co., Inc. of Norfolk, NE. The motor grader was purchased in 2009 and has 8,755 engine hours. Robinson and the Board discussed the option of either purchasing a new motor grader or repairing the motor grader. Motion made by Maricle, second by Luettel to approve repairing the motor grader for approximately \$28,419.00 from Road Builders Machinery and Supply Co., Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board and Stacey Robinson, County Highway Superintendent, discussed millings for county roads. Bygland Dirt Contracting, Inc. ground asphalt for the County at \$10.00 a ton. The Board and Bygland visited by telephone regarding the removal of the county millings from Bygland's property to county property. Bygland would appreciate if the millings were removed this week. The Board plans to work with the county road employees to remove the millings from Bygland's property onto county property this week.

The Board received bids for audit services for fiscal years ending June 30, 2017, 2018 and 2019. Bids received were from Countryman Associates, P.C. of Grand Island, NE; Michael J. Pommer, CPA of Wakefield, NE; Schumacher, Smejkal, Brockhaus & Herley, P.C. of Norfolk, NE and State of Nebraska, Auditor of Public Accounts. The Board reviewed the audit bids and information submitted by the firms. Motion made by Luettel, second by Rasmussen to accept and approve the auditing services of Schumacher, Smejkal, Brockhaus & Herley, P.C. of Norfolk, NE for the fiscal years ending June 30, 2017 - \$9,350.00; June 30, 2018 - \$9,350.00 and June 30, 2019 - \$9,350.00. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

## Open Discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- The Board welcomed the new County Weed Superintendent/Sign Technician employee, Jack Nordeen. Nordeen started his employment on March 13, 2017.
- Mary Ziemba, County Planning and Zoning, updated the Board regarding zoning activity.
- The Board discussed 2017 lawn care for the courthouse property. The consensus of the Board to send a letter to the two local business for proposals to open at the March 27, 2017 Board meeting.
- The Board discussed leasing the cropland acres that the County of Boone purchased south of the present County Fairgrounds property for year 2017. The Board reviewed the information received from NACO for the procedure(s) to follow for a government entity to lease cropland acres.
- Tiffany Settles, Constituent Services Representative, will be holding local office hours on behalf of U.S. Senator Deb Fischer at the Boone County Courthouse on Wednesday March 15, 2017 at 10:00 A.M. to hear public concerns.

Chairman Maricle declared the meeting adjourned at 12:38 P.M., with the next Board meeting scheduled for Monday, March 20, 2017.

Kathy Thorberg,  
Boone County Clerk