



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 17, 2017 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 17, 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 Hilary K. Maricle, Alan Rasmussen and Ken Luettel. 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 Maricle, second by Luettel to recess said Board of Commissioners meeting at 9:01 A.M. in order to meet/reconvene as the Boone County Board of Equalization. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to reconvene said Board of Commissioners meeting at 11:01 A.M. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 10, 2017 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

The Boone County Fitness Center Fund (5510) is a pass through fund for payroll and building insurance, being reimbursed each month by the Boone County Fitness Center, Inc. back to the County of Boone, Nebraska. Effective January 1, 2017 the Boone County Fitness Center, Inc. is processing payroll through their identification number and no longer passing through the County of Boone budget system. The Boone County Fitness Center, Inc. reimbursed the County of Boone for the building insurance of \$4,220.00. The NIRMA insurance premium(s) are paid from the County General Fund (0100). Motion made by Luettel, second by Maricle to approve Resolution No. 2017-17, authorizing the Boone County Treasurer to transfer the sum of \$4,220.00 from the Boone County Fitness Center Fund (5510) to the County General Fund (0100). Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Boone County Board of Commissioners and Boone County Fitness Center, Inc. board member representatives met and discussed the operation of the Boone County Fitness Center, Inc. on December 19, 2016. Effective January 1, 2017 the Boone County Fitness Center, Inc. is processing payroll through their identification number and no longer passing through the County of Boone budget system. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2017-18, to close the Boone County Fitness Center Fund (5510) as of August 1, 2017 and the County Treasurer is further directed to automatically transfer any future collections for the Boone County Fitness Center Fund (5510) directly to the General Fund (0100). Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Boone County Board of Commissioners have determined that there is no longer a need to have the Emergency and Protective Services Function (690) and the Grants (Economic) Function (912) within the County General Fund (0100). No expense transactions for Functions (690) and (912) since the 2012-2013 fiscal year. Motion made by Rasmussen, second by Luettel to approve Resolution No. 2017-19, to close the Emergency and Protective Services Function (690) and the Grants (Economic) Function (912) within the County General Fund (0100) effective August 1, 2017. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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The County Treasurer submitted a Semiannual Statement for January 1, 2017 through June 30, 2017. Motion made by Luettel, second by Rasmussen to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The County Clerk submitted a Statement of Receipts and Disbursements for fiscal year end June 30, 2017. Motion made by Maricle, second by Rasmussen to accept and approve as presented the County Clerk/Register of Deeds 2016-2017 fiscal year-end report. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of June 30, 2017. Motion made by Maricle, second by Luettel to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Jeff Jarecki, Public Defender, presented a report to the Board regarding the status of court cases since his appointment to the position in August 2012. Jarecki reported that the cases assigned in 2012, 2013, 2014 and 2015 are all completed. Jarecki reported that he was assigned forty-five cases in 2016 with two cases remaining open. Jarecki reported that he has been assigned twenty-three cases to date in 2017 with fifteen cases remaining open. Jarecki answered the Board's questions regarding conflict of interest and closed/open cases. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved. Jarecki explained to the Board that some juvenile cases take a longtime to complete. The Board thanked Jarecki for the updated report and his diligent services. Motion made by Luettel, second by Maricle to accept and approve the Boone County Public Defender report as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Jeff Jarecki, Jarecki Yosten PC LLO, introduced Katie Lesiak, a third year law student interning in their office this summer. Jarecki presented information for the Board to review. The Board asked Jarecki to review the County of Boone, Nebraska real estate deed transactions in regard to the Boone County Health Center facility. There were some changes made in regard to medical facilities operation and ownership authority within the Nebraska State Statutes Chapter 23 in 2012. Presently the real estate is recorded in the County of Boone, Nebraska and the operation/fixtures are under the Boone County Health Center. Jarecki said, after a short summary of the documents, statutes, and case law, that a County Hospital is a separate legal entity from the County and not an agency of the County, but is a separate and independent political subdivision. Jarecki's opinion/recommendation is for the real estate ownership be the same as the operation/fixture(s) ownership that being the Boone County Health Center. Jarecki and the Board discussed pros/cons in regard to the ownership of the real estate. The Board plans to visit with Tanya Sharp, Boone County Health Center Chief Executive Officer, and the Boone County Health Center Board of Trustees, regarding the real estate ownership. No decisions were made.

The Board and Rod Nelson, Maintenance, discussed propane providers for the two county generators at their July 10, 2017 Board meeting. The County owns the propane tank located at the County Communications Tower and rents the propane tank located at the County Sheriff's office. Nelson obtained a quote to purchase the present propane tank located at the County Sheriff's office. The Board and Nelson discussed owning both propane tanks that way only one supplier needs to be called to fill both tanks. Motion made by Luettel, second by Rasmussen to purchase the present 250 gallon propane tank for \$399.00 from Ferrellgas located at the Boone County Sheriff's office. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



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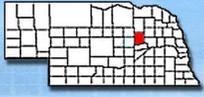
Stacey Robinson, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. Robinson said that the bridge that was under construction north of Albion was opened to the public on July 13, 2017 and she is hoping that the bridge project by St. Edward will be open to the public at the end of this week.

Stacey Robinson, County Highway Superintendent, presented a resolution for the Board to review. The State of Nebraska, Department of Roads submitted an Agreement for consultant inspection and load re-rating on county fracture critical bridges. The cost for the six bridge inspections is estimated to be \$21,592.16 for 2017. The state share is 80% (\$17,273.73) and the county share is 20% (\$4,318.43) of the estimated costs. Robinson said that Boone County may have soft match funds available to cover part of the 20% share. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2017-20 and authorize the Board Chairman to sign the Agreement between the Nebraska Department of Roads and Boone County for Project No. STP-NBIS(110), Control No. 00953A Fracture Critical Bridge Inspections and Load Re-ratings as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board held a meeting with the department heads:

- Commissioner Maricle asked all present to join in the Pledge of Allegiance.
- County officials/department heads reported on activities with regard to their respective office.
- Boone County Government Day is scheduled for October 18, 2017.
- The group agreed on a possible revision in regard to unused sick leave upon termination of employment to the Catastrophic Illness Donation Pool.
- County Office Inventories are due to the County Clerk's office August 18, 2017.
- The group discussed preliminary preparation of the 2017-2018 budget forms and possibly a Cost of Living wage increase in January 2018. No decisions were made.
- Commissioner Maricle informed the department heads that they are still waiting on a few employee(s) to complete the BCBS application form in order for the Board to obtain a stand-alone BCBS health insurance premium quote.
- Commissioner Luettel has completed a six year term on the Northeast Nebraska Economic Development District Board.

The Board reviewed an Amendment One, October 2017, to the Subgrant Agreement between the County of Boone and the Nebraska Department of Health and Human Services (DHHS), Division of Children and Family Services Child Support Enforcement (CSE) Program signed in 2016. The purpose of this agreement is to account for the work of the Clerk of the District Court as it relates to Child Support Enforcement. This Agreement also offers the mechanism for DHHS to provide reimbursement to the County for child support related work. The term of the amended subaward agreement is in effect from October 1, 2016 through September 30, 2018, the completion date. Upon notice to the Subrecipient, DHHS may, in its sole discretion, renew this award for one (1) additional one (1) year term. The purpose of this agreement is for a cooperative arrangement with Boone County, Nebraska on behalf of the court pursuant to Nebraska Revised Statutes. Motion made by Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the Amendment One, October 2017, Subgrant Agreement between the Nebraska Department of Health and Human Services, Division of Children and Family Services Child Support Enforcement and the County of Boone as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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The Board heard a general assistance rent request on July 10, 2017. The Board referred the applicant to the County Veteran Service office on July 10, 2017 for possible assistance and asked the applicant to bring in a copy of the signed rental agreement for the Board to review. The Board discussed the applicant's request and status with the County Veteran Service Officer. Motion made by Luettel, second by Rasmussen to approve payment of the July rent request payable directly to the landlord and the August rent request approval pending on confirmation of a full month of residency at the same location. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Public Comments:

- Rod Nelson, Maintenance, updated the Board regarding the Courthouse lawn and sprinkler system and spraying of the weeds at the County Communications Tower site.

Motion made by Maricle, second by Luettel to recess said Board of Commissioners meeting at 2:00 P.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to reconvene said Board of Commissioners meeting at 2:30 P.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to go into executive session at 2:31 P.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried. The Board met with the County Highway Superintendent and the County General Road Foreman to discuss a personnel issue. Motion made by Luettel, second by Rasmussen to come out of the executive session at 3:14 P.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. No action was taken by the Board at this time.

Chairman Maricle declared the meeting adjourned at 3:20 P.M., with the next Board meeting scheduled for Wednesday, July 26, 2017.

Kathy Thorberg,
Boone County Clerk