

# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
MARCH 19, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 19, 2018, 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 Hilary K. Maricle, Ken Luettel and Alan Rasmussen. 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.

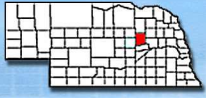
Motion made by Maricle, second by Luettel to approve the County Board Proceedings of March 12, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent, General Road Foreman and thirteen of the sixteen full time road employees met with the Board to discuss/express their concerns regarding how their work hours are compensated when they are called out due to inclement weather on a weekend, paid holiday or board courthouse closure day. The Board contacted NIRMA Legal Counsel by telephone to help answer questions and explain the Fair Labor Standards Act in regard to non-exempt employees 40 hour work week before overtime is earned. Following approximately a two hour lengthy discussion it was concluded that page 52 of the current County Employee Handbook needs to be re-evaluated for better clarification. The employee handbook and benefit concerns presented today will be discussed and re-evaluated. The Board agreed it is important to take care of its employees, but the Board also needs to remain fiscally responsible with use of tax payer funds and labor laws.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials, projects and purchase of bulk fuel. Robinson and the Board discussed the Bridge Project No. C-6(391) and Road Project No. C-6(394). More information and approximate costs will be presented to the Board at a later date.

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 Petersburg Volunteer Fire Department requested assistance to advertise the Petersburg Volunteer Fire Department Cruise Night and Dance fundraiser event scheduled for June 9, 2018. Motion made by Luettel, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented two Contract Change Proposals (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 9 was tabled from the March 12, 2018 Board meeting to allow additional time for Johnson to make some local contacts in regard to the installation of wire in empty conduit with pull string. Johnson and the Board discussed the information received from local contacts in regard to the purchase of the specific wire and installation. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the CCP No. 9 submitted by RaDec Construction Co., Inc. for \$6,795.00 for a desktop turret for two door control and three DPS indication and provide/install wire in empty conduit as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



# Boone County Board Minutes



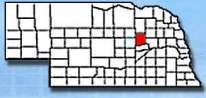
Denny Johnson, Sheriff, updated the Board in regard to the law enforcement renovation project and the Contract Change Proposal, CCP No. 11. The CCP No. 11 is for time/material change order to project due to unforeseen circumstances of conduits and wire ran into walls, as well as circuits and boxes that needed to be eliminated or reran. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the CCP No. 11 submitted by RaDec Construction Co., Inc. for \$3,555.00 for time/material change order as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted LCD TV enclosure(s) proposal for the flat screen televisions located within the jail cells in the county law enforcement building. The flat screen LCD TV enclosures are designed for demanding environments. The Board and Johnson discussed the need for the TV enclosures for safety reasons. The proposal is \$574.95 per television from Bob Barker Company. Motion made by Luettel, second by Maricle to authorize the purchase of three LCD TV enclosures at \$574.95 each for the jail cells with the purchase payable from the law enforcement building renovation portion of the County Inheritance Tax Fund. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board tabled Resolution No. 2018-09 following a lengthy discussion at their March 12, 2018 Board meeting. The resolution pertained to an Interlocal Agreement with the City of Albion regarding municipal well test sites and free water for the fairgrounds. Andy Devine and Darren Wright, City of Albion representatives, made revisions to the resolution as discussed on March 12, 2018. Upon construction of a municipal well by the City upon property owned by the County, the County will transfer ownership of the site of the existing wells and property as described in said resolution. Upon the transfer of said property from County to the City as described in said resolution, the City agrees to construct a public restroom facility upon Lot 3 as well as six campsites with electrical hookups that will be made available to the County and Ag Society for reservation at their discretion. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-09, an Interlocal Agreement between the County of Boone, Boone County Agricultural Society, Inc. and the City of Albion, all located in Nebraska in regard to construction of a municipal well upon property owned by the County and water for the fairgrounds as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing on Tuesday, February 20, 2018. Due to the February 20, 2018 notice of public hearing not being published in the local newspapers, Robinson represented the One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing on Monday, March 19, 2018 as advertised. This resolution shall void and take precedence over Resolution No. 2018-06 dated February 20, 2018. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-10, adopting the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska as presented at the public hearing. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Janice Tisthammer requested permission to bore an electrical line under a county road commonly known as 270<sup>th</sup> Avenue running north and south between Sections 13 and 14, all in Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The bored electrical line is for irrigation purposes located in the NW1/4 of Section 13. The electrical line commences from an electrical pole located in the fence line of the NE1/4 of Section 14; thence running east to an irrigation well located in the NW/4 of Section 13, all in Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-11, granting permission to Janice Tisthammer to bore an electrical line under a county road known as 270<sup>th</sup> Avenue to the NW1/4 of Section 13, all in Township 21 North, Range 6 West of the



# Boone County Board Minutes



6<sup>th</sup> P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to go into executive session at 12:44 P.M., per the Open Meeting Act §84-1410, prevention of needless injury to the reputation of a person and if such person has not requested a public meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried. The Board reviewed an employee request. Motion made by Maricle, second by Luettel to come out of the executive session at 1:00 P.M. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried. Motion made by Rasmussen, second by Luettel to approve a portion of the employee request. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

## Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – March 19, 2018; County Planning and Zoning Commission – March 26, 2018; Northeast Nebraska Association of County Officials – re-scheduled to April 6, 2018.
- Commissioner Maricle updated the Board regarding the Boone County Recreational Trails System Project meeting.
- Commissioner Maricle updated the Board regarding the fairgrounds building sub-committee meeting.
- The Board received the NIRMA 2017 annual report to review.

Chairman Luettel declared the meeting adjourned at 1:40 P.M., with the next Board meeting scheduled for Monday, March 26, 2018.

Kathy Thorberg,  
Boone County Clerk