

# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 19, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, February 19, 2019 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Rasmussen called the meeting to order and Commissioners present for roll call were Ben Rutten, Alan Rasmussen and Larry Temme. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Rasmussen acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

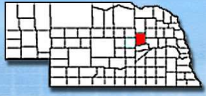
Motion made by Temme, second by Rutten to approve the County Board Proceedings of February 11, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Boone County Clerk submitted a copy of additional pledged security (collateral) for the Boone County Clerk's Imprest Vendor Account. Motion made by Rasmussen, second by Rutten to acknowledge and approve the pledged security (collateral) as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

At the Board meetings in December 2018, Denny Johnson, County Sheriff, and the Board discussed options for meals provided to prisoners held in the Boone County Jail facility. Johnson placed an ad in the Albion News for the acceptance of bids for meals provided to prisoners held in the Boone County Jail. Johnson and the Board reviewed the meal bid submitted by 3C's Cleveland's Café and Catering of Albion, NE for prisoner meals. Johnson and the Board discussed the fact that some days there may be four prisoners and other days no prisoners. Johnson informed the Board that 3C's Cleveland's Café and Catering have been very accommodating to work with for preparation and delivery of prisoner meals and meet the state dietary requirements. Motion made by Rutten, second by Rasmussen to approve and accept the contract bid for year 2019 from 3C's Cleveland's Café and Catering as presented for inmate meals delivered to the Boone County Law Enforcement/Jail building. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented quotes for the Board to review regarding bullet proof drywall/wall material and installation for the County Law Enforcement/Jail building. The quote from Total Security Solutions of Fowlerville, MI is for 2 bullet proof wall materials described as 4 x 8 UL 752 Tested & Rated Level 3 Fiberglass ½" thick for \$1,151.00. The estimates for installation of the bullet proof wall material: Wiseman Roofing & Construction, Albion, NE for \$1,813.00 and T & A Handyman of Cedar Rapids, NE for \$2,200.00-\$2,450.00. Motion made by Temme, second by Rasmussen to approve and authorize the County Sheriff to purchase the bullet proof wall material for approximately \$1,151.00 from Total Security Solutions and approve the wall installation for approximately \$1,831.00 from Wiseman Roofing & Construction as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Board and County Highway Superintendent discussed the possible need of a one ton heavy duty pickup to pull trailers. A 16 foot trailer located at Scribner, NE has been looked at for transporting a bobcat skid loader and pipe. The trailer requires a heavy duty pickup. The majority of the County Road pickups are ½ ton or ¾ ton. The Board suggested that the Highway Superintendent check the state fleet bids and obtain prices for different types of pickups to present to the Board for their review at a future Board meeting.



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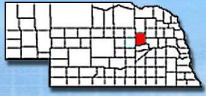
The Board approved the revised back-haul of aggregate from quarries to the county stockpiles Non-Exclusive Contract for Services with approved truck drivers as submitted by the County Highway Superintendent on January 22, 2019. The County Highway Superintendent added clarification in the Description of Services of the revised Non-Exclusive Contract for Services explaining the type of aggregate hauled, and hauler must contact the Highway Superintendent for approval to back-haul each load of aggregate. Motion made by Rasmussen, second by Rutten to approve the Non-Exclusive Contract for Services with approved truck drivers as submitted with the clarification changes in Description of Services. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The County Highway Superintendent prepared a Non-Exclusive Contract for Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2019 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers needed to attach a copy of the truck driver's CDL and insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed two Non-Exclusive Contract for Services. The two contracts were not complete in regard to the required documentation attachments. Motion made by Rasmussen, second by Rutten to table action on the two submitted Non-Exclusive Contract for Services to a future Board meeting. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Board and County Highway Superintendent discussed the Introductory Period on page 14 of the County Employee Handbook. Each new employee (including a re-hired employee) at Boone County is considered to be in an introductory status commencing the first date of employment/re-employment through the period designated by the department head. The County Road Department has two new employees that started employment in November 2018. An employee's work performance may be evaluated after completion of the introductory period. A new benefit beginning with the January 2019 payroll is a Merit Based Pay of (0-12 cents) which is based on a full-time employee's performance evaluation completed every November. The Merit Based Pay benefit program is separate from the annual Cost of Living approved for employees. The Highway Superintendent said that the two new employees are working well and she would like to set an Introductory Period Evaluation for the County Road Department employees of ninety days and in addition use the merit based pay of (0-12 cents) for the two new employees due to their employment date was in November 2018 and were not eligible at that time for the new merit based pay benefit program. Motion made by Temme, second by Rasmussen to approve a ninety (90) day Introductory Period with an evaluation for the County Road Department and that the designated ninety day Introductory Period be communicated to the employee upon employment. Roll call Vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Board and County Highway Superintendent discussed the road employee's overtime concerns at the February 11, 2019 Board meeting and at that time the Board decided to address the concerns in writing to the county road employees. A letter addressing overtime clarification and work outside of normal working hours was prepared by the County Highway Superintendent for the Board to review. Motion made by Temme, second by Rasmussen to approve signing the letter addressing overtime clarification and work outside of normal working hours to be distributed by the Highway Superintendent to each County Road Employee. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The County Highway Superintendent, presented the 2019 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing. Motion made by Rasmussen, second by Rutten to approve Resolution No. 2019-02, adopting the 2019 One and Six Year Road Improvement Program for County of Boone, Nebraska as presented at the public hearing. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



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Chris Hays, County Surveyor, presented his concerns to the Board regarding Boone County Zoning regulations and issues when a landowner requests a survey. In June 2018 one of the approved regulation changes “raising acres to 160 to build a house without a Conditional Use Permit. A 5-acre minimum for any parcel split which shall require a Conditional Use Permit including the right-of-way with three (3) or four (4) straight lines; only exception is naturally occurring boundaries (river, creek and highway not included); and the residential density shall not exceed five (5) houses per section effective June 18, 2018.”

Hays presented several examples of surveys completed in 2018 for Boone and various counties. When surveying includes existing homesteads, pivot corners, tree lines, etc. the majority of the time there is no way for three or four straight lines without taking part of the prime farm ground. Hays surveys for several counties, with Boone County being the only County requesting surveys involving Conditional Use Permits to have three or four straight lines. The Board; Chris Hays, County Surveyor; Mary Ziemba, County Zoning Administrator; and Keith Marvin, Zoning Consultant, discussed the surveying concerns in regard to the Conditional Use Permit regulation changes. The Board and Ziemba are to present the surveying concerns at the Boone County Joint Planning Commission and Board of Commissioners scheduled joint meeting on Tuesday, February 26, 2019.

Keith Marvin, Zoning Consultant, of David City, NE presented a proposal for the Board to review that outlines the work to update the County Zoning regulations. The present Boone County Comprehensive Plan was adopted in 1999, with various changes and amendments during the twenty years. Marvin was a consultant for Boone County when the original Comprehensive Plan and Zoning regulations were created.

Marvin said that the upgrade process would take one and one-half to two years with an estimated cost of \$33,100.00 for the County. If the upgrade of the Comprehensive Plan and Zoning regulations for the Villages of Cedar Rapids and Petersburg, the estimated cost for each town is \$6,000.00 to \$9,000.00. There has been many changes in agriculture and the dynamics of the county over the years. There are new issues arising every year. Comprehensive Plans are the basis for making solid decisions about the future regarding land use; transportation; economic development; county facilities; public services, etc. Marvin said engagement of the county residents would be an important part of the work. Marvin informed the Board that Nebraska law requires a Comprehensive Plan first, then the Zoning regulations follow. The Board; Keith Marvin, Zoning Consultant; Chris Hays, County Surveyor; and Mary Ziemba, County Zoning Administrator, discussed the need to upgrade and simplify the County Comprehensive Plan and Zoning regulations. The Board plans to review the proposal, no decision was made at the meeting.

John Morgan, County Attorney, attended the Board meeting and asked the Board if there were any questions or concerns for him to address. The Board had no concerns at this time.

## Public Comments:

- Meetings: BCDA, Inc. – February 21, 2019; Northeast Nebraska Area Agency on Aging – February 21, 2019; Region IV, Inc. /NorthStar Services – February 21, 2019; Boone County Joint Planning Commission – February 26, 2019.
- Commissioner Rutten updated the Board regarding the Region 44 Emergency Services Supervisory Committee quarterly meeting.
- A representative for Senator Ben Sasse plans to have a mobile office on Friday, February 22, 2019 from 9:00 A.M. to 10:30 A.M. at the Boone County Courthouse.

Chairman Rasmussen declared the meeting adjourned at 12:26 P.M., with the next Board meeting scheduled for Tuesday, February 26, 2019.

Kathy Thorberg,  
Boone County Clerk