



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 26, 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 26, 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.

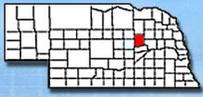
Alan Rasmussen, Chairman of the Boone County Board of Commissioners/Safety Committee member, opened the safety meeting at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Larry Temme and Ben Rutten; Rod Nelson, Courthouse Maintenance; Kathy Thorberg, County Clerk; and Stacey Ziemba, County Highway Superintendent. Rod Nelson, Courthouse Safety Coordinator presented the old and new business. Old business that was addressed/reviewed: (1) grant for a new generator is no longer available; (2) calling system list for inclement weather is being updated; (3) discussed sidewalk and parking lot repairs; (4) outside lighting at courthouse is being repaired; (5) "Stop the Bleed" training using tourniquets will be offered to County employees in the future; (6) NIRMA likes pictures of accident areas and conditions; and (7) ice melt was ordered for the winter season. New business was discussed: (1) funds should be budgeted for a new generator due to the grant funding is no longer available; (2) County Highway Superintendent discussed handicap accessibility for the building known as County Road Shop District #2, Albion; (3) County Highway Superintendent discussed the need to repair the low spot in front of the shop building door that creates a slick icy area, known as County Road Shop District #2, Albion; (4) monthly testing of the paging system on the courthouse phones is being completed the first of each month; (5) the paging system can be used during the State wide tornado drill held in March. Plans are for a Courthouse tornado drill to be held the same day as the State wide tornado drill; and (6) the two incident/accident reports have been addressed. The next Safety Committee meeting is tentatively scheduled for 9:00 A.M. on Monday, May 13, 2019. The Safety Committee meeting was adjourned by Alan Rasmussen at 9:15 A.M.

Motion made by Temme, second by Rutten to approve the County Payroll Claims filed for payment from the various funds: General \$99,774.31, BCBS \$48,827.88, Ameritas Ret \$6,874.32, EFTPS \$7,453.57, Section 125 Fees \$10.00, Wellness Program \$91.38; Road \$63,765.10, BCBS \$31,541.18, Ameritas Ret \$4,304.15, EFTPS \$4,816.73; Ambulance \$2,854.63, Ameritas Ret \$96.65, EFTPS \$218.37; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to approve the County Board Proceedings of February 19, 2019 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board 2019 One and Six Year Road Improvement Public Hearing Proceedings of February 19, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Counties of Boone, Butler, Merrick, Nance, Polk, Saunders, and the City of Columbus acting as the Platte County Public Safety Answering Point (PSAP) entered into an Interlocal Cooperation Agreement, East Central



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Region for 911 Emergency Communications Equipment Sharing on September 16, 2013. The Agreement created the East Central 911 Region (EC911), administered by the EC911 Governing Regional Committee. Hamilton County became a party to the Agreement as amended by an addendum on November 5, 2018. Jon Rosenlund, Grand Island/Hall County Emergency Manager, presented an Amendment/Addendum to the Interlocal Cooperation Agreement for the Board to review. Rosenlund informed the Board that Grand Island Emergency Center desires to become a party to the EC911 Agreement. Rosenlund answered Board questions and explained that the Interlocal Cooperation Agreement enables multiple PSAP's to share backroom equipment. Motion made by Rasmussen, second by Temme to approve and authorize the Board Chairman to sign the Addendum to add Grand Island Emergency Center to the Interlocal Cooperation Agreement, East Central Region for 911 Emergency Communications Equipment Sharing Agreement as submitted. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Rod Nelson, Maintenance, and the Board discussed the proposal submitted by Meininger Fire Protection, Inc. for an internal pipe exam. An internal pipe exam is required on a 5-year basis, per NFPA 25, to ensure that the internal condition of the fire protection piping is not in a condition which could result in the obstruction of sprinklers due to corrosion or other foreign matter. The five-year maintenance inspection of the internal pipe for \$375.00, will be conducted at the same time as the annual inspection. The \$375.00 five-year maintenance fee is in addition to the annual inspection fee. Motion made by Rutten, second by Temme to approve and authorize the Board Chairman to sign the proposal/contract for the additional five-year maintenance fee of \$375.00 for an internal pipe exam of the courthouse fire sprinkler system as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, 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 Certificate of Liability 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 the Non-Exclusive Contract for Services submitted by Country Partners Cooperative, Jason Hoefer/Jason Hoefer Trucking, Rollie C. Huffman/RCH Transfer, and Randy Schlecht/Schlecht Trucking, LLC. Motion made by Rutten, second by Temme to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects.

The Board approved an engineer study in August 2017 to be completed to determine costs and options for permanent repairs for approximately four miles of the asphalt portion of 145<sup>th</sup> Street west of Petersburg from 210<sup>th</sup> Avenue to 170<sup>th</sup> Avenue, a main route for areas west and northwest of Petersburg and for the Volunteer Fire Department/Rescue Squad. Brian McDonald, JEO Consulting Group, Inc., presented to the Board information regarding the Thiele Geotech, Inc. study of Project C-6 (394), Petersburg west, a portion of a county road known as 145<sup>th</sup> Street and five different costs and overlay scenarios at the April 16, 2018 Board meeting.

Brian McDonald, JEO Consulting Group, Inc., the Board and Stacey Ziemba, County Highway Superintendent, discussed the engineering evaluation and information that was presented at the April 2018 Board meeting in regard to the approximate four miles of asphalt road west of Petersburg on 145<sup>th</sup> Street. The engineering evaluation provided analysis for subsurface soil, foundation, slope stability, seepage, settlement and other



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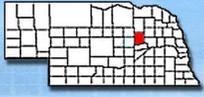
geotechnical engineering related items. McDonald re-presented the five different costs and overlay scenarios for the approximate four miles of asphalt west of Petersburg on 145<sup>th</sup> Street. The East portion is 9,700 feet and the West portion 11,600 feet in regard to the five construction scenarios that range from: (1) east- mill 1" and overlay with 2" asphalt, west-complete reconstruction with 8" asphalt pavement for approximately \$2,177,431.00; (2) east-mill 1" and overlay with 6" asphalt, west-complete reconstruction with 8" asphalt pavement for approximately \$2,592,548.00; (3) east-complete reconstruction with 8" asphalt pavement, west-complete reconstruction with 8" asphalt pavement for approximately \$3,083,398.00; (4) east-mill 1" and 6" concrete overlay, west-complete reconstruction with 8" concrete pavement for approximately \$2,772,481.00; and (5) east-complete reconstruction with 8" concrete pavement, west-complete reconstruction with 8" concrete pavement for approximately \$3,624,130.00. The estimated figures do not include upgrading the bridge, surveying costs and for the possible purchase of more right-of-way, as the west two miles would need to be brought up to standards for 55 mph. McDonald said that usually concrete will be good for 20-30 years with maybe some crack sealant now and then. Asphalt is known for 10-15 years depending on weight of traffic with overlay in warped areas more often. The Board asked McDonald several questions regarding the Project C-6 (394), Petersburg west, and requested McDonald to bring back proposals for an option that would include six-inch concrete overlay on the east portion and mill down the base to return the west portion of the road to gravel.

In addition, the Board, County Highway Superintendent and Brian McDonald, JEO Consulting Group, Inc., discussed regulations/requirements for county roads that are classified as Minimum Maintenance. McDonald informed the Board that it becomes a daily safety issue when residents of rural residential dwellings access onto a minimum maintenance road. McDonald said that bringing a minimum maintenance road up to Nebraska Department of Roads standards can be a very expensive process.

The Board heard and reviewed a county burial request. Motion made by Rasmussen, second by Rutten to approve the county burial request as outlined in Resolution No. 2011-42. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Nathan Olson leases the County owned crop ground of 24.68 acres located in a fractional part of the NE1/4 of Section 28, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Olson's rental lease payment is in March each year and the Lease Agreement provides that the County shall pay Olson reasonable damages due to crop damage for the development of a walking trail or the testing of a new water well. The Board reimbursed Olson for 2018 leased year crop damaged acres in December of 2018 due to the walking trail construction. The Board and Olson discussed the type of crop Olson plans to plant in 2019. The consensus of the Board is that it is Olson's decision as he is the lessee. Chuck Rolf, Boone County Agricultural Society, Inc., was present at the meeting. A fence line running east and west that was in existence in 2018 divided the County cropland lease and the County fairgrounds lease. Nathan Olson is the lessee of the surveyed County cropland lease south of the fence line and Boone County Agricultural Association, Inc. is the lessee of the surveyed County property north of the fence line known as the fairgrounds. The Board, Olson and Rolf discussed top soil (dirt) that has been removed/disturbed from a hill on the County cropland, due to the construction of a new fairgrounds livestock building. In addition, some cropland top soil has been moved/disturbed south of the hill in the cropland leased area.

The Board and Olson discussed the rental lease payment that was based on 24.68 acres and a due date of March each year. The Board discussed amending the Lease Agreement due date and amount. The lease amount due will be based on the crop acres that are available for planting in the spring. Motion made by Rutten, second by Rasmussen to amend the Lease Agreement dated February 26, 2018 between the County of Boone, Nebraska and Nathan R. Olson for the crop year 2019, with the lease rental payment due May 30, 2019 and the rental



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amount to be based on the crop acres that are planted. Roll call vote: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

## Public Comments:

- Meetings: Boone County Trails System – February 26, 2019; Boone County Joint Planning Commission – February 26, 2019; East-Central District Health Department – February 28, 2019; Nebraska Planning and Zoning Conference – March 6-8, 2019; Northeast Nebraska Association of County Officials – March 15, 2019.
- Commissioner Rutten updated the Board regarding a meeting with Jay Wolf, in regard to a Boone Beginnings Early Childhood & Family Development Center.
- The Board plans to advertise for the 2019 Courthouse Lawncare proposals in the four county newspapers.
- The Board reviewed a written notice from the Nebraska Department of Natural Resources regarding their intent to inspect the Kohtz City of Albion Dam this year. The majority of the Kohtz City of Albion Dam is located on the County owned property known as the leased cropland.
- A representative for U. S. Senator Deb Fischer plans to have a mobile office on Thursday, March 7, 2019 from 1:30 P.M. to 2:30 P.M. at the Boone County Courthouse.
- A representative for Congressman Adrian Smith plans to have a mobile office on Monday, March 11, 2019 from 10:30 A.M. to 11:30 A.M. at the Boone County Courthouse.

Motion made by Temme, second by Rasmussen to recess said meeting at 12:38 P.M. to meet in conjunction with the Boone County Joint Planning Commission Board at 7:30 P.M. on February 26, 2019. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to reconvene said Boone County Board of Commissioners meeting at 7:33 P.M. on February 26, 2019 to meet in conjunction with the Boone County Joint Planning Commission Board. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Boone County Board of Commissioners and Boone County Joint Planning Commission Board discussed the Boone County Comprehensive Plan and Boone County Zoning regulations.

Motion made by Rutten, second by Rasmussen to adjourn said Boone County Board of Commissioners meeting at 8:38 P.M. on February 26, 2019. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried. The next Board of Commissioners meeting scheduled for Monday, March 11, 2019.

Kathy Thorberg,  
Boone County Clerk