

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 15, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 15, 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 Rutten, second by Temme to approve the County Board Proceedings of April 8, 2019 as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen to approve the County Board of Equalization Proceedings of April 8, 2019 as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to approve the County Board Public Hearing Proceedings of April 8, 2019 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Randall Bruland, County Ambulance Administrator, presented a quote for the Board to review on March 26, 2019 for a new AutoPulse battery for use with the AutoPulse platform in the Boone County Ambulance. On March 26, 2019 the Board approved the purchase of one new battery. Bruland informed the Board that the AutoPulse platform uses two batteries and that there are always two batteries on the charger. Bruland said that the four batteries were purchased in 2010 and that the batteries are not charging properly. Motion made by Rasmussen, second by Rutten to approve and authorize Randall Bruland, Ambulance Administrator, to purchase three additional AutoPulse Li-Ion batteries for use with the AutoPulse Platform for the County Ambulance unit for \$800.25 each, plus freight, from Zoll Medical Corporation. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

On April 8, 2019 Marv Haas, Mayor, and Dean Hamling, President of the City Council of St. Edward, appeared before the Board regarding the possibility of entering into an Interlocal Agreement with the County to contract the services of the Boone County Zoning Administrator to administer the zoning regulations within the City of St. Edward. The City of St. Edward contacted their attorney about drafting an agreement. The City of St. Edward held a special meeting on April 11, 2019 and approved to have Boone County Zoning Administrator assume the duties of floodplain management, city zoning and building permits for the City of St. Edward. Dean Hamling, President of the City Council of St. Edward, presented an approved Interlocal Agreement/City Resolution No. 2019-04-01R for the Board to review. The Interlocal Agreement with the County has the same terms currently used in similar agreements with the Village of Cedar Rapids and Village of Petersburg. Motion made by Temme, second by Rutten to approve Resolution No. 2019-07, a Zoning Interlocal Agreement between the County of Boone and City of St. Edward as presented and the Boone County Zoning Administrator to administer the floodplain management/zoning regulations for City of St. Edward. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.



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The Prairie Creek Vineyards, LLC of Central City, Nebraska, submitted an application for a Special Designated License (SDL) for July 10, 2019. The Board reviewed the application for a Special Designated License (SDL) for a wine tasting scheduled at the Boone County Fair on Wednesday, July 10, 2019 from 2:00-8:00 p.m. at the Casey Building, Boone County Fairgrounds, Albion, Nebraska. Motion made by Rutten, second by Temme to approve the Application for a Special Designated Liquor License request from Prairie Creek Vineyards, LLC of Central City for a wine tasting event at the Casey Building, Boone County Fairgrounds at Albion, Nebraska on July 10, 2019 as submitted. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Shannon and Amy Halsey, Branding Iron Grill and Pub of Tilden, Nebraska, presented an application for a Special Designated License (SDL) for April 27, 2019. The Board reviewed the application for a Special Designated License (SDL) for a wedding reception scheduled for Saturday, April 27, 2019 at the Creek Road Barn, 1846 330th Avenue, Newman Grove, Nebraska. Motion made by Temme, second by Rutten to approve the Application for a Special Designated Liquor License request from Branding Iron Grill and Pub for a wedding reception at Creek Road Barn, Newman Grove, Nebraska on April 27, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Boone County Ambulance Service submitted an uncollectible ambulance account for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$1,015.00 for a June 19, 2017 Ambulance service 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 Temme, second by Rasmussen to turn the June 19, 2017 County Ambulance Service account balance of \$1,015.00 over to the County Attorney for further collection. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to go into executive session at 10:29 A.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: Rasmussen, Rutten and Temme. Nays: None. Motion carried. The Board reviewed an employee request. Motion made by Rasmussen, second by Temme to come out of the executive session at 10:34 A.M. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried. Motion made by Temme, second by Rutten to approve the employee request. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Mary Ziemba, County Zoning Administrator, presented a quote for the Board to review for a new laptop computer. Ziemba informed the Board that the Dell laptop computer purchased in December 2010 is not working efficiently. Ziemba informed the Board that she may possibly be spending at minimum a day a week in the City of St. Edward to help them with their flood damage/zoning regulations and felt a new laptop computer would be beneficial for entering data and completing forms onsite. Motion made by Rutten, second by Rasmussen to authorize the County Zoning Administrator to purchase a Dell laptop with MX500 internal solid state drive for approximately \$1,117.60 from Applied Connective Technologies as presented and additionally approve software services for the new Dell laptop. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Stacey Ziemba, County Highway Superintendent, presented a quote for the Board to review for a laptop computer. Ziemba informed the Board that she felt a laptop computer would be beneficial for entering the road, bridge and sign conditions/locations when onsite. Motion made by Rutten, second by Temme to authorize the County Highway Superintendent to purchase a Dell laptop with MX500 internal solid state drive for



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approximately \$1,117.60 from Applied Connective Technologies as presented and additionally approve software services for the new Dell laptop. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

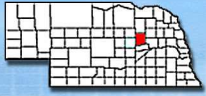
The Boone County Highway Superintendent and General Road Foreman, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects.

Barbara J. Michael requested permission to bore an electrical line under a county road commonly known as 260th Street running east and west between Sections 23 and 26, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The electrical line commences from an electrical pole located on the South side of 260th Street; running thence North to an existing irrigation well and pivot located in the SE1/4 of Section 23, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Rasmussen, second by Temme to approve Resolution No. 2019-06, granting permission to Barbara Michael to bore an electrical cable under a county road known as 260th Street to the SE1/4 of Section 23, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

The County Highway Superintendent presented a Customer Support Agreement from NMC Cat for the new M318 Wheeled Excavator that was purchased in March 2019. The preventive maintenance kits includes the filters and material for taking fluid samples for said equipment. The County has said preventive maintenance agreements on the latest purchased motor graders. The quote is \$254.38 per service at 250 hour intervals up to 2000 hours for an approximate total of \$2,035.00 for eight preventive maintenance service kits. Motion made by Rasmussen, second by Rutten to approve the Customer Support Agreement for the M318 Wheeled Excavator from NMC Cat for eight preventive maintenance kits at \$254.38 per service kit at 250 hour intervals up to 2000 hours as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Board discussed the Road Project C-6 (394), Petersburg west (145th Street) that is on the 2019 One & Six Year Road Improvement Program at their February 26, 2019 Board meeting with Brian McDonald, JEO Consulting Group, Inc. The Board 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. The Board did not receive proposals to review for today's meeting. In addition, the County Highway Superintendent informed the Board that due to the March 2019 storm/flood damages, that the 2019 One & Six Year Road Improvement Program may need amending to add storm damaged roads, bridges and asphalt roads. Motion made by Rasmussen, second by Rutten to authorize the County Highway Superintendent to prepare the necessary documents to amend the 2019 One and Six Year Road Improvement Program for County of Boone, Nebraska that was held on February 19, 2019. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

On April 8, 2019 the County Highway Superintendent requested approval from the Board to hire a part-time employee. The Board decided that additional information was needed in regard to the County's responsibility regarding retirement and health insurance statutory benefits. The County Employee Handbook classification of a Part-Time/As-Needed Employee is that they are not eligible to work more than 19 hours in any said work week and are not eligible for County employee benefits. The Board reviewed the information received from the retirement, insurance, and labor law attorney offices. In addition, the majority of the counties that responded to



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a survey regarding if they hired additional help as county employees or contracted help following the March 2019 adverse weather. The majority of the counties additional help was contracted. The consensus of the Board is to advertise for a Temporary Seasonal Employment for the County Road Department for a truck driver/motor grader operator, up to twenty-four hours per week, no benefits and employment ending August 21, 2019.

Motion made by Temme, second by Rasmussen to go into executive session at 11:58 A.M., per the Open Meeting Act §84-1410(1), prevention of needless injury to the reputation of an employee and if such person has not requested a public meeting. The Board met with the County Highway Superintendent and the County General Road Foreman to discuss a personnel issue. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried. Motion made by Rasmussen, second by Temme to come out of the executive session at 12:15 P.M. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried. No action was taken by the Board.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – April 15, 2019; Northeast Nebraska Area Agency on Aging – April 18, 2019; Region IV, Inc. /NorthStar Services – April 18, 2019; Boone County Health Center Board – April 23, 2019.
- Denny Johnson, Sheriff, updated the Board regarding the procedures for new 911 addresses and 911 address signage.
- Mary Ziemba, Zoning Administrator, updated the Board regarding her assisting the City of St. Edward with zoning issues and floodplain management.
- Tamiko Exford, intergovernmental affairs manager for the Federal Emergency Management Agency (FEMA), introduced herself to the Board. Exford answered questions and discussed FEMA services for individual assistance programs and public assistance programs. All individuals who had flood damage must register with FEMA as a first step. It will take some time before a county may receive seventy-five percent reimbursement for infrastructure damage. County governments may need to issue bonds or apply for short-term/long-term financing pending federal or state recovery funds for the road/bridge damages due to the recent March storms.

Chairman Rasmussen declared the meeting adjourned at 12:16 P.M., with the next Board meeting scheduled for Wednesday, April 24, 2019.

Kathy Thorberg,
Boone County Clerk