



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
APRIL 8, 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 8, 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 Larry Temme, Alan Rasmussen and Ben Rutten. 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.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. Motion made by Rutten, second by Temme to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$45,440.74; Road/Weed - \$126,670.55; Boone County Visitor's Promotion - \$1,074.98; 911 Emergency Management (2910) - \$6,962.79; 911 Wireless Service (2913) - \$471.49; Ambulance - \$3,809.91; Road/Bridge Buyback - \$1,855.00; Veterans Aid - \$2,000.00; and 911 Holding (2914) - \$18,025.13. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Temme to approve the County Board Proceedings of March 26, 2019 as presented. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Zoning Regulations Public Hearing Proceedings of March 26, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to approve the County Board Zoning Conditional Use Permit Public Hearing Proceedings of March 26, 2019 as presented. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the following reports of the County Officials as presented for March, 2019:

- Clerk - \$14,643.05 (State of Nebraska - \$8,832.50/County of Boone - \$5,810.55)
- Clerk of the District Court - \$2,060.85 (State of Nebraska - \$1,626.00/County of Boone - \$434.85)
- Sheriff - \$2,547.75
- Treasurer – Misc. Receipt Nos. 16913-17013 - \$2,771,680.83; Total Collections - \$3,603,767.62.

Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Mary Ziemba, Zoning Administrator, presented Resolution 2019-05 for the Board's consideration regarding the following:

- Revisions to Sections 1 and 2 in Article 12: A-1 Primary Agricultural District;
- Revision to Sections 1, 2 and 4 in Article 13: A-2 Secondary Agricultural District; and
- Amendment of Resolution No. 2018-22 regarding Section 4.

Said resolution is presented pursuant to public hearings held on October 22, 2018, January 28, 2019 and February 26, 2019 after proper notice was given, and approval by the Boone County Planning



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Commission; and public hearing after proper notice, by the Boone County Board of Commissioners on March 26, 2019. Motion made by Rutten, second by Temme to approve Resolution No. 2019-05 regarding the revisions to Article 12: A-1 Primary Agricultural District and Article 13: A-2 Secondary Agricultural District; and amending Resolution No. 2018-22 as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

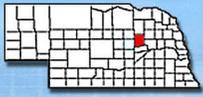
Mary Ziemba, Zoning Administrator, updated the Board regarding current conditional use applications received. Ziemba also indicated to the Board that she will be working on revising the manual with regard to the language concerning the Floodplain Manager. The current language provides that the Highway Superintendent shall also be the Floodplain Manager. Ziemba will be asking for a revision changing the Floodplain Manager from the Highway Superintendent to the Zoning Administrator. Ziemba indicated that as part of her job as Zoning Administrator she has received training in floodplain management.

Denny Johnson, County Sheriff, presented a quote from Applied Connective Technologies for a Synology NAS Disk Station, 4 Bay Diskless, 2GB DDR4 and Western Digital Red 4TB NAS Hard Drive, for backup of body cam video. The current external hard drive that was being used crashed and that most of the video records had been lost, however, Applied Connective Technologies is trying to restore some of the footage. This system would provide backup to 4 disks so that if one disk is corrupted, then it would still be saved to three other disks. Sheriff Johnson indicated that similar equipment is being used by other law enforcement departments and was provided by Applied Connective Technologies. Sheriff Johnson indicated that Digital Ally could provide backup for this video to the ICloud at a monthly cost to the county, however, in the long run, it would be more expensive. Motion made by Rasmussen, second by Rutten to approve the estimate of approximately \$1,212.00 from Applied Connective Technologies, LLC for the Synology NAS Disk Station, 4 Bay Diskless, 2GB DDR4 and Western Digital Red 4TB NAS Hard Drive. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Denny Johnson, County Sheriff, updated the Board on the renovations being done at the Sheriff's Office. Sheriff Johnson indicated that he would be spending approximately an additional \$500.00 on countertops. He is going to replace some of the current countertops with the same countertop that is being newly installed. Also, Sheriff Johnson indicated that he has looked into a single cabinet-type bulletin board that could be used to show the current fees charged by the office. At the present time, there is a sheet of paper with all the fees taped to the inside window but since the new window will be smaller than the current window, there will not be room to continue this practice. He indicated that the cabinet he had in mind can be found cheaper on the internet than from office supply companies. He asked for authorization to use the county credit card for this purchase. No action was taken at this time regarding credit card authorization.

Larry Bird, Chairman of the Friends of the Trail Committee, appeared to provide an update regarding the progress being made on the trail. The following items were discussed:

- Persons/parties have agreed to prepare the soil and seed the 4 foot strip along the trail. The seed that is to be used is quite expensive and the foundation inquired as to whether or not the County's federal ID number could be used in order to obtain an exemption from sales tax when purchasing the grass seed. Board indicated that they did not think the sales tax would be that much and were not agreeable to the foundation using the County's federal ID number.
- A horticulturist who reviewed the trail indicated that there were several thorn trees that were showing up along the trail and that they should be removed in order to prevent them spreading. Since the real estate the trail is located on is owned by the County, Bird inquired as to whether or not it would be okay for them to remove these trees. Board indicated that they would have no problem with these trees being removed.



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- Wendy Bonge requested permission to have her Art Club use the trail on a date yet to be scheduled at sundown. She indicated that they would like to use motorized carts on the trail, probably golf carts, since some of the members are not able to walk the trail. The Board indicated that if the City had no problem with it, then they would agree as well. Commissioner Rutten indicated that it may be advantageous to create a “special event permit” that would be issued so that future parties would know that it was a special event and not regular practice. Bird was going to talk to the City regarding issuing special event permits.
- Bird indicated that they had parties willing to provide perennial plants from their own gardens to plant along the trail. The Board indicated that they had no problem with that, however, it needs to be understood that the County will not be responsible for upkeep of the plants.
- Bids are being taken for erosion control and to complete the part of the trail that belongs to the City of Albion.

The County Highway Superintendent, updated the Board regarding the following matters:

- Currently working on flood damaged roads. Additional road issues have come up as time as gone by; specifically some bridge approaches that checked out fine during the first review are now showing approach damage. The crews have been very productive in the past week.
- The pony truss bridge on the east edge of Cedar Rapids will need to be inspected before it can be reopened. It is anticipated that the inspection should be completed this week. The road will need to be built back up but it is hard to determine the amount of damage to the road due to the sand and river silt that has been deposited.
- Road department is looking for yellow clay. Some spots have been located and the Highway Superintendent will be contacting the landowners. Going price is between \$1.00 and \$2.00 p/yard.
- Work is being done with regard to information needed for FEMA/NEMA funds. The deadline to have this done is April 20, 2019. It is the understanding that at least 75% can be reimbursed for public infrastructure and buildings.

The County Highway Superintendent requested approval from the County Board to hire a part-time person for the summer at least. A temporary employee is defined in the handbook as one working 19 hours or less. Highway Superintendent indicated that she would like to have this person work at most 30 hours per week. Discussion was had regarding the County’s responsibility regarding retirement and health insurance benefits. The Board concluded that additional information was needed and indicated that the matter would be put on the April 15, 2019 Board agenda for further review.

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 Board and St. Edward representatives discussed terms currently used in similar agreements with the Village of Cedar Rapids and Village of Petersburg. The Board indicated that they would be willing to enter into such an arrangement pending review of a proposed agreement. The City of St. Edward will contact their attorney about drafting an agreement and upon completion of the agreement and passage by the City, will present the same to the County Board for review and approval.

Public Comments:

- Paul Groeteke and Chuck Rolf, members of the Building Advisory Committee, updated the Board on the progress being made regarding the construction of the new fairgrounds building. They advised the Board that the electrical inspector has issued standards that could result in a significant change order. Groeteke indicated that he will be contacting the electrical inspector regarding setting up a meeting to



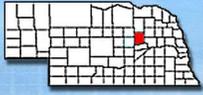
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go over the standards and indicated that he would like to have one of the Board members present for the meeting. He will contact the Board once the meeting is set.

Chairman Rasmussen declared the meeting adjourned at 12:01 P.M., with the next Board meeting scheduled for Monday, April 15, 2019.

Lorrie Nicklasson,
Deputy Boone County Clerk



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APRIL 8, 2019

Alan Rasmussen, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, April 8, 2019 at 11:02 A.M., in the Boone County Commissioners Meeting Room. Motion was made by Commissioner Rasmussen, second by Commissioner Rutten to open said public hearing. Notice of hearing was given in advance by publication and the convened hearing was open to the public. Commissioners present for said public hearing were Alan Rasmussen, Ben Rutten and Larry Temme. Chairman Rasmussen read the notice for the record.

The County Board of Commissioners has the power to sell real estate owned by the county, specifically Lots 27, 28, 29, 30, 31 and 32, all in Block 5, West Petersburg, Petersburg, in Boone County, Nebraska. The County Board shall hold an open and public hearing prior to any such sale at which time any interested party may appear and speak for or against the sale and raise any issue concerning the County Board selling said property.

The County Board of Commissioners ran a public notice the weeks of March 18, 2019 and March 25, 2019 prior to today's date of hearing in the Albion News and Petersburg Press.

There was no one present in opposition at the public hearing. The County Board will proceed with publication of notice to accept sealed bids for the vacant lots described herein.

Motion made by Temme, second by Rutten to close said hearing at 11:20 P.M. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to advertise in the Albion News and Petersburg Press the week of April 15, 2019 to accept sealed bids for the residentially-zoned vacant lots described as Lots 27, 28, 29, 30, 31 and 32, all in Block 5, West Petersburg, Petersburg, Boone County, Nebraska. Sealed bids will be accepted until 4:00 P.M. on Friday, April 26, 2019 at the office of the Boone County Clerk and will be opened and reviewed at 10:30 A.M. at the County Board meeting scheduled for Monday, April 29, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Lorrie Nicklasson
Deputy Boone County Clerk