



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
MAY 13, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, May 13, 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.

Commissioner Ben Rutten, Chairman of the Boone County Safety Committee, opened the safety meeting at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Ben Rutten, Alan Rasmussen and Larry Temme; Denny Johnson, Sheriff; Rod Nelson, Courthouse Maintenance; Kathy Thorberg, County Clerk; Jacqueline L. Wells, Veteran's Service Officer; and Stacey Ziemba, County Highway Superintendent. Rod Nelson, Courthouse Safety Coordinator presented the old and new business. Old business that was addressed/reviewed: (1) funds should be budgeted for a new generator due to the grant funding is no longer available; (2) testing of equipment to include the All Call paging system and the March tornado drill were completed successfully; (3) discussed signage or a parking spot to be made available for the disabled at the County Road Shop. Consensus that a sign stating that the building is not accessible if disabled would be more appropriate; (4) the entrance to the County Road District #2 shop building located in Albion has become a safety hazard. Water tends to sit in the low area in front of the walk-in door. Plan to repair the area this fall. New business that was addressed/reviewed: (1) Nelson said that the courthouse fire suppression system inspection will be conducted at the same time as the annual inspection by Meininger Fire Protection, Inc.; (2) Nelson requested that the safety minutes be emailed to the department heads and posted in the respective building sites; (3) a courthouse fire drill is scheduled for May 31, 2019 at 8:15 A.M.; and (6) Boone County was accident free last quarter. The next Safety Committee meeting is tentatively scheduled for 9:00 A.M. on Monday, August 12, 2019. The Safety Committee meeting was adjourned by Ben Rutten at 9:17 A.M.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1779 in the amount of \$53.88 submitted for reimbursement for meeting meals. The Board approved the meal reimbursement of \$44.53 and rejected the non-food item of \$9.35. The Board discussed a meeting mileage reimbursement request submitted by Vendor ID No. 1785. In accordance with the County Employee Handbook a copy of the meeting agenda and either the odometer readings or google map are to be attached to the mileage reimbursement claim. The Board discussed the non-attached documents with the respective department head. Motion made by Rutten, second by Rasmussen to partially reject Vendor ID No. 1779, the \$9.35 non-meal item and that the required documents be attached to the mileage claim for Vendor ID No. 1785 in accordance with the County Employee Handbook. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds, except the changes as stated above: General - \$48,560.49; Road/Weed - \$370,465.59; Boone County Visitor's Promotion - \$800.00; 911 Emergency Management (2910) - \$510.17; 911 Wireless Service (2913) - \$652.53; 911 Wireless Holding (2914) - \$5,225.00; Fair Building (4025) - \$153,947.02; and Ambulance - \$8,633.17. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.



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Motion made by Temme, second by Rutten to approve the County Board Proceedings of April 29, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to approve the County Board of Equalization Proceedings of April 29, 2019 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

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

- Clerk - \$10,975.25 (State of Nebraska - \$6,242.43/County of Boone - \$4,732.82)
- Clerk of the District Court - \$1,559.00 (State of Nebraska - \$830.00/County of Boone - \$729.00)
- Sheriff - \$6,725.70
- Planning and Zoning for the months of February, March and April 2019 - \$901.50
- Treasurer – Misc. Receipt Nos. 17014-17077 - \$1,584,945.69; Total Collections - \$8,644,976.89.

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

The Board received Payment Application Nos. 5 & 6 from Rathman Manning Construction for the fairgrounds building. The payment request is for a portion of the concrete and electrical system work. Motion made by Temme, second by Rutten to approve payment number five for \$132,737.97 and six for \$21,209.05 from Rathman Manning Construction for a total of \$153,947.02 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

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 to review for advertisement funding. The Petersburg Community Club requested assistance to advertise the Petersburg Carnival Days event scheduled for June 25-26, 2019. Motion made by Temme, second by Rasmussen to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Tanya Sharp, President/CEO Boone County Health Center, and the Board discussed the Boone County Health Center Board of Trustee position that will be vacant as of June 30, 2019. Sharp acknowledged that Jody Stodola-Choat of St. Edward, has completed her second six-year term as a Boone County Health Center Board of Trustee and will be stepping down in June. The Board acknowledged the twelve years of service of Jody Stodola-Choat as a member of the Boone County Health Center Board of Trustees. There are five representatives from each of the City/Village areas of the County that are the Boone County Health Center Board of Trustees. The Boone County Health Center Board of Trustees meet monthly and a board member may serve two consecutive six-year terms. Sharp and Don Casper, Board of Director member, submitted the name of Tony Kurtenbach of St. Edward to be considered as a Board of Director member to fill the vacancy. Motion made by Temme, second by Rasmussen to appoint Tony Kurtenbach of St. Edward to serve his first six-year term on the Boone County Health Center Board of Trustees beginning July 1, 2019. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.



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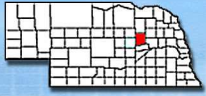
The Board reviewed the information provided by NACO BCBS regarding the employee health/dental insurance. The NACO BCBS overall rates for the group health insurance will increase approximately 1% for fiscal year 2019-2020 and there is no change to the dental plans. The sub-group application/coverage election form needs to be received at BCBS Nebraska no later than May 31, 2019. The County Clerk's office plans to distribute a copy of the premium rate changes with the employees' May payroll. The County of Boone pays all of the health insurance premiums and employee only dental premium. An employee has the option to pay dental coverage for their spouse/children. The NACO BCBS policy premium also includes Cobra administration by NACO, Long-Term Disability and a \$15,000.00 Life Insurance on the policyholder. Motion made by Temme, second by Rutten to approve the NACO BCBS Medical PPO Health Plan with \$1,500.00 individual deductible and Dental PPO Plan (Premier Option 3) for the period of July 1, 2019 through June 30, 2020 and authorize Alan Rasmussen, Board Chairman, to sign the 2019 NACO Subgroup Application Coverage Election Form. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., Boone County Highway Superintendent and the Board discussed JEO Project Agreement Number 190871, 120<sup>th</sup> Avenue culvert replacement. McDonald informed the Board that the box culvert is under mined and the floor has failed. Replacing the floor of the box proved too difficult and costly. The intent of this project is to replace the existing box culvert with a series of culvert pipe. Motion made by Rasmussen, second by Temme to table the project agreement for review and receive a proposal at a future Board meeting. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., Boone County Highway Superintendent and the Board discussed the Primrose South Bridge, C000600715 and Primrose Southeast Bridge C000621105: The Bridge C000600715 consists of a 7-span, 20' wide, and 263' steel girder bridge. During the March flood, the north approach was overtopped, damaging the road bed and surfacing. The west road slope is also the east channel bank that was eroded during the flooding resulting in a significant loss of material. McDonald informed the Board a decision will need to be made to replace the bridge or remove the structure completely. McDonald recommended that FEMA be approached about doing an alternate project with the damaged funds if the decision is to not replace the bridge.

The Bridge C000621105 consists of a 3-span, 26' wide, and 81' steel girder bridge. During the March flood, the south channel bank was eroded and shifted further south resulting in loss of the south approach and failure of both abutment wings. The channel has moved south a significant distance upstream of the bridge and repair would not withstand future flooding. McDonald recommended an additional span be built to the south with an entire new abutment and that the south channel west of the bridge be protected with rip-rap.

McDonald recommended that the Natural Resources Conservation Services (NRCS) be contacted immediately about the possibility of using their Emergency Watershed Protection (EWP) funds to help provide bank protection on both sides. If FEMA will not help provide additional rip-rap protection, the NRCS may be an avenue of funding. Stacey Ziembra, County Highway Superintendent, prepared a letter to the State Conservationist, Natural Resources Conservation Services in Lincoln, Nebraska, for the Board to sign requesting funding assistance. Motion made by Rutten, second by Rasmussen to approve and authorize the Board Chairman to sign a letter to the Natural Resources Conservation Services in Lincoln, Nebraska requesting assistance through the Emergency Watershed Protection Program. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.



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McDonald presented written information regarding JEO Project Number 171719, asphalt road west of Petersburg on 145<sup>th</sup> Street for the Board to review. McDonald informed the Board that the deep frost took its toll on paved roads throughout the state resulting in severe pavement breakups. The information for the Board to review included a proposal to grind the entire four miles and reconstruct as a gravel road and a proposal to patch/repair the 1.5 miles of asphalt and grind the west 2.5 miles to return to gravel road. McDonald informed the Board that contractors for improvement projects are not readily available or providing bidding of projects at this time with all of the infrastructure damage across the state. Motion made by Temme, second by Rutten to authorize Brian McDonald, JEO Consulting Group, Inc., to prepare plans/specifications for the road resurfacing Project No. C-6(394), 145<sup>th</sup> Street Petersburg West. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Brian McDonald, JEO Consulting Group, Inc., submitted the Contractor's Application for Payment No. 1 for A & R Construction Co. of Plainview, Nebraska for Bridge Project C-6(391), Albion East. The contracted project was approved in October 2018 for the removal of the existing bridge and construction of a concrete box culvert on 260<sup>th</sup> Street east of 330<sup>th</sup> Avenue. Motion made by Rasmussen, second by Temme to approve payment number one from A & R Construction Co. for \$105,907.04 for Bridge Project C-6(391), Albion East as presented. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Jon W. Lindgren requested permission to trench an electrical line under a county road commonly known as 230<sup>th</sup> Avenue running north and south between Sections 19 and 20, all in Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The electrical line commences from an electrical pole located on the West side of 230<sup>th</sup> Avenue in Section 19; running thence East to a new irrigation well to be located in the SW/4 of Section 20, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Temme, second by Rutten to approve Resolution No. 2019-08, granting permission to Jon W. Lindgren to trench an electrical line under a county road known as 230<sup>th</sup> Avenue to the SW1/4 of Section 20, Township 21 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed with no action taken by the Board:

- Monitoring a concrete box culvert on 170<sup>th</sup> Street and 290<sup>th</sup> Avenue.
- Putting in a tube and cleaning out a ditch on 140<sup>th</sup> Avenue, one mile south off of St. Highway 91.
- Putting in tubes and cleaning out a ditch for better drainage, 220<sup>th</sup> Street off 160<sup>th</sup> Avenue.
- The extra motor grader is starting to have transmission issues. The Highway Superintendent will be advertising for bids for a new motor grader.
- Highway Superintendent informed the Board that two applications were received for the advertised temporary seasonal employment position. The advertised temporary employment position is for up to twenty-four hours per week, no benefits and ends August 21, 2019. The Highway Superintendent asked the Board if the one applicant could be hired full-time now. The consensus of the Board is to hire temporary seasonal employment as advertised and will re-advertise for full-time employment this fall if needed.

Ed Knott, Applied Connective Technologies, LLC (Applied), the Board and Denny Johnson, County Sheriff, discussed the Communication's Towers located on County fairgrounds and cropland areas on April 24, 2019.



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Following the April 24, 2019 Board meeting, Knott and Johnson visited with Michael Epley, Platte Valley Communications, regarding the frequencies, etc. involved in Applied installing their equipment and the leasing of space on the County Communications Tower. Knott asked the Board if they would consider leasing space on the County Communications Tower located on the fairgrounds for Applied to install their equipment that services wireless internet to rural communities. Applied will pay to have the fiber optic moved to the County Communications Tower located on the County Fairgrounds. Applied will remove their tower and building from the County cropland area later in the fall after all equipment has been moved to the County Communications Tower and all is working. The Board acknowledged that the County has current agreements with the privately owned entity, Applied Connective Technologies, LLC, for the courthouse and law enforcement buildings telephone system, internet/email and fire wall services. Motion made by Rutten, second by Temme to approve a Lease Agreement by and between the County of Boone, Nebraska and Applied Connective Technologies, LLC for an initial term of five years with an automatic yearly renewal and a yearly space rental sum of one thousand dollars on the County Communications Tower as presented. Roll call: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

The Boone County Board of Commissioners accepted and approved the sealed bid of \$15,366.00 from the Petersburg Industrial Development Corporation, Petersburg, Nebraska 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 on April 29, 2019. Motion made by Rutten, second by Temme to approve and authorize the Board Chairman to sign a Warranty Deed transferring said Lots 27, 28, 29, 30, 31 and 32, all in Block 5, West Petersburg, Petersburg, Boone County, Nebraska, with no title insurance being furnished, to the Petersburg Industrial Development Corporation as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted four applications to the Board for permission for Special Designated License(s) (SDL) to serve alcohol at the Boone County Fair for July 6, 7, 8 and 9, 2019. The four applications event times are from 4:00 p.m. to 1:00 a.m. on each respective day. Rolf informed the Board that the July 6, 2019 SDL request is for the grandstand area and includes an additional fenced off area in front and back of grandstand during the concert. He also indicated that individual security people had been hired in addition to law enforcement coverage provided by the Boone County Sheriff's Department and that IDs will be checked and arm bands issued at the point of purchase. The request(s) for July 7, 8 and 9, 2019 are for the grandstand area and includes an additional fenced off area in front and back of the grandstand. Rolf informed the Board that the Boone County Ag Society, Inc. dba Boone County Raceway Liquor License will be used for the July 10, 2019 fair date. The security coverage for events is completed on the SDL forms that are submitted by the requestor to the Nebraska Liquor Control Commission. Motion made by Rasmussen, second by Rutten to approve and authorize the Board Chairman to sign, as presented, the Application for a Special Designated Liquor License(s) request from the Boone County Agricultural Society, Inc. for the 2019 Boone County Fair dates of July 6, 7, 8 and 9, 2019. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Board; Chuck Rolf, Agricultural Society Board member; Steve Pritchard, UNL Extension Educator; Kurt Kruse, Bill Robinson and Kevin Rasmussen, new building supporters committed to receive pledges and/or donations for bond payments; and Pat Neidhardt, held a lengthy discussion regarding the new fairgrounds building project, pledged funding, and furnishings for the building. The following topics were discussed with no action taken by the Board:

- Name of the building: Boone County Agricultural and Educational Activities Building.
- Naming rights within the Boone County Agricultural and Educational Activities Building and which entity will be making the decision of the naming rights among the several donors.



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- Interlocal Agreement to replace the 1978 Lease Agreement between the County and Agricultural Society for which entity will handle payments, operations, utilities, maintenance, insurance, receive the income from rent, etc. until the ten year bonds are paid, and etc.
- Boone County Agricultural Education Center, Inc. has not received the 501(c)(3) non-profit approval to date.
- Rolf said that the Agricultural Society would like to hire a manager for the fairgrounds facilities, starting as part time and working into a full time position beginning this summer. Paying a fairgrounds manager would result in a levied tax increase of the Boone County Agricultural Society, Inc. annual budget.
- Rolf said that the Agricultural Society has discussed a recruiter for events at the fairgrounds and would be paid by commission.
- Grants/matching grants was discussed as to being a separate account for the furnishings for inside the new building, of which were not included in the 3.3 million building project and which entity will/can be responsible for the grant funds.
- The Board acknowledged that they have not seen or received any of the signed pledged agreements that were to be prepared for payment of the two million plus interest ten year bonds for the new building from the project supporters.
- Pritchard asked about budgeting for furnishings for the extension office. The Board plans to review what is moveable from the courthouse office to the fairgrounds, find out what UNL should be responsible for and if any of the Big Give donations were designated to the extension office.
- The County owns the fairgrounds; leases fairgrounds to the Agricultural Society; committed 1.3 million of County Inheritance Tax Fund towards the project; the two million dollar bonds plus interest were committed by the supporters with pledges/donations that did not want a bond issue to be voted on by the public; and donations/grants were to be received for the furnishings to be inside the new building without the use of tax dollars.

## Public Comments:

- Meetings: Region 44 Emergency Services Supervisory Committee – May 13, 2019; Northeast Nebraska Area Agency on Aging – May 16, 2019, County Board of Equalization workshop – June 5, 2019; County Board workshop – June 6-7, 2019.
- Commissioner Rutten updated the Board regarding the Boone County Trails System (Friends of the Trail) meeting.
- Commissioner Rutten updated the Board regarding a meeting with the new fairgrounds building contractor, electrical inspector and building committee members.
- Commissioner Rasmussen updated the Board regarding an Agricultural and Educational Activities Building Committee meeting.
- The Board received notice from the Albion City Council that items stored in the old fire hall property at 216 S. 5<sup>th</sup> Street need to relocate their respective items before the Building sale closing date of June 28, 2019.

Chairman Rasmussen declared the meeting adjourned at 1:28 P.M., with the next Board meeting scheduled for Monday, May 20, 2019.

Kathy Thorberg,  
Boone County Clerk