

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JUNE 26, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session on Wednesday, June 26, 2019 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Rasmussen called the meeting to order at 9:00 A.M. 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 the County Payroll Claims filed for the pay period of May 22, 2019 through June 21, 2019. Motion made by Temme, second by Rutten to approve the County Payroll Claims filed for payment from the various funds: General \$105,628.68, BCBS \$49,554.60, Ameritas Ret \$7,257.86, EFTPS \$7,895.02, Section 125 Fees \$10.00, Wellness Program \$91.38; Road \$66,956.26, BCBS \$31,578.68, Ameritas Ret \$4,458.39, EFTPS \$5,060.20; Ambulance \$1,245.96, Ameritas Ret \$29.65, EFTPS \$95.30; 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 Temme to approve the County Board Proceedings of June 17, 2019 as presented. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to approve the County Board of Equalization Proceedings of June 17, 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 three County Board Zoning Public Hearing Proceedings of June 17, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board reviewed submitted quotes for the copy paper for the county courthouse fiscal year 2019-2020. The quote request was for seventy cases on seven coupons/ten cases per coupon of no less than 96 bright and no less than 20 lb. paid after each coupon order/delivery. The Board received two quotes and discussed the substantial cost increase of copy paper compared to June of 2018. Motion made by Rasmussen, second by Rutten to table a decision regarding the copy paper quotes for the courthouse 2019-2020 fiscal year to the July 8, 2019 Board meeting. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Fund 2913 "911 Wireless Service Fund" was established by the Nebraska Auditor of Public Accounts and receives the Nebraska Public Service Commission funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 services. The percentage of the set aside funds left in Fund 2913 is to be transferred either to the Fund 2914 "911 Wireless Service Holding Fund" for the funds set aside for future equipment and software purchases or to the Fund 0100 "General Fund" for the funding of salaries for 911 dispatching services before the close of the fiscal year end June 30th each year. Motion made by Rasmussen, second by Temme to approve Resolution No. 2019-20, authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$29,721.50 from the 911 Wireless Service Fund (2913) to the payroll General Fund (0100) as presented. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.



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Michelle Olson, BCDA, Inc. Executive Director, presented a resolution for the Board to review in regard to the Dissolution of Joint Public Agency of Boone County Development Agency. The County of Boone, City of Albion, City of St. Edward, Village of Cedar Rapids, Village of Petersburg and the Village of Primrose filed papers and documentation pursuant to Nebraska Statute for the creation of a joint public agency on October 24, 2000 forming the Boone County Development Agency. The joint public agency of Boone County Development Agency was approved by the Nebraska Secretary of State on October 26, 2000. The County of Boone, Nebraska approved County Resolution No. 2000-30 on September 25, 2000 a Joint Public Agency Agreement of the Boone County Development Agency upon the issuance of certificate of creation by the Nebraska Secretary of State's office. The BCDA, Inc. was formed as a Non-profit Corporation 501(c)(3) effective January 1, 2014 to replace the joint public agency entity. Olson informed the Board that the respective governmental units of the joint public agency created in October of 2000 have agreed to dissolve the joint public agency known as the Boone County Development Agency. Motion made by Temme, second by Rutten to approve and authorize the Board Chairman to sign the Resolution for the Dissolution of Joint Public Agency of Boone County Development Agency and the joint public agency no longer exists and the Boone County Development Agency is hereby dissolved. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Michelle Olson, BCDA, Inc. Executive Director, presented a Lease Agreement for the Board to review between the County of Boone, Nebraska and BCDA, Inc. The County is the owner of the real estate and building that is currently occupied by BCDA, Inc. The Board informed Olson of the procedure when the County owns property that they plan to sell or lease in accordance with State Statute 23-107.01. The County Board shall hold an open and public hearing prior to the sale or lease of County property. A public notice of any such public hearing shall be run once each week for two consecutive weeks prior to the hearing date. Motion made by Rasmussen, second by Temme to hold a public hearing at 10:00 A.M. on Monday, July 15, 2019 for the lease of real estate owned by the County, specifically the South 22 feet of the North 66 feet of Lots 5 and 6, Block 14, Original Town of Albion, Boone County, Nebraska. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

The County of Boone, Nebraska has been leasing space in the Old Albion Fire Station, 216 South 5th Street, Albion, NE since April 1, 2012. The space was used for the County Sheriff's department to secure property in their custody and County surplus inventory. The City of Albion has sold said real estate and building. The County leases a unit at Kayton International, Inc. of Albion for surplus inventory and will be in need of an additional unit for the items that were in the Old Albion Fire Station. Motion made by Rutten, second by Temme to approve and authorize the Board Chairman to sign a Lease Agreement – Storage Unit between Kayton International, Inc. and Boone County Courthouse for storage of surplus items for sixty dollars per month commencing June 17, 2019 as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

No action was taken by the Board for the repair of 145th Street, Petersburg, West Project C-6 (394), due to no quotes were received to date for said project. Brian McDonald, JEO Consulting Group, Inc., the Board and Stacey Ziemba, County Highway Superintendent, discussed repair options that may have to be considered for now for the four miles commencing from State Highway 14, thence west on 145th Street to the curve. McDonald informed the Board that they can now negotiate phases of the project due to no quotes were received. McDonald suggested possibly proceeding in phases by first negotiating with a contractor to grind/mill the asphalt, bring the road up to current standards and then decide on permanent repairs.



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Black Hills/Nebraska Gas Utility, LLC requested permission to bore a natural gas line under a county road commonly known as 345th Street running east and west in Section 4, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The request is to relocate a natural gas line (tract 5A) and meter under and across 345th Street, beginning in the Northwest corner of the SW1/4 of Section 4 on the west side of 345th Street; running thence East under 345th Street to relocate/replace natural gas line due to exposure from March 2019 flooding. Motion made by Temme, second by Rutten to approve Resolution No. 2019-21, granting permission to Black Hills/Nebraska Gas Utility, LLC to bore a natural gas line under a county road known as 345th Street to relocate/replace a natural gas line in Section 4, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

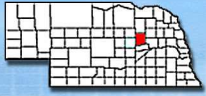
Black Hills/Nebraska Gas Utility, LLC requested permission to bore a natural gas line under a county road commonly known as 345th Street running east and west in Section 4, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. The request is to relocate a natural gas line (tract 6A) and meter under and across 345th Street, beginning 1975 feet more or less West of intersection of 345th Street and 190th Avenue; running thence South under 345th Street in Section 4 to relocate/replace natural gas line due to exposure from March 2019 flooding. Motion made by Rasmussen, second by Rutten to approve Resolution No. 2019-22, granting permission to Black Hills/Nebraska Gas Utility, LLC to bore a natural gas line under a county road known as 345th Street to relocate/replace a natural gas line in Section 4, Township 18 North, Range 7 West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Rasmussen, Rutten and Temme. 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:

- No seal bids were received on June 10, 2019 for the advertised 1972 Fruehauf tank trailer. The Board and County Highway Superintendent have received possible interest in said tank trailer the past week. Commissioner Temme plans to take care of the disposition of the tank trailer.
- County Highway Superintendent is scheduled to meet with FEMA representatives on July 2, 2019.
- The 1996 140H motor grader is in need of extensive repairs. CAT has a motor grader available that has been ordered and can be sold as state bid. The Board suggested that the County Highway Superintendent contact CAT and find out if Boone County may purchase said motor grader due to a motor grader has not been ordered yet to replace the 1996 model.

Schmeits, Mueller & Martinsen, P.C., Jordan Mueller, CPA, submitted a Letter of Understanding regarding the preparation of the annual county budget. The budget document that Richard D. Martinsen, CPA assists with is being prepared solely for fulfilling the State of Nebraska budget law requirements. Motion made by Temme, second by Rutten to approve the Letter of Understanding with Schmeits, Mueller & Martinsen, P.C., Richard D. Martinsen, CPA, to assist in the preparation of the county budget for fiscal year 2019-2020. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board reviewed a written resignation from a full-time County Sheriff/Jail office employee. Motion made by Rasmussen, second by Rutten to accept and approve the resignation of Patrick S. Cleveland effective June 21, 2019 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



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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 for advertisement funding. The Primrose Rural Fire Department requested assistance to advertise the Primrose Rural Fire Department Car Show fundraiser event scheduled for August 11, 2019. Motion made by Temme, second by Rutten to approve the application requesting funding assistance for advertisement of the Car Show event from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The County Board approved surveying services of the County owned property in 2017 known as the Boone County Fairgrounds for property line ownership with complete legal descriptions. The Board approved the Fairgrounds 1st Subdivision in October of 2017 to correct the discrepancies with the metes and bounds legal descriptions and to clarify ownership of the real estate. The County Resolution 2018-09/City Resolution 108 (18) that was approved in March of 2018 addressed the transfer of ownership of the site of existing water wells owned by the City of Albion and associated ingress and egress easements located upon Lots 2, 3 and 4 and those portions of Fairview, South, Park View and 11th Streets, Fairgrounds 1st Subdivision to the City of Albion, Boone County, Nebraska. The Annexation Plat for Fairgrounds 1st Subdivision, City of Albion, Boone County, Nebraska was filed in the Boone County Register of Deeds office on February 22, 2018. Motion made by Temme, second by Rasmussen to approve and authorize the Board Chairman to sign a Warranty Deed from the County of Boone, Nebraska, to the City of Albion, Nebraska, the real estate being All of Lots Two (2), Three (3) and Four (4), Fairgrounds 1st Subdivision, located in part of the Northeast Quarter (NE1/4) of Section Twenty-eight (28), Township Twenty (20) North, Range Six (6) West of the 6th P.M., Boone County, Nebraska. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Public Comments:

- Meetings: Highway Superintendent with FEMA – July 2, 2019; NACO Webinar regarding LB512, Board of Equalization Protest Form 425 – July 8, 2019.
- Commissioner Rutten updated the Board regarding the Northeast Nebraska Juvenile Services, Inc. meeting.
- John Groeteke expressed concerns of road conditions, prioritize road problem areas, and protocol to get the County roads back to standards.

Chairman Rasmussen declared the meeting adjourned at 1:10 P.M., with the next Board meeting scheduled for Monday, July 8, 2019.

Kathy Thorberg,
Boone County Clerk