



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 29, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session on Monday, July 29, 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 June 22, 2019 through July 21, 2019. Motion made by Rasmussen, second by Temme to approve the County Payroll Claims filed for payment from the various funds: General \$94,876.28, BCBS \$49,577.04, Ameritas Ret \$6,506.91, EFTPS \$7,079.08, Section 125 Fees \$10.00, Wellness Program \$94.20; Road \$58,910.11, BCBS \$31,578.68, Ameritas Ret \$3,921.20, EFTPS \$4,444.66; Ambulance \$2,910.64, Ameritas Ret \$94.40, EFTPS \$222.67; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of July 22, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to approve the County Board of Equalization Proceedings of July 22, 2019, July 25, 2019 and 2019 Final Proceedings as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Carrie Rodriguez, Chief Probation Officer for District Five Probation, appeared before the Board. Rodriguez introduced herself as the Chief Probation Officer, for the eleven counties comprising District Five Probation. The Nebraska Supreme Court District Five Probation consists of: Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platte, Polk, Saunders, Seward and York counties. Rodriguez reviewed the 2018 District Five Probation report with the Board. The District Five Probation's fifty-one staff members served 2755 clients in 2018, four district court judges, five county/juvenile court judges and worked with Regions 3, 4 & 5 for Behavioral Health services. Rodriguez informed the Board that District Five Probation served forty-one adults and twenty-two juveniles for Boone County in 2018. Due to the increased number (2017=46, 2018=63) of clients served in the county, Rodriguez indicated that the Boone County share of the 2019-2020 fiscal year budget would be increased by approximately \$783.40 from \$7,295.00 to \$8,078.40. The budget has been submitted for approval to the Platte County Commissioners as the principal county for the district. Rodriguez explained the drug court procedures and that when there is a drug court meeting with client(s) the respective judge, probation officer, and others involved are volunteering their time over their lunch hour to meet with the client(s). Motion made by Rutten, second by Temme, to accept and approve the District Five Probation 2018 activity report and the 2019-2020 fiscal year budget request as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, and the Board discussed the additional training required for the consolidated Boone/Nance 911 Communications merger on July 8, 2019. The dispatchers are required to attend training and obtain a Jail Management Certification and Telecommunications Certification. In addition, the dispatchers are required to become CPR/First Aid certified. On May 31, 2019 Boone County started dispatching for Nance County. Anyone calling the Boone County Sheriff's office will now be greeted by a dispatcher answering "Law Enforcement Center".



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The Jail Management Certification is received after successfully completing a two week jail schooling and the Telecommunications Certification is received after successfully completing a three day telecommunications schooling. Both of these schoolings have to be completed within the first year of employment per State of Nebraska, Jail Standards. In addition, the Board and Johnson discussed a \$0.10 hourly wage differential for the dispatcher employee(s) regularly scheduled to work the overnight shift (midnight shift: 10:00 P.M.-8:00 A.M. or Midnight to 8:00 A.M. or Midnight to 10:00 A.M.). Then, when a dispatcher is no longer regularly scheduled to work the overnight shift, the \$0.10 is subtracted from the employee's hourly wage. The Boone County and Nance County Communications Merger Agreement is for three years with renewal options. Nance County is to help pay for dispatcher wages/benefits of \$108,265.00 for first year and a three percent increase each year thereafter. Motion made by Temme, second by Rutten to approve \$0.54 per hour upon completion of the Jail Management Certification; \$0.54 per hour upon completion of the Telecommunications Certification; hourly certification adjustments to be made for the dispatchers already having earned certifications; \$0.10 per hour differential for the dispatcher employee(s) that are regularly scheduled to work the overnight shift; and when an overnight dispatcher employee changes to day shift the \$0.10 per hour is removed from their hourly pay, effective July 22, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board reviewed a resolution submitted by the Boone County Attorney's office appointing Darren Wright as Special Appointed Attorney for Inheritance Tax matters when the County Attorney has a conflict in said estate for determining Inheritance Tax. The said resolution shows a rate change from the resolution approved on February 17, 2015 of \$95.00 per hour to a fee of \$75.00 for each probate case. The Board acknowledged that within the last three fiscal years the County has not paid any services for the Special Appointed Attorney for Inheritance Tax matters. The Special Appointed Attorney will receive \$75.00 for each probate case no matter if it takes fifteen minutes or two hours to complete the documents. Motion made by Temme, second by Rutten to approve Resolution No. 2019-25, appointing Darren Wright as Special Appointed Attorney for Inheritance Tax matters when the County Attorney has a conflict in said estate for determining Inheritance Tax at a rate of \$75.00 per each probate case and said Resolution No. 2019-25 shall void and take precedence over Resolution No. 2015-04 and all prior resolutions that pertain to the Special Appointed Attorney for Inheritance Tax matters as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Richard Martinsen, CPA, Schmeits, Mueller & Martinsen, P. C., prepared the annual county budget and submitted a preliminary 2019-2020 budget for the Board to review. The Board and Martinsen discussed the preliminary 2019-2020 budget requests submitted by the county departments. The Inheritance Tax Fund has been used for several years to reduce the county's property tax request, resulting in a low levy. The County budget property tax request last fiscal year was \$3,679,011.00 with a 2018 levy tax rate of 0.153638 and the preliminary tax request for the 2019-2020 fiscal year budget is \$4,246,131.00 which is a \$567,120.00 (15.415%) increase from last fiscal year budget. The majority of the increase is in the County Road Fund (0200) for road equipment and infrastructure repair/replacement of bridges/roads from the March 2019 adverse weather. At this time the counties have been informed that it may be five to eight years before any FEMA funds are received to help with the 2019 flood damage. The County Assessor's office has until August 20th each year to certify the valuations in order to set tax levies. Martinsen plans to meet with the Board on August 26, 2019 to complete the Fiscal Year 2019-2020 County budget for publication. Motion made by Temme, second by Rutten to accept and file the preliminary County of Boone, NE fiscal year 2019-2020 budget per state statute with possible changes to be made on August 26, 2019 before budget publication/hearing. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to set the budget hearing for the Fiscal Year 2019-2020 County Budget on Monday, September 16, 2019 at 10:00 A.M. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.



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The Board reviewed a Memorandum submitted by the Boone County Highway Superintendent, to execute an Emergency Service Procurement of the Presidential Declaration DR-4420-NE disaster that occurred in Nebraska on March 9, 2019 through April 1, 2019. The Emergency Procurement is for services: (1) Hire an engineer for services to identify and generate FEMA required documents and plans to repair bridges, culverts and roads; (2) Hire a Contractor for services to repair bridges, culverts and roads; and (3) Hire a Contractor to assist with Emergency Protective measures to remove debris (sand and corn stalks) and placing in approved areas. Motion made by Temme, second by Rutten to authorize the Board Chairman to sign a Memorandum giving permission to Stacey Ziembra, Boone County Highway Superintendent, to execute Emergency Service Procurements as stated in the Memorandum for the Presidential Declaration DR-4420-NE disaster that occurred in Nebraska in March 2019, as presented on July 29, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board and County Highway Superintendent discussed the purchase of a new motor grader to replace the 1997 Caterpillar 140H motor grader on July 22, 2019. The County currently has thirteen motor graders. A new purchased motor grader would be for Road District #1. Eddie Bomar, Nebraska Machinery Company (NMC) of Norfolk, informed the County Highway Superintendent that there is a 2020 Caterpillar Model 140 motor grader on order and will be available in October to purchase through the state bid. The Board reviewed the state bid sales agreement from NMC. The state bid sales agreement includes a five year/5000 hr. warranty and a parts credit of \$20,750.00. Motion made by Rasmussen, second by Temme to authorize the Board Chairman to sign the NMC Sales Agreement for the purchase of a new 2020 Caterpillar (CAT) Model 140 motor grader with a five year warranty and parts credit for the state bid of \$292,560.00 less trade-in of the 1997 Caterpillar 140H of \$51,750.00 for a total purchase of \$240,810.00. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

The Boone County Board of Commissioners, in accordance with Nebraska State Statute Chapter §23-107.01, real estate owned by county, advertised for sealed bids to be opened at the Board meeting on July 29, 2019, for the following property owned by the county to be operated and leased for economic development purposes, specifically the South 22 feet of the North 66 feet of Lots 5 and 6, Block 14, Original Town of Albion, Boone County, Nebraska, currently occupied by BCDA, Inc. Michelle Olson, BCDA, Inc. Executive Director, was present for the opening of the sealed bids. The Board received one sealed bid. Motion made by Rasmussen, second by Rutten to accept the lease bid with an annual rental of One Dollar (\$1.00) from BCDA, Inc., with the terms of the Lease to be finalized on August 12, 2019. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Public Comments:

- Jon Cannon, NACO Deputy Director, introduced himself to the Board and updated the Board regarding Nebraska Association of County Officials (NACO) services and activity.
- Acknowledged receiving a letter from Terry L. Jessen, Oshkosh, Nebraska regarding real estate taxes.
- County Highway Superintendent updated the Board in regard to the availability of gravel/rock and hauling of gravel/rock.

It shall also be the duty of the County Board of each county of this state to visit the jail of its county per Nebraska State Statute §47-109. The Board conducted a routine visit of the Boone County Jail per Nebraska State Statute.

Chairman Rasmussen declared the meeting adjourned at 11:50 A.M., with the next Board meeting scheduled for Monday, August 12, 2019.

Kathy Thorberg,



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Boone County Clerk