



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 12, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session on Tuesday, November 12, 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 Ben Rutten, Larry Temme and Alan Rasmussen. 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 claim filed by Vendor ID No. 1069 submitted in the total sum of \$251.49 for reimbursement of meeting expenses. Upon review of the claim, it was noted that the claim included taxes which on services which are exempt per Nebraska Revised Statutes 77-2704.15. In addition, a portion of the expenses were paid by a personal credit card and no portion of the credit card statement was attached showing the charges. Motion made by Temme, second by Rutten to reject the claim of Vendor ID No. 1069 until such time as the taxes are removed and the necessary documentation is presented to the Boone County Clerk regarding payment for the charges in accordance to the Boone County Employee Handbook. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board reviewed the County Vendor Claims filed for the month of October, 2019. Motion made by Temme, second by Rutten to approve the Accounts Payable Vendor Claims filed for payment from the following various funds: General - \$35,138.93; Road - \$376,672.16; Visitor's Promotion - \$423.10; ROD Preservation/Modernization - \$343.34; Inheritance Tax - \$79,147.08; 911 Emergency Management - \$469.30; 911 Wireless Service - \$556.22; Ambulance - \$1,203.86. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of October 28, 2019 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

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

- County Clerk - \$15,060.75 (State of Nebraska - \$8,998.76/County of Boone - \$6,061.99)
- Clerk of the District Court - \$859.31 (State of Nebraska - \$354.00/County of Boone - \$05.31)
- County Sheriff - \$3,074.59
- County Treasurer – Miscellaneous Receipts Nos. 17393-17460 - \$442,121.69. Total Collected - \$860,738.72
- County Zoning - \$1,076.25

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

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report. Report indicates that there were 12 distress warrants delivered to the Boone County Sheriff on November 1, 2019 for collection of unpaid 2018 personal property taxes, not including penalties, in the sum of \$8,198.60. The total to be collected on the distress warrants with penalties is \$8,597.05. Motion made by Rutten, second by Rasmussen to accept and approve the County Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.



Boone County Board Minutes



Discussion with Denny Johnson, Boone County Sheriff, regarding Nebraska Regional Interoperability Network (NRIN) User Request Form. Sheriff Johnson indicated that Boone County currently pays NRIN a fee of \$250.00 per month for the PSAP 911 network. As a result of the county joining the Statewide Radio System network, an additional fee will be due in the amount of \$200.00 per month for a backup system. Sheriff Johnson indicated that this fee was not communicated to him at the time the county decided to go on the statewide system so this is first he was made aware of it. Sheriff Johnson indicated that he had received the request form in October but wanted to review it with the Board and receive approval before proceeding further. Motion made by Temme, second by Rasmussen to approve the additional \$200.00 per month fee payable to NRIN and authorizing Sheriff Johnson to sign the User Request Form. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Denny Johnson, Boone County Sheriff, discussed the purchase of another law enforcement vehicle. Sheriff Johnson indicated that he had just recently received new state bids and requested that the matter be rescheduled for the November 18, 2019 Board meeting in order that he could further review the new information. Sheriff Johnson indicated that he would like to purchase an SUV and would like to compare if the state bid would be better vs. purchasing a comparable vehicle through a local dealer.

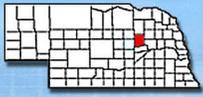
Upon receipt and review of the documentation necessary regarding the Limited Tax County Road Bonds, Series 2019, a motion was made by Temme, second by Rutten to authorize the Board Chairman, County Clerk and County Treasurer to sign all documents required with regard to the Limited Tax County Road Bonds, Series 2019, as required. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Tanya Sharp, Boone County Health Center President and Chief Executive Officer, presented for the Board's approval the Hospital License Renewal for the period of 1/1/2020 to 12/31/2020. Ms. Sharp indicated that currently the hospital has 25 beds but that number may decrease to 24 beds due to the upcoming renovation but that the decrease will not affect the critical access designation. Motion made by Rutten, second by Temme to approve the Hospital License Renewal and authorized the execution of the license as required. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

In addition to appearing before the Board for the Hospital License Renewal, Tanya Sharp provided the Board of Commissioners with a site plan, lobby view, proposed floor plan and exterior view for the new outpatient expansion. Information regarding the proposed plans will be provided to the newspaper in the coming weeks.

The State of Nebraska, Department of Transportation, needs the County Board to designate the official county newspaper(s) in order to comply with state statute when advertising their projects for bids in the county. Motion made by Rasmussen, second by Temme to designate the official county newspapers for 2020 to include the Albion News, Petersburg Press and St. Edward Advance. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

An annual certification of County Highway Superintendent is due each year by December 31st to the Nebraska Department of Transportation pursuant to state statutes. The performance of the duties listed in the certification determines federal highway allocation funds incentive payments. Motion made by Rasmussen, second by Rutten to approve and authorize execution of Resolution 2019-42 regarding signing of the Year-End Certification of County Highway Superintendent Form 2019 and authorizing the Board Chairman to sign the Year-End Certification of County Highway Superintendent certifying the appointment of Stacey Ziembra, Boone County Highway Superintendent, for the calendar year 2019 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



Boone County Board Minutes



Stacey Ziembra, County Highway Superintendent, appeared before the Board regarding the following:

- The 1995 tractor located at the Albion Shop has been acting up. The Highway Superintendent would like to trade it in for something newer and more reliable. Repairs to the tractor would be quite expensive. Board indicated that the Highway Superintendent should look into some prices with local dealers.
- Highway Superintendent reported that the motor grader was brought down to Albion from Petersburg. Also, the new trailer is going to Cedar Rapids.
- Francis Whidden and Denny Cruise appeared before the Board regarding the status of 320th Avenue between Sections 10 and 11, Township 18 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Denny Cruise rents the Kaufman pasture and is concerned about access to his pasture if the road is impassable. Francis Whidden provided the Board with some history regarding past flooding and showed photos of flooding after 1" of rain. Whidden indicated that he had a problem with the tubes that were put in because they become plugged and then the water backups onto his property causing silt buildup. Whidden indicated that the amount of crop acres has decreased as a result of the silt. Various options were discussed such as removing the tubes and replacing with a box culvert or a low water crossing. After discussion, it was decided that the Highway Superintendent would contact Brian McDonald, JEO, and have him review the situation and provide his recommendation as to the course of action to take. The Highway Superintendent did not submit a feasibility study report at this time.
- A copy of a letter prepared by the County Attorney to the Albion Country Club was provided to the Commissioners for their information regarding a fence being located in the County's right-of-way. Highway Superintendent indicated that she had received no response to date from the Albion Country Club.
- Commissioner Rutten indicated that he was asked about the bridge to the sewage lagoon in St. Edward. Highway Superintendent indicated that they were aware of this and that the bridge would need to be redecked in addition to other work. Ziembra will check with Brian McDonald, JEO, regarding this. This probably would not be done yet this year, possibly next spring. It was the Highway Superintendent's recommendation that once the repairs were made that the bridge be given to the City of St. Edward.

The Board and Highway Superintendent discussed the status of the damaged building that was removed at County Road Department, District #3, in Petersburg. Highway Superintendent indicated that she had received two bids; one from Beckman Lumber and one from Levander Construction. The Board indicated that something needed to be done to either replace the building or not. Motion was made by Temme, second by Rutten to replace the building that was damaged at Road Department, District #3, in Petersburg, and to schedule the matter to review current bids for the next Board meeting on November 18, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board reviewed the 2020 calendar to set dates for 2020 Board meetings. The Board usually meets every Monday except the first Monday of the month and if the Monday is a holiday, then the following Tuesday, commencing at 9:00 A.M. The 22/21 payroll system requires the Board to change some of their meeting days from Monday to a different day to accommodate the payroll schedule. Motion made by Rasmussen, second by Rutten to approve the following meeting dates for 2020 which are subject to change: January 6, 13, 21 and 27; February 10, 18 and 26; March 9, 16 and 25; April 13, 20 and 27; May 11, 18 and 27; June 8, 15, 24 and 29; July 13, 20 and 27; August 10, 17 and 26; September 14, 21 and 28; October 13, 19 and 26; November 9, 16 and 25; and December 14, 21 and 28. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



Boone County Board Minutes



John Morgan, Boone County Attorney, appeared before the Board regarding the following matters:

- Upon review of the letter received from Benjamin E. Busboom, Attorney at Law for Baird Holm, it is the opinion of the County Attorney that the Board is not in violation of the acts and statutes cited and upon completion of a study, he will follow through with regard to the Board's recommendation.
- County Attorney indicated that upon review of the current lease with the Boone County Agricultural Society, Inc., that in order to proceed to negotiate a new lease it will be necessary to terminate the current lease first. County Attorney indicated that a termination letter would need to be drafted together with an explanation letter to the Ag Society. The Board asked that Morgan prepare a termination letter and explanation letter for the Board's signature at the next Board meeting on November 18, 2019.
- County Attorney advised the Board that he had prepared and sent to the Albion County Club a letter regarding the fence located in the County's right-of-way. The Board acknowledged receiving a copy of the letter from the Highway Superintendent.

The Board reviewed the policy from 2018 regarding employee recognition. In 2018, the Board approved the purchase of a turkey for each elected official and full-time employee up to \$15.00 per employee. Commissioner Rasmussen indicated that it was somewhat chaotic last year with regard to where the turkeys were purchased and the distribution to the employees. This year the Commissioners thought it would be best, after determining which grocery stores in the county would be willing to participate, that each elected official and full-time employee would be given a certificate for either a turkey or ham not to exceed \$15.00 which they could redeem at any of the participating grocery stores. The certificates would have to be redeemed on or before December 31, 2019 and would be good towards a turkey or ham only. Any amount over \$15.00 would be at the expense of the employee. Motion made by Temme, second by Rasmussen to approve the expenditure of \$15.00 per elected official and full-time employee towards the purchase of a turkey or ham in the form of a certificate to be redeemable at participating grocery stores on or before December 31, 2019. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Boone County Ambulance Service submitted a September 2016 uncollectible ambulance account that the Board reviewed on July 10, 2017 and turned over to the County Attorney for further collection. Three years has lapsed from the date of service and there is no receipt of any payment. Motion made by Rutten, second by Rasmussen to write off the September 2016 County Ambulance Service due in the amount of \$1,087.50 as presented. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen, to go into executive session at 12:10 P.M. per the Open Meeting Act §84-1410(1), for the prevention of needless injury to the reputation of an employee and if such employee has not requested a public meeting. The Board met with the County Sheriff and Sheriff's Office employee to discuss a personnel issue. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried. Motion made by Temme, second by Rasmussen to come out of executive session at 12:40 P.M. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried. No action was taken by the Board.

Chairman Rasmussen declared the meeting adjourned at 12:41 P.M., with the next Board meeting scheduled for Monday, November 18, 2019.

Lorrie Nicklasson,
Deputy Boone County Clerk