



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 27, 2019 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session on Friday, December 27, 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 Alan Rasmussen, Ben Rutten and Larry Temme. 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 November 22, 2019 through December 21, 2019. Motion made by Rutten, second by Temme to approve the County Payroll Claims filed for payment from the various funds: General \$102,749.49, BCBS \$48,375.60, Ameritas Ret \$7,115.61, EFTPS \$7,685.86, LTD Premiums \$2.27, Section 125 Fees \$10.00, Wellness Program \$125.60; Road \$64,165.96, BCBS \$33,426.40, Ameritas Ret \$4,331.21, EFTPS \$4,845.18; Ambulance \$3,690.24, Ameritas Ret \$100.60, EFTPS \$282.31; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen to approve the County Board Proceedings of December 16, 2019 as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Board reviewed a written resignation from a full-time county law enforcement deputy trainee. Motion made by Rutten, second by Temme to accept and approve the resignation of Michael Lipker as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

The primary use of the Visitor's 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 previously approved three requests for advertisement funding.

The Petersburg Community Club requested assistance to advertise the Puttin in P-Town event scheduled for January 25, 2020. Motion made by Temme, second by Rasmussen to approve the application requesting funding assistance for advertisement of the Puttin in P-Town event from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested assistance to advertise the Dueling Pianos fundraiser event scheduled for February 15, 2020. Motion made by Rasmussen, second by Rutten to approve the application requesting funding assistance for advertisement of the Dueling Pianos fundraiser event from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested assistance to advertise the Boone County Fair concert scheduled for July 14, 2020. Motion made by Rutten, second by Temme to approve the application requesting funding assistance for advertisement of the Boone County Fair concert from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

All County Officials and Department Heads must contact the County Board, as an agenda item, before buying or doing any major maintenance to equipment or furniture over \$800.00, per the January 2019 Board



Boone County Board Minutes



Reorganizational Meeting Proceedings. The County Clerk/Election Commissioner/Register of Deeds office, presented a quote to the Board for their review regarding the purchase of three new Dell Optiplex Workstations from Applied Connective Technologies. The office's three workstations were purchased in 2013 and one of the workstations is having issues. The three workstations are connected with the same email and all office programs, therefore it is best to replace the three workstations at the same time. Motion made by Temme, second by Rasmussen to approve the purchase of three new Dell Optiplex Workstations for approximately \$3,123.00 from Applied Connective Technologies for the County Clerk's office. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

The Board, John Morgan, County Attorney, and Stacey Ziemba, County Highway Superintendent, discussed the Lynn Kaufmann property matter. Morgan said that he had been contacted by an attorney on behalf of the property owner. The County Clerk's office research of Board Proceedings, etc. dating back to 1989 reflect several discussions over the years in regard to a portion of road known as 320th Avenue between Sections 10 and 11, Township 18 North, Range 5 West of the 6th P.M., Boone County, Nebraska. The proceedings reflect studies of said area, but do not reflect a public hearing or final action. The County Highway Superintendent said a bridge was removed several years ago and replaced with two culverts which are often plugged with debris from the Bogus Creek and drainage area. The County Highway Superintendent informed the group that Brian McDonald, JEO Consultant Group, and Chris Hays, County Surveyor, are aware of the situation and are working on a study for the best efficiency for the water flow. In addition, the County Highway Superintendent has contacted the Army Corps of Engineers due to the involvement of a waterway. Brandi Yosten, Attorney, was present for the discussion.

Jeff Jarecki was appointed Boone County Public Defender in August of 2012. Jarecki reported that the cases assigned in 2012 through 2017 are all completed and only one juvenile case remains open for 2018. Jarecki reported that he has been assigned thirty-eight cases to date for 2019 of which twenty-six are closed, eleven are open and one case was a conflict of interest. Jarecki explained to the Board that some juvenile cases take a long time to complete and that some individuals may have more than one case. Juvenile cases may remain open until the court case is resolved or the age of nineteen. Jarecki answered the Board's questions regarding conflict of interest and closed/open cases. Jarecki explained that there are times when he cannot defend the assigned case since he is already defending one of the parties involved. Jarecki explained that his office tries to emphasize rehabilitation for those facing criminal charges and treat the individuals with respect. The Board thanked Jarecki for the updated report and his diligent services. Jarecki thanked the Board and is very appreciative of the contract for public defender services. Motion made by Temme, second by Rutten to accept the Boone County Public Defender report as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Nebraska State Statutes §23-3401 through §23-3408 addresses the Public Defender position. The Board re-appointed Jeffrey C. Jarecki, Boone County Public Defender for the years 2020 and 2021 at their December 16, 2019 Board meeting. Motion made by Rasmussen, second by Rutten to approve and authorize the Board Chairman to sign a Public Defender Agreement, re-appointing Jeffrey C. Jarecki for the two year term of 2020 and 2021 as presented. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Larry Bird, Friends of the Trail Committee Chair, met with the Board to discuss a landscape/tree planting plan for the Boone County Trails System located on County property. Bird informed the group that a planning meeting is scheduled for 1:30 p.m. on Friday, February 7, 2020 with a state forester and landscape designer to look at the trail and possibly make some recommendations.



Boone County Board Minutes



The Board heard a County Burial request. The Board explained to the requestors the County protocol procedure and the requestors completed an application for county burial. The requestors were informed that normally the request for a County funeral/burial takes place before the family makes arrangements. The requestors were informed that a partial burial expense was approved for the same individual funeral/burial by the County on December 9, 2019. The Board informed the requestors of the maximum amount that the County provides, per resolution, for an individual (county resident) funeral/burial expense. Motion made by Rasmussen, second by Temme to approve the maximum amount that the County provides for an individual burial/funeral expense paid directly to the Levander Funeral Home and that the balance of said funeral/burial expenses is incurred by the family. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

The County of Boone, Nebraska and the City of Albion, Nebraska entered into a lease agreement per resolution in 2012, relating to the rental use of space in the Old Albion Fire Hall. The old fire hall property has been sold. Motion made by Rutten, second by Temme to approve Resolution No. 2019-45, terminating and taking precedence over all prior resolutions, leases and agreements, written or verbal, between the County of Boone and City of Albion that pertained to the lease of space located at the Old Albion Fire Station. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

The Nebraska Revised Statute §23-1114 provides that “The salaries of all elected officers of the county shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices.” The General Election is to be held in 2020, the only elective county office to be on the ballot is County Commissioner for District No. 2. The Board discussed a 1.48% increase of the yearly salary from the 2019 and 2020 of \$23,650.00 to \$24,000.00. Motion made by Rutten, second by Rasmussen to approve Resolution No. 2019-46, setting the elected Board of Commissioners salaries of County of Boone, Nebraska as follows for the calendar year 2021 - \$24,000.00 and 2022 - \$24,000.00. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Wellness Partners of McCook, NE has provided a Preventive Health Fair for County employees since 2014. There is a minimum of ten participants in order for Wellness Partners to provide the services. The Health Fair for employees is tentatively scheduled for March 10, 2020 at the Boone County Courthouse. Motion made by Temme, second by Rasmussen to approve Wellness Partners Health Fair for employees/spouse/family participation at the employee’s discretion. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Barb Hanson, County Assessor, updated the Board regarding the Assessor’s office activity.

Mary Ziemba, County Zoning Administrator, asked the Board to table the discussion regarding the Interlocal Agreement and zoning services with the City of St. Edward to a later date. Motion made by Rasmussen, second by Rutten to table the City of St. Edward Interlocal Agreement and zoning services discussion to a later date per Zoning Administrator request. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

On December 9, 2019 the County Highway Superintendent and Sheriff discussed the hourly starting wages for new employees in the road and law enforcement departments with the Board. The new starting hourly wages for employees were increased beginning January 2019 from the previous years. The current starting hourly wage in 2019 for road employees is \$14.00-\$15.00 and jailer/dispatchers \$11.00-\$12.00, depending on



Boone County Board Minutes



experience and required certifications. Johnson and Ziembra discussed the challenge of attracting and keeping quality employees with the county's current starting hourly wage scales. The Board discussed with Johnson and Ziembra that an employee needs to include their respective County paid benefits of retirement and health insurance premium each month in order to know what they are making per hour based on a forty hour work week. The County pays the full NACO BCBS (employee and family) health insurance premium and employee dental. In addition, the group noted that the employment turnover of jailer/dispatchers may be the responsibility of 911 calls, etc. and working nights/weekends.

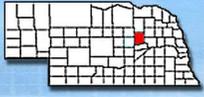
Denny Johnson, County Sheriff, read a statement he prepared and presented information that he gathered from other counties regarding starting hourly wages for non-certified jailers/dispatchers that work in law enforcement/sheriff offices since the December 9, 2019 Board meeting. Johnson said that you see signs up and down the roadways that say now hiring, starting wage of \$11.00. Johnson said that he is unable to hire quality individuals for the jailers/dispatchers positions with a starting wage of \$11.00-\$12.00 per hour. Johnson said that the law enforcement employees are responsible for the safety and lives of the public and that the law enforcement positions should be paid more per hour in accordance with their public responsibilities.

After a lengthy discussion and Johnson's presentation the Board agreed that the starting hourly wage for the jailers/dispatchers should be increased due to their responsibilities, that they are a twenty-four hour facility for prisoners in jail and that 911 dispatching now includes Nance County. Motion made by Temme, second by Rutten to increase the Law Enforcement/Sheriff office base wages as follows: dispatchers/jailers starting base wage range from \$11.00-\$12.00 to \$12.00-\$13.00; communications director/office supervisor from \$12.00-\$13.00 to \$13.00-\$14.00; with dispatchers regularly scheduled to work the midnight shift (10:00 P.M.-8:00 A.M., Midnight to 8:00 A.M. or 10:00 A.M. a differential from ten cents to fifty cents and if the dispatcher switches to day shifts the fifty cents is removed from their hourly wage; deputy sheriff/non-certified from \$15.00-\$16.00 to \$16.00-\$17.00; and sheriff deputy certified from \$16.00-\$18.50 to \$17.00-\$19.50, retroactive for January 2020 pay period that begins December 22, 2019. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The County of Boone, Nebraska is the owner of the real estate being a fractional 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 commonly known as the Boone County Fairgrounds. The County Board of Commissioners has power to lease or sell real estate owned by the County in accordance with Nebraska State Statutes. The County Board shall hold an open and public hearing in accordance with Nebraska State Statute §23-107.01 prior to any such lease at which time any interested party may appear and speak for or against the lease and raise any issue concerning the County Board leasing said 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 advertise the weeks of December 30, 2019 and January 6, 2020 to hold a public hearing at 11:00 A.M. on Monday, January 13, 2020 for the lease of real estate owned by the County, specifically a fractional 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 commonly known as the Boone County Fairgrounds. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Public Comments:

- Denise Ziembra, Region 44 Emergency Manager, updated the Board regarding Emergency Management activities.
- Stacey Ziembra, County Highway Superintendent, updated the Board regarding road equipment.



Boone County Board Minutes



Chairman Rasmussen declared the meeting adjourned at 1:07 P.M., with the Board 2020 Reorganizational meeting scheduled for Monday, January 6, 2020 and the next regular Board meeting scheduled for Monday, January 13, 2020.

Kathy Thorberg,
Boone County Clerk