

Boone County Board Minutes



2020 REORGANIZATIONAL MEETING BOONE COUNTY BOARD OF COMMISSIONERS ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska convened at 9:00 A.M. on Monday, January 6, 2020, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Alan Rasmussen, Chairman, called the Reorganizational Meeting to order as required by Nebraska State Statute. Commissioners present for roll call were Alan Rasmussen, Larry Temme and Ben Rutten. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Rasmussen noted that the Open Meeting Laws are posted and available to the public.

Motion made by Temme, second by Rutten to appoint Alan Rasmussen as Chairman of the Boone County Board of Commissioners for the year 2020. Roll call vote: Yeas: Temme and Rutten. Abstain: Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to appoint Larry Temme as Vice Chairman of the Boone County Board of Commissioners for the year 2020. Roll call vote: Yeas: Rutten and Rasmussen. Abstain: Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen that the budget committee for the ensuing 2020-2021 budget year is the Boone County Board of Commissioners, Boone County Clerk and Boone County Treasurer. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to reappoint Schmeits, Mueller & Martinsen, P.C., Richard Martinsen, CPA, Albion, Nebraska, to prepare the County Budget for the 2020-2021 budget year, to be paid from the County General fund. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to reappoint Stacey L. Ziemba, Fullerton, Nebraska, as full time County Highway Superintendent under the supervision of the County Board for 2020. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to reappoint Christopher C. Hays, Osceola, Nebraska, as Boone County Surveyor for a four year term commencing January 3, 2019 through December 31, 2022, per contract for services as provided in State Statute Section 23-1901.01. Roll call Vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to reappoint Jacqueline Lynne Wells as full time Boone County Veteran Service Officer under the supervision of the County Board for 2020. In addition, the office may employ an As-Needed employee at less than 19 hours per week at the discretion of the Board. In addition, there is a signed agreement with Greeley County for Boone County Veteran Service Officer to provide services for Greeley County. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to continue the contract for the services of Public Defender for Boone County with Jeffrey C. Jarecki of Jarecki Maul PC LLO, Albion, Nebraska, pursuant to the terms of an Agreement that shall commence on January 1, 2020 and continue until January 1, 2022. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.



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Motion made by Temme, second by Rasmussen to reappoint Randall Bruland as the Administrator and Maintenance Director of the Boone County Ambulance Service under the supervision of the County Board for 2020. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to continue the agreement for patient billing and collection services for the Boone County Ambulance Service with EMS Billing Services, Inc. of Omaha, Nebraska pursuant to an Agreement effective March 1, 2014 that continues to termination by one of the parties. Nicole Levander, Boone County Health Center, to serve as liaison for the Boone County Ambulance Service/EMS Billing Services for 2020. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to reappoint Mary Ziemba as County Planning and Zoning Administrator, Regulatory Zoning Investigator and Floodplain Manager under the supervision of the County Board for 2020. The road clerical duties for the County Highway Superintendent's office are also included as part of the County Planning and Zoning Administrator duties. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to reappoint Jack Nordeen as a full time Boone County Weed Superintendent/Signage Technician under the supervision of the County Board for Weed Superintendent and under the supervision of the County Highway Superintendent for Signage Technician for 2020. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Rasmussen, second by Temme to appoint Ben Rutten as County Weed Superintendent supervisor for 2020. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to appoint Alan Rasmussen as Courthouse Custodian supervisor for 2020. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen to appoint the Boone County Sheriff and his staff to be the E911 Coordinator for 2020. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to appoint the Boone County Clerk as the Title VI representative for 2020. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to appoint the Boone County Veteran Service Officer as the American with Disabilities Act (ADA) Coordinator for 2020. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to appoint Larry Temme as Chairperson of the County General Assistance Program with the emergencies being handled by a Commissioner. The County Clerk or Deputy County Clerk shall contact the assistance program chairperson or a Commissioner when there is a request on a day there is no scheduled Board meeting. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten to appoint the Boone County Clerk as the contact person for Boone County for the NIRMA Insurance for 2020. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



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Motion made by Temme, second by Rasmussen to give the County Clerk's office the authority to sign any documents that pertain to the office of the County Superintendent of Schools after June 30, 2000 under the supervision of the County Board for 2020. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rasmussen, second by Temme that the depository for the Boone County Clerk account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account; and depository for the Boone County Imprest Vendor account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Commissioners Alan Rasmussen, Larry Temme, Ben Rutten and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten that the depository for the Clerk of the District Court will be the Cornerstone Bank of York, Albion Branch, with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

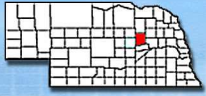
Motion made by Rutten, second by Rasmussen that the depository for the Boone County Imprest Payroll account will be the Cornerstone Bank of York, Albion Branch, with Commissioners Alan Rasmussen, Larry Temme, Ben Rutten and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen that the depositories for the County Treasurer are as follows: Boone County Bank, A Division of Madison County Bank, Albion, NE; Cedar Rapids State Bank, Cedar Rapids, NE; Cornerstone Bank (Albion Branch and St. Edward Branch), York, NE; First Bank & Trust of Fullerton (St. Edward Branch), Fullerton, NE; Great Plains State Bank, Petersburg, NE; and Homestead Bank (Albion Branch), Cozad, NE. The County Board authorizes and empowers the Boone County Treasurer to invest any surplus funds in the custody of the office. Any surplus funds shall be invested to assure a beneficial rate of return to the County and confirmation of all pledged securities are on file. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Temme that 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. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten that the courthouse hours shall be 8:00 AM to 4:30 P.M. with a one-half hour unpaid break, and that all offices will post their hours, including the lunch break; and notice shall be posted on the respective office door only if an office is to be closed when it otherwise would be open. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to approve the IRS mileage reimbursement rate of 57.5 cents per mile, effective January 1, 2020 as referenced in the Boone County Employee Handbook. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.



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Motion made by Rutten, second by Rasmussen to approve County meal reimbursable dollar amount, as referenced in the Boone County Employee Handbook, for 2020 overnight travel policy: (1) Includes reimbursement by submitting an itemized receipt for actual expense up to \$11.00 for breakfast, \$12.00 for lunch and \$23.00 for supper; (2) No reimbursement of meals for one day travel; (3) If an unforeseen situation occurs for one day travel and return is after 7:00 P.M., the meal may be reimbursed and will be taxed and added to the employee W-2; (4) Itemized receipts are required for all travel expenses. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme that the Boone County full time employees are to receive twelve paid holidays which include the observed nine holidays as set forth in the NIRMA Guide to Creating a Personnel System for Nebraska Counties Handbook together with Martin Luther King, Jr. Day and Columbus Day. In addition, Arbor Day shall be a floating holiday for full time employees in 2020 and shall be used beginning April 24, 2020 and before December 21, 2020, if floating holiday is not used by employee, employee shall lose the benefit. **In addition**, the Board decided that the Courthouse will close at noon on December 24, 2020, with County full time employees scheduled to work receiving pay as follows:

Courthouse Employees:

- 8:00 AM – 12:00 PM Regular pay for worked hours as evidenced by the timeclock.
- 12:30 PM – 4:30 PM Regular pay for courthouse closed hours.

Road Employees:

- 7:00 AM – 11:00 AM Regular pay for worked hours as evidenced by the timeclock.
- 11:30 AM – 3:30 PM Regular pay for courthouse closed hours.

Employees on scheduled vacation leave on a day that the County closes the courthouse, will not be allowed to alter their vacation leave as scheduled to take advantage of the closure.

Sheriff's Office (Employees scheduled to work/Employees called in to work):

- 8:00 AM – 12:00 PM Regular pay for worked hours as evidenced by the timeclock.
- 12:00 PM – 4:00 PM Overtime rate of pay (1 ½) times the regular rate of pay) for time worked as evidenced by the timeclock.
- Non-scheduled employees receive no compensation for the December 24, 2020 four hour closure.

The Courthouse “Closed” notices will be posted by Board directive on the north and west outside entrance courthouse doors. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Rutten, second by Temme that full time employees are to receive vacation and sick leave as set forth in the Boone County Employee Handbook. The employee’s vacation and sick leave records are recorded with the time clock/attendance system effective January 2014. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.



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Motion made by Rasmussen, second by Temme that agenda items must be provided to the Boone County Clerk's Office no later than noon (12:00 P.M.) on the Friday preceding a Board meeting in order to be considered for said Board meeting. Any agenda item submitted after 12:00 P.M. on Friday preceding a Board meeting will be an agenda item for the next scheduled Board meeting. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Rasmussen to appoint the following to be on the Health Board for Boone County as required by State Statute: County Sheriff, County Clerk and Boone County Health Center Chief of Staff for 2020. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

As required by Nebraska State Statute §48-443, each Nebraska county must have a working safety committee. Motion made by Rasmussen, second by Temme that (1) the following will serve on the Safety Committee for 2020: Region 44 Emergency Management Director; County Sheriff; Board of Commissioners; County Highway Superintendent; County ADA Coordinator; and Custodial Maintenance Supervisor; (2) a tornado drill will be held in March at the same time/date as the Statewide tornado drill; (3) fire drills will be conducted in May and October; (4) Ben Rutten, Commissioner, will serve as safety chair and Rod Nelson, Maintenance, courthouse safety coordinator; and (5) the Safety Committee meetings are tentatively scheduled for February 18, May 18, August 17, and November 16, 2020, commencing at 9:00 A.M. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten that the Boone County Board of Commissioners will hold their Board meetings on Monday's **except** for the first Monday of each month; no meeting scheduled for March 30, August 31, and November 30, 2020; and when a payroll meeting is scheduled on a different day of the week than Monday in the year 2020, commencing at 9:00 A.M. Meeting dates/times are subject to change due to state statute regulations. Monday meetings that are on holidays will be held on Tuesday. The Accounts Payable Vendor meeting will be on the second Monday of the month and other Mondays will be regular public meetings. The Board meeting dates for 2020 were approved on November 12, 2019 and payroll meetings are subject to change from Monday to a different day for approval by the Board with the implementation of the time clock/attendance system and the 22/21 pay period. The Board meeting dates for payroll approval are as follows: January 27, February 26, March 25, April 27, May 27, June 24, July 27, August 26, September 28, October 26, November 25 and December 28, 2020. The County Clerk's office has charge and authority of the agenda for all meetings. The agenda will be made available for all meetings on the Boone County Website and the bulletin board located in the north courthouse entrance. Also, the following will be used to post notices in advance for emergency meetings and meetings that cannot be published in the legal newspaper(s): Boone County Website; Boone County Courthouse; lobbies of the Boone County Bank; Cornerstone Bank; Homestead Bank; and Albion News Office all located in Albion, NE. In addition, the Cedar Rapids State Bank, Cedar Rapids, NE; Cornerstone Bank, St. Edward, NE; and Great Plains State Bank, Petersburg, NE. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Grievance Procedure in the Employee Handbook says the County will use a Grievance Board consisting of five people. The Commissioners shall create the pre-designated list of ten impartial members to serve on the Grievance Board. The Board visited with county residents to create a pre-designated list. The Board adopted and approved the 2013 and 2014 pre-designated list on December 16, 2013 at their Board of Commissioners meeting and are as follows: Elva Bartels, Albion; Jodie Borer, Albion; Kevin Cruise, St. Edward; Mark Jensen, St. Edward; Charles Krohn, Albion; Steve Lordemann, Petersburg; Mike Morgan, Cedar Rapids; Bill Schriver, Albion; Lonnie Smith, Albion; and Dennis Tyson, Albion. Motion made by Temme, second by Rasmussen to make no changes in 2020 to the above adopted pre-designated list approved in December 2013. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.



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Motion made by Rutten, second by Temme to continue the Interlocal Agreement for Emergency Management Services, known as Region 44 Emergency Management, between the Counties of Boone, Nance and Merrick beginning on July 1, 2018 through June 30, 2024. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Nebraska State Statute §28-1439.03 requires the continuation of a County Drug Law Enforcement and Education Fund Board. The Resolution No. 2012-35, dated August 20, 2012 was the last appointment of a County Drug Law Enforcement and Education Fund Board. On January 6, 2014 the County Attorney at that time said that the drug board may be appointed at the County Board’s reorganizational meeting each year in order to be kept current. Motion made by Temme, second by Rutten that the following be appointed to serve on the County Drug Law Enforcement and Education Fund Board:

- Boone County Attorney, shall serve as Chairperson
- Investigator Tim Stopak, Nebraska State Patrol, shall serve two years (2020-2021)
- Boone County Sheriff’s Department, shall serve two years (2020-2021)
- Albion Chief of Police, shall serve one year (2020)

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

Motion made by Rutten, second by Temme to name the following people to serve on the Boone County Extension Board as recommended by Steve Pritchard, Boone/Nance County Extension Educator. This board is in accordance with an Interlocal Agreement with the University of Nebraska for Cooperative Extension Services signed on December 14, 1998. A term is three years with a maximum of six years. The terms are as follows:

- Jeri Wies (2018-2020) – 1st term
- Ken Schriver (2018-2020) – 2nd term
- Amanda Mogensen (2019-2021) – 2nd term
- Roger Voichoski (2020-2022) – 2nd term

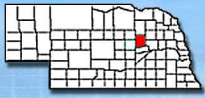
Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Rutten that the following members of the Boone County Visitors Promotion Committee are appointed to four-year terms per Nebraska State Statute with each term to start January 1st each year. The terms are as follows:

- Mary Jeanne Stokes (2017-2020)
- Connie Sugden (2017-2020)
- Irene Dresch (2019-2022)
- Marcus Johnson (2019-2022)
- Brian Yosten (2019-2022)

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

Motion made by Temme, second by Rutten that the following Boone County Planning and Zoning Board members are appointed to the following terms of office to represent the Boone County Joint Planning Commission, effective January 1, 2020:



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Paul Groeteke, Brad Stephens and Clyde Stuhr (2020)
 Justin Frey, Mark Jensen and Morgan Mogensen (2020-2021)
 Chris Baum, Mark Wagner and Shelley Towey (2020-2022)

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

Motion made by Rasmussen, second by Temme that the following members of the Boone County Board of Adjustment are appointed to the following terms of office, effective January 1, 2020:

Paul Kettelson and Mark Jensen (2020)
 John Frey (2020-2021)
 H. Thomas Fick and Deb Mitchell (2020-2022)
 Vacancy Alternate

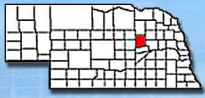
Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Appointment to the various boards that the County of Boone, Nebraska is associated with for 2020:

Americans with Disabilities Act Board:

- (1) Third Member of the Boone County Board of Commissioners
- (2) Jeff Noble, Albion, NE, Representative for the disabled community
- (3) Boone County Highway Superintendent
- (4) County Attorney, as the legal advisor for the committee

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| Agricultural and Educational Activities Building Committee Member | Board Chairman |
| Boone County Trails System | Ben Rutten |
| BCDA, Inc. | Larry Temme Alan Rasmussen |
| Central Nebraska Joint Housing Authority, Loup City | Larry Temme Ben Rutten - Alternate |
| East-Central District Health Department, Columbus | Alan Rasmussen Larry Temme – Alternate |
| Local Emergency Planning Committee (LEPC) | Ben Rutten |
| Northeast Nebraska Area Agency on Aging, Norfolk | Larry Temme Ben Rutten - Alternate |



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Northeast Nebraska Juvenile Services, Inc., Madison Ben Rutten
 Alan Rasmussen - Alternate

Region 4 Behavioral Health System, Norfolk Alan Rasmussen
 Larry Temme - Alternate

Region IV, Inc. / NorthStar Services, Wayne Ben Rutten
 Alan Rasmussen – Alternate

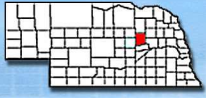
Region 44 Emergency Services Supervisory Committee Ben Rutten
 Alan Rasmussen – Alternate

Quarterly Attendance by the Board of Commissioners (Non-Voting):

Boone County Agricultural Society, Inc. Larry Temme
 Boone County Fitness Center, Inc. Ben Rutten
 Boone County Health Center Alan Rasmussen

Motion made by Rutten, second by Temme to accept and appoint the Local Emergency Planning Committee (LEPC) members for 2020 as submitted by the Region 44 Emergency Manager:

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|------------------------------------|------------------|
| Albion Fire and Rescue | Bruce Benne |
| RROMRS | Dennis Colsdan |
| Albion News | Jim Dickerson |
| Petersburg Fire and Rescue | Kim Fangman |
| St Edward Fire | Richard Good |
| Boone Central Schools | Nicole Hardwick |
| Cedar Rapids Fire and Rescue | Adam Holka |
| Boone County Sheriff | Denny Johnson |
| Helena | Morgan Jones |
| Riverside School | Stephanie Kaczor |
| Cedar Rapids Fire and Rescue | Lisa Kennedy |
| Boone County Health Center | Anthony Kusek |
| State Dept. of Roads | Jon Lindgren |
| Albion PD | Brent Lipker |
| Valero Renewables | Sarah Moeller |
| St Edward PD | Monte Olson |
| SERC | James Rashilla |
| Boone County Commissioners | Ben Rutten |
| Tallgrass Energy | Val Snyder |
| Tallgrass Energy | Josh Thayer |
| East Central District Health Dept. | Tyler Woodard |
| Boone County Health Center | Amy Zaruba |
| Region 44 | Denise Ziemba |
| Boone County Hwy Dept. | Stacey Ziemba |



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

Motion made by Rasmussen, second by Rutten to approve all motions for the respective appointments above as presented unless specifically noted. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Chairman Rasmussen declared the 2020 Boone County Board of Commissioners Reorganizational meeting adjourned at 10:24 A.M.

Kathy Thorberg,
Boone County Clerk