

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 9, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, March 9, 2020, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Temme called the meeting to order and Commissioners present for roll call were Larry Temme and Ben Rutten. Commissioner Alan Rasmussen was absent due to illness. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Vice Chairman Temme acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. Motion made by Rutten, second by Temme to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$49,468.99; Road/Weed - \$153,305.03; Boone County Visitor's Promotion - \$395.25; 911 Emergency Management (2910) - \$953.33; 911 Wireless Service (2913) - \$2,095.98; Fair Building (4025) - \$127,991.86; Ambulance - \$899.25. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of February 26, 2020 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Rutten, second by Temme to approve the County Board Public Hearing Proceedings of February 26, 2020 as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

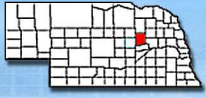
Motion made by Temme, second by Rutten to approve the following reports of the County Officials as presented for February, 2020:

- Clerk - \$10,070.25 (State of Nebraska \$5,827.67)(County of Boone \$4,242.58)
- Clerk of the District Court - \$334.87 (State of Nebraska \$101.00)(County of Boone \$233.87)
- Sheriff - \$1,442.72
- Planning & Zoning - \$85.75
- Treasurer - Miscellaneous Receipt Nos. 17652-17694 - \$418,111.70
- Treasurer - Total Collections - \$977,203.08

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

The Board received Payment Application No. 15 from Rathman Manning Construction for the fairgrounds building. The payment request is for a portion of the concrete, carpentry, acoustical ceilings, paintings, plumbing, HVAC system, and electrical system. Motion made by Rutten, second by Temme to approve payment number fifteen for \$127,991.86 from Rathman Manning Construction as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Boone County Health Center contacted the County Clerk's office and asked that their scheduled meeting with the Board today be re-scheduled at a later date. Motion made by Temme, second by Rutten to table a



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meeting with the Boone County Health Center to the March 16, 2020 Board meeting. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The requestor for the General Assistance request did not appear before the Board. No action was taken by the Board.

The County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects.

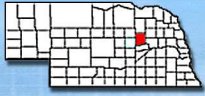
The County Highway Superintendent prepared a Non-Exclusive Contract For Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2020 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers needed to attach a copy of the truck driver's CDL and Certificate of Liability Insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed the Non-Exclusive Contract for Services submitted by Joshua Hollibaugh/Country Partners Cooperative and Corey Dobson/Dobson Transfer, LLC. Motion made by Temme, second by Rutten to authorize the Board Vice Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The Board, County Highway Superintendent and Brian McDonald, JEO Engineer discussed FEMA's Alternative Procedures 428 Program. McDonald did not favor FEMA's Alternative Procedures 428 Program. The County Highway Superintendent and the Board contacted a FEMA representative by teleconference for more information on the Alternative Procedures 428 Program.

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act (SRIA). This SRIA law amends Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) that was signed into law in 1988 to create an orderly system to get federal assistance to state and local governments in the wake of natural disasters. Specifically, the SRIA law adds Section 428, which authorizes alternative procedures for the Public Assistance (PA) Program under sections of the Stafford Act. It also authorizes the Federal Emergency Management Agency (FEMA) to implement the alternative procedures through a pilot program.

The FEMA representative said that if the Board approves the signing of Appendix A it does not lock the County in to the Alternative Procedure 428 Program, but gives the County the option to choose which FEMA program best meets its needs. The 2019 flood damaged FEMA repair projects reimbursed funds are based on actual repair costs and reimbursement may take up to ten years to be received. With the Alternative Procedure 428 Program the County may be reimbursed by FEMA funds based on estimated amounts and the funds may possibly be received sooner. If the project bid comes in higher than the estimate, the County would be responsible for covering the difference. If the actual cost was lower than estimated, the County could use the excess funds to help pay for another FEMA approved project. The infrastructure 2019 flood damaged projects filed with FEMA may be filed based on actual repair costs or the estimated amounts (428 Program). The County funds are used for the infrastructure repairs as needed and may receive some reimbursement funds from FEMA in the future. Motion made by Rutten, Second by Temme to authorize the Board Vice Chairman to sign Appendix A, Alternative Procedures Pilot Program for Permanent Work Acknowledgement, a voluntary program. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Board, County Highway Superintendent, and Brian McDonald, JEO Consulting Group, Inc., discussed and reviewed construction plans for two Federal Emergency Management Agency (FEMA), bridge projects on February 10, 2020. The two bridge construction project bid lettings were advertised to open sealed bids on



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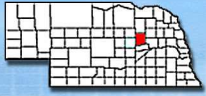
Monday, March 9, 2020. The two FEMA bridge repair projects are a result of the 2019 flood. The sealed bids received for the Cedar Rapids Northwest Bridge 6(00715) on 150th Avenue south of State Highway 52: JJK Construction, LLC of Ceresco, NE - \$469,073.75 and Theisen Construction, Inc. of Norfolk, NE - \$352,821.48. The St. Edward South Bridge 6(05015P) project, which connects to the City of St. Edward sewage lagoon: JJK Construction, LLC of Ceresco, NE - \$136,863.24 and Theisen Construction, Inc. of Norfolk, NE - \$98,494.60. Jeremy Kyncl, JJK Construction, was present to represent the company. There was no representative present for Theisen Construction. The Board, Highway Superintendent and McDonald reviewed and discussed the bids. Motion made by Temme, second by Rutten to accept and recommend approval of the Theisen Construction, Inc. of Norfolk, NE bids for the Cedar Rapids Northwest Bridge 6(00715) for \$352,821.48 and St. Edward South Bridge 6(05015P) for \$98,494.60, dependent upon full review of the construction cost bids by Brian McDonald, JEO Engineer. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The Board, County Highway Superintendent, and Brian McDonald, JEO Consulting Group, Inc., discussed several road/bridge issues/projects. Some of the following projects discussed with no final decisions made at this time:

- A bridge on Pilot Knob Road near Primrose. McDonald plans to prepare estimates for repair/replacement of bridge.
- A bridge south of St. Edward on 350th Street west of State Highway 39. McDonald informed the Board that right-of-way will need to be purchased to repair bridge.
- A bridge east of Raeville on 260th Avenue north of 120th Street. McDonald informed the Board that no right-of-way will need to be obtained to repair bridge.
- Culvert replacement on Ridge Road west of Albion. McDonald informed the Board that a temporary easement may be needed to use the adjoining property during repair of culvert.
- The asphalt paving (black top roads), McDonald informed the Board that Mid-State Construction will need to complete boring tests, before repair estimates are available.
- County Highway Superintendent informed the Board that Bridge Project #6(393), located at 150th Street east of 330th Avenue is ready for repair upon receiving signed document signature from the adjoining landowner(s).
- County Road Department cleaned out two tubes on 320th Avenue south of 350th Street that were tightly plugged with trees and debris.
- Commissioner Rutten plans to contact a county resident to remove the beaver doing depredation of dam building on the Bogus Creek two miles south of St. Edward on 357th Street.

The Nebraska State Statute Section 23 addresses checking accounts and petty cash funds. The county board shall have power to examine and settle all accounts against the county and all accounts concerning the receipts and expenditures of the county. It is the duty of the county treasurer to receive all money belonging to the county, from whatsoever source derived. The county board may adopt by resolution imprest system of accounting and petty cash funds. The Statute requires that all accounts and funds established outside the county treasurer be stated in the fiscal policy of the county board budget message.

Motion made by Temme, second by Rutten to approve Resolution No. 2020-05, Boone County Imprest Payroll Direct Deposit NOW Account with the depository bank being Cornerstone Bank of York, Nebraska, Albion Branch as submitted. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.



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Motion made by Temme, second by Rutten to approve Resolution No. 2020-06, Boone County Imprest Accounts Payable Vendor Checking NOW Account with the depository bank being Boone County Bank, a division of the Madison County Bank, Albion, Nebraska as submitted. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Rutten, second by Temme to approve Resolution No. 2020-07, authorizing a Petty Cash Fund for a Boone County Court Cash Drawer that reconciles daily to the \$50.00 and is used when needed to make change when receiving payments of fees/fines as submitted. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

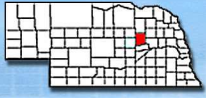
Motion made by Rutten, second by Temme to approve Resolution No. 2020-08, authorizing a Petty Cash Fund for a Boone County Clerk Cash Drawer that reconciles daily to the \$25.00 and is used when needed to make change when receiving payments of fees/copies as submitted. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Boone County full time employees have the option to participate in a NACO Benefit Services VSP Vision Plan at the expense of the employee. The vision plan agreement with National Insurance Services is due for renewal July 1, 2020. The Board reviewed the vision plan, the enhancements and slight increase to the monthly rates. The enhancements are that frames will be available every twelve months and they increased the frame allowance. Motion made by Rutten, second by Temme to approve and authorize the Board Vice Chairman to sign the NACO Benefit Services VSP Vision Block Participation Agreement for July 1, 2020 through June 30, 2023 with the frame enhancements and monthly rates at the employees expense of: Employee Only - \$8.51; Employee + Spouse - \$17.09; Employee + Child(ren) - \$21.00; and Employee + Family - \$28.17 as submitted. Roll call Vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Boone County Ambulance Service submitted seven uncollectible ambulance accounts for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison and the Quick Med Claims account manager is for the County to write-off \$12,987.00 for the seven 2018 Ambulance services from the EMS Billing Services/Quick Med Claims accounts for purposes of bookkeeping and county audit. Motion made by Rutten, second by Temme to approve write-off of the following uncollectible ambulance service accounts either denied by Medicare or NE Total Care and the patient cannot be personally billed for the services: January 31, 2018 - \$2,160.00; February 24, 2018 - \$1,195.00; March 7, 2018 - \$2,340.00; March 15, 2018 - \$1,437.00; March 30, 2018 - \$1,180.00; April 29, 2018 - \$2,320.00; and May 11, 2018 - \$2,355.00 as submitted. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

Randall Bruland, County Ambulance Administrator, and the Board discussed the defibrillator that was purchased in 2003 and is used in the 2016 County Ambulance unit. Bruland received information that the 2003 M Series defibrillators will no longer be supported by FDA or have parts available for repairs after February 2021. The Board approved the purchase of a new 2020 County Ambulance unit on February 26, 2020. The expected delivery of the new ambulance unit is between September and November 2020.

The Board and Bruland reviewed a quote from Zoll Medical Corporation for a new X-Series Manual Monitor/Defibrillator and accessories for \$31,429.48. Bruland informed the Board that the Zoll X-Series Defibrillator will be supported by FDA. Bruland informed the Board that expected delivery date of a new defibrillator is two to four weeks. The Board felt that there is time to pursue a possible grant or other resources



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to help with funding of a new defibrillator for the new ambulance unit. Motion made by Temme, second by Rutten to table ordering a new defibrillator at this time to allow time to pursue a grant or outside funding to help pay for a new defibrillator. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The Board and Randall Bruland, County Ambulance Administrator, received an onsite ambulance unit demonstration from Jeff Horn, Danko Emergency Equipment Co.

Public Comments:

- Meetings: BCDA, Inc. – March 10, 2020; Boone County Trails System Committee – March 10, 2020; Boone County Agricultural Society, Inc. – March 16, 2020; Northeast Nebraska Area Agency on Aging – March 19, 2020; Northeast Nebraska Association of County Officials – March 20, 2020.
- Rod Nelson, Maintenance, updated the Board in regard to available NIRMA training courses for employees and possible issues with the generator located at the Law Enforcement/Sheriff's office building.

Vice Chairman Temme declared the meeting adjourned at 12:51 P.M., with the next Board meeting scheduled for Monday, March 16, 2020.

Kathy Thorberg,
Boone County Clerk