



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS MARCH 16, 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 16, 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 Ben Rutten and Larry Temme. 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.

Motion made by Rutten, second by Temme to approve the County Board Proceedings of March 9, 2020 as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

On February 26, 2020 the Board approved to request the Nebraska Auditor of Public Accounts to send the Boone County Board a contract to consider for the fiscal year ending June 30, 2020 audit. The Board received a letter to review that summarizes the scope of the audit services and the fee for services. Motion made by Temme, second by Rutten to approve a one year auditing services agreement with the State of Nebraska, Auditor of Public Accounts for an approximate cost not to exceed \$15,000.00 for auditing of the Boone County Financial Statements for the fiscal year ending June 30, 2020. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Tanya Sharp, Boone County Health Center President/Chief Executive Officer, and Rita Liss, Boone County Health Center Chief Financial Officer, presented the Boone County Health Center audit report for year ending September 30, 2019 to the Board for their review. Sharp reviewed areas of the financial audit in regard to the statements of net position, revenue, expenses, cash flow and statistical highlights with the Board. The audit report shows composition of patient receivables to consist of the following: Medicare – 34%; Medicaid – 8%; Self Pay – 18%; and Other Third-party pay – 40%. Sharp noted that revenue from the Medicare and Medicaid programs accounted for approximately 49% and 4%, respectively, of the Health Center's net patient revenue for the year ended September 30, 2019. Liss reviewed areas of the history graph reports in regard to cash on hand, outpatient revenue, long-term debt, etc. The Boone County Health Center Clinics are located in Albion, Elgin, Fullerton, Newman Grove and Spalding. A copy of the Boone County Health Center fiscal year audit of October 1, 2018 through September 30, 2019 is on file at the Boone County Clerk's office.

In addition, Sharp updated the Board in regard to the Boone County Health Center new addition. An environmental study of the former swimming pool property needs to be completed and meet the Nebraska Game and Parks Commission requirements. The completion of the sale of the former swimming pool property and issuance of a building permit to the Boone County Health Center for the new building project is pending. Sharp asked the Board to sign an Application for Vacation document in order for the Boone County Health Center to request vacation of Fuller Street between Seventh (7) and Eighth (8) Streets, Albion, Nebraska from the City of Albion. When the new building project was first discussed the County had title ownership of the real estate. The County transferred ownership of the real estate to the Boone County Health Center in October 2019.

A resident/landowner was reviewing the real estate records in the Boone County Register of Deeds office on February 21, 2020 with regard to the alleys platted for record in Raeville, Nebraska. The County Clerk's office was informed that a petition had been circulated several years ago to vacate all of the alleys in Raeville. The real estate records in the Register of Deeds office and Assessor's office do not show the alleys in question as



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being vacated, but still open. In researching the Commissioners Proceedings, it was found that in March 1998, the vacating of the alleys in Raeville was addressed at the Board of Commissioners meetings held on March 2nd, 23rd and 30th, 1998. Further review indicated that there was reference made to a resolution, however, no resolution has been found to be filed for record. The adjoining record landowners to an alley platted within Raeville, Nebraska were notified that the Boone County Board of Commissioners plan to review the prior documentation of record on Monday, March 16, 2020. The notice is to make the current landowners aware that upon the filing of an adopted resolution to vacate the alleys, the alleys will become taxable real estate to the adjacent landowner. JoAnn Mattner, real estate owner in Raeville, was present for the Board meeting.

Motion made by Temme, second by Rutten to adopt and approve Resolution No. 2020-09, supersedes the unrecorded Resolution No. 98-17, that all of the alleys platted in Blocks 1, 2, 3, 4, 5, and 6, Village of Raeville, Boone County, Nebraska, shall be and hereby are officially vacated by the County of Boone, State of Nebraska, with all right-of-way rights to be relinquished and shall revert to private ownership to the owner(s) of the adjacent real estate, one-half on each side thereof, subject however, with the understanding that all utilities that may be affected by this vacation continue to have full access to their property and no permanent structures are permitted in the alleys that have any power poles, in accordance with the March 1998 board proceedings. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The Board received two proposals for the advertised Courthouse Lawn Care for 2020. The Board opened and reviewed the two sealed proposals. The Board, Rod Nelson, Maintenance, and Jim Jarecki DBA Jarecki Lawncare & Greenhouse, LLC discussed the 4-Step program and spraying of the entire lawn to control Yellow Nutsedge. The 4-Step program with fertilizer, weed control, grub control, insecticide, iron and Yellow Nutsedge control proposals were received from Jarecki Lawncare & Greenhouse, LLC - \$1,241.09 and Schrad's KLawm - \$1,180.00. The Board noted that the last several years the lawn care services have been alternated between the two businesses due to the businesses both being located in Boone County and do a good job. Motion made by Rutten, second by Temme to approve the 2020 lawn care proposal for the courthouse lawn care from Jarecki Lawncare & Greenhouse, LLC for \$1,241.09 for the 2020 year as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

In addition, Jim Jarecki DBA Jarecki Lawncare & Greenhouse, LLC submitted a bid for aerification and thatching of the courthouse lawn for 2020. Motion made by Rutten, second by Temme to approve the 2020 bid for Aerification - \$270.00 and Thatching – estimated cost \$340.00 from Jarecki Lawncare & Greenhouse, LLC for the 2020 year as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The County Highway Superintendent prepared a Non-Exclusive Contract For Services for each of the interested truckers to back-haul aggregate for the County. No contracts were received for approval by the Board at the March 16, 2020 Board meeting.

Mary Ziemba, County Zoning Administrator, discussed zoning services with the Board in regard to the Interlocal Agreement with the City of St. Edward. Ziemba informed the Board that the City of St. Edward has formed their own Planning/Zoning Board for the City of St. Edward and that the St. Edward City Council voted not to utilize the Boone County Planning Commission.

The Interlocal Agreement/County Resolution No. 2019-07 and the City of St. Edward Resolution No. 2019-04-01R is written the same as the Cedar Rapids and Petersburg Zoning Interlocal Agreements. Ziemba informed the Board that the County should not have to compensate any expenses incurred for supplies, newspaper publications, advertising or any necessities for meeting preparations. Ziemba views the St. Edward Planning/Zoning Board as a separate entity. The present Interlocal Agreement states "Either political



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subdivision may terminate this agreement with 90 days written notice to the other political subdivision.” Ziemba and the Board discussed allowing the St. Edward City Council the opportunity to make the decision of retaining the Boone County Zoning Administrator as the City of St. Edward Zoning Administrator and the standard set by the Boone County Commissioners relating to the St. Edward Planning/Zoning Board or the City of St. Edward, once again, may assume the City of St. Edward zoning responsibilities. Motion made by Temme, second by Rutten to send a letter from the Boone County Board of Commissioners to the St. Edward City Council, hereby giving a ninety day notice terminating the current Interlocal Agreement between the County of Boone and City of St. Edward, with an effective termination date of June 30, 2020. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Commissioner Ben Rutten, Chairman of the Boone County Safety Committee, opened the safety meeting at 10:30 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Ben Rutten and Larry Temme; Rod Nelson, Courthouse Maintenance; Denny Johnson, Sheriff; Jacqueline Wells, Veteran Service Officer; and Kathy Thorberg, County Clerk. Also in attendance were Lisa Langan, County Court Magistrate and Steve Pritchard, UNL Extension. Rod Nelson, Courthouse Safety Coordinator presented the old and new business. Old business that was addressed/reviewed: (1) The group present continued the review from the February 18, 2020 meeting of the NIRMA Model Safety Manual; (2) Nelson ordered first aid kits and fire extinguishers to be placed in County vehicles; and (3) Nelson presented dates available in May from NIRMA personnel in regard to Fire Extinguisher, Violence and Harassment training to be offered for employees. New business that was addressed/reviewed: (1) Plan to offer the NIRMA training courses each year in May for employees, Nelson will work with NIRMA to set the training dates for May 2020; (2) Changes, additions, deletions to the NIRMA Model Safety Manual discussed will be reflected in the County safety manual document for continued review with County Highway Superintendent on March 25, 2020; (3) Discussed preparedness for the COVID-19 (Coronavirus) outbreak; (4) Need to prepare a letter to communicate to employees information received from NIRMA and NACO in regard to COVID-19; and (5) Publish in the County newspapers a Notice of Policy in the event the Boone County Courthouse must be closed due to COVID-19. Motion made by Rutten, second by Temme to continue the discussion and review of the NIRMA Model Safety Manual in order to create a County Safety Manual on March 25, 2020, prepare an informational letter for employees and publish a Notice of Policy in the County newspapers in regard to COVID-19. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried. The Safety Committee meeting was adjourned by Ben Rutten, Chairman of the Boone County Safety Committee at 11:32 A.M.

Motion made by Temme, second by Rutten to go into executive session at 11:43 A.M., per the Open Meeting Act §84-1410, prevention of needless injury to the reputation of a person and if such person has not requested a public meeting. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried. The Board reviewed an employee assistance request. Motion made by Temme, second by Rutten to come out of the executive session at 11:54 A.M. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried. Motion made by Temme, second by Rutten to approve the employee request. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – March 16, 2020; Northeast Nebraska Area Agency on Aging – March 19, 2020.



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- Northeast Nebraska Association of County Officials meeting scheduled for March 20, 2020 has been cancelled due to COVID-19 (Coronavirus).
- Commissioner Temme updated the Board regarding the BCDA, Inc. meeting.
- Commissioner Rutten updated the Board regarding a Village of Primrose economic planning meeting.
- Rod Nelson, Maintenance, updated the Board in regard to the WINCO generator that is located at the County Law Enforcement/Sheriff building for emergency operation of the 911 system. Nelson informed the Board that the County may want to start setting aside funds for a new generator.

Vice Chairman Temme declared the meeting adjourned at 12:20 P.M., with the next Board meeting scheduled for Wednesday, March 25, 2020.

Kathy Thorberg,
Boone County Clerk