

# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS APRIL 13, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 13, 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 joined the meeting by teleconference call/video conference at 9:10 A.M. The State of Nebraska, Office of the Governor, issued Executive Order Number 20-03 Coronavirus Public Meetings Requirement Limited Waiver, shall apply to all public governing body meetings that occur March 17, 2020 through May 31, 2020. 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 Temme, second by Rutten to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$88,293.61; Road/Weed - \$179,286.93; Boone County Visitor's Promotion - \$1,283.99; Inheritance Tax (2700) - \$54,509.88; 911 Emergency Management (2910) - \$155.01; 911 Wireless Service (2913) - \$490.86; 911 Wireless Service Holding (2914) - \$14,476.00; Fair Building (4025) - \$175,784.28; Ambulance - \$2,153.14. Roll call vote: Yeas: Temme and Rutten. Nays: None. Abstain: Rasmussen. Motion carried.

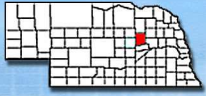
Motion made by Rasmussen, second by Rutten to approve an Accounts Payable Vendor Claim filed for payment on the General fund for Vendor ID No. 1399 in the amount of \$71.62, a non-exclusive open contract for purchases for the county. Roll call vote: Yeas: Rasmussen and Rutten. Nays: None. Abstain: Temme. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of March 25, 2020 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Abstain: Rasmussen. Motion carried.

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

- Clerk - \$16,872.00 (State of Nebraska \$10,237.79)(County of Boone \$6,634.21)
- Clerk of the District Court - \$1,790.86 (State of Nebraska \$737.00)(County of Boone \$1,053.86)
- Sheriff - \$1,257.18
- Planning & Zoning - \$150.00
- Treasurer - Miscellaneous Receipt Nos. 17695-17801 - \$1,395,553.78
- Treasurer - Total Collections - \$3,436,282.98

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



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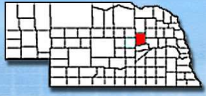
The Board received Payment Application No. 16 from Rathman Manning Construction for the fairgrounds building. The payment request is for a portion of the tiling, acoustical ceilings, painting, plumbing, fire system, electrical system and HVAC system. Motion made by Temme, second by Rasmussen to approve payment number sixteen for \$175,784.28 from Rathman Manning Construction as submitted. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

All County Officials and Department Heads must contact the County Board, as an agenda item, before buying, leasing or doing any major maintenance to equipment or furniture over \$800.00, per the January 2020 Board Reorganizational Meeting Proceedings. Steve Pritchard, UNL Extension, discussed by teleconference call the office claim filed for the purchase/lease of a new laptop computer with the Board. Pritchard informed the Board that the UNL Extension office replaces computer equipment approximately every four years and that the equipment being re-placed is either returned to UNL or used with youth interns/youth programs. The request is for replacement of the 2017 equipment used by the Extension office administrative assistant personnel. Pritchard said that the present computer equipment is having issues. The requested leased bundle includes: Windows 15-inch laptop, dual monitor option, Microsoft office and a setup, maintenance and disposal fee. Pritchard informed the Board that the lease amount of \$1,200.00 is a one-time computer inclusive amount that includes IT Support and any future software or hardware maintenance. Motion made by Rutten, second by Temme to approve a leased computer system bundle through the UNL Extension Commodity Technology Program for a new Windows 15-inch laptop with accessories; UNL Extension owns the equipment; the total invoice with 5% administrative fee minus the UNL \$700.00 cost share; and the County pays the leased share of \$1,200.00. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: none. Motion carried.

Denny Johnson, County Sheriff, and Laurie Krohn, County Treasurer, submitted a Distress Warrant Report with regard to the 2018 personal property taxes. The distress warrants that were issued in November 2019, were all collected by the County Sheriff's office and returned back to the County Treasurer's office on March 27, 2020. The total collected on twelve distress warrants without penalties was \$8,198.60. There are no distress warrants unpaid as of March 27, 2020. Motion made by Temme, second by Rutten to accept and approve the County Sheriff and Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Due to the Coronavirus (COVID-19) and the locking of the courthouse doors on March 23, 2020 the Board discussed the issue to continue allowing or to disallow a driver examiner and their customers in the Boone County Courthouse. Motion made by Rutten, second by Rasmussen to not allow the driver examiner and their customers in the Boone County Courthouse until the Governor lifts the executive order in regard to distancing and the Coronavirus pandemic. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

Jerry Hagemann, representative for Veterans of Foreign Wars Post #736, Albion, is completing documents to request a Vietnam-era tank to be displayed in Boone County. Hagemann discussed the request and procedure with Commissioner Temme. Temme updated the Board in regard to the Veterans of Foreign Wars Post #736, Albion request to display a Vietnam-era tank on County owned property by the Boone County Fairgrounds entrance signage. The application document for the combat material requires land owner approval from the entity where the combat material will be displayed. The Board discussed that if the Veterans of Foreign Wars Post #736, Albion receives the tank for display, that they should probably consider erecting a fence around the tank for security and safety reasons. Motion made by Rasmussen, second by Rutten to approve allowing the placement of a Vietnam-era tank to be placed by the entrance signage on the County owned property known as the Boone County Fairgrounds by the Veterans of Foreign Wars Post #736, Albion as requested. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.



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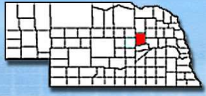
Donald F. Seier, Co-Trustee, requested permission to bore an electrical cable under a county road commonly known as 240<sup>th</sup> Avenue running north and south between Sections 28 and 29, all in Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The electrical cable commences from a utility pole located in the county road right-of-way of the NW1/4 of Section 28; running thence West to a new grain bin to be located in the NE1/4 of Section 29, all in Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Temme, second by Rutten to approve Resolution No. 2020-11, granting permission to Donald F. Seier to bore an electrical cable under a county road known as 240<sup>th</sup> Avenue to the NE1/4 of Section 29, Township 22 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, for a new grain bin. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

On September 9, 2019 the Board approved a resolution authorizing the issuance of Limited Tax County Road Bonds, Series 2019, (Highway Allocation Fund Pledge Bonds) of the County of Boone, Nebraska in aggregate principal amount of, not to exceed \$5,000,000.00 to construct and re-construct certain road improvements. The road improvements include road surfaces, subgrades, bridges and other related components within the County related to the extreme adverse weather and flooding experienced since March 2019. The first interest payment of the bonds is payable in June 2020. Motion made by Rasmussen, second by Temme to approve Resolution No. 2020-12, hereby authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$70,000.00 from the Road Fund (0200) to the Highway Allocation Bond Repay Fund (3700). Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

Each county is to annually develop, adopt, and maintain as a public record its One and Six Year Road Improvement Program, a plan for specific road improvements for the current year. Motion made by Temme, second by Rutten to approve Resolution No. 2020-13, to set a public hearing for 10:00 A.M. on Monday, May 11, 2020 for the County One and Six Year Road Improvement Program. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent submitted a Basic Customer Support Agreement with NMC CAT for the 2020 CAT Motor Grader Serial #N9500336 for the Board to review. The service kits included in the Agreement are engine oil changes, filters for engine oil/fuel and the fluid sampling. The hours are monitored on the motor grader in order for the oil and filter changes be completed and tested in a timely manner. The Customer Support Agreement kit arrives at 250 hour intervals per service cost of \$382.88. The two year service total is approximately \$3,063.00. Motion made by Rutten, second by Rasmussen to approve and authorize the Board Vice Chairman to sign the NMC CAT Basic Customer Support Agreement quote number 040320090842 for \$382.88 per service kit at 250 hour intervals for the 2020 CAT Motor Grader Serial #N9500336 as presented. Roll call vote: Yeas: Rutten, Rasmussen and Temme. Nays: None. Motion carried.

As part of the East Central PET & Interoperable Communications Region, the East Central 911 Service Providers in this region recognized the extreme importance of organizing and entering into Interlocal Agreements, thus creating the East Central Equipment Consolidation Project in 2012. This group purchased and are sharing 911 equipment. The County of Boone, Nebraska is a member of the East Central PET & Interoperable Communications Region. The secondary representative appointed in 2017 is no longer an employee of the County. Motion made by Temme, second by Rutten to appoint Denny Johnson, Boone County Sheriff, as the primary representative and John Buck, Boone County Chief Deputy Sheriff, as the secondary representative, to the EC-911 Consolidation Project, which is part of the East Central PET & Interoperable Communications Region, effective April 13, 2020. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.



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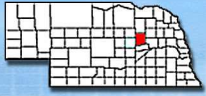
Jack Nordeen, County Weed Superintendent/Signage Technician, discussed his insurance and benefits concerns with the Board. Nordeen inquired if changes were made to the County NACO/BCBS insurance coverage plan. Nordeen said that his doctor has ordered a certain medical test that was denied by the insurance company. Nordeen said that he personally visited with the insurance company and once again he is advocating for the County to employ a separate individual as HR in order for the HR person to discuss his situation with the insurance company. Following a telephone call to NACO/BCBS personnel Nordeen was informed that neither NACO/BCBS nor a County HR individual cannot discuss your medical situation or interfere with medical decisions with your doctor/insurance and if they could it would not change the outcome of the doctor/insurance decision due to HIPPA protection. Either the insurance company decided it was not a necessary exam/procedure or possibly the medical personnel needs to re-code the doctor's request. Commissioner Temme plans to contact NACO/BCBS personnel for clarification and will relay information to Nordeen.

In addition, Jack Nordeen, County Weed Superintendent/Signage Technician and Steve Rasmussen, Road District #2 employee, discussed with the Board recent information received in regard to the Coronavirus (COVID-19) Families First Coronavirus Response Act (FFCRA), Emergency Paid Sick Leave Act (EPSLA) and Emergency Family and Medical Leave Expansion Act (EFMLEA). The first four (1-4) qualifying reasons for leave related to COVID-19, the individual(s) are quarantined for fourteen (14) days, which is described as not leaving your home. Rasmussen suggested possible changes for the County Road Department employees and shop buildings in order to more effectively limit the chance of Coronavirus infection. The County Clerk's office has ordered the time clock cards for employees to use verses the finger print; keep the shop building doors locked to coincide with the courthouse locked doors; and have freight shipments dropped off outside the door and an employee takes it into the shop later.

Barb Hanson, County Assessor and the Board discussed re-appraisal projects for the fiscal year 2020-2021. Hanson said that the current 2019-2020 re-appraisal project of residential property in the City of St. Edward and Village of Petersburg is almost completed. A re-appraisal fly-over (aerial photos) project of the rural area has been postponed the past several years and needs to be completed. Hanson estimated a rural aerial photo re-appraisal project to be approximately \$25,000.00. Hanson informed the Board that a re-appraisal of the rural parcels needs to be completed, but may be delayed a year. A re-appraisal estimate for all rural parcels is approximately \$140,000.00-\$160,000.00. The consensus of the Board to complete the re-appraisal fly-over (aerial photos) project and delay the re-appraisal of the rural parcels for a year.

John Morgan, County Attorney, met with the Board in regard to a personnel matter. Morgan informed the Board that in his opinion the employee situation and employee information should have been handled by the respective elected official and not by a non-respective department head/elected official. With the opinion of the County Attorney and a written statement from the respective elected official, the consensus of the Board is to restore the five days of benefits/pay to said employee. The Board apologized to the employee and respective elected official for any inconvenience and misunderstanding from all involved with the action that was addressed with the respective employee.

The Board met with the county elected officials: Assessor, Attorney, Clerk, Treasurer and Sheriff to discuss any issues. The Board reviewed request forms, policy, etc. in regard to the Coronavirus (COVID-19) Families First Coronavirus Response Act (FFCRA). The elected officials received a set of the information/forms to share with their respective employees. Motion made by Temme, second by Rutten to approve a policy through the forms: Request for EFMLA, Request for Leave of Absence, Notice of Eligibility and Rights & Responsibilities, and Designation Notice. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.



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The Board met with the county department heads: Highway Superintendent, Maintenance, and Veteran Officer to discuss any issues. In addition, UNL Extension was on teleconference call/video conference. In addition, Janice Rasmussen of Albion was on teleconference call. The Board reviewed request forms, policy, etc. in regard to the Coronavirus (COVID-19) Families First Coronavirus Response Act (FFCRA).

The department heads received a set of the information/forms to share with their respective employees. Janice Rasmussen suggested that during a teleconference call that the individual speaking state their name. The elected officials and department heads meetings were separate in order to comply with the Chief Public Health Officer issued Directed Health Measure Order on April 4, 2020 concerning COVID-19 of no more than ten patrons present and a minimum of social distance of six feet.

In addition, the following was discussed for all county employees:

- Wash your hands often or clean your hands with alcohol-based hand sanitizer.
- Clean all touched surfaces every day before use and after use (ex: doorknobs, phones, counters, fixtures, vehicle steering devices, etc.)
- Cover coughs and sneezes with a tissue or your clothing and wash/sanitize hand immediately.
- Practice the social distancing.
- To make employees aware, a possible future option for the County is a reduction in force from any department.
- A letter to be sent by email to and for the elected officials and department heads to inform county employees to not leave their vehicle parked in the Courthouse West parking lot during their work hours. An employee with handicap plates or visible permits may utilize the parking on the North side of the Courthouse West entrance doors. The Drop Box that is for public use is being blocked or hard to access when the parking lot is filled with employee vehicles.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – April 20, 2020.
- Commissioner Rutten asked John Morgan, County Attorney, to look into the road between Boone and Greeley Counties in regard to the diversion of the creek into the Boone County road ditch.
- Stacey Ziemba, Highway Superintendent, updated the Board on road department activity, maintenance projects and stock piling of aggregate.
- Rod Nelson, Maintenance, asked the Board that his cell phone number be posted on the courthouse outside doors in order for deliveries to have a contact number during the locked door until the pandemic is lifted.
- Jacqueline Wells, Veteran Service Officer, updated the Board regarding office activity and cancellation of annual meetings/training.
- Commissioner Temme updated the Board on the progress of the new fairgrounds building.
- The Board acknowledged receiving a letter from the Nebraska Commission on Law Enforcement and Criminal Justice that determined the Boone County Jail facility to be in full compliance.

Vice Chairman Temme declared the meeting adjourned at 1:15 P.M., with the next Board meeting scheduled for Monday, April 20, 2020.

Kathy Thorberg,  
Boone County Clerk