



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
JUNE 15, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, June 15, 2020 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Rasmussen called the meeting to order and Commissioners present for roll call were Alan Rasmussen, Ben Rutten and Larry Temme. The State of Nebraska, Office of the Governor, issued Executive Order Number 20-03 Coronavirus Public Meetings Requirement Limited Waiver, which was scheduled to end on May 31, 2020. Governor Pete Ricketts, issued Executive Order No. 20-24, continued limited waiver of certain requirements of the Nebraska Open Meetings Act to remain in effect through June 30, 2020. The Executive Order allows governing bodies (Board of Commissioners) to meet by videoconference or by telephone conference. 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.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of June 8, 2020 as presented. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Temme to approve the Boone County Board of Equalization Proceedings of June 8, 2020 as presented. Roll call vote: Yeas: Rasmussen, Temme and Rutten. Nays: None. Motion carried.

As provided by State Statute, Section 23-1302, the County Clerk shall certify to the County Treasurer as of June 15 and December 15 each year the total amount of unpaid claims of the county. Motion made by Rutten, second by Temme to approve and accept the Certification from the County Clerk to the County Treasurer as presented. Roll call vote: Yeas: Rutten, Temme and Rasmussen. Nays: None. Motion carried.

On October 21, 2019 the Board approved and authorized the Boone County Treasurer to set up a separate bank account for the Limited Tax County Road Bonds, Series 2019 (Highway Allocation Fund Pledge Bonds) and that the interest from the bond account be identified/transferred to the General Fund. The said bond proceeds are for road/bridge infrastructure repair due to the adverse weather conditions of 2019. The Boone County Treasurer is requesting authorization from the Boone County Board of Commissioners to close said separate bank account due to the bond funds have been disbursed to the Road Fund (0200) and the interest to the General Fund (0100). Motion made by Temme, second by Rutten to approve and authorize the Boone County Treasurer to close the separate bank account that was previously set up to receive the Limited Tax County Road Bonds, Series 2019 (Highway Allocation Fund Pledge Bonds). Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

The Board and Stacey Ziemba, Boone County Highway Superintendent, met with Dave and Lisa Skillstad to discuss options regarding an access road to real estate located south of Fairview Street and east of 2<sup>nd</sup> Street. Skillstad's plan to construct a residential home on the property located south of Fairview Street that is undeveloped and currently not annexed into city limits, but is adjacent to property that is annexed into city limits. Skillstad's are inquiring which entity, the City of Albion or the County of Boone, they are to obtain an access road to said property from. Skillstad's would like to enter said property from the south off of an access road that runs on the south side of the property, known as Fuller Street to area residents.



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The City of Albion informed Skillstad's that Fuller Street is not a dedicated city street beyond the corner of 2<sup>nd</sup> and Fuller Street to the east. Lorrie Nicklasson, Deputy County Clerk, prepared maps with the real estate information in accordance with the Register of Deed records and reviewed the information with Skillstad's and Ziemba. The review of the real estate records indicate that land dedicated for roads vary in width. Ziemba noted that Nebraska Department of Transportation (NDOT) has standards for a remote residential road classification that could be used for said access road. The standards for a remote residential road classification shall allow for one-lane traffic where sight distance is adequate to warn motorists of oncoming traffic and appropriate signage to adequately warn members of the public that they are traveling on a one-lane road. Ziemba plans to contact the State of Nebraska, Department of Transportation and JEO Consulting Group, Inc. (Engineer) to clarify if the remote residential road classification may be used to allow an access road to said property.

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 updated the Board in regard to Public Defender assigned cases: 2018 – 47 cases with 44 closed, 2 conflicts and 1 open; 2019 – 38 cases with 32 closed, 1 conflict and 5 open; and 2020 to date – 19 cases with 6 closed, 1 conflict and 12 open. 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/has 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 Fund 2913 "911 Wireless Service Fund" was established by the Nebraska Auditor of Public Accounts and receives the Nebraska Public Service Commission funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 services. The percentage of the set aside funds left in Fund 2913 is to be transferred either to the Fund 2914 "911 Wireless Service Holding Fund" for the funds set aside for future equipment and software purchases or to the Fund 0100 "General Fund" for the funding of salaries for 911 dispatching services before the close of the fiscal year end June 30<sup>th</sup> each year. Motion made by Temme, second by Rasmussen to approve Resolution No. 2020-18, authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$64,588.42 from the 911 Wireless Service Fund (2913) to the payroll General Fund (0100) as presented. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.

Hilary Maricle, UNL Engagement Zone 6 Coordinator, presented a Lease Agreement drafted by UNL Real Estate office to the Board for their review on May 27, 2020. A Lease Agreement document would be between County of Boone and the UNL Board of Regents. An agreement would be for the UNL Engagement Zone 6 Coordinator to rent/occupy office space in the new fairgrounds building, to be known as Boone County Agricultural Education Center. The Board made some suggestions on May 27, 2020 that they would like changed to the Lease Agreement drafted document. The majority of the suggested changes were made to the agreement. There were three suggested changes that were not reflected in the new revised document. Maricle informed the Board that she has not received any correspondence from UNL in regard to the three changes that were not reflected in the revised document and has not received any correspondence from the County Attorney's review of the agreement. The Lease Agreement will be further discussed at a future Board meeting.



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In addition, the Board would like to discuss revisions to the 1997 Interlocal Agreement for the provisions of Cooperative Extension Services with UNL, due to the UNL Extension office moving from the courthouse to the new fairgrounds building this month of June. The 1997 agreement has not been updated or revised in the past twenty years in regard to the UNL Extension services. The Board would like to address both the 1997 Interlocal Agreement for revisions and the new Lease Agreement with UNL Board of Regents at the same time.

## Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – June 15, 2020; Northeast Nebraska Area Agency on Aging – June 18, 2020; Boone County Health Center – June 23, 2020.
- Rod Nelson, Maintenance, updated the Board in regard to information for automatic door openers for the courthouse north doors and pest bird control for the courthouse clock tower.
- Lisa Langan, County Court, informed the Board of the deterioration of the courtroom TV, microphone and sound system. Langan will obtain quotes for replacement.
- Steve Pritchard, UNL Extension, updated the Board on the Extension office move to the new building at the fairgrounds.

Chairman Rasmussen declared the meeting adjourned at 11:50 A.M., with the next Board meeting scheduled for Wednesday, June 24, 2020.

Kathy Thorberg,  
Boone County Clerk