



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 25, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, November 25, 2020 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Temme called the meeting to order and Commissioners present for roll call were Larry Temme and Ben Rutten. Notice of the meeting was given in advance by publication in the Albion News, Petersburg Press and St. Edward Advance on November 18, 2020 and the convened meeting was open to the public.

The agenda was posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Friday, November 20, 2020. Chairman Temme acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The Board reviewed the County Payroll Claims filed for the pay period of October 22, 2020 through November 21, 2020. The Board noted/questioned several hours of overtime for the pay period. Motion made by Rutten, second by Temme to approve the County Payroll Claims filed for payment from the various funds: General \$94,478.95, BCBS \$47,416.49, Ameritas Ret \$6,581.76, EFTPS \$7,028.64, LTD Premiums \$2.27, Section 125 Fees \$10.00, Wellness Program \$96.00; Road \$58,644.60, BCBS \$27,715.24, Ameritas Ret \$3,958.52, EFTPS \$4,423.88; Ambulance \$2,664.45, Ameritas Ret \$67.71, EFTPS \$203.84; and Public Defender Contract \$3,358.21. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of November 16, 2020 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

The Boone County Treasurer requested authorization from the Boone County Board of Commissioners to set up a separate bank account for the Limited Tax County Road Bonds, Series 2019 (Highway Allocation Fund Pledge Bonds) in October of 2019. The account received said bond proceeds as revenue for road/bridge infrastructure repair due to the adverse weather conditions of 2019. The first bond principal payment and second bond interest payment is due December 15, 2020. Motion made by Temme, second by Rutten to approve and authorize Laurie Krohn, County Treasurer, to pay the first bond principal amount of \$680,000.00 and second bond interest amount of \$43,143.75 for the Limited Tax County Road Bonds, Series 2019 prior to December 15, 2020. Roll call vote: Yeas: Temme and Rutten. 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 bond principal payment of \$680,000.00 and second bond interest payment of \$43,143.75 is due December 15, 2020 and the third bond interest payment of \$37,873.75 is due June 15, 2021. Motion made by Rutten, second by Temme to approve Resolution No. 2020-40, hereby authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$761,017.50 from the Road Fund (0200) to the Highway Allocation Bond Repay Fund (3700) as stated in said resolution. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.



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The Board adopted the 2018-2019 County Budget with a new fund known as the Fair Building Fund (4025) for the construction of a new building to be located on the County property known as the Boone County Fairgrounds. The revenue for said fund was received from the bond proceeds and the County Inheritance Tax Fund. The construction contractor received final payment in September 2020 and any initial funds left in the Fair Building Fund (4025) are to be transferred to the General Fund (0100) towards costs of fixtures for the new building that were paid from the General Fund (0100). Motion made by Temme, second by Rutten to approve Resolution No. 2020-41, hereby authorizing Laurie Krohn, Boone County Treasurer, to transfer the sum of \$7,931.08 from the Fair Building Fund (4025) to the County General Fund (0100) as stated in said resolution. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

The Board Proceedings of August 14, 2014 addressed a special fund that was established in the 1960's (Soldiers and Sailors Relief Fund) through donations for operating an office to provide for emergency needs of veterans, if there becomes a time that there is not a county office. A resolution in 2002 addresses an Attorney General's Opinion and Nebraska State Statutes. The said funds were deposited into a separate Special Prestige Value Interest Account in July 2003 that is now known as the Veteran's Aid Fund (1900). The Veteran's Aid Fund (1900) funds are to be used only on veterans in accordance with Nebraska State Statutes. The Veteran's Aid Fund (1900) will no longer need to receive a tax levy until the fiscal year that the fund account is lower than \$4,000.00. Motion made by Rutten, second by Temme to approve Resolution No. 2020-42 as stated herein and its contents supersedes and takes precedence over any and all prior resolutions, board proceedings and all written or unwritten versions of said initial Soldier and Sailor's Relief Fund/Veteran's Aid Fund (1900). Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

The Board reviewed the 2021 calendar to set dates for the 2021 Board meetings. The Board usually meets every Monday but the first Monday of the month and if the Monday is a holiday then Tuesday beginning at 9:00 A.M. The 22/21 payroll system requires the Board to change some of their meeting days from Monday to a different day for payroll approval. Motion made by Rutten, second by Temme to approve the following meeting dates for 2021 which are subject to change: January 7, 11, 19 and 27; February 8, 16 and 24; March 8, 15, 22 and 29; April 12, 19 and 26; May 10, 17 and 26; June 14, 21 and 28; July 12, 19 and 26; August 9, 16 and 26; September 13, 20 and 27; October 12, 18 and 27; November 8, 15 and 24; December 13, 20 and 28. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

Ed Knott, Applied Connective Technologies, LLC (Applied), updated the Board in regard to the Applied Communications Tower that is located on the County cropland south of the County Communications Tower. Applied has moved their equipment from their tower to the County Communications Tower. Knott informed the Board that Telebeep still has an antenna for an active pager service system on the Applied Communications Tower and that the County is still paying a monthly electrical fee on said tower. Telebeep had an Agreement for Antenna Space from 1995 with the County until the 260 foot Utility Tower with cement block transmitter building was sold to Applied Connective Technologies, LLC effective November 1, 2015. Telebeep previously paid a yearly rental rate for use of tower space to the County. The Agreement between the County and Telebeep was terminated December 31, 2015 when Telebeep decided not to relocate their antenna or pay a rental fee on the new County Communications Tower. Knott plans to visit with Telebeep in regard to removal of their equipment from the Applied tower in order for Applied to have the electrical power disconnected and remove the Applied tower from the County cropland. Knott plans to visit with the Telebeep subscribers to find out if there is any unforeseen impact by removing the tower and no longer having the Telebeep pager services. The Board feels that the County should no longer be paying an electrical bill for a tower that the County is not using. Knott plans to keep the Board informed on the tower issue.

The Board conducted an employment evaluation with Jacqueline Wells, County Veteran Service Officer.



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The Board discussed the removal of fence/trees and leveling/grading of the west side ditch/bank of the County owned fairgrounds/cropland property at several meetings. The clean-up of the old fence, trees and ditch starts at the area on the west side of the County property by the new installed mailbox/entrance to the new fairgrounds building, thence south to the end of the County cropland property. The Board feels there should be room to pile, burn and bury the trees and wire on the southwest corner of the cropland property without getting in the way of the walking trail. In addition, the Board plans to speak to the approved contractor on removal of the trees piled by the race track while they are also cleaning up the fairgrounds/cropland ditch cleaning project. The Board decided to obtain quotes from Bygland Dirt Contracting, Inc. and Seda Land Handling, LLC. The approximate quotes received: Bygland Dirt Contracting, Inc. - \$1,790.00 and Seda Land Handling, LLC - \$4,800.00. Motion made by Rutten, second by Temme to approve and accept the quote from Bygland Dirt Contracting, Inc. for approximately \$1,790.00 for the removal of fence/trees and level/grade the west side ditch/bank of the County owned fairgrounds/cropland property. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

The Board conducted an employment evaluation with Stacey Ziemba, County Highway Superintendent.

The County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance and projects. In addition, the following topics were discussed:

- County Highway Superintendent updated the Board on the recently purchased 2008 Ford F550 truck that is replacing the 2003 Ford County Road Sign truck.
- The County Road District #1 John Deere Motor Grader is in Grand Island for repair.
- County Highway Superintendent plans to bill the respective entity \$125.00 per hour when the County has to repair their damages to the County roads.
- Construction of the Bridge Project C-6(393), Petersburg East was started last week.
- JEO Consulting Group, Inc. completed an engineering study of the Pilot Knob Bridge that was damaged by the 2019 flood and the study has been sent to FEMA for their review.
- On June 29, 2020 the Board signed the Natural Resources Conservation Service of the U.S. Department of Agriculture's documents to stabilize and protect eroding banks for the 2019 flood damaged FEMA bridge project for the Cedar Rapids Northwest Bridge 6(600715). The County Highway Superintendent updated the Board of the recent submission of the stabilization project documents.

John Morgan, County Attorney, Stacey Ziemba, County Highway Superintendent, and the Board discussed the County Attorney response to the pending litigation, Kaufmann Farm, LLC v. County of Boone, Nebraska, concerning a road issue. Morgan and Ziemba are to coordinate a response to the plaintiff's legal counsel.

## Public Comments:

- The Nebraska Tax Equalization and Review Commission (TERC) hearing for Case No.19R 0270 has been re-scheduled for March 8, 2021 in Lincoln, Nebraska.
- Commissioner Temme updated the Board regarding the Boone County Agricultural Society, Inc. meeting.
- The County received and deposited \$500.00 into the County General Fund from the sale of the former small pet animal building that was removed from the Boone County Fairgrounds.

Chairman Temme declared the meeting adjourned at 11:40 A.M., with the next Board meeting scheduled for Monday, December 14, 2020.

Kathy Thorberg,  
Boone County Clerk