



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
DECEMBER 14, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 14, 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 Ben Rutten and Larry Temme. Notice of the meeting was given in advance by publication in the Albion News, Petersburg Press and St. Edward Advance on December 9, 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, December 11, 2020. Chairman Temme 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 go into executive session at 9:01 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. Motion carried. The Board reviewed an employee assistance request. Motion made by Temme, second by Rutten to come out of the executive session at 9:21 A.M. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried. Motion made by Rutten, second by Temme to approve the employee assistance request. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

The Board reviewed and discussed an Accounts Payable Vendor Claim filed for payment with Vendor ID No. 534 in the amount of \$180.00 for reimbursement of a continuing education and recertification credit class. Motion made by Rutten, second by Temme to table approving the continuing education and recertification credit class reimbursement request for Vendor ID No. 534 until the Board visits with and receives clarification from the department head. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to approve the Accounts Payable Vendor Claims filed for payment from the various funds, except for the change as stated above: General - \$44,645.36; Road/Weed - \$60,341.27; County Visitor's Promotion (0990) - \$472.00; Inheritance Tax (2700) - \$18,866.47; 911 Emergency Management (2910) - \$2,065.27; 911 Wireless Service (2913) - \$4,331.62; and Ambulance - \$1,978.74. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

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

- Clerk - \$6,730.75 (State of Nebraska \$3,505.35)(County of Boone \$3,225.40)
- Clerk of the District Court - \$963.27 (State of Nebraska \$462.00)(County of Boone \$501.27)
- Sheriff - \$1,231.14
- Planning and Zoning - \$221.25
- Treasurer - Miscellaneous Receipt Nos. 18239-18291 - \$345,333.77
- Treasurer - Total Collections - \$681,851.91

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 25, 2020 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.



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The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Boone County Home, Farm and Garden Show, Inc. requested assistance to advertise the Reason for the Season event that was held on December 3, 2020. Board discussion: the application was received on November 24, 2020 and the next Board meeting that the application could be reviewed was scheduled for December 14, 2020, therefore after the event date. Motion made by Temme, second by Rutten to approve the application requesting funding assistance for advertisement of the Boone County Home, Farm and Garden Show, Inc. Reason for the Season event from the Visitor's Promotion Fund as submitted. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

The Board in accordance with Nebraska Revised Statute §77-2318 approves the applications and authorizes the deposit of county funds in designated banks as County Depositories each year. Motion made by Rutten, second by Temme to approve as written Resolution No. 2020-43 to accept and approve the written applications of the following designated County Depositories of the County Funds for calendar year 2021: Boone County Bank, a division of Madison County Bank, Albion; Cedar Rapids State Bank, Cedar Rapids; Cornerstone Bank, York and Albion and St. Edward Branches; First Bank & Trust of Fullerton, St. Edward Branch; Great Plains State Bank, Petersburg; and Homestead Bank of Cozad, Albion Branch. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

Kathy Thorberg, County Clerk, presented the 2021-2025 Electronic Registration System (ERS II) Agreement. The Agreement is entered into by and between the Nebraska Department of Health and Human Services (NDHHS) of the State of Nebraska and Boone County Clerk of Albion, Nebraska. The Agreement concerns the utilization of the ERS II for completing electronic marriage data and transmitting such data to the NDHHS as required by Nebraska State Statute. Motion made by Temme, second by Rutten to approve and authorize the County Clerk to sign the ERS II Agreement for 2021-2025 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

The First Concord Benefits Group submitted the Section 125 Cafeteria Plan re-enrollment forms for the calendar year 2021 and Cafeteria Plan-IRC Section 125 key employees questionnaire/highly compensated employee forms for 2021. Motion made by Temme, second by Rutten to approve and authorize the Board Chairman to sign all necessary documents regarding the Section 125 Cafeteria Plan re-enrollment for 2021. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

Tanya Sharp, Boone County Health Center (BCHC) President and Chief Executive Officer, and the Board discussed the Telebeep antenna that is located on the current Applied Communications Tower, which is being used through a Telebeep active pager server system for approximately ten employees at the BCHC. Ed Knott, Applied Connective Technologies, LLC (Applied) and the Board discussed the Telebeep antenna on November 25, 2020. Applied has moved their equipment to the County Communications Tower. Telebeep decided not to relocate their antenna or pay a rental fee on the new County Communications Tower. The County is still paying a monthly electrical bill on the tower that is owned by Applied that has not been used by the County since October 2015. Applied plans to remove their tower that is located on the County cropland south of the new County Communications Tower. Sharp said that BCHC is paying a monthly fee to Telebeep for use of their pager system. Sharp plans to visit with the BCHC employees that use the Telebeep pager system and discuss with them use of an alternative communication and if there is any unforeseen impact if the pager system is discontinued. Tanya plans to let the County Clerk's office know when the electricity can be disconnected.

Fees set by Nebraska State Statute for each respective office are to be collected and deposited by the respective office according to state statute. Nebraska State Statute Chapter 84 allows custodians of public records to



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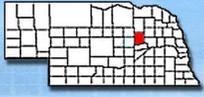
charge a fee for providing copies of public records and services that are not set by Nebraska State Statute. Nebraska State Statute Chapter 53 allows the County to impose occupation taxes on the business licensed under the Nebraska Liquor Control Act. It is the desire of the County to establish reasonable fees for occupation taxes on liquor licenses; road easements/signage; road materials; public service requests, etc. The fees collected that are not set by Nebraska State Statute are to be set in a resolution by the County Board. All fees set by Nebraska State Statute for each respective office are to be collected and deposited by the respective office according to statute. In addition, all fees collected that are not set by state statute are to be turned over to the Boone County Treasurer and the collected fees shall be credited to the respective fund. Motion made by Temme, second by Rutten to approve Resolution No. 2020-44, effective January 1, 2021 and shall void and take precedence over Resolution No. 2016-64 and any and all prior policies and agreements, written or verbal that pertained to official office fees not set by Nebraska State Statute. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

On February 26, 2020 the Board approved and signed the Proposal for Demers Ambulance and a Sales Contract for the purchase of a 2020 Demers MXP-170 Type 1 Ambulance installed on a Ford F-450 Chassis including graphics and power load from Danko Emergency Equipment Co. for \$238,420.00 with delivery in approximately seven to nine months. Due to the COVID-19 issues the new ambulance unit is now tentatively scheduled for delivery in January 2021. The Board had decided not to trade-in the 2016 County Ambulance unit. The Board decided to advertise the surplus property and accept sealed bids for the 2016 County Ambulance unit. Motion made by Rutten, second by Temme to advertise the weeks of December 21 and 28, 2020 in the Albion News to accept sealed bids for the 2016 Braun Industries County Ambulance unit until 4:00 P.M. on Friday, January 8, 2021 with sealed bid opening at 11:00 A.M. on Monday, January 11, 2021. Roll call vote: Yeas: Rutten and Temme. Nays: None. Motion carried.

Nathan Olson leases the County owned dryland crop ground acres located in a fractional part of the NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. A fence line running east and west that was in existence in 2018 divided the County cropland lease and the County fairgrounds lease. Nathan Olson is the lessee of the surveyed County cropland lease south of the fence line and Boone County Agricultural Association, Inc. is the lessee of the surveyed County property north of the fence line known as the fairgrounds. In 2019 the Board and Olson discussed amending the Lease Agreement due date and amount because of the top soil (dirt) that has been removed/disturbed from a hill on the County cropland, due to the construction of a new livestock building on the County property known as the County Fairgrounds. In addition, some cropland top soil had been moved/disturbed south of the hill in the cropland leased area. The lease amount due in 2019 was payed following harvest and the amount was based on the harvested crop acres. In addition, the 2020 payment to follow harvest and based on the harvested crop acres. Olson submitted documents regarding the 2020 soybean crop harvested on the County cropland for the Board to review. Motion made by Temme, second by Rutten to approve and accept the 2020 cropland lease payment based on 20 acres of harvested crop at \$230.00 per acre from Nathan Olson as submitted. Roll call vote: Yeas: Temme and Rutten. Nays: None. Motion carried.

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

- Updated the Board on the 2008 Ford F550 truck and the County Road District #1 John Deere Motor Grader repairs.
- A bridge on 130th Street and 320th Avenue has been closed until it can be repaired.
- Wallin Tree Service removed a large cottonwood tree on 110th Avenue.
- The Bridge Project C-6(393) Petersburg East box culvert construction is completed.



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- Cargill wants to install a 100 foot driveway and contacted the County for a driveway request. Cargill plans to build a staging area off the south side of the road, just west of Cornhusker Public Power.
- Discussed bridges that need repair and asphalt/paved roads in need of repair.
- 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. The NRCS estimated costs is \$228,917.00 and have until June 2021 to complete. The NRCS grant for federal funds is 75% and the county share 25%.

Public Comments:

- Meetings: Boone County Trails System – December 15, 2020; Northeast Nebraska Economic Development District Semi-Annual Council of Officials meeting via conference call – December 16, 2020.
- AFLAC representative plans to be at the County Courthouse on Tuesday, December 15, 2020 from 9:00 A.M. to 11:30 A.M. to answer any employee questions.
- Robert Reinhart informed the Board of road dust concerns on 250th Street northeast of Albion and north of State Highway #91. Reinhart informed the Board that he visited with the neighbors (that voiced their concerns in 2018) in the area to let them know that he was going to voice the road dust concerns to the Board of Commissioners today.

Chairman Temme declared the meeting adjourned at 1:11 P.M., with the next Board meeting scheduled for Monday, December 21, 2020.

Kathy Thorberg,
Boone County Clerk