

Boone County Board Minutes



2021 REORGANIZATIONAL MEETING BOONE COUNTY BOARD OF COMMISSIONERS ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska convened at 9:00 A.M. on Thursday, January 7, 2021, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Larry Temme, Chairman, called the Reorganizational Meeting to order as required by Nebraska State Statute. Commissioners present for roll call were Larry Temme, Ben Rutten and Jon Lindgren. Notice of the meeting was given in advance by publication in the Albion News, Petersburg Press and St. Edward Advance on December 23, 2020; Cedar Rapids Press on December 25, 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 Tuesday, January 5, 2021. 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 Lindgren to appoint Larry Temme as Chairman of the Boone County Board of Commissioners for the year 2021. Roll call vote: Yeas: Rutten and Lindgren. Abstain: Temme. Nays: None. Motion carried.

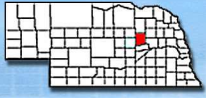
Motion made by Lindgren, second by Temme to appoint Ben Rutten as Vice Chairman of the Boone County Board of Commissioners for the year 2021. Roll call vote: Yeas: Lindgren and Temme. Abstain: Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren that the budget committee for the ensuing 2021-2022 budget year is the Boone County Board of Commissioners, Boone County Clerk and Boone County Treasurer. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Lindgren, second by Rutten to reappoint Schmeits, Mueller & Martinsen, P.C., Richard Martinsen, CPA, Albion, Nebraska, to prepare the County Budget for the 2021-2022 budget year, to be paid from the County General fund. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to reappoint Stacey L. Ziemba, Fullerton, Nebraska, a full time county employee as Boone County Highway Superintendent with a Class B License #S-1586, under the supervision of the County Board for 2021, with a stipulation of quarterly evaluations. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Lindgren, second by Temme to reappoint Christopher C. Hays, Osceola, Nebraska, as Boone County Surveyor for a four year term commencing January 3, 2019 through December 31, 2022, per contract for services as provided in State Statute Section 23-1901.01. Roll call Vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.



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Motion made by Temme, second by Lindgren to reappoint Jacqueline Lynne Wells as full time Boone County Veteran Service Officer under the supervision of the County Board for 2021, with a stipulation of quarterly evaluations. In addition, there is a signed agreement with Greeley County for Boone County Veteran Service Officer to provide services for Greeley County. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to continue the contract for the services of Public Defender for Boone County with Jeffrey C. Jarecki of Jarecki Lay & Sharp P.C., L.L.O., Albion, Nebraska, pursuant to the terms of an Agreement that shall commence on January 1, 2020 and continue until January 1, 2022. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Lindgren, second by Rutten to reappoint Randall Bruland as the Administrator and Maintenance Director of the Boone County Ambulance Service under the supervision of the County Board for 2021. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to continue the agreement for patient billing and collection services for the Boone County Ambulance Service with EMS Billing Services, Inc. of Omaha, Nebraska pursuant to an Agreement effective March 1, 2014 that continues to termination by one of the parties. Nicole Levander, Boone County Health Center, to serve as liaison for the Boone County Ambulance Service/EMS Billing Services for 2021. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to reappoint Mary Ziemba as County Planning and Zoning Administrator, Regulatory Zoning Investigator and Floodplain Manager under the supervision of the County Board for 2021, with a stipulation of quarterly evaluations. The county road department clerical duties for the County Highway Superintendent's office are also included as part of the County Planning and Zoning Administrator duties. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to reappoint Jack Nordeen as a full time Boone County Weed Superintendent/Signage Technician under the supervision of the County Board for Weed Superintendent for 2021, with a stipulation of quarterly evaluations and under the supervision of the County Highway Superintendent for Signage Technician for 2021. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

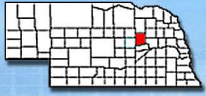
Motion made by Temme, second by Lindgren to appoint Ben Rutten as County Weed Superintendent supervisor for 2021. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to appoint Larry Temme as Courthouse Custodian supervisor for 2021. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to appoint the Boone County Sheriff and his staff to be the E911 Coordinator for 2021. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Lindgren, second by Temme to appoint the Boone County Clerk as the Title VI representative for 2021. Roll call vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to appoint Jon Lindgren as Chairperson of the County General Assistance Program with the emergencies being handled by a Commissioner. The County Clerk or Deputy County Clerk shall contact the assistance program chairperson or a Commissioner when there is a request on a



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day there is no scheduled Board meeting. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to appoint the Boone County Clerk as the contact person for Boone County for the NIRMA Insurance for 2021. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to give the County Clerk's office the authority to sign any documents that pertain to the office of the County Superintendent of Schools after June 30, 2000 under the supervision of the County Board for 2021. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme that the depository for the Boone County Clerk account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account; and depository for the Boone County Imprest Vendor account will be the Boone County Bank, A Division of Madison County Bank, Albion, Nebraska with Commissioners Larry Temme, Ben Rutten, Jon Lindgren and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

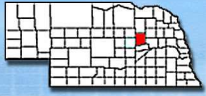
Motion made by Temme, second by Lindgren that the depository for the Clerk of the District Court will be the Cornerstone Bank of York, Albion Branch, with Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren that the depository for the Boone County Imprest Payroll account will be the Cornerstone Bank of York, Albion Branch, with Commissioners Larry Temme, Ben Rutten, Jon Lindgren and County Clerk's office Kathy Thorberg, Lorrie Nicklasson and Sarah Robinson as signees authorized to exercise the powers for said account. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren that the depositories for the County Treasurer are as follows: Boone County Bank, A Division of Madison County Bank, Albion, NE; Cedar Rapids State Bank, Cedar Rapids, NE; Cornerstone Bank (Albion Branch and St. Edward Branch), York, NE; First Bank & Trust of Fullerton (St. Edward Branch), Fullerton, NE; Great Plains State Bank, Petersburg, NE; and Homestead Bank (Albion Branch), Cozad, NE. The County Board authorizes and empowers the Boone County Treasurer to invest any surplus funds in the custody of the office. Any surplus funds shall be invested to assure a beneficial rate of return to the County and confirmation of all pledged securities are on file. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme that all County Officials and Department Heads must contact the County Board, as an agenda item, before buying or doing any major maintenance to equipment or furniture over \$800.00. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren that the courthouse hours shall be 8:00 AM to 4:30 P.M. with a one-half hour unpaid break, and that all offices will post their hours, including the lunch break; and notice shall be posted on the respective office door only if an office is to be closed when it otherwise would be open. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.



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Motion made by Temme, second by Lindgren to approve the IRS mileage reimbursement rate of 56 cents per mile, effective January 1, 2021 as referenced in the Boone County Employee Handbook. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Lindgren, second by Rutten to approve County meal reimbursable dollar amount, as referenced in the Boone County Employee Handbook, for 2021 overnight travel policy: (1) Includes reimbursement by submitting an itemized receipt for actual expense up to \$11.00 for breakfast, \$12.00 for lunch and \$23.00 for supper; (2) No reimbursement of meals for one day travel; (3) If an unforeseen situation occurs for one day travel and return is after 7:00 P.M., the meal may be reimbursed and will be taxed and added to the employee W-2; (4) Itemized receipts are required for all travel expenses. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

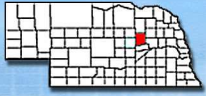
Motion made by Temme, second by Lindgren that the Boone County full time employees are to receive twelve paid holidays which include the observed nine holidays as set forth in the NIRMA Guide to Creating a Personnel System for Nebraska Counties Handbook together with Martin Luther King, Jr. Day and Columbus Day. In addition, Arbor Day shall be a floating holiday for full time employees in 2021 and shall be used beginning April 30, 2021 and before December 21, 2021, if floating holiday is not used by employee, employee shall lose the benefit. In addition, the Courthouse "Closed" notices will be posted by Board directive on the north and west outside entrance courthouse doors. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren that full time employees are to receive vacation and sick leave as set forth in the Boone County Employee Handbook. The employee's vacation and sick leave records are recorded with the time clock/attendance system effective January 2014. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren that agenda items must be provided to the Boone County Clerk's Office no later than noon (12:00 P.M.) on the Friday preceding a Board meeting in order to be considered for said Board meeting. Any agenda item submitted after 12:00 P.M. on Friday preceding a Board meeting will be an agenda item for the next scheduled Board meeting. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

As required by Nebraska State Statute §48-443, each Nebraska county must have a working safety committee. Motion made by Temme, second by Lindgren that (1) the following will serve on the Safety Committee for 2021: Region 44 Emergency Management Director; County Sheriff; Board of Commissioners; County Highway Superintendent; County ADA Coordinator; and Custodial Maintenance Supervisor; (2) a tornado drill will be held in March at the same time/date as the Statewide tornado drill; (3) fire drills will be conducted in May and October; (4) Ben Rutten, Commissioner, will serve as safety chair and Rod Nelson, Maintenance, courthouse safety coordinator; and (5) the Safety Committee meetings are tentatively scheduled for February 16, May 17, August 16, and November 15, 2021, commencing at 9:00 A.M. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten that the Boone County Board of Commissioners will hold their Board meetings on Monday's **except** for the first Monday of each month; no meeting scheduled for August 30 and November 29, 2021; and when a payroll meeting is scheduled on a different day of the week than Monday in the year 2021, commencing at 9:00 A.M. Meeting dates/times are subject to change due to state statute regulations. Monday meetings that are on holidays will be held on Tuesday. The Accounts Payable Vendor meeting will be on the second Monday of the month and other Mondays will be regular public meetings. The Board meeting dates for 2021 were approved on November 25, 2020 and payroll meetings are subject to change



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from Monday to a different day for approval by the Board with the implementation of the time clock/attendance system and the 22/21 pay period. The Board meeting dates for payroll approval are as follows: January 27, February 24, March 29, April 26, May 26, June 28, July 26, August 26, September 27, October 27, November 24 and December 28, 2021. The County Clerk's office has charge and authority of the agenda for all meetings. The agenda will be made available for all meetings on the Boone County Website and the bulletin board located in the north courthouse entrance. Also, the following will be used to post notices in advance for emergency meetings and meetings that cannot be published in the legal newspaper(s): Boone County Website; Boone County Courthouse; lobbies of the Boone County Bank; Cornerstone Bank; Homestead Bank; and Albion News Office all located in Albion, NE. In addition, the Cedar Rapids State Bank, Cedar Rapids, NE; Cornerstone Bank, St. Edward, NE; and Great Plains State Bank, Petersburg, NE. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

The Grievance Procedure in the Employee Handbook says the County will use a Grievance Board consisting of five people. The Commissioners shall create the pre-designated list of ten impartial members to serve on the Grievance Board. The Board visited with county residents to create a pre-designated list. The Board adopted and approved the 2013 and 2014 pre-designated list on December 16, 2013 at their Board of Commissioners meeting and are as follows: Elva Bartels, Albion; Jodie Borer, Albion; Kevin Cruise, St. Edward; Mark Jensen, St. Edward; Charles Krohn, Albion; Steve Lordemann, Petersburg; Mike Morgan, Cedar Rapids; Bill Schriver, Albion; Lonnie Smith, Albion; and Dennis Tyson, Albion. Motion made by Temme, second by Rutten to make no changes in 2021 to the above adopted pre-designated list approved in December 2013. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Motion made by Lindgren, second by Temme to continue the Interlocal Agreement for Emergency Management Services, known as Region 44 Emergency Management, between the Counties of Boone, Nance and Merrick beginning on July 1, 2020 through June 30, 2024. Roll call vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.

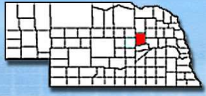
Nebraska State Statute §28-1439.03 requires the continuation of a County Drug Law Enforcement and Education Fund Board. The Resolution No. 2012-35, dated August 20, 2012 was the last appointment of a County Drug Law Enforcement and Education Fund Board. On January 6, 2014 the County Attorney at that time said that the drug board may be appointed at the County Board's reorganizational meeting each year in order to be kept current. Motion made by Rutten, second by Lindgren that the following be appointed to serve on the County Drug Law Enforcement and Education Fund Board:

- Boone County Attorney, shall serve as Chairperson
- Investigator Tim Stopak, Nebraska State Patrol, shall serve two years (2021-2022)
- Boone County Sheriff's Department, shall serve two years (2021-2022)
- Albion Chief of Police, shall serve one year (2021)

Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Lindgren, second by Rutten to name the following people to serve on the Boone County Extension Board as recommended by Steve Pritchard, Boone/Nance County Extension Educator. This board is in accordance with an Interlocal Agreement with the University of Nebraska for Cooperative Extension Services signed on December 14, 1998. A term is three years with a maximum of six years. The terms are as follows:

- Amanda Mogensen (2019-2021) – 2nd term
- Roger Voichoski (2020-2022) – 2nd term



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M. Lisa Carder (2021-2023) – 1st term
 Doug Koch (2021-2023) – 1st term

Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren that the following members of the Boone County Visitors Promotion Committee are appointed to four-year terms per Nebraska State Statute with each term to start January 1st each year. The terms are as follows:

Irene Dresch	(2019-2022)
Marcus Johnson	(2019-2022)
Brian Yosten	(2019-2022)
Sundae Provencher	(2021-2024)
Shannon Braaten	(2021-2024)

Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Temme, second by Rutten that the following Boone County Planning and Zoning Board members are appointed to the following terms of office to represent the Boone County Joint Planning Commission, effective January 1, 2021:

Justin Frey, Mark Jensen and Morgan Mogensen	(2021)
Chris Baum, Mark Wagner and Shelley Towey	(2021-2022)
Paul Groeteke, Brad Stephens and Clyde Stuhr	(2021-2023)

Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren that the following members of the Boone County Board of Adjustment are appointed to the following terms of office, effective January 1, 2021:

John Frey	(2021)
H. Thomas Fick and Deb Mitchell	(2021-2022)
Paul Kettelson and Mark Jensen	(2021-2023)
Vacancy	Alternate

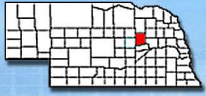
Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Rutten, second by Temme to appoint the Boone County Veteran Service Officer as the American with Disabilities Act (ADA) Coordinator for 2021. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

Appointment to the various boards that the County of Boone, Nebraska is associated with for 2021:

Americans with Disabilities Act Board:

- (1) Third Member of the Boone County Board of Commissioners
- (2) Jeff Noble, Albion, NE, Representative for the disabled community
- (3) Boone County Highway Superintendent
- (4) County Attorney, as the legal advisor for the committee



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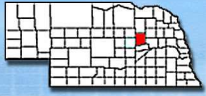
Boone County Trails System	Ben Rutten
BCDA, Inc.	Larry Temme Jon Lindgren - Alternate
Central Nebraska Joint Housing Authority, Loup City	Larry Temme Ben Rutten - Alternate
East-Central District Health Department, Columbus	Jon Lindgren Larry Temme - Alternate
Local Emergency Planning Committee (LEPC)	Ben Rutten
Northeast Nebraska Area Agency on Aging, Norfolk	Jon Lindgren Larry Temme - Alternate
Northeast Nebraska Economic Development, Norfolk	Larry Temme
Northeast Nebraska Juvenile Services, Inc., Madison	Ben Rutten Jon Lindgren - Alternate
Region 4 Behavioral Health System, Norfolk	Jon Lindgren Larry Temme - Alternate
Region IV, Inc. / NorthStar Services, Wayne	Ben Rutten Larry Temme - Alternate
Region 44 Emergency Services Supervisory Committee	Jon Lindgren Ben Rutten - Alternate

Quarterly Attendance by the Board of Commissioners (Non-Voting):

Boone County Agricultural Society, Inc.	Larry Temme
Boone County Fitness Center, Inc.	Ben Rutten
Boone County Health Center	Jon Lindgren

Motion made by Rutten, second by Lindgren to accept and appoint the Local Emergency Planning Committee (LEPC) members for 2021 as submitted by the Region 44 Emergency Manager:

Albion Fire and Rescue	Bruce Benne
RROMRS	Dennis Colsden
Albion News	Jim Dickerson
Petersburg Fire and Rescue	Kim Fangman



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St Edward Fire	Richard Good
Boone Central Schools	Nicole Hardwick
Cedar Rapids Fire and Rescue	Adam Holka
Boone County Sheriff	Denny Johnson
Helena	
Riverside School	Stephanie Kaczor
Cedar Rapids Fire and Rescue	Lisa Kennedy
Boone County Health Center	Anthony Kusek
State Dept. of Roads	
Albion PD	Brent Lipker
Valero Renewables	Sarah Moeller
St Edward PD	Monte Olson
Boone County Commissioners	Ben Rutten
Tallgrass Energy	Josh Thayer
East Central District Health Dept.	
Boone County Health Center	Amy Zaruba
Region 44	Denise Ziemba
Boone County Hwy Dept.	

Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to approve all motions for the respective appointments above as presented unless specifically noted. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Chairman Temme declared the 2021 Boone County Board of Commissioners Reorganizational meeting adjourned at 10:58 A.M.

Kathy Thorberg,
Boone County Clerk