



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JANUARY 11, 2021 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, January 11, 2021 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, Jon Lindgren and Larry Temme. Notice of the meeting was given in advance by publication in the Albion News and Boone County Tribune and the Petersburg Press on January 6, 2021 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, January 8, 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 approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$33,433.52; Road/Weed - \$134,274.62; 911 Emergency Management (2910) - \$486.29; 911 Wireless Service (2913) - \$458.57; and Ambulance - \$5,501.77. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

The Board reviewed a written resignation from a full-time County Road Department employee. Motion made by Temme, second by Rutten to accept and approve the resignation of Justin Russell effective January 6, 2021 as submitted. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

The Board accepted and approved a written resignation from a full-time County Road Department employee on January 11, 2021. Motion made by Lindgren, second by Rutten to approve the payroll claim filed for payment on the Road Fund for a net amount of \$1,007.99 with the withholding amounts being included in the above approved Accounts Payable Vendor Claims as presented. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to approve the County Board Proceedings of December 28, 2020 as presented. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Rutten, second by Lindgren to approve the County Board of Equalization Public Hearing Proceedings of December 28, 2020 as presented. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to approve the County Board Reorganizational Proceedings of January 7, 2021 as presented. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Motion made by Lindgren, second by Rutten to approve the County Board of Equalization Reorganizational Proceedings of January 7, 2021 as presented. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.



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

- Clerk - \$18,350.50 (State of Nebraska \$11,413.83)(County of Boone \$6,936.67)
- Clerk of the District Court - \$1,093.02 (State of Nebraska \$669.00)(County of Boone \$424.02)
- Sheriff - \$1,650.84
- Treasurer - Miscellaneous Receipt Nos. 18292-18354 - \$225,581.95
- Treasurer - Total Collections - \$4,394,703.23

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

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of December 31, 2020. Motion made by Rutten, second by Lindgren to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

The County Treasurer submitted a Semiannual Statement for July 1, 2020 through December 31, 2020. Motion made by Lindgren, second by Temme to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.

The Board heard a General Assistance request for utilities (electricity and water, sewer, garbage). The Board explained to the requestor the County protocol procedure and that the County does not pay the taxes, late fees or reconnect fee associated with utility billings. The taxes and fees are the requestor's responsibility. The Board informed the requestor that this is a one-time assistance. Motion made by Lindgren, second by Temme to approve partial payment of the utility billings for (electricity and water, sewer, garbage) less the taxes and late fees payable directly to the entities. Roll call vote: Yeas: Lindgren, Temme and Rutten. Nays: None. Motion carried.

Nebraska Revised Statutes, Section 49, provides that County officers with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract. Commissioner Larry Temme submitted a NADC Form C-3, Contractual Interest Statement for the Board to review. Commissioner Temme is the owner of Rae Valley Market, a grocery store where the County may possibly purchase paper products and food items. This is a non-exclusive open contract between the County of Boone, Nebraska and Rae Valley Market, LLC. Motion made by Lindgren, second by Rutten to approve the non-exclusive open Contractual Interest Statement for calendar year 2021 between the County of Boone, Nebraska and Rae Valley Market, LLC. Roll call vote: Yeas: Lindgren and Rutten. Nays: None. Abstain: Temme. Motion carried.

Each year the State of Nebraska, Department of Transportation, needs the County Board to designate the official county newspaper(s) in order to comply with state statute when advertising their projects for bids in the county. On November 9, 2020 the Board approved the official county newspapers for 2021. The Board has been informed that effective January 6, 2021 the St. Edward Advance will no longer be an independent newspaper. The Albion News will be modified starting with the January 6, 2021 issue as they transition into a countywide and area-wide weekly newspaper. Motion made by Temme, second by Lindgren to re-designate the official county newspapers for 2021 to include the Albion News and Boone County Tribune and the Petersburg Press. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

The 1974 Legislature of the State of Nebraska created the Nebraska Comprehensive Community Mental Health Services Act forming Regional Mental Health authorities. The County of Boone, Nebraska has participated in said Region 4 Behavioral Health System, the designated regional mental health authority within northeast



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Nebraska since July 1, 1974. During a Region 4 Behavioral Health System board meeting it was agreed upon that the Interlocal Agreement be updated. Currently there are twenty-two counties that participate in said Region 4 Behavioral Health System. Motion made by Temme, second by Lindgren to approve Resolution No. 2021-01, an Interlocal Agreement for County of Boone, Nebraska participation in Region 4 Behavioral Health System, and said resolution shall void and take precedence over the Boone County Board Resolutions/Agreements dated July 2, 1974; March 4, 1986; April 1, 1986; October 12, 1993; and any and all prior policies and agreement, written or verbal that pertained to Region 4 Behavioral Health System. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

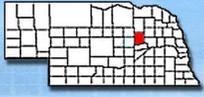
Larry Krings and Steve Bygland were present to discuss road concerns and possible dust control on 250th Street northeast of Albion and north of State Highway #91 with the Board and County Highway Superintendent. Concerned citizens have discussed the road and dust issues since June of 2018. Bygland provided information in regard to the cost of dust control products (example: calcium chloride); approximate days a coat of dust control lasts depending on traffic; the type of salty brine that kills grass/vegetation; and products not recommended for use of dust control. In addition, the group discussed the areas of the road that needs a crown so that water will run off; the washboard areas of the road; and possibly building the road up in the spring with red rock material to establish a solid base and then spray with a dust control product. The Board suggested that the County Highway Superintendent plan for this work on said portion of 250th Street in the spring of 2021.

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 road surplus/none used items to possibly be disposed of or sold.
- Updated the Board on the two newly hired road department employees.
- Possibly hire Seasonal Help for the road department during summer months for ditch work, culverts, tree removal, etc.
- Road conditions of the county asphalt/black top roads; conditions of the asphalt/black top roads that were milled/ground in 2020; snow pushed on edge of road, now melting and causing icy conditions at a highway intersection near Cedar Rapids; and trees/shrubs that may need removing from road right-of-ways.
- Areas within the county where minimum maintenance roads appear to be fenced off with livestock grazing the county road and road right-of-way.
- Trucks being parked on county roads while being loaded from a grain bin alongside a county road.

The County Highway Superintendent submitted a State Bid/Quote for a new Caterpillar 140 13A AWD Motor Grader with new snow plow for \$251,990.00 (\$241,440.00 motor grader/\$10,550.00 new v-plow) from Nebraska Machinery Company/NMC CAT of Norfolk, Nebraska. The quote includes an extended warranty of 5 year/5000/hr. premier; parts credit of \$20,000.00; and a delivery time of 16-19 weeks. The County Road District #1 John Deere Model 770GP motor grader has received several repairs the past year and CAT is allowing a trade-in of \$55,700.00 for the 2012 John Deere motor grader. Motion made by Rutten, second by Lindgren to approve and authorize the Board Chairman to sign the purchase quote for a new Caterpillar 140 Motor Grader with new snow plow for \$251,990.00 (Sale price \$297,140.00; Less trade-in \$55,700.00; Plus new snow plow from Nebraska Machinery Company/NMC CAT as presented. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

The Board and County Highway Superintendent have held several discussions since October 2017 in regard to a different breakroom for the County Road District #1, Cedar Rapids shop building. On November 13, 2018 the Board approved a bid for construction of an office/breakroom building of a finished 16' x 16' wooden frame



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with metal outer walls and concrete foundation. The breakroom building project was never completed and not a priority project after the March 2019 flooding. Therefore, the Board deems the 2018 construction bid no longer valid.

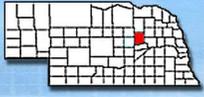
Stacey Ziemba, County Highway Superintendent, presented possible building structures for a new break room for the County Road District #1, Cedar Rapids shop building on December 21, 2021. The Board and Ziemba discussed the different custom designed buildings by Premier Portable Buildings of Norfolk, Nebraska. Ziemba submitted a purchase order form for the Board to review for a 14' x 36' unfinished premier portable steel building with no electrical hookup or insulation. Motion made by Rutten, second by Lindgren to approve and authorize the Board Chairman to sign a Premier Portable Buildings of Norfolk, Nebraska purchase order form for an unfinished 14' x 36' steel building for \$10,845.00. Roll call vote: Yeas: Rutten, Lindgren and Temme, Nays: None. Motion carried.

On February 26, 2020 the Board approved purchasing a new 2020 County Ambulance unit. The tentative delivery of the new ambulance is January 2021. The Board had decided not to trade-in the 2016 ambulance unit. The Board advertised the 2016 ambulance unit for sale with sealed bids to be opened on January 11, 2021. The Board received two bids: Commercial Bus & Vehicles, LLC of South Lyon, Michigan - \$11,123.00 and Petersburg Rescue of Petersburg, Nebraska - \$25,000.00. Motion made by Rutten, second by Temme to accept the bid of \$25,000.00 from Petersburg Rescue, Petersburg, Nebraska for the 2016 Braun Industries ambulance unit, with delivery of the county unit to Petersburg Rescue upon arrival of the new 2020 County Ambulance. Roll call vote: Yeas: Rutten, Temme and Lindgren. Nays: None. Motion carried.

On March 9, 2020 the Board and Randall Bruland, County Ambulance Administrator, discussed the defibrillator that was purchased in 2003 and is used in the 2016 County Ambulance unit. Bruland received information that the 2003 M Series defibrillators will no longer be supported by FDA or have parts available for repairs after February 2021. The Board tabled ordering a new defibrillator in March of 2020 to allow time to pursue a grant or outside funding to help pay for a new defibrillator. No grant or outside funding was obtained. The Board received a quote to review from Zoll Medical Corporation for a new X-Series Manual Monitor/Defibrillator for use in the new 2020 Demers Type 1 County Ambulance unit. Motion made by Temme, second by Lindgren to approve the purchase of a new X-Series Manual Monitor/Defibrillator and accessories for \$27,213.44 from Zoll Medical Corporation as submitted. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

The County Board of Commissioners has power to lease real estate owned by the county. The Board held a Public Hearing on December 14, 2020 prior to the County Board leasing the county owned cropland. On December 28, 2020 the Board approved and accepted the sealed bid from Nathan Olson of \$230.00/acre for the 2021, 2022 and 2023 crop years ending December 31, 2023. Motion made by Rutten, second by Lindgren to approve and authorize the Board Chairman to sign a Farm Lease Agreement between the County of Boone, Nebraska and Nathan R. Olson, Lessee for the County owned dry cropland real estate of approximately 26.13± acres, according to a boundary survey dated March 19, 2020 for the 2021, 2022 and 2023 crop years ending December 31, 2023. Roll call vote: Yeas: Rutten, Lindgren and Temme. Nays: None. Motion carried.

The Board discussed the disposition of a county owned vehicle that is seldom used. The vehicle is a 2004 Ford Crown Victoria LX 4 Door Sedan with 98,523 miles. Motion made by Temme, second by Lindgren to



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advertise for sale the 2004 Ford Crown Victoria for one week in the Albion News and Boone County Tribune and accept sealed bids until 4:00 P.M. on Friday, January 29, 2021 with sealed bids opened at 11:00 A.M. on Monday, February 8, 2021. Roll call vote: Yeas: Temme, Lindgren and Rutten. Nays: None. Motion carried.

Public Comments:

- Meetings: Boone County Agricultural Society, Inc. – January 18, 2021.
- The IRS mileage rate for 2021 is 56 cents, which means the County Sheriff can charge a rate of 59 cents on civil processing. In addition, there was a change made by LB 609 to State Statute §23-1112, where the county board may establish different mileage rates.
- Steve Pritchard, UNL Extension, updated the Board regarding a County Official Online Learning Network.
- Commissioner Lindgren participated in the NACO virtual new County Board Member orientation on January 9, 2021.

Chairman Temme declared the meeting adjourned at 12:22 P.M., with the next Board meeting scheduled for Tuesday, January 19, 2021.

Kathy Thorberg,
Boone County Clerk