



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 14, 2017 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, August 14, 2017, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Chairman Maricle called the meeting to order and Commissioners present for roll call were Ken Luettel, Hilary K. Maricle and Alan Rasmussen. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Maricle acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

The County Safety Committee met at 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Hilary K. Maricle, and Ken Luettel, Denny Johnson, Laurie Krohn, Rod Nelson, Stacey Robinson, Tom Smith and Kathy Thorberg. Nelson addressed old business regarding the safety walk through on May 23, 2017 by Terry Baxter, NIRMA Safety Specialist; sidewalk repair is completed; weather radios are to be checked following a power outage; sirens that did not work for the drill held on March 29, 2017 have been repaired and plans are to test the sirens on August 21, 2017. New business was discussed: (1) Smith presented the Board a copy of the NIRMA suggestions following the safety walk through of the courthouse. Smith will contact Terry Baxter, NIRMA, to set a date and time in September to meet with the Board to discuss/review the suggested information. Smith reminded the Board, Johnson and Nelson that the copies they received are confidential. (2) Smith reminded the group that August 21, 2017 is the solar eclipse and that the safety glasses have to be ISO. (3) Smith reminded the group that October is fire safety month. Smith will set up a fire evacuation drill sometime in October. Boone County had no accidents reported for second quarter 2017. The next safety committee meeting is scheduled for 9:00 A.M. on Monday, November 20, 2017. The Safety Committee meeting was adjourned by Alan Rasmussen at 9:18 A.M.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board tabled payment of Vendor ID No. 823 and asked the submitter to attach documentation to the claim and resubmit for payment in September. The Board rejected the payment of Vendor ID No. 1162, the County only pay's for elected and appointed officials' association dues. Motion made by Luettel, second by Maricle to table payment of Vendor ID No. 823 and reject Vendor ID No. 1162 as stated. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the Accounts Payable Vendor Claims filed for payment from the various funds as follows: General - \$44,449.14; Road/Weed - \$225,747.64; County Visitors Promotion - \$416.50; 911 Emergency Management (2910) - \$727.25; 911 Wireless Services (2913) - \$640.72; Ambulance - \$2,219.73. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$1,208.72, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Maricle and Rasmussen. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 31, 2017 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



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Motion made by Rasmussen, second by Maricle to approve the following reports of the County Officials as presented for July 2017:

- Clerk - \$8,576.00 (State of Nebraska \$4,361.12)(County of Boone \$4,214.88)
- Clerk of the District Court - \$1,038.72 (State of Nebraska \$365.00)(County of Boone \$673.72)
- Sheriff - \$1,451.75
- Planning & Zoning - \$702.79
- Treasurer - Treasurer's Fees - \$0.00; Miscellaneous Receipt Nos. 15803-15864 - \$250,335.85; Total Collections - \$592,898.73
- County Veteran Service Office report for the month of June 2017.

Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Jack Nordeen, County Weed Superintendent, and the Board discussed the next step of action for the County Weed Board and Superintendent to take, due to no response to the certified letter in regard to a noxious weed infested pasture. Nordeen said that the pasture ground being discussed has several horses grazing the pasture that has an abundance of Leafy Spurge and Musk Thistle. The Board and Nordeen feel the next step of action needs to be taken regarding this ongoing noxious weed issue. Nordeen plans to discuss the protocol procedure with Dave Boschult, Nebraska Department of Ag Inspection Specialist, regarding the noxious weed issue.

William W. Black, Office of the Attorney General Chief of Investigators, was present to ask the Board if their office may use the courthouse grounds for a press conference on October 3, 2017. Black said that the office has spent several years working on the unsolved murder case of the Boone County Sheriff Lawrence I. Smoyer and Constable William H. Wathen. Black said that the Attorney General's office would like to have a press conference on the courthouse grounds regarding the results of the investigation and a closure for the case. The Attorney General's press office will send notifications to the area newspapers. Black said that Sheriff Smoyer died at the scene and that the October 3, 2017 date was chosen for the press conference due to the death of Constable Wathen on October 3, 1937, as a result of the wounds he suffered from the June 17, 1937 shootings. The Board discussed a county contact person for the Attorney General's office to help coordinate the setting for the press conference such as speaker system, chairs and an alternate site for inclement weather. Motion made by Luettel, second by Rasmussen to approve and allow the Attorney General's office use of the courthouse grounds for a press conference at 1:00 P.M. on October 3, 2017 and Alan Rasmussen as the county contact person for the event. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board approved an Interlocal Agreement for Cooperative Development and Use of the Nebraska Regional Interoperability Network (NRIN) on August 17, 2015, to be a part of establishing NRIN and NRIN Governing Board. The Board approved resolutions in 2015 and 2016 to enter into the Interlocal Agreement for the formation and participation in the Nebraska Regional Interoperability Network (NRIN). The Board believes it is in the best interest to its citizens to continue participation with other Nebraska Public Agencies participating in the Nebraska Regional Interoperability Network (NRIN). Motion made by Maricle, second by Luettel to approve Resolution No. 2017-23 to continue participation in the Interlocal Agreement for the formation and participation in the Nebraska Regional Interoperability Network (NRIN) through December 31, 2025 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board did not take up the agenda item relating to the county general assistance request at 9:30 A.M. because the person requesting the assistance did not appear.

The Board did not move forward or set a date for lease quotes at this time following the public hearing held at 11:00 A.M. on August 14, 2017 regarding the Boone County Fitness Center, Inc.



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Russell Zarek, County Road Employee, asked the Board to discuss personnel matters. Chairman Maricle asked Russell Zarek if he wanted to discuss the personnel matter in executive session. Zarek replied with an answer of no. The Board, Stacey Robinson, County Highway Superintendent and Russell Zarek discussed a filed warning in his personal file for a violation of handbook policy that the highway superintendent had written him up for. Zarek was notified by the public of an unsafe road condition and talked to Commissioner Luettel and later repaired the road. Robinson said she didn't feel she was informed of the situation and therefore filed the warning. Zarek felt the concern was a public road safety issue not a chain of command issue. The discussion included various topics such as: chain of command when a telephone call is received from the public concerning road/bridge issues that may need immediate attention; communication among the employees and department heads; and team work for the safety of the citizens. Motion made by Rasmussen, second by Luettel approving the removal of the verbal/written Record of Disciplinary Action document from Russel Zarek's personal file by the County Highway Superintendent as of August 14, 2017. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- Robinson informed the Board that the micro-surfacing project is completed.
- Discussed the procedure to possibly vacate one-half mile of 190th Street between 260th Avenue and 270th Avenue.
- Robinson submitted information for the Board to review regarding center pivot irrigation systems diverting water onto public roads.

Motion made by Luettel, second by Maricle to go into executive session at 12:25 P.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried. The Board met with the County Highway Superintendent to discuss a personnel issue. Motion made by Rasmussen, second by Luettel to come out of the executive session at 12:45 P.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried. No decisions were made.

Public Comments:

- Courthouse offices will not be available for normal business from 12:45 p.m. to 1:15 p.m. on August 21, 2017 in order to view the solar eclipse.
- Commissioner Maricle informed the Board that the NRIN dish has been installed on the County Communications Tower.
- Commissioner Maricle updated the Board on the wrap-up of the Emergency Management Project EM4420172, a study for a proposed joint communications center for the three counties and that Merrick and Nance Counties expressed their disappointment with the Boone County Board's decision not to proceed with a joint communication center.

Chairman Maricle declared the meeting adjourned at 1:11 P.M., with the next Board meeting scheduled for Monday, August 21, 2017.

Kathy Thorberg,
Boone County Clerk