



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 19, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, November 19, 2018, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

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

The County Safety Committee Chairman, Alan Rasmussen, opened the safety meeting at 9:01 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Denny Johnson, Rod Nelson, Kathy Thorberg and Jacqueline Wells. Old business that was addressed/reviewed: the May 2018 worker's compensation claim has been addressed; Johnson and Nelson are still planning to set up a regular schedule for testing the telephones and intercom system; Denise Ziemba of Clarks, Nebraska began her position as Region 44 Emergency Manager on August 20, 2018; a fire drill for the courthouse was held on Monday, October 1, 2018 at 8:15 A.M. and went well; and discussed the idea of a security camera system to be placed on the County Communications Tower located on the fairgrounds and on the Albion City Water Tower to cover the new Boone County Recreational Trail. New business was discussed: (1) Johnson and Nelson plan to apply for a grant for a new generator to replace the current one at the County Law Enforcement building; (2) the safety committee is asking the county employees to be careful on sidewalks and parking lots as the winter snow/ice weather is approaching; (3) discussed the condition of the courthouse square sidewalks and steps, the majority is in good shape; (4) the lights above the north and west courthouse doors keep going out, Nelson has contacted an electrician to check out the light system; (5) Johnson and Terry Baxter, NIRMA, have discussed a class "Stop The Bleed" training for employees, the group present felt it would be a good training for all employees, Johnson plans to set up a date with NIRMA to be on site for the training; and (6) Larry Bird, Friends of the Trail Committee Chair, and the group present discussed the idea of possibly a security camera system to be placed somewhere to cover the new Boone County Trails System; (7) no claims have been filed with NIRMA since July 2018. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, February 25, 2019. The Safety Committee meeting was adjourned by Chairman Alan Rasmussen at 9:18 A.M.

Motion made by Rasmussen, second by Maricle to approve the County Board Proceedings of November 13, 2018 as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board of Equalization Proceedings of November 13, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to table the review of the donors Pledge Agreement documents to the November 28, 2018 Board meeting, due to no Agreements were available to review. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.



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Larry Bird, Friends of the Trail Committee Chair, and the Board discussed committee representatives for the Boone County Trails System that was dedicated on October 18, 2018. Bird presented the names of the seven committee members. Bird informed the Board that the committee is in need of a member from the Albion City Council, Boone County Board of Commissioners and Boone County Agricultural Society, Inc. to complete the Friends of Trail Committee. Commissioner Hilary K. Maricle is the present Board member representative regarding the Boone County Trails System. The consensus of the Board for Commissioner Maricle to complete the County Board representation to the end of her term and at the Board of Commissioners Re-organizational meeting in January 2019 a new representative will be appointed to the committee. The group discussed whether or not ex-officio board members (City, County, and Agricultural Society) would be able to approve minor projects without bringing the issue back to their respective Board meetings each time. There needs to be some structure that outlines what the ex-officio committee members can and cannot approve. The group discussed/brought up several items that included security camera system; regulations such as no horses, no motorized vehicles etc. on the cement trail; clean up after pets when walking the trail; and that the regulations set for City and County property should be a joint agreement with the same regulations. Commissioner Luettel reminded the group present that the Board did not approve contributing any tax funding to the trail system project. Bird informed the group that the request today is to approve a Friends of the Trail Committee. Motion made by Luettel, second by Rasmussen to appoint Hilary Maricle, County Board representative until the end of her term of which a new County Board member will be appointed at the Board of Commissioners Re-organizational meeting in January 2019; and approve the committee members of Michelle Olson, Larry Bird, Kent Olson, Courtney Ruzek, Lara Swerczek; Kier Dane Harner and Rex Mahoney as the Friends of the Trail Committee. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

A Memorandum of Understanding was received for the Board to review and approve regarding Juvenile Services grants. The purpose of the Memorandum of Understanding (MOU) is to designate the Madison County Attorney's Office as the official applicant and "lead county" for the Nebraska Crime Commission's 2019 Community-Based Juvenile Services Grant application for Madison and Boone Counties. As such, the Madison County Attorney's Office will serve as the fiscal agent for the grant application program. Effective dates for the MOU will be from July 1, 2019 to June 30, 2020. Funds not used by Boone County will be used for other services in the Northeast Nebraska Juvenile Justice Partnership Plan. Motion made by Maricle, second by Luettel to approve and authorize the Board Chairman to sign the Memorandum of Understanding for the Nebraska Crime Commission's 2019 Community-Based Juvenile Services Grant as presented. Roll call Vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Steve Pritchard, Extension Educator, submitted a written request for the Boone-Nance County Extension Board's member recommendation. The Boone-Nance County Extension Board has four representatives from each county. The board members may serve two consecutive three-year terms. The board meets quarterly, alternating the meetings between the counties. Amanda Mogensen of Cedar Rapids has completed her first term. The Boone-Nance County Extension Board recommends the re-appointment of Amanda Mogensen of Cedar Rapids to serve her second three-year term on the Boone-Nance County Extension Board beginning January 2019. Motion made by Maricle, second by Rasmussen to re-appoint Amanda Mogensen to serve her second three-year term on the Boone-Nance County Extension Board beginning January 2019. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service submitted two uncollectible ambulance accounts for the Board to review as all methods of collection have been exhausted. The recommendation from the Boone County Ambulance Service liaison is to remove the \$1,405.00 for an October 15, 2017 ambulance service and the \$2,370.00 for a November 11, 2017 ambulance service from the EMS Billing Services account for purposes of bookkeeping



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and turn the two accounts over to the County Attorney to attempt further collection. Motion made by Maricle, second by Rasmussen to turn the October 2017 County Ambulance Service account balance of \$1,405.00 and the November 2017 County Ambulance Service account balance of \$2,370.00 over to the County Attorney for further collection and for the County Attorney to promptly pursue action for collection since both accounts are for deceased individuals. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board conducted an employment evaluation with Rod Nelson, Courthouse Maintenance.

The Board conducted an employment evaluation with Mary Ziemba, Zoning Administrator.

Motion made by Luettel, second by Rasmussen to go into executive session at 11:30 A.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, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Luettel, second by Maricle to come out of the executive session at 12:04 P.M. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried. Clarification of FMLA policies. No action was taken by the Board.

Motion made by Luettel, second by Rasmussen to go into executive session at 12:19 P.M., per the Open Meeting Act §84-1410, strategy session regarding threatened litigation. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Luettel, second by Rasmussen to come out of the executive session at 12:40 P.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. Motion made by Maricle, second by Luettel to retain Woods & Aitken, LLP to provide legal services. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Public Comments:

- The Board received and reviewed postcards supporting livestock development within Boone County from Alliance for the Future of Agriculture in Nebraska (AFAN).
- Commissioner Luettel and Rasmussen reported on County Government Day that was held on November 14, 2018. The Board extends a Thank You to everyone that was involved and/or participated with the County Government Day activities for area high school youth.
- Commissioner Maricle updated the Board in regard to the Environmental Quality Council/Department of Environmental Quality (EQC/DEQ) meeting.

Chairman Luettel declared the meeting adjourned at 1:16 P.M., with the next Board meeting scheduled for Wednesday, November 28, 2018.

Kathy Thorberg,
Boone County Clerk