



# Boyd County Board Minutes



March 24, 2020

The meeting of the Boyd County Board of Supervisors was called to order at 9:00 A.M. by Chairman Spencer with Spencer, Nicolaus, Heiser, Bernt, Reiman, Classen and Boska present. The open meetings act is posted on the door.

It was moved by Nicolaus and seconded by Boska to approve the minutes of the previous 2 meetings as published. Ayes: All. Motion carried.

The following claims were then examined by the board.

		GENERAL FUND	
	Total General Fund salaries	45927.58	
	A.Rifkin Co, election supplies	819.95	
	AgNews, sheriff exp	195.00	
services	Ameritas Life, retirement	3576.51	Appears,
	352.89		
	Audiss, Wilma, prior service	14.00	
	Boyd Co Court, costs	49.00	
	Boyd Co Dist Court, costs	72.00	
	Civil Air Patrol Magazine, shf exp	50.00	
	Consolidated Mgmt Co, shf exp	130.85	
	DAS State Accounting, as400 use	163.28	
	Delta Dental of NE	532.35	
	Digital-Ally shf exp	400.00	
	Foxs Food Plaza, shf fuel	45.26	
	FP Mailing Solutions, ext exp	279.00	
	Galyen Boettcher Baier, atty fees	955.00	
	Golden West Industrial Supply, shf exp	164.83	
	Great American Leasing Co, shf exp	233.00	
	Hampton Inn Kearney, shf exp	222.00	
	Haney, Tammy, mileage	196.65	
	Hillyard, janitor exp	210.11	
	Holt County Treasurer, vet salary & probation exp	1819.40	
	IRS, co share oasi	3513.47	
	Jack's Uniform & Equipment, shf exp	143.84	
	Jonny Dodge Chrysler, shf exp	1555.03	
	KC's Roadrunner, shf fuel	514.05	
	Kienke, Rosa, mileage	238.63	
	Kruse, Randy, reimbursement fuel	38.59	
	Krysl, Terri, mileage	55.20	
	Microfilm Imaging Systems Inc, microfilming	58.00	
	Mips Inc, as400 use & As'r exp	3649.54	
	Mitchell Equipment, shf exp	16.38	
	Moody Motor Co, shf exp	133.88	
	Napa Auto Parts, shf exp	4.99	
	Naper Transport Inc, shf exp	72.00	
	NHHS, services	87.00	
	NPPD, electricity	376.12	
	NNTC, phone	957.12	



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O'Neill Carwash	42.82
O'Neill Printing, shf exp	3.34
Office Depot, office supplies	37.30
Office Products Center, supplies	95.69
One Office Solution, shf exp	336.10
PNK Service, shf exp	28.10
Quill Corp, Ext exp	131.98
Ramada By Wyndham, weed exp	160.00
Region IV Behavioral Health System	1709.17
Rocket Sign Co, shf exp	391.45
Roys Auto, shf exp	60.00
Schuman, Carl, prior service	10.00
Sedivy, Kenna, shf mileage	163.30
Seven Springs Inc, water	42.00
Shaffer Communications Inc, shf exp	146.95
Six Star Sanitation LLC, fuel	60.00
Spencer Advocate/Butte Gazette	492.68
Tower Plastics Mfg, treas exp	575.00
US Mail Supply, Inc election exp	1275.00
Viaero Wireless, phone	444.40
Village of Butte, water	70.13
Vision Service Plan	175.64
Wm Krotter Co, cthouse supplies	15.99
Woods & Aitken, LLP, atty fees	157.50
Wrede, Clarence, reimburse	185.00
63 Co General Store	<u>143.20</u>
Total General Fund	74775.24

## ROAD FUND

### ROAD1

Wanke, Bradley, labor	<u>511.85</u>
Total Road 1	511.85

### ROAD2

Napa Auto Parts, parts	3.28
NPPD, electric	82.80
Ponca Valley Oil Co, oil	70.98
Spencer, Steven, mileage	92.00
Spencer, William, labor	<u>1111.95</u>
Total Road 2	1361.01

### ROAD3

Butte Farm Supply, fuel	1277.00
Classen, Steve, labor	1394.35
J & J Materials, gravel	3883.38
Napa Auto Parts, parts	182.45
Sinclair Sand & Gravel, gravel	<u>3695.64</u>
Total Road 3	10432.82

### ROAD4

Bernt Construction, repairs	200.00
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Bernt Trucking Inc, repairs	797.77
Liewer, David, labor	511.85
NPPD, electric	83.69
Sapp Bros, grease	35.00
Village of Butte, water	<u>32.20</u>
Total Road 4	1660.51

## ROAD5

A & M Enterprise, mach hire	110.00
Butte Implement Co, repairs	380.75
Naper Transport Inc, gravel	336.00
Nicolaus, Alan, labor	<u>1535.55</u>
Total Road 5	2362.30

## ROAD6

Mulehead Gravel, gravel	6651.31
Nelson, Chance, labor	1359.05
Short Stop, fuel	<u>83.87</u>
Total Road 6	8094.23

## ROAD7

Holmberg, Clayton, labor	688.35
EK Repair, repairs	670.65
J & J Materials, gravel	16041.26
KC's Roadrunner, fuel	165.01
Lechtenberg Gravel, gravel	1124.00
Napa Auto Parts, repairs	2047.05
Power Plan, repairs	<u>1524.78</u>
Total Road 7	<u>22261.10</u>
Total Road Fund	46683.82

## BRIDGE FUND

Total Bridge Labor	4196.36
A&M Enterprises, mach hire	1210.00
Bernt Trucking, repairs	12.00
BS Enterprises, supplies	425.00
Gworks	612.00
Holt County Road Dept, culvert	4466.62
Holz, Fredrick, mach rent	75.00
IRS, Co share oasi	865.16
J&J Materials, gravel	14052.82
Lechtenberg Gravel, reimbursement	7500.00
Naper Transport, gravel	2310.00
Nebraska Dept of Transport	3106.63
Nelson, Anthony, dump truck	15000.00
Short Stop, fuel	293.60
Speece Lewis Engineers	8513.66
Spencer Advocate, publishing	367.20
Spencer, Steven	115.00
Viaero Wireless, phone	<u>44.35</u>
Total Bridge Fund	63165.40

## PRES & MOD FUND

Mips, services	<u>83.50</u>
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Total Pres & Mod Fund 83.50

## GRANTS

Jones Automotive, shf exp 2058.26  
Total Grant Fund 2058.26

## AMBULANCE FUND

Bernt, Donna, amb labor 112.39  
Bernt, R. Scott, amb labor 29.14  
Butte Farm Supply, fuel 246.63  
Hazen, Linda, amb labor 116.55  
Hostert, Joseph, F, amb labor 120.71  
IRS, oasi co share 38.53  
NNTC, telephone 63.08  
Quick Med Claims 649.88  
Schroetlin, Cindy, amb labor 124.88  
Total Ambulance Fund 1501.79

It was moved by Boska and seconded by Purviance to approve the above claims subject to any unpaid personal property taxes. Ayes: all. Motion carried.

The Clerk's, Sheriff's and Ambulance monthly reports for the month of February 2020 were examined by the board.

It was moved by Nicolaus and seconded by Bernt to move to the courtroom to accommodate social distancing. Ayes: all. Motion carried.

The meeting of the Boyd County Board of Supervisors recessed at 9:25 and reconvened in the Courtroom at 9:30 a.m. with all members present.

Dolly Kienke, Zoning Administrator, was present with the board to discuss zoning permits.

Chuck Wrede, sheriff, was present to discuss a sheriff credit card. It was moved by Nicolaus and seconded by Bernt to authorize a new credit card for the Boyd County Sheriff through the Butte State Bank. Ayes: all. Motion carried.

The sheriff also discussed a new hire.

A discussion was had on Region 24 services.

Keith Mohr was present to discuss the zoning board.

Don Reiser was present to discuss field access.

Les Purviance discussed a maintainer operator.

It was moved by Nicolaus and seconded by Purviance to take Lee Holz off probation and to increase his wage to \$19.00 per hour starting March 16<sup>th</sup>, 2020. Ayes: all. Motion carried.



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Gary Connot, highway superintendent, was present to discuss roads and bridges. A discussion was had on ER Site 5 – L8-03. It was moved by Boska and seconded by Bernt to adopt the following resolution

## Resolution

### For Emergency Relief Program-Emergency/Permanent Repairs

#### Boyd County

Resolution No. 2020-03-24-01

Project No. ER-8(26)

Control No. 81047

DDIR Site: L8-03

Whereas: Certain transportation facilities have been designated as being eligible for Federal assistance from the Department of Transportation through the Emergency Relief Program (ER) of the Federal Highway Administration (FHWA); and

Whereas: Major highways and bridges in Nebraska that are part of the Federal-Aid highway system suffered widespread serious damage as a result of flooding beginning on March 12, 2019 (Disaster # NE19) and were in need of emergency or temporary repair, or restoration; and

Whereas: The Nebraska Department of Transportation, as a recipient of the previously described Federal assistance, is charged with oversight of the expenditures of said funds; and

Whereas: The County has completed all repair work on an eligible Federal-Aid route to restore essential traffic.

Whereas: The project has met all contract provisions as required by 23 CFR Part 633A; met the Davis-Bacon wage requirements; and abided by the Disadvantaged Business Enterprises (DBE)

requirements, American with Disability Act (ADA) requirements, "Buy America" Provisions , FHWA 1273 and prohibitions against the use of convict labor (23 U.S.C. 114); and





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Whereas: The State has completed the required NEPA document, along with resource agency concurrences, and no new right of way (ROW) was needed for completing permanent repairs; and

Whereas: All emergency repairs were completed within 180 days and are eligible for 100% federal reimbursement; and

Whereas: The total emergency repairs reimbursement is \$14,450.00 and no further costs relating to this project will be incurred or submitted to the State.

Whereas: The total permanent repairs reimbursement is \$84,539.14 and no further costs relating to this project will be incurred or submitted to the State.

Be It Resolved: That the Nebraska Department of Transportation is hereby requested to act on behalf of Boyd County to administer Federal funds.

Be It Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board.

Adopted this 24<sup>th</sup> day of March, 2020, at Butte Nebraska

By Board of Commissioners of Boyd County, Nebraska.

Signed: Steven Spencer, Chairman

Attest: Tracy Reiser, Boyd County Clerk

It was moved by Bernt and seconded by Purviance to authorize Spencer to sign the Speece Lewis agreement for NRCS Channel Armoring Sites – Multiple Locations of 11 sites. Ayes: all. Motion carried.

A discussion was had on Naper South (Stuart Naper Bridge) project. It was moved by Nicolaus and seconded by Boska to adopt the following Resolution. Ayes: all. Motion carried.

## RESOLUTION 2020-03-24-02

Boyd County

90% Plans Approval

Whereas: Boyd County (County) and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

Whereas: The State or the design consultant has developed the project plans to the “90% Plans” stage of development, dated March 9, 2020.

Whereas: The “90% Plans” also includes Right of Way Plans;

Whereas: the LPA Program Agreement requires the County to review the “90% Plans” and either request modification or approve them as acceptable at this stage;

Whereas: County wishes to approve the “90% Plans” including the Right of Way Plans as prepared.

Be It Resolved by the Board of Supervisors of Boyd County that:

The Chair, Steve Spencer, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County’s approval of the “90% Plans” dated March 9, 2020, including Right of Way Plans for the project.

NDOR Project Number: ER-2115(6)

NDOR Control Number: 81041

NDOR Project description: Naper South

Adopted this 24<sup>th</sup> day of March, 2020 at Butte Nebraska.

The Board of Supervisors of Boyd County, Nebraska

Signed: Steven Spencer, Alan Nicolaus, Larry Boska, Leslie Purviance, Ronald Bernt, Duane Reiman, Steve Classen. Attest: Tracy Reiser, Boyd County Clerk

A discussion was had on the Lynch South Project – ER-2335(4). It was moved by Spencer and seconded by Purviance to adopt the following resolution. Ayes: all. Motion carried.



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**RESOLUTION 2020-03-24-03  
SIGNING OF THE LPA PROGRAM AGREEMENT – FEDERAL-AID FUNDING  
BOYD COUNTY**

Whereas: Boyd County (County) is proposing to develop and construct a transportation project for which it would like to obtain Federal funds;

Whereas: County understands that I must strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: County and State of Nebraska, Department of Transportation (State) wish to enter into an LPA Program Agreement-Federal-Aid Funds which will set out the various duties and funding responsibilities for the Federal-aid project; and

Whereas: County wished to designate its representative for this project.

Be it resolved by the Board of Supervisors of the Boyd County that:

The Chair, Steve Spencer, is hereby authorized to sign the attached LPA Program Agreement – Federal-Aid Funds between the County and the State.

County hereby designates Gary Connot to serve as County's representative and Project Liaison (PL) with State for this project.

Boyd County is committed to providing local funds for the project as required by the LPA Program Agreement – Federal-Aid Funds.

NDOR Project Number: ER-2335(4)

NDOR Control Number: 81055

NDOR Project Name: Lynch South

Adopted this 24<sup>th</sup> day March, 2020 at Butte Nebraska.

The Board of Supervisors of Boyd County. Signed: Steve Spencer, Alan R. Nicolaus, Larry L. Boska, Leslie Purviance, Ronald L. Bernt, Duane Reiman, Steve R. Classen

Attest: Tracy Reiser, Boyd County Clerk

It was moved by Nicolaus and seconded by Bernt to set the bid date for the Schuman Bridge site 4-11 for May 26, 2020 at 11:00 a.m. Ayes: all. Motion carried.

It was moved by Nicolaus and seconded by Purviance to authorize Spencer to sign the agreement with Speece Lewis to do a study on intersection of 487 Ave and 905 RD to determine recommended signing along with potential improvements of the intersection. Ayes: Nicolaus, Boska, Purviance, Bernt, Classen. Nays: Reiman. Abstain: Spencer. Motion carried.

A report was given on the tour of Cedar road and Badger road.

A discussion was had on the dump trucks the county owns.

Lee Holz gave his report to the board.

The discussion on the Reiser Bridge (site 6-11) as an alternate project for FEMA. It was moved by Reiman and seconded by Nicolaus to replace the bridge. Ayes: Nicolaus and Reiman. Nays: Boska, Bernt, Purviance, Classen and Spencer. Motion failed.

Doug Fox presented the board with a Disaster Declaration for the Coronavirus Covid 19. It was moved by Bernt and seconded by Nicolaus to sign the Declaration. Ayes: all. Motion carried.

A discussion was had on the courthouse and the Covid 19 Coronavirus. It was moved by Nicolaus and seconded by Purviance to lock the doors of the courthouse beginning March 25<sup>th</sup>, 2020. The public can



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contact each office to make an appointment with that office. The public is encouraged to do business by phone, fax, email or online if possible. The board will hire Albert Lee to watch the front door of the courthouse and he will be paid out of the Inheritance Fund. Ayes: Boska, Nicolaus, Purviance, Bernt, Classen and Spencer. Nays: Reiman. Motion carried.

It was moved by Boska and seconded by Nicolaus to hold the meetings of the Boyd County Board of Supervisors by ZOOM for the time being. Ayes: Boska, Nicolaus, Purviance, Bernt, Classen and Spencer. Nays: Reiman. Motion carried.

It was moved by Boska and seconded by Bernt to adjourn the meeting. Ayes: all. Motion carried. The meeting of the Boyd county Board of Supervisors adjourned at 11:55 a.m. The next meeting of the Boyd County Board of Supervisors will be Tuesday, April 28<sup>th</sup>, 2020 at 9:00 a.m.

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Chairman

Attest: \_\_\_\_\_  
County Clerk