



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
SEPTEMBER 26, 2016 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, September 26, 2016 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 Jerry L. Tisthammer, Hilary K. Maricle 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.

Motion made by Luettel, second by Tisthammer to approve the County Payroll Claims filed for payment from the various funds: General \$95,217.95, BCBS \$48,100.04, Ameritas Ret \$6,573.01, EFTPS \$7,106.58, Section 125 Fees \$10.00, Wellness Program \$114.88; Road \$52,033.86, BCBS \$24,170.06, Ameritas Ret \$3,512.27, EFTPS \$3,927.70; Ambulance \$1,497.50, Ameritas Ret \$49.62, EFTPS \$114.55; Public Defender Contract \$3,120.00; Boone County Fitness Center \$6,268.37, Ameritas Ret \$347.90, EFTPS \$479.53, which is all reimbursed back to the County. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The Board of Commissioners are purchasing 35± acres located in the SW1/4NE1/4 of Section 28, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, that is adjacent to the south line of the present county owned fairgrounds property for \$270,000.00. The closing of the property is scheduled for December 1, 2016. Motion made by Luettel, second by Tisthammer to approve the Accounts Payable Vendor Claim for \$5,000.00 from the Inheritance Tax Fund payable to Boone County Title & Escrow LLC Trust Account with the balance of \$265,000.00 due on December 1, 2016 per sale agreement. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Tisthammer to approve the County Board Proceedings of September 19, 2016 as presented. Roll call vote: Yeas: Luettel, Tisthammer and Maricle. Nays: None. Motion carried.

The primary use of the Boone County Visitors Promotion Fund is to promote, encourage and attract visitors to come to the county through advertisement of the event. The Boone County Visitors Promotion Committee received a request for advertisement funding. The Albion Area Arts Council requested assistance to advertise The Gulizia Brothers Concert scheduled for October 23, 2016. Motion made by Tisthammer, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Tisthammer, Maricle and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, updated the Board regarding road/bridge maintenance, materials and projects. Thorin said that with weather permitting the asphalt overlay on Central Highway may be completed with the exception of driveways and shoulder work this week. The county road department is completing the road to the new County Communications Tower located on the county fairgrounds today. Thorin said that the county road department started removing trees/shrubs from some of the county road right-of-ways on September 1<sup>st</sup>.



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Darrel Thorin, County Highway Superintendent, submitted for review and approval the annual Standardized System of Annual Reporting (SSAR). The annual report is submitted to the Board of Public Roads Classification and Standards pursuant to Neb. Rev. Stat. 39-2120 and 39-2510. The report includes administrative/operating expenses and cost per mile/hour for the road department equipment. Motion made by Maricle, second by Tisthammer to approve and authorize the Board Chairman to sign the annual SSAR report for fiscal year ending June 30, 2016 as presented. Roll call vote: Yeas: Maricle, Tisthammer and Luettel. Nays: None. Motion carried.

Darrel Thorin, County Highway Superintendent, submitted a state bid for a new 2017 Caterpillar motor grader. Thorin said that the state bids for equipment are usually three to five year contracts. Thorin said that the quote includes a \$14,000.00 customer parts credit that may be used for any of the caterpillar motor graders. Thorin said that the Board may dispose of a used motor grader by trading it in or advertise the machine for sale when approving a state bid. The consensus of the Board is for Thorin to review the disposal options and decide on the best offer. Motion made by Luettel, second by Maricle to approve the purchase and authorize Darrel Thorin, County Highway Superintendent, to sign the necessary papers with Nebraska Machinery Company for the purchase of a 2017 Caterpillar Motor Grader Model No. 12M3AWD for \$285,892.00 payable from the County Road fund. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried.

The Board held a Public Hearing at 10:00 A.M. to hear testimony in favor of, or opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road known as 265<sup>th</sup> Avenue. No opposition was heard at the public hearing. Motion made by Luettel, second by Maricle to approve as presented Resolution No. 2016-54, to vacate said portion of 265<sup>th</sup> Avenue, beginning at a point between the NE corner of the SW1/4 and the NW corner of the SE1/4 of Section 26, Township 20 North, Range 6 West, thence south approximately two thousand five hundred and five (2,505) feet to a point located on the north right-of-way line of Nebraska State Highway 39, between the SW1/4 and the SE1/4 of Section 26, Township 20 North, Range 6 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Luettel, Maricle and Tisthammer. Nays: None. Motion carried

Paul Kettelson requested permission to trench an electrical line under a county road commonly known as 170<sup>th</sup> Street running east and west between Sections 3 and 10, all in Township 21 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The trenched electrical line is for a grain bin to be located in the NE1/4 of Section 10. The electrical line commences from an electrical pole located in the county road right-of-way in the SE1/4 of Section 3; thence running south across 170<sup>th</sup> Street to a grain bin to be located in the NE1/4 of Section 10, all in Township 21 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Motion made by Tisthammer, second by Luettel to approve Resolution No. 2016-55, granting permission to Paul Kettelson to trench an electrical cable under a county road known as 170<sup>th</sup> Street to the NE1/4 of Section 10, Township 21 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, to a grain bin site. Roll call vote: Yeas: Tisthammer, Luettel and Maricle. Nays: None. Motion carried.



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Open discussion and miscellaneous public comments:

- The Board discussed various meetings scheduled this week.
- Glen Davidson expressed his concerns to the Board regarding safety issues on county roads due to the planting of crops in the county road right-of-ways that are making the county road intersections very hazardous. Darrel Thorin, County Highway Superintendent, and the Board explained the statutory procedure of notification to landowners encroaching on county road right-of-ways and the liability of the landowner for planting in the county road right-of-ways.

Chairman Luettel declared the meeting adjourned at 11:35 A.M., the next Board meeting is scheduled for Tuesday, October 11, 2016.

Kathy Thorberg,  
Boone County Clerk