



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
OCTOBER 10, 2017 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, October 10, 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 Hilary K. Maricle and Ken Luettel. Commissioner Alan Rasmussen arrived at 9:43 A.M. 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.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of September 27, 2017 as presented. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

The Board received an amended written resignation from a full time County Sheriff's office employee. The Board approved an October 6, 2017 resignation date for Shelby Hrabik on September 18, 2017. Motion made by Luettel, second by Maricle to accept the amended resignation of full time employee Shelby Hrabik to be effective October 20, 2017. Roll call vote: Yeas: Luettel and Maricle. Nays: None. Absent: Rasmussen. 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 St. Edward Development Co. requested assistance to advertise the St. Edward Extravaganza event scheduled for November 10, 11, and 12, 2017. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle and Luettel. Nays: None. Absent: Rasmussen. Motion carried.

Commissioner Rasmussen arrived at 9:43 A.M.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment from the various funds. Motion made by Maricle, second by Luettel to approve the Accounts Payable Vendor Claims filed for payment from the various funds as follows: General - \$36,821.64; Road/Weed - \$123,342.11; County Visitors Promotion - \$400.00; County Veteran's Aid - \$2,000.00; 911 Emergency Management (2910) - \$800.95; 911 Wireless Services (2913) - \$824.32; Ambulance - \$766.63. Roll call vote: Yeas: Maricle, Luettel 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 \$2,498.30, 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.

Tom Smith, Region 44 Emergency Manager, was present to discuss the Courthouse Emergency Action Plan. The Board and Smith decided to discuss the Courthouse Emergency Action Plan with the department heads on October 16, 2017. Motion made by Luettel, second by Maricle to table the Courthouse Emergency Action Plan discussion to the October 16, 2017 Board meeting. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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

- Clerk - \$4,241.00 (State of Nebraska \$1,828.80)(County of Boone \$2,412.20)
- Clerk of the District Court - \$735.95 (State of Nebraska \$480.00)(County of Boone \$255.95)
- Sheriff - \$979.67
- Planning & Zoning - \$823.75
- Treasurer - Treasurer's Fees - \$4.00; Miscellaneous Receipt Nos. 15918-15979 - \$236,756.44; Total Collections - \$1,300,422.65

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

The Board approved Boone County Surveyor, Chris Hays, Hays Land Surveying, LLC, to survey the County owned property presently known as the Boone County Fairgrounds for property line ownership with complete legal descriptions. It appeared that the present east and south fence lines of the present property known as the Boone County Fairgrounds are not located on the property lines in accordance with the metes and bounds legal descriptions on filed documents in the Register of Deeds office. Hays suggested a subdivision plat divided into four lots to be known as, Fairgrounds 1st Subdivision, to correct the discrepancies within the metes and bounds legal descriptions. The property known as Boone County Historical Society, Inc. (museum) to be Lot 1, and the present camp ground as Lot 2. The Lots 3 and 4 areas will be on the east and west side of 11th Street. A proposed South Park Subdivision on the east side of the present fairgrounds property cannot have a dead end street within a platted subdivision. The Fairgrounds 1st Subdivision allows for a street from the proposed South Park Subdivision to connect with 11th Street. The subdivision shall be known and designated as Fairgrounds 1st Subdivision, a subdivision of part of the NE1/4 of Section 28, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public unless specifically noted herein. Other public land shown and not heretofore dedicated are hereby reserved for public use. Said tract of land shall hereafter be known as Fairgrounds 1st Subdivision, consisting of Lots 1, 2, 3, and 4. Motion made by Rasmussen, second by Maricle to approve and designate this subdivision to be known as Fairgrounds 1st Subdivision, as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Jack Daily and Jerry Niewohner, representing Niewohner Bros., were present to discuss with the Board the possibility of transferring lagoon effluent by pipe to be buried in a county road right-of-way. Daily presented a written outline for the proposed project. Daily's project proposal included why the need for the underground pipe and how/type of pipe would be buried. The ten inch PVC pipe would be trenched seven foot deep. Dailey said that the pipe in the county road right-of-way would be trenched for approximately one mile and that they would tunnel bore under county roads in order not to disturb the road surface. Stacey Robinson, County Highway Superintendent, and Dan Stankoski, County General Road Foreman, physically viewed the area being discussed with Delmer Pelster. The lagoon is located in the NW1/4 of Section 2 and the property to receive the effluent would be the NW1/4 of Section 11, all in Township 21 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Following the discussion the Board asked Dailey and Niewohner to bring back to the Board more information at a later date, after they call digger hot line to be sure of what is or is not in the one mile of the county road right-of-way and designate either east or west side of 260th Avenue for trenching in the county road right-of-way.



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At their June 28, 2017 meeting, the Board made a motion to support the Boone County Agricultural Society, Inc. in moving forward to seek an architect/engineering firm to design a new building to replace the existing livestock facility located on the fairgrounds property. Due to a previous campaign project for an enclosed arena/multi-purpose proposed building for 7.5 million did not materialize the committee decided to down size the project and replace the existing arena and livestock building. Chuck Rolf, Boone County Agricultural Society, Inc.; Kurt Kruse of Albion, Bill Robinson of Cedar Rapids, and Kevin Rasmussen of Albion, fairgrounds building committee; Steve Pritchard, UNL Extension; Andy Forney, D.A. Davidson & Co.; and Ryan D. Stearns, Joseph R. Hewgley and Associates, reviewed a proposed new livestock building for the Boone County Fairgrounds with the Board. The proposed all enclosed facility includes space of 220' x 250' for the UNL Extension office, a conference room, restrooms, concession stand, show arena, 100 large animal stalls, 100 small animal stalls. The approximate cost is 3.2 million and that does not include livestock panels, architect fees, etc. The plans would include a dirt floor for the show arena and concrete floor for the animal stalls. The building committee group plans to meet with the Board on Wednesday, October 25, 2017.

The Board contacted Vince Valentino by telephone during the Board meeting to continue their discussion with Jeff Jarecki, Attorney representing Boone County Fitness Center (BCFC), Jay Wolf, Anji Kendrick and Melinda Johnson, regarding Nebraska State Statute Chapter §23-107.01, real estate owned by county, specifically Lots 6, 7, and 8, Block 9, Mansfield's Second Addition to Albion, Boone County, Nebraska. Following a lengthy discussion at the September 27, 2017 Board meeting, the Board tabled a decision to their October 10, 2017 Board meeting. Motion made by Luettel, second by Maricle to proceed in accordance with state statute and advertise to accept sealed bids for the following property to be operated and leased as a fitness center: Lots 6, 7 and 8, Block 9 Mansfield's Second Addition to Albion, Boone County, Nebraska to be opened on Wednesday, October 25, 2017. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

David Merrell, requested permission to trench an electrical line across a county road commonly known as 290th Avenue running north and south between the SE1/4 of Section 31 and the SW1/4 of Section 32, all in Township 19, Range 5 West of the 6th P.M., Boone County, Nebraska. The electrical line will commence from a power pole located in the SE1/4 of Section 31, thence running east to a bin to be located in the SW1/4 of Section 32, all in Township 19 North, Range 5 West of the 6th P.M., Boone County, Nebraska. Motion made by Luettel, second by Maricle to approve Resolution No. 2017-36, granting permission to David Merrell to trench an electrical line across a county road known as 290th Avenue to a bin to be located in the SW1/4 of Section 32, Township 19 North, Range 5 West of the 6th P.M., Boone County, Nebraska, as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, submitted an agreement for the Board to review regarding the State of Nebraska, Department of Transportation Project Number STP-56-5(107). The State intends to construct a Federal-Aid Resurfacing, Restoration, and Rehabilitation project along a portion of State Highway N-56 between Cedar Rapids and St. Edward. The State plans to remove and replace the existing bridge. Motion made by Maricle, second by Luettel to approve Resolution No. 2017-37 and authorize the Board Chairman to execute the agreement with the State of Nebraska, Department of Transportation, for Project Number STP-56-5(107) as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



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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 she is seeking quotes for necessary repairs to the county road shop buildings located in Albion and Cedar Rapids.
- Robinson informed the Board that the 2002 Kenworth Truck located at the Cedar Rapids shop is in need of repair. Robinson and the Board discussed the repair quotes from NMC. An extended overhaul warranty and overhaul of the engine is approximately \$32,000.00. An overhaul counter boring the block and using JB weld to repair the engine with a one year new part warranty is approximately \$26,000.00. Motion made by Rasmussen, second by Maricle to approve the engine repair for the 2002 Kenworth Truck for approximately \$26,000.00 with NMC. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Jack Nordeen, County Weed Superintendent/Signage Technician and the Board discussed his concern with the county employee sick leave/vacation policies. No action was taken.

Public Comments:

- Congratulations to Commissioner Ken Luettel, elected member of the NIRMA Board of Directors.
- The County of Boone, Nebraska received from NIRMA an insurance dividend in the amount of \$17,953.00.
- Mary Ziemba, County Zoning Administrator, updated the Board regarding zoning activity.

Chairman Maricle declared the meeting adjourned at 12:46 P.M., with the next Board meeting scheduled for Monday, October 16, 2017.

Kathy Thorberg,
Boone County Clerk