



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS NOVEMBER 13, 2017 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:01 A.M. on Monday, November 13, 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, Ken Luettel 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.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of October 30, 2017 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment from the various funds. The Board reviewed an Accounts Payable Vendor ID No. 1077 for \$222.25, for meeting mileage and meal reimbursement requests. The Boone County Employee Handbook addresses Travel Expense. The Board decided that the submitted evening meal ticket of \$22.03 did not qualify for reimbursement. Motion made by Luettel, second by Maricle to partially deny \$22.03 submitted for reimbursement from the General Fund on Vendor ID No. 1077 and approve the Accounts Payable Vendor Claims filed for payment from the various funds as follows: General - \$42,597.69; Road/Weed - \$137,675.43; County Visitors Promotion - \$659.20; Inheritance Tax - \$52,892.40; 911 Emergency Management (2910) - \$502.34; 911 Wireless Services (2913) - \$672.48; Ambulance - \$1,280.13. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

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

- Clerk - \$3,299.25 (State of Nebraska \$1,053.53)(County of Boone \$2,245.72)
- Clerk of the District Court - \$884.97 (State of Nebraska \$468.00)(County of Boone \$416.97)
- Sheriff - \$925.28
- Planning & Zoning - \$145.00
- Treasurer - Treasurer's Fees - \$2.00; Miscellaneous Receipt Nos. 15980-16030 - \$246,030.51; Total Collections - \$537,188.49

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

The Clerk's office was approached by courthouse employees to ask the Board if a Christmas tree may be purchased for the courthouse building. The Board discussed the request and the consensus of the Board is to allow up to \$250.00 for a Christmas tree/lights for the courthouse building.

The State of Nebraska, Department of Roads needs the county board to designate the official county newspaper(s) in order to comply with the state statute when advertising their projects for bids in the county. The Cedar Rapids Press no longer has their legal status. Motion made by Luettel, second by Maricle to designate the official county newspapers for 2018 to include the Albion News, Petersburg Press and The St. Edward Advance. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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The Boone County Board of Commissioners accepted a three year renewable lease bid with an annual rental of One Dollar (\$1.00) from Boone County Fitness Center, Inc., at their meeting on October 25, 2017 with the terms of the Lease to be finalized on November 13, 2017, for the following property owned by the county to be operated and leased as a fitness center, specifically Lots 6, 7, and 8, Block 9, Mansfield's Second Addition to Albion, Boone County, Nebraska. Jay Wolf, representing Boone County Fitness Center, Inc., was present at the Board meeting. The Board contacted Larry Pelan, NIRMA, by telephone during the Board meeting to discuss changes within the Lease to items 8, 10 & 11. The Board, Pelan and Wolf discussed the changes that NIRMA will approve. Wolf said that the Boone County Fitness Center Board meeting to review/sign the Lease is scheduled for December 12, 2017. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Lease by and between the County of Boone, Nebraska and Boone County Fitness Center, Inc. with the changes as discussed with NIRMA. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Laurie Krohn, County Treasurer, submitted a Distress Warrant Report for the Board to review. There were eight distress warrants delivered to the Boone County Sheriff on November 1, 2017 for collection of unpaid 2016 personal property taxes. The amount of uncollected 2016 personal property taxes, not including penalties is \$2,835.39. The total to be collected on distress warrants, with penalties is \$2,962.78. Motion made by Luettel, second by Rasmussen to accept and approve the County Treasurer's Distress Warrant Report as presented. Roll call vote: Yeas: Luettel, Rasmussen 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 four requests for advertisement funding.

The Albion Area Arts Council requested assistance to advertise the String Beans concert scheduled for December 2, 2017. Motion made by Luettel, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Albion Area Arts Council requested assistance to advertise the Jerry Barlow concert scheduled for December 10, 2017. Motion made by Rasmussen, second by Maricle to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Boone County Historical Society, Inc. requested assistance to advertise the Boone County Historical Society, Inc. (museum fundraiser) open house and music by area musicians scheduled for December 1, 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, Luettel and Rasmussen. Nays: None. Motion carried.

The Boone County Historical Society, Inc. requested assistance for printing of new museum brochures for distribution. Motion made by Luettel, second by Maricle to deny the application requesting funding assistance for printing of museum brochures based on the recommendation of the Visitor's Promotion Committee that printing of brochures does not qualify as an event. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.



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An annual certification of a County Highway Superintendent is due each year by December 31st to the Nebraska Department of Roads per Nebraska Revised Statutes §39-2501 through §39-2505. The performance of the duties listed in the certification determines federal highway allocation funds incentive payments. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Certification for the Nebraska Department of Roads of Stacey L. Robinson, Boone County Highway Superintendent, for the calendar year 2017 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

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

- Robinson and the Board discussed necessary repairs to the county road shop buildings located in Albion, Cedar Rapids and Petersburg.
- Robinson and the Board discussed the installation of the new waste oil burner in the road shop building located in Albion.
- Robinson and the Board discussed low water crossing markings, maintenance and documentation.

Denny Johnson, Sheriff, was unable to attend the Board meeting for the agenda item #12. Rod Nelson, Maintenance, and the Board discussed courthouse security. No action was taken.

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. At their October 10, 2017 meeting, the Board; 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 to replace the existing arena and livestock facility. At their October 25, 2017 meeting, the Board received a resolution as an agenda item to discuss authorizing the issuance of limited tax building bonds for the purpose of a new county owned livestock building for the Boone County Fairgrounds not to exceed \$4,250,000.00. The Board; 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; Josephine Weltruski, Boone County Extension office; Kristine Schrad, Boone County 4-H Council; Karen Benes; Andy Forney, D.A. Davidson & Co.; Ryan D. Stearns, Joseph R. Hewgley and Associates; and by telephone Mike Rogers, Gilmore & Bell, held a lengthy discussion regarding the Boone County Agricultural Society, Inc. and fairgrounds building committee's request to build a new building to replace the present livestock facility.

The Board received a revised resolution as an agenda item to discuss at their November 13, 2017 meeting, authorizing the issuance of limited tax building bonds for the purpose of a new county owned Agricultural and Educational Activities Building for the Boone County Fairgrounds. The Board; Chuck Rolf, Boone County Agricultural Society, Inc.; Kurt Kruse of Albion and Bill Robinson of Cedar Rapids, fairgrounds building committee; Steve Pritchard, UNL Extension; Josephine Weltruski, Boone County Extension office; and Kristine Schrad, Boone County 4-H Council continued the lengthy discussion from the prior Board meetings regarding the new fairgrounds building project. Chuck Rolf said that the initial proposed building size has been changed to add fifty feet of length to the building, while eliminating the concrete floor under the large animal pen spaces,



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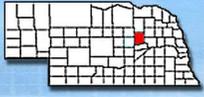
for about the same approximate total cost of \$4,250,000.00. The additional feet would make the arena more useable for horse show/events, such as barrel racing that require more space.

The proposed building size of 150 feet by 300 feet includes space for a show arena with dirt floor; pen space with dirt floor for 100 large animals; pen space with concrete floor for 100 small animals; two wash stations; portable pen panels; portable bleachers; insulated roof and walls and large ceiling fans to provide air movement. In addition, the proposed office area size of 70 feet by 150 feet to be located on the main entrance side of the building includes office area for UNL Extension; conference room; multi-use concession stand; restrooms; and this area will be heated and cooled for year-round use.

The Board had asked the fairgrounds building committee to prepare an informational brochure regarding the project. The following information was prepared and submitted to the Board:

- The current 80 plus year old facilities have limited use (show ring is not well lighted, not ADA accessible, un-safe when showing larger classes of livestock). Stall barn has narrow alleys that are unsafe when moving animals amongst the public, inadequate electrical power and outlets for modern show needs, and the building has spreading foundations. Currently large animals are stalled in two locations.
- The proposed location of the new facility allows the current outdoor arena to remain in place along with the concession stand/restrooms for the outdoor arena. Removal of the present show ring building and west livestock building creates additional parking in an area that has shade trees.
- The facility can accommodate 100 plus large animal stalls and 100 small animal pens including two wash stations accessible from inside the building. The entire new building will have maximum insulated roof and walls plus large ceiling fans that will provide air movement along with exhaust fans to aid in humidity control in the livestock area.
- A multi-use concession stand is located near the arena designed with serving capabilities to inside or outside events. The main show concession area and office space will be climate controlled with heating and air conditioning providing utilization throughout the year.
- Locating the Extension Office on site allows critical office and storage space needed in the Courthouse. It will also allow easy access for all Extension programs and activities that take place at the fairgrounds. Easy access and a large parking area contribute to the possibility of enticing events. Also, easy access to both the Boone County Event Center and the Casey Building provide additional classroom/meeting areas, if needed.
- The new facility provides the space, amenities and year-around-use options to host many events in our community, in addition to the usual county fair events. Examples of events include: livestock production sales, team penning's, bull rides, horse shows, machinery shows/auctions, small animal shows, cattle events, regional FFA events, Ag shows, 4-H shooting sports meetings/events, and car shows.

Commissioner Maricle and Rolf shared the information they received from visiting with representatives in Merrick County regarding their new fairgrounds building that is similar to the proposed building for Boone County. Merrick County has an electronic keypad for arena users to check in and out; the arena users pay an annual membership; there is a daily arena user fee for non-members; and the scheduling is handled by a web based calendar. Merrick held informational public meetings in each of their towns for public input in regard to their new facility before a final building/financial decision. The Board felt that informational public meetings



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should be held in each of the towns. Robinson said it is a waste of time to have area meetings and that the Board is the steward of the tax payers funds.

The actual cost of the proposed building has not been determined yet. The group discussed some options when determining ways to finance the project. The Boone County Board of Commissioners have the authority to issue County of Boone, Nebraska limited tax building bonds without the vote of the people for a set amount of years not to exceed twenty years. The Boone County Agricultural Society, Inc. cannot issue limited tax building bonds statutorily. Also, in accordance with State Statutes the Boone County Board of Commissioners have the authority to approve/allow the Boone County Agricultural Society, Inc. budget to levy an additional Building Levy of three and five-tenths cents on each one hundred dollars of taxable valuation, or any part thereof, separate from their general operation levy. In addition, the group discussed the possibility of fund drives, grants and private donations to help offset the full funding of the project. The Board of Commissioners have discussed an appropriation of \$1,300,000.00 from the County Inheritance Tax Fund for the project, leaving \$2,950,000.00 to bond or levy. If the County issues bonds for the project, the building becomes County owned until the bonds are paid. If the Agricultural Society budget institutes a building fund levy they pay on a loan for a set number of years.

Robinson and Kruse asked the Board to approve a commitment to the project so that the committee and Agricultural Society could move forward. Robinson said that at the prior meetings Andy Forney, D.A. Davidson & Co., said that the document is a “Parameters Resolution” and that if the Board decides not to issue limited tax building bonds they can rescind the resolution. The Board decided to hold one informational public meeting regarding the new fairgrounds building to be known as the Agricultural and Educational Activities Building on Wednesday, December 6, 2017 at 7:30 P.M. at the Albion Country Club. The Board will make a decision in regard to the funding of the project following more informational research and the public informational meeting.

Motion made by Rasmussen, second by Maricle to approve Resolution No. 2017-48, known as a parameters resolution, authorizing the issuance, sale and delivery of limited tax building bonds of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,950,000.00 for the purpose of constructing, equipping and making site preparations for a building owned by the county and initially to be used as an Agricultural and Educational Activities Building for the County as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Public Comments:

- Commissioner Maricle updated the Board regarding the vision meeting held by BCDA, Inc.
- Meetings: Boone County Agricultural Society, Inc. - November 20, 2017; Fairgrounds building committee meeting – December 4, 2017; and Informational public meeting for a proposed new Boone County Fairgrounds Agricultural and Educational Activities Building – December 6, 2017.
- The Board extends an appreciation and thank you to the Boone County American Legion and American Legion Auxiliary for the Boone County Government Day event held on Wednesday, November 8, 2017.

Chairman Maricle declared the meeting adjourned at 1:14 P.M., with the next Board meeting scheduled for Monday, November 20, 2017.

Kathy Thorberg,
Boone County Clerk