



# Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS  
JANUARY 16, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, January 16, 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, 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 Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

Motion made by Maricle, second by Rasmussen to approve the County Board Proceedings of January 10, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Treasurer submitted a Semiannual Statement for July 1, 2017 through December 31, 2017. Motion made by Rasmussen, second by Luettel to accept and approve the County Treasurer's Semiannual Statement as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The County Clerk and County Treasurer submitted copies of pledged securities (collateral) for their respective offices as of December 31, 2017. Motion made by Maricle, second by Luettel to acknowledge and approve the pledged securities (collateral) as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

An annual Weed Superintendent report is due January 31<sup>st</sup> each year and is submitted to Nebraska Department of Agriculture, Animal and Plant Health Protection. The Boone County Weed Board is the same members as the Boone County Board of Commissioners. The Board reviewed the 2017 year-end/2018 year-anticipated weed report that was prepared by Jack Nordeen, Boone County Weed Superintendent. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the annual weed reports as presented. Roll call vote: Rasmussen, Maricle and Luettel. 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 2018 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, 2018 to June 30, 2019. 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 2018 Community-Based Juvenile Services Grant as presented. Roll call Vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Wellness Partners of McCook, Nebraska contacted the County Clerk's office inquiring if the Boone County Board of Commissioners are interested in their health screening services for the county employees that are interested in participating. Motion made by Luettel, second by Rasmussen to approve Wellness Partners to provide a Wellness Health Fair on Thursday, March 22, 2018 for county employees interested in participating on their own time. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Mary Ziemba, County Planning and Zoning Administrator, submitted a name for the Board to consider to fill the board member vacancy position on the County Zoning Board of Adjustment. The Board and Ziemba



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discussed the current vacant positions of a board member and an alternate board member for the County Zoning Board of Adjustment. Motion made by Maricle, second by Luettel to appoint John Frey, Albion, Nebraska as a board member of the County Zoning Board of Adjustment effective January 16, 2018. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

It shall also be the duty of the County Board of each county of this state to visit the jail of its county per Nebraska State Statute 47-109. The Board conducted a routine visit of the Boone County Jail per Nebraska State Statute.

A group of approximately 50 concerned citizens returned to attend the Board meeting in regard to the proposed Agricultural and Educational Activities Building for the Boone County Fairgrounds. The majority of the citizens had attended the Board meeting on January 10, 2018. The Board; Boone County Agricultural Society, Inc. board members; Agricultural and Educational Activities Building committee members; Steve Pritchard, UNL Extension; and the county citizens in attendance held additional discussion regarding the proposed \$4,250,000.00 building project. Discussion presented was both in favor of the project and opposed to the project.

The meeting started with a discussion in regard to state statutes. The Boone County Agricultural Society, Inc., a governmental entity in accordance with state statute, is governed under the County Agricultural Society Act, Sections 2-250 to 2-273.

The Board and group discussed the use of the County Inheritance Tax Fund. Some citizens felt that the fund should be used primarily to improve the county roads. The Inheritance Tax Fund has been previously used in the past to help keep the county levy lower. However, the fund has been used to purchase road equipment, county vehicles, renovation of courthouse and law enforcement building's, telephone system, etc. over the years.

The majority of the tax paying citizens in attendance continued to voice that they want to be able to vote on the project and are asking why the citizens are not having the opportunity to vote on the building project. Some of the questions asked were answered, some questions were not answered and some of the questions the building committee could not yet address. Some of the alternative ideas and concerns presented were the same as the January 10, 2018 meeting.

Some of the comments voiced by the group were:

- The project and cost is too large for what is needed at the fairgrounds;
- The Event Center should be paid off before another large project is started;
- The proposed indoor arena area is not cooled or heated, it would not attract use or attendance year round;
- Get back to what needs renovated/replaced, the indoor show arena and small livestock building;
- The proposed facility will be used, but not enough revenue will generate for the payments, employment of a manager, insurance, future maintenance and upkeep, will always be a tax levy;
- No line by line item costs of the building construction or furnishings;
- Building project represents a want, not something that is a need; and
- There is no need to build an office for UNL Extension at the fairgrounds, why can't they use one of the present buildings out there now for their youth meetings.

Commissioner Maricle said that the planning committee proposed a structure with multiple uses and longer term benefits. Maricle said she committed to this project in December and I am not going back on my word. Some of the support expressed for the proposed new facility were the same as the January 10, 2018 meeting:



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- The support group plans to seek grants and donations to reduce the tax load for the project;
- Livestock buildings in need of renovation/replacement;
- Indoor show arena too small and dangerous;
- Larger space for the 4-H youth meetings, workshops and to practice archery;
- Larger indoor show arena would allow the youth to work with their horses year round; and
- Look at the building project as economic development with the opportunity to host larger/more events in the area.

Commissioner Luettel said he would suggest that the Agricultural Society and building committee go back to the drawing board and come up with a new proposal. A vote to rescind the resolution that pertained to the capital construction financing of the proposed building project followed more than an hour of additional discussion. The Board action did not rule out a bond issue of the proposed project.

Concerned citizens attended the Board of Commissioners meetings on January 10, 2018 and January 16, 2018 in regard to the proposed Agricultural and Educational Activities Building project for the Boone County Fairgrounds. The public is asking for the opportunity to vote on the large proposed building project. The present proposed building project is \$4,250,000.00 and does not include furnishings or heat/air for the proposed all year-round use indoor show arena. The Board approved Resolution No. 2017-50 dated December 18, 2017 that pertained to the capital construction financing of a proposed Agricultural and Educational Activities Building to be located at the Boone County Fairgrounds. The Board received information that the Boone County Agricultural Society, Inc., a governmental entity in accordance with state statute, is not authorized under the County Agricultural Society Act, Sections 2-250 to 2-273, to obtain a financial loan. Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-02, that the governing body, Boone County Board of Commissioners of the County of Boone, Nebraska, hereby rescinds all of Resolution No. 2017-50, pertaining to the financing of a proposed Agricultural and Educational Activities Building to be located at the Boone County Fairgrounds as stated in the resolution and effective January 16, 2018. Roll call vote: Yeas: Rasmussen and Luettel. Nays: Maricle. Motion carried.

## Public Comments:

- Meetings: LEPC – January 16, 2018; Region 4 Behavioral Health System – January 17, 2018; BCDA, Inc. – January 17, 2018; Northeast NE Area Agency on Aging – January 18, 2018; Northeast NE Juvenile Services - January 19, 2018; Greater NE Workforce Development – January 18, 2018; Boone County Recreational Trails System Project - January 19, 2018; and Senior Official Training and Table Top Exercise – January 24, 2018.
- Mary Ziemba, County Planning and Zoning Administrator, informed the Board that the previously scheduled Boone County Joint Planning Commission meeting for January 29, 2018 has been cancelled.
- Commissioner Rasmussen updated the Board regarding the Boone County Agricultural Society, Inc. meeting held January 15, 2018.
- The Board observed the Boone County Joint Planning Commission meeting held January 15, 2018.

Chairman Luettel declared the meeting adjourned at 12:25 P.M., with the next Board meeting scheduled for Monday, January 22, 2018.

Kathy Thorberg,  
Boone County Clerk