



# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 20, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Tuesday, February 20, 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.

Chairman Luettel opened the meeting and asked if there were any requests to amend the agenda today to add a general assistance request as an emergency item. The individual asking for general assistance was present to request an amendment to the Board's agenda to add a general assistance request as an emergency item. Motion made by Luettel, second by Maricle to add the general assistance request as an emergency agenda item. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

No one present objected to the amendment of the Board's agenda. The requested agenda item is for a general assistance request regarding a propane heating bill. The Board heard the general assistance request regarding the heating bill. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Luettel, second by Maricle to approve the January propane heating bill amount, less the sales tax, payable directly to the entity. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of February 12, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. Motion carried.

Bruce Benne, Albion Fire Chief; Jason Borer and Paul Kyncl, Albion Volunteer Fire Department; Randall Bruland, County Ambulance Administrator; and the Board of Commissioners discussed options for the county owned ambulance unit that is being housed in the Albion Fire Department building. Benne informed the Board that the Boone County Ambulance unit is plugged in at all times when not on an ambulance call, is washed when needed at the fire hall, and a portion of the oxygen cylinder tanks/oxygen gas are used by the county ambulance. The fire department representatives and the Board discussed billings from the fire department each month for the County Ambulance actual usage(s) or an Interlocal Rental Agreement between the County of Boone and City of Albion, owner of the fire hall building. The fire department representatives felt that it would be hard to determine what portion of the oxygen gas/cylinder billings and utilities billings would actually be used by the county unit. The County could pay a monthly rental fee to the City of Albion that would cover all usage fees and space to house the county ambulance under an Interlocal Rental Agreement. Following the discussion the group decided to have the Boone County Clerk work with the City of Albion Administrator to draft an Interlocal Rental Agreement. Motion made by Maricle, second by Rasmussen for the County of Boone, Nebraska to enter into an Interlocal Rental Agreement with the City of Albion, Nebraska on behalf of the Boone County Ambulance unit and Albion Volunteer Fire Department. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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The Board approved and signed-off for two proposed changes to the law enforcement building renovation project at their February 12, 2018 Board meeting. Prochaska & Associates submitted Change Order No. 001 that changes the original contract amount from \$188,200.00 to an adjusted amount of \$147,074.00. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the Contract Change Order No. 001 submitted by Prochaska & Associates for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Denny Johnson, Sheriff, submitted a jail video visitation proposal for the Boone County Law Enforcement/Sheriff building for the Board to review. Video visitation for jail inmates replaces in-person contact of regular visits with jail inmates, therefore reduces the possibility of items that may be passed from a visitor to an inmate. Johnson asked the Board to table the equipment proposal due to the electrical and cabling installation fees may not be included in the proposal. Motion made by Luettel, second by Maricle to table the jail video visitation proposal submitted for review on February 20, 2018 as requested by the Boone County Sheriff. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, prepared a Non-Exclusive Contract for Services for each of the interested truckers to back-haul aggregate for the County. The contracts are for the year 2018 with the contractor compensation being \$7.00 per ton for road gravel and \$11.00 per ton for other aggregate. The interested truckers needed to attach a copy of the truck driver's CDL and insurance coverage to the contract. In addition, the back-hauler is to contact the County Highway Superintendent before any load is accepted by Boone County. The Board reviewed the Non-Exclusive Contract for Services submitted by Ron Beckman/Beckman Lumber Inc. and Corey Dobson/Dobson Transfer LLC. Motion made by Luettel, second by Rasmussen to authorize the Board Chairman to sign the Non-Exclusive Contracts for Services as accepted and approved by the County Highway Superintendent. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, submitted a Non-Exclusive Contract for Services referencing the Resolution No. 2018-01, from Ken Luettel/JACK Dynamic LLC to back-haul aggregate for the County. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Vice Chairman to sign the Non-Exclusive Contract for Services for JACK Dynamic LLC as presented. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Stacey Robinson, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. Robinson and the Board discussed the mold test results (non-dangerous type), heating unit, needed repairs and other issues in regard to the Road District #1 Cedar Rapids Shop building. Robinson plans to make a list of all the issues with the Road District #1 Shop to submit to the Board at a later date. Robinson informed the Board that the Road District #2 Albion Shop building water damage has been repaired by the county road employees.

Stacey Robinson, County Highway Superintendent, presented the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska at the 10:00 A.M. public hearing. Motion made by Maricle, second by Rasmussen to approve Resolution No. 2018-06, adopting the 2018 One and Six Year Road Improvement Program for County of Boone, Nebraska as presented at the public hearing. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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The Board; Jim Ely, County Attorney; Chuck Rolf, Dave Noble and Jeryl Kettelson, Boone County Agricultural Society, Inc.; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Kurt Kruse and Kevin Rasmussen, fairgrounds building committee; Steve Pritchard and Jo Weltruski, UNL Extension; Ed Braun; Paul Kettelson; Dennis Krohn; and Patricia Neidhardt discussed the proposed \$4,250,000.00 building project for the Boone County Fairgrounds. The prior resolutions have been rescinded in regard to the financing of the proposed project. The group meeting today is in regard to the Board motion of their meeting held January 29, 2018, for legal counsel on behalf of the County of Boone/County Board of Commissioners and Boone County Agricultural Society, Inc. to discuss the legality of financial statutes/procedures in order to obtain a joint opinion for the legal procedure of financing a proposed building project at the county fairgrounds.

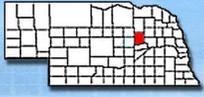
Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc., contacted Alan Wood, Legal Counsel for Nebraska Association of Fair Managers and presented their opinion in writing in regard to the Boone County Agricultural Society, Inc. being able to borrow money from a local bank and use budgeted tax levy to repay a loan. Jim Ely, County Attorney, had stated his opinion previously that the Agricultural Society could not borrow money and said he just recently received the information/material from Jarecki and has not had time to review the material or consult with outside resources.

The group discussed the differences of building project alternatives, needs and wants. The group asked who the fairgrounds building committee members were. Chuck Rolf said it is a group of 12 to 17 individuals and responded with some of the names: Board of Commissioners Chairman Ken Luettel, Chuck Rolf, Kurt Kruse, Kevin Rasmussen, Steve Pritchard, Bill Robinson, Paul Groetke, Ron Coakes, Mark Benes, Karen Kayton and Hilary Maricle.

The legality of funding a proposed building project has not been confirmed today. A County bond issue for public vote on a proposed building project will need to be submitted by September 1, 2018 to be on the November 6, 2018 General Election ballot.

Several residents agree that there is a need for repair/upgrade of the show arena and barn/stalls. Kevin Rasmussen said he would lead a fundraiser to get donations for a new building once a final plan is decided. Rasmussen said that Pender raised seven million in donations for new facilities, and he felt that Boone County should be able to build with donations to lessen a tax levy. Several residents expressed they did not have as many concerns with a \$2,000,000.00 project as they do with a \$4,250,000.00 project.

Commissioner Maricle suggested the Board move forward in discussion of building plan options that could be considered and hiring of an architect. The group discussed if the County Board should have competitive bidding for the architect services since this is a government project. The past County renovations and large projects have had competitive bidding. The building committee members pointed out that the architect they have been working with has already completed preliminary building plans. Following a lengthy discussion in regard to the pros, cons and alternatives of competitive bidding for architect services, the consensus of the Board is to retain architect Ryan D. Stearns, Joseph R. Hewgley and Associates of North Platte, Nebraska. The group would like the fairgrounds building committee to provide different options from the initial proposed plan that has been presented to date. Options such as: just arena and barns with no extension office/conference room, concessions, etc.; replace arena/west barn with renovation to existing east barn; or arena/barns with concessions/bathrooms. Motion made by Maricle, second by Rasmussen to proceed with architect Ryan D. Stearns, Joseph R. Hewgley & Associates of North Platte, Nebraska to provide the fairgrounds building committee with different options for a building project and to pay the architect fees from the County Inheritance Tax Fund. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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## Public Comments:

- Commissioner Luettel and Denny Johnson, Sheriff, updated the Board regarding the Nance County Board of Supervisors meeting they attended on February 13, 2018.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Area Agency on Aging meeting and the Albion Senior Citizen situation.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Juvenile Services board meeting.
- Commissioner Maricle update the Board regarding the Region IV, Inc./NorthStar Services board meeting.
- Jim Dickerson, Albion News, introduced Gabby Christensen of Fullerton, NE formerly of Cedar Rapids, NE as the new employee for the Albion News.

Chairman Luettel declared the meeting adjourned at 1:01 P.M., with the next Board meeting scheduled for Monday, February 26, 2018.

Kathy Thorberg,  
Boone County Clerk