



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
FEBRUARY 26, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 26, 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, Alan Rasmussen 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.

The County Safety Committee met at 9:00 A.M. to discuss routine business. The following committee members were present for the quarterly meeting: Commissioners Alan Rasmussen, Ken Luettel and Hilary K. Maricle, Denny Johnson, Laurie Krohn, Rod Nelson, Stacey Robinson and Kathy Thorberg. Nelson reported for Tom Smith, Region 44 Emergency Manager, as he was unable to attend the meeting. Nelson addressed old business: noted the very good participation of county employees for the NIRMA Fire Extinguisher Training and Loss Leader Prevention Training held in December 2017; a fire drill was held in fire safety month of October 2017 with plans to schedule a second fire drill in the Spring; discussed the courtroom scanning system; and the grants received that the departments of Emergency Management, Road and Sheriff applied for in fall of 2017 through the NIRMA ASSIST program for the purchase of safety equipment. New business was discussed: (1) Tom Smith held an emergency action plan presentation in Merrick County and it was decided to have Smith do the presentation for Boone County; (2) Decided to participate in the national/statewide tornado drill the last Wednesday of March at 10:00 A.M.; (3) Smith informed the group that at the NIRMA conference each year an Outstanding Loss Prevention Efforts Award is given to a county for their proactive approach to loss prevention and safety; and (4) The committee discussed preventability and safety suggestions were addressed by the committee regarding a worker's compensation claim. The next safety committee meeting is tentatively scheduled for 9:00 A.M. on Monday, May 14, 2018. The Safety Committee meeting was adjourned by Alan Rasmussen at 9:13 A.M.

Motion made by Rasmussen, second by Maricle to approve the County Payroll Claims filed for payment from the various funds: General \$97,670.08, BCBS \$51,758.56, Ameritas Ret \$6,757.50, EFTPS \$7,269.23, Section 125 Fees \$10.00, Wellness Program \$103.46; Road \$61,766.91, BCBS \$30,240.76, Ameritas Ret \$4,169.29, EFTPS \$4,655.89; Ambulance \$2,725.68, Ameritas Ret \$87.46, EFTPS \$208.51; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of February 20, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board One and Six Year Road Improvement Program Public Hearing Proceedings of February 20, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

The Board heard/reviewed a general assistance utility request at their February 20, 2018 Board meeting. The Board explained the protocol procedure and guidelines regarding general assistance. Motion made by Maricle, second by Luettel to approve the January propane heating bill amount, less the sales tax, payable directly to the entity. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, presented three Contract Change Proposals (CCP) for the Board to review from the contractor for the law enforcement building renovation project. The CCP No. 3 is for \$115.00 for door bumpers



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at cell doors to prevent breaking windows; CCP No. 5 is for \$201.00 per TV switch outside of cell; and CCP No. 6R is for \$4,106.00 additional labor/material for scope of work at the west wall of Dormitory Cell #117. Motion made by Rasmussen, second by Maricle to approve and authorize the Board Chairman to sign the three Contract Change Proposals (CCP) submitted by 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 equipment proposal and two proposals for installation of cable for the video visitation equipment 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. The Cidnet Video equipment proposal is \$7,000.00 from Encartele that does not include conduit, cabling or internet connections. Motion made by Maricle, second by Rasmussen to approve the jail video visitation equipment quote from Encartele as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Johnson said that the plan is for the jail video visitation equipment to be placed in the courthouse, not in the law enforcement/sheriff building. The quotes for the conduit, cabling, internet connections to connect the equipment between the law enforcement/sheriff building and the courthouse are as follows: Applied Connective Technologies - \$1,131.90; RaDec Construction Co. - \$2,856.00 for Cat 6 or \$5,712.00 for Fiber. Motion made by Maricle, second by Rasmussen to approve the local business quote of \$1,131.90 from Applied Connective Technologies as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, advertised for sealed gravel bids in the Albion News. Robinson informed the Board that no bids were received for gravel. Motion made by Luettel, second by Maricle to authorize Stacey Robinson, County Highway Superintendent, to continue purchasing gravel and other aggregate material as needed at the available price and quality on the open market. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Stacey Robinson, County Highway Superintendent, advertised for sealed culvert bids in the Albion News. Robinson informed the Board that no bids were received for culverts. Motion made by Luettel, second by Maricle to authorize Stacey Robinson, County Highway Superintendent, to continue purchasing the culvert(s) size needed for project(s) at the available price and quality on the open market. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Tanya Sharp, Boone County Health Center Chief Executive Officer, presented the Boone County Health Center audit report for year ending September 30, 2017 to the Board for their review. Sharp reviewed areas of the financial audit in regard to the statements of net position, revenue, expenses and cash flow with the Board. The audit report shows composition of patient receivables to consist of the following: Medicare – 36%; Medicaid – 8%; Private Pay – 23%; and Other Third-party pay – 33%. Sharp said they are working on strategic planning for a new Albion clinic due to the present clinic was built for a physician staff of five and today they have thirteen physicians in the clinic. Sharp informed the Board that the new Newman Grove clinic is scheduled to open April 1, 2018. Sharp said the health center presently has no long term debt and in year 2017 employed 225 in the health center and clinics. Motion made by Luettel, second by Maricle to accept the Boone County Health Center audit report for year ending September 30, 2017 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board; Jim Ely, County Attorney; Chuck Rolf and Dave Noble, Boone County Agricultural Society, Inc.; Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc.; Steve Pritchard and Jo Weltruski,



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UNL Extension; Ed Braun; Mark Jensen; Patricia Neidhardt and LeRoy Schroeder continued the discussion regarding the legal procedure of financing a proposed building project at the county fairgrounds.

Jim Ely, County Attorney, reviewed the materials and statutes and said he still feels that the Agricultural Society has no statutory authority to borrow money and use the capital fund levy for payment of indebtedness. Ely suggested asking the Attorney General's office for an Attorney General's opinion.

Jeff Jarecki, Attorney representing Boone County Agricultural Society, Inc., presented his 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 at the February 20, 2018 Board meeting. Jarecki discussed that if the disagreement continued a declaratory judgment could be pursued but proposed that it was best to avoid that if possible.

The group discussed the differences of building project alternatives, needs and wants. The discussion continued in length regarding the size of a show arena and the type of material for stalls in barns. Open panels for barn stalls are good for livestock, but not for horses. Rolf said depending on the type/size of a new building at the fairgrounds, an idea would possibly be to keep the current east barn and change the stalls to meet the needs for horses. The public asked if there were any concerns of alcohol being served on the fairgrounds by the Ag Society and if the Ag Society could be held responsible for any injuries or deaths. Jarecki said there is no Dram Shop Law in the state of Nebraska.

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.

Commissioner Maricle suggested the Board move forward in discussion of building plan options with architect Ryan D. Stearns, Joseph R. Hewgley & Associates of North Platte, Nebraska. The fairgrounds building committee plans to have a working meeting in early March to decide on how many and type of options to discuss with the architect. Then the later part of March the fairgrounds building committee will plan to meet with the architect to discuss their option plans for the architect to design. Following the preparation of the architect designs the committee will plan to hold a public meeting for input to decide which building plan to present to the Board of Commissioners for consideration. A decision on the type of financing will follow the building plan proposal.

Public Comments:

- Meetings: Boone County Planning Commission – February 26, 2018 and March 14, 2018; Boone County Health Center – February 27, 2018.
- Commissioner Luettel updated the Board regarding the Northeast Nebraska Area Agency on Aging meeting and the closing of the Albion Senior Center.
- The Lease Agreement document for the county owned cropland has been prepared and is ready for signatures between the County of Boone and Nathan R. Olson.
- The Board acknowledge receipt of a letter from the Primrose Public Library.

Chairman Luettel declared the meeting adjourned at 12:00 P.M., with the next Board meeting scheduled for Monday, March 12, 2018.

Kathy Thorberg,
Boone County Clerk