



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
APRIL 9, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, April 9, 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 Board reviewed and discussed the Accounts Payable Vendor Claims filed for payment. The Board reviewed Vendor ID No. 1225 in the amount of \$135.71 submitted for reimbursement for mileage to a meeting. The Board approved the mileage reimbursements in accordance with the County Employee Handbook Exhibit "F-1" in the amount of \$123.17, with the direct route from the courthouse to the meeting site. The Board partially rejected payment of Vendor ID No. 1225 in the amount of \$12.54, the County mileage reimbursement when using a personal vehicle is the direct route from the courthouse to the meeting site. Motion made by Luettel, second by Rasmussen to partially reject Vendor ID No. 1225, the \$12.54 submitted in excess mileage of direct route from courthouse to meeting site in accordance with the County Employee Handbook. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$54,547.41; Road/Weed - \$86,378.91; Boone County Visitor's Promotion - \$143.05; Inheritance Tax - \$48,979.95; 911 Emergency Management (2910) - \$422.10; 911 Wireless Service (2913) - \$465.03; Ambulance - \$2,898.27. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the County Board Proceedings of March 26, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel 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 March 2018:

- Clerk - \$44,309.00 (State of Nebraska \$30,540.12)(County of Boone \$13,768.88)
- Clerk of the District Court - \$1,060.64 (State of Nebraska \$362.00)(County of Boone \$698.64)
- County Planning and Zoning - \$600.00
- Sheriff - \$1,948.96
- Treasurer - Treasurer's Fees - \$560.00; Miscellaneous Receipt Nos. 16234-16301 - \$949,036.26; Total Collections - \$1,725,506.45

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

Larry Temme, Rae Valley Market LLC, presented an application for a Special Designated License (SDL) for May 26, 2018. The Board reviewed the application for a Special Designated License (SDL) for a wedding reception scheduled for Saturday, May 26, 2018 at the St. Bonaventure Church Hall in Raeville, Nebraska. Motion made by Maricle, second by Luettel to approve, as presented, the Application for a Special Designated Liquor License request from Rae Valley Market LLC for a wedding reception at St. Bonaventure Church Hall,



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Raeville, Nebraska on May 26, 2018 as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Chuck Rolf, Boone County Agricultural Society, Inc. representative, submitted four applications to the Board for permission for Special Designated License(s) (SDL) to serve alcohol at the Boone County Fair for July 7, 8, 9 and 10, 2018. The four applications event times are from 4:00 p.m. to 1:00 a.m. on each respective day. Rolf informed the Board that the July 7, 2018 SDL request is for under the grandstand and includes an additional fenced off area outside the grandstand during the concert. He also indicated that individual security people had been hired in addition to law enforcement coverage provided by the Boone County Sheriff's Department and that IDs will be checked and arm bands issued at the point of purchase. The request(s) for July 8, 9 and 10, 2018 are for the grandstand area only. Rolf informed the Board that the Boone County Ag Society, Inc. dba Boone County Raceway Liquor License will be used for the July 11, 2018 fair date. The security coverage for events is completed on the SDL forms that are submitted by the requestor to the Nebraska Liquor Control Commission. Motion made by Rasmussen, second by Maricle to approve, as presented, the Application for a Special Designated Liquor License(s) request from the Boone County Agricultural Society, Inc. for the 2018 Boone County Fair dates of July 7, 8, 9 and 10, 2018. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Martin D. Vogel requested permission to trench an electrical cable under a county road commonly known as 260th Street running east and west between Sections 24 and 25, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. The electrical cable commences from an electrical pole located in the NW1/4 of Section 25; thence running north to an irrigation well located in the SE1/4SW1/4 of Section 24, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska. Motion made by Rasmussen, second by Maricle to approve Resolution No. 2018-12, granting permission to Martin D. Vogel to trench an electrical cable under a county road known as 260th Street to the SE1/4SW1/4 of Section 24, all in Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, for irrigation purposes. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

In June of 2017 a Recreational Trails System Committee presented a proposed trail project around the Albion City Park (Fuller Park); extending south along 8th Street; thence west connecting to County property; thence continuing west on County property to the Fairgrounds Road; thence North along the County property and County Fairgrounds property; and thence east through the County Fairgrounds property back to Fuller Park. The City and County have each approved construction of such trails system subject to the Friends of the Boone County Trails System (a group of private citizens) raising sufficient funds for construction of the Boone County Recreational Trails System. The City of Albion presented an Interlocal Agreement for the Board of Commissioners to review. The City agrees to oversee all initial construction of the trails system. The County approved the construction of a trail system on County property. The County did not approve contributing any tax funding to the project. Motion made by Luettel, second by Rasmussen to approve Resolution No. 2018-13, an Interlocal Agreement between the County of Boone, Nebraska, City of Albion, Nebraska and Boone County Agricultural Society, Inc. of Boone County, Nebraska as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Stacey (Robinson) Ziemba, Boone County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects.

The Board and County Highway Superintendent discussed disposal of surplus property. The annual FFA auction is scheduled for April 15, 2018. The road department plans to consign used concrete culverts, corrugated culvert pipe, bridge stringers and miscellaneous items on the annual FFA auction. The used motor



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grader and other equipment items will be listed with Big Iron for disposal. Disposal of used office desks/chairs are at the discretion of the department head.

The Board discussed setting a date and time for a public hearing in regard to Boone County Zoning Regulations. Commissioner Maricle said that she had been asked by the public for the Board of Commissioners Public Hearing be held in the evening for the convenience of the public so that they would not have to take time off of work or school to attend the public hearing. Commissioner Luettel felt that the public hearing should be held during regular Board meeting scheduled hours and that if they are interested about the subject they will find a way to be there or represented. Commissioner Rasmussen felt it was not necessary to have a public hearing late in the evening that could possibly go to midnight or after. The public hearing is in relation thereto the proposed changes in the A-1 Primary Agricultural District. Following a lengthy discussion regarding a date and time, a compromise was made to start the public hearing at 5:00 p.m. Motion made by Luettel, second by Maricle to set a Board of Commissioners Public Hearing regarding proposed changes in the A-1 Primary Agricultural District at 5:00 p.m. on Tuesday, May 29, 2018. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

All County Officials and Department Heads must contact the County Board, as an agenda item, before buying or doing any major maintenance to equipment or furniture over \$800.00, per the January 2018 Board Reorganizational Meeting Proceedings.

The copy machine located in the County Assessor's office was purchased in 2013 and has been in need of more frequent maintenance services. Mikki Mangus, Deputy Assessor, presented a quote of \$7,890.00 for a new Sharp MX-3050N model color copy machine from Eakes Office Solutions. A maintenance agreement of \$.0111 per B/W and \$.0636 per Color copy page includes parts, labor, image drums, toners and service calls. Motion made by Luettel, second by Maricle to approve as presented the purchase of a new Sharp MX-3050N color copy machine from Eakes Office Solutions of Grand Island for \$7,890.00 with maintenance agreement for the County Assessor's office. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

Denny Johnson, Sheriff, updated the Board in regard to the law enforcement renovation project and the Contract Change Proposal, CCP No. 12. The CCP No. 12 is for the cost to paint two existing bunks in a jail cell. Motion made by Rasmussen, second by Luettel to approve and authorize the Board Chairman to sign the CCP No. 12 submitted by RaDec Construction Co., Inc. for \$400.00 for painting existing bunks as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board received the third application payment request from the contractor for the renovation of the Boone County Law Enforcement Building to review. The payment request consists of the contractor's costs for masonry, drywall, painting, plumbing, electrical, mobilization, and construction work completed through March 26, 2018. Motion made by Luettel, second by Maricle to approve the third payment request of \$45,635.05 submitted by Prochaska & Associates, Architect, for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board approved and signed-off for six proposed changes to the law enforcement building renovation project. Prochaska & Associates submitted Change Order No. 002 that changes the adjusted contract amount of Change Order No. 001 from \$147,074.00 to an adjusted amount of \$162,613.00. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Contract Change Order No. 002



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submitted by Prochaska & Associates for the contractor RaDec Construction Co., Inc. as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to go into executive session at 11:35 A.M., per the Open Meeting Act §84-1410, for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried. The Board met with the County Highway Superintendent to discuss a personnel issue. Motion made by Luettel, second by Rasmussen to come out of the executive session at 11:53 A.M. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried. No action was taken by the Board.

Public Comments:

- Meetings: Boone County Recreational Trails System Project – April 11, 2018.
- The Board reported on various meetings that they respectively attended the past week.
- The Board discussed contacting NIRMA Labor Law Legal Counsel regarding correct practices.

Chairman Luettel declared the meeting adjourned at 11:55 A.M., with the next Board meeting scheduled for Monday, April 16, 2018.

Kathy Thorberg,
Boone County Clerk