

# Boone County Board Minutes



## BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS JULY 16, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, July 16, 2018 in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

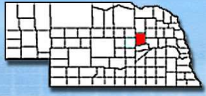
Chairman Luettel called the meeting to order and Commissioners present for roll call were Ken Luettel, Hilary K. Maricle and Alan Rasmussen. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Chairman Luettel acknowledged the agenda and noted that the Open Meeting Laws are posted and available to the public.

A group of approximately forty concerned citizens attended the Board meeting in regard to a proposed new building project at the county fairgrounds. Chuck Rolf (Rolf), representing the Boone County Agricultural Society, Inc., presented a written letter from the Boone County Agricultural Society, Inc. (Agricultural Society) and design/construction documents prepared by Ryan D. Sterns, Architect with Joseph R. Hewgley & Associates, Inc. of North Platte, Nebraska for the Board to review. The new building facility proposal is 54,295 square feet, with a building of approximately 150' x 300' for arena area, small and large livestock pen areas, small and large livestock wash areas, etc. and a building of approximately 150' x 75' for restrooms, concession and storage areas, classroom, and extension office. Rolf presented and read a written statement supporting a new facility at the fairgrounds.

Motion made by Luettel, second by Rasmussen to accept the new fairgrounds building proposal less the office space area. During some discussion Ryan D. Sterns, Architect, said that the estimated cost difference of the project would just be \$100,000.00 less by removing the extension office space, storage and classroom. Following further discussion a motion was made by Luettel, second by Rasmussen to withdraw the above motion. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to accept the new fairgrounds building proposal submitted by the Boone County Agricultural Society, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Upon the acceptance of the new county fairgrounds building proposal as presented, the group discussed the financing of said building project. The County owns the real estate and leases to the Agricultural Society. If the Agricultural Society owned or was purchasing real estate they could possibly apply for a mortgage per Nebraska State Statute Chapter 2, 250-273, The County Agricultural Society Act. The Agricultural Society has no statute authority to issue bonds for indebtedness. The County cannot borrow funds for indebtedness, except through bonds. Bill Robinson, building committee member, presented scenarios of annual payments with various interest rates for bonds/mortgage loans. The Architect fee of approximately \$210,000.00 and the Agricultural Society attorney fees of \$4,800.00 have been approved to be paid from the Boone County Inheritance Tax Fund. The three million dollar project does not include the cost of the office, classroom, storage, concession area furnishings, or the livestock panels/arena bleachers in the new fairgrounds building proposal.



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Motion made by Luettel, second by Rasmussen to approve one million dollars from the Boone County Inheritance Tax Fund and a County Bond Election issue on the 2018 General Election ballot for two million dollars for the proposed new fairgrounds three million dollar building structure of 54,295 square feet that includes arena; small and large livestock pen areas; small and large livestock wash areas; radiant heat; plumbing; electrical; fire system; all utilities infrastructure needed for building construction; dirt work/foundation; restrooms; concession and storage areas; classroom and extension office space. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Upon the acceptance of the written proposal and County Bond Election for a portion of the new fairgrounds building proposal, the county needs to work with a bond counsel and underwriter to prepare the necessary documents for a bond election. Andy Forney, D. A. Davidson & Co., had been working with the architect firm of Joseph R. Hewgley & Associates, Inc. of North Platte, Nebraska who the Agricultural Society had been working with from the beginning of their fairgrounds building proposal. The Boone County Board of Commissioners decided to retain the architect firm that the Agricultural Society had been working with at their February 20, 2018 Board meeting. The County Purchasing Act provides the Board with the option that competitive bidding is not required when obtaining professional services. Michael Rogers with Gilmore & Bell, P.C., has been retained as bond counsel upon recommendation and endorsement from Nebraska Association of County Officials (NACO).

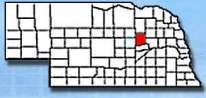
Motion made by Rasmussen, second by Maricle directing the Boone County Clerk to work with Gilmore & Bell, P. C., as the County's bond counsel and D. A. Davidson & Co., as underwriter, to prepare the necessary resolution to call a County Bond Election for two million dollars to be held at the 2018 General Election on November 6, 2018. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Boone County Agricultural Society, Inc. requested and received bids in regard to the construction of a new county fairgrounds building project and opened the bids on June 29, 2018. Rolf presented the six bids that were received: Rathman Manning Construction of Chapman, NE - \$2,966,035.00; Bierman Contracting, Inc. of Columbus, NE - \$2,997,300.00; RaDec Construction Co. of Hartington, NE - \$3,218,800.00; Chief Construction Co. of Grand Island, NE - \$3,496,000.00; Rogge General Contractors, Inc. of Lincoln, NE - \$3,728,000.00; and B-D Construction, Inc. of Columbus, NE - \$4,329,260.00. Motion made by Maricle, second by Rasmussen, dependent upon the passing of the Bond issue on November 6, 2018 General Election, accept the bid of Rathman Manning Construction of Chapman, NE of \$2,966,035.00. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board advertised for sealed bids for a Wheel Excavator for the county road department. The Board received three sealed bids and present to represent their companies were Paton Heusinkvelt for Murphy Tractor & Equipment Co. of Grand Island, NE and Eddie Bomar for NMC of Norfolk, NE. The following bids were received: Murphy Tractor & Equipment Co. - \$199,500.00 for Model 190GW; NMC - \$240,500.00 for Model M318F; and Wise Heavy Equipment, LLC of LaVista, NE - \$196,740.00 for Model EW180E/non-tilting and \$201,510.00 for Model EW180E/tilting. Motion made by Rasmussen, second by Maricle to table a decision to the July 25, 2018 Board meeting to allow time for the Board and County Highway Superintendent to review the bids in order to compare with the specs. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Rasmussen to recess at 10:18 A.M. to open the Board of Equalization. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to reconvene the Board of Commissioners meeting at 11:49 A.M. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



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Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 9, 2018 as presented. Roll call vote: Yeas: Luettel and Rasmussen. Nays: None. Abstain: Maricle. 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 a request for advertisement funding. St. John's The Baptist Catholic Church of Petersburg requested assistance to advertise the St. John's Bazaar Fall Festival event scheduled for September 2, 2018. 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.

Robert Ziemba requested permission to trench an electrical line under a county road commonly known as 390<sup>th</sup> Street running East and West between Sections 27 and 34, all in Township 18 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. The electrical line commences from a power pole located in the road right-of-way of Section 27; running thence south to the NE<sup>1</sup>/<sub>4</sub> of Section 34, all in Township 18 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, for a new grain bin. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-26, granting permission to Robert Ziemba to trench an electrical line under a county road known as 390<sup>th</sup> Street to the NE<sup>1</sup>/<sub>4</sub> of Section 34, Township 18 North, Range 8 West of the 6<sup>th</sup> P.M., Boone County, Nebraska, for a new grain bin. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Clerk submitted a Statement of Receipts and Disbursements for fiscal year end June 30, 2018. Motion made by Maricle, second by Rasmussen to accept and approve as presented the County Clerk/Register of Deeds 2017-2018 fiscal year-end report. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board reviewed the 2017-2018 fiscal year-end Boone County Ambulance Services report. Motion made by Luettel, second by Maricle to accept and approve as presented the Boone County Ambulance Service 2017-2018 fiscal year-end report. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

## Public Comments:

- Commissioner Maricle reported on the BCDA, Inc. board meeting.
- County Highway Superintendent updated the Board in regard to the roof damage of a county building located in Petersburg and that the natural gas line to the county building in Cedar Rapids has been shut off due to a leak in the gas line.
- County Highway Superintendent updated the Board in regard to some public concerns received in regard to road drainage/maintenance issues.

Chairman Luettel declared the meeting adjourned at 1:13 P.M., with the next Board meeting scheduled for Wednesday, July 25, 2018.

Kathy Thorberg,  
Boone County Clerk