



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
JULY 25, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Wednesday, July 25, 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 the County Payroll Claims and Accounts Payable Vendor Claims filed for payment from the various funds. Motion made by Maricle, second by Rasmussen to approve the County Payroll Claims filed for payment from the various funds: General \$92,552.41, BCBS \$55,399.52, Ameritas Ret \$6,393.65, EFTPS \$6,877.21, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$52,943.89, BCBS \$30,873.26, Ameritas Ret 3,573.70, EFTPS \$3,985.59; Ambulance \$3,613.68, Ameritas Ret \$112.42, EFTPS \$276.44; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Rasmussen, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$3,216.71, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Luettel, second by Rasmussen to approve the County Board Proceedings of July 16, 2018 as presented. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the Boone County Board of Equalization Proceedings of July 16, 2018 as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The County Treasurer submitted to the Board a list of delinquent 2015 real estate taxes not sold at the tax sale held in March 2018, as per Nebraska State Statute. Motion made by Luettel, second by Maricle to approve Resolution No. 2018-27, hereby directing the Boone County Treasurer to issue Treasurer's Certificates of Tax Sale in favor of Boone County on all parcels of real estate with delinquent real estate taxes for 2015 and subsequent years offered for sale for less than three consecutive years that were not sold for want of bidders as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

At the July 16, 2018 Board meeting the Board approved 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. The Board reviewed the Engagement Letter submitted between the County of Boone, NE and D.A. Davidson & Co. as underwriter, in connection with the issuance of Bonds for a new fairgrounds building. A lengthy discussion in regard to the agenda item number thirteen was held with concerned county citizens at today's meeting. Motion made by Maricle, second by Luettel to table the Engagement Letter with D.A. Davidson & Co. to the August 20, 2018 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



Boone County Board Minutes



The Board reviewed Resolution No. 2018-28, prepared by Gilmore & Bell, P.C., calling an election on November 6, 2018 for the issuance of General Obligation Bonds of the County in the amount of two million dollars for a new building at the fairgrounds. A lengthy discussion in regard to the agenda item number thirteen was held with concerned county citizens at today's meeting. Motion made by Maricle, second by Luettel to table the resolution calling an election on November 6, 2018 for the issuance of General Obligation Bonds in the amount of two million dollars for a new building at the fairgrounds to the August 20, 2018 Board meeting. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Delmer Pelster, Shelley Lueken and Todd Flinn were present to request a Board approval of a Special Designated License (SDL) for an event scheduled to be held at the Boone County Fairgrounds on September 2, 2018. Delmer Pelster and Shelley Lueken, were representatives for the Boone County Ag Society, Inc. DBA Boone County Raceway liquor license. Todd Flinn had asked the Boone County Agricultural Society, Inc. for permission to hold a concert on September 2, 2018, Chancey Williams and the Younger Brothers Band, at the Boone County Fairgrounds. Pelster indicated that the SDL request would be for the Boone County Raceway license. Motion made by Maricle, second by Rasmussen to table a decision to a future Board meeting, dependent upon the submission of the Application for Special Designated License for the Board to review and sign. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Edmond Knott, Applied Connective Technologies LLC, and the Board discussed the Agreements that the County of Boone has regarding IT related needs for the county equipment, Managed Firewall/Cyber Security Services, Qualys Vulnerability Assessment Service, Webroot Endpoint Protection, Ninja RMM and TeamViewer Enterprise protection for the county owned computers.

Motion made by Maricle, second by Luettel to approve the Managed Service Agreement between the Boone County Courthouse and Applied Connective Technologies, LLC for 110 service hours for \$13,200.00 for the fiscal year 2018-2019 to be billed and paid in monthly payments for only County owned equipment as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Motion made by Rasmussen, second by Luettel to approve the Software As A Service (SaaS) Agreement between Boone County Courthouse and Applied Connective Technologies, LLC for Managed Firewall, Cyber Security, Qualys Vulnerability Assessment, Webroot Endpoint, Ninja RMM, and TeamViewer for \$3,300.00, for the fiscal year 2018-2019 to be billed and paid in monthly payments for only County owned equipment as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

The Board opened three sealed bids on July 16, 2018 for a Wheel Excavator for the county road department. The County Highway Superintendent and the Board reviewed the bids. The County Highway Superintendent made a recommendation to the Board after reviewing the specifications and completed comparisons between the three company bids. Motion made by Rasmussen, second by Luettel to approve the Nebraska Machinery Company (NMC) CAT of \$240,500.00 for Model M318F with a five year/5,000 hour warranty as presented. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.



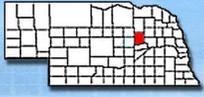
Boone County Board Minutes



The Board, Mary Ziemba, Zoning Administrator, Dan Preister and Tim Preister discussed the regulations and requirements regarding county road services to a residential dwelling. Dan Preister would like to build a new residential home on 260th Street of which 6/10 of a mile of county road is currently classified as minimum maintenance. Ziemba explained the county zoning regulations in regard to building a residential dwelling on land that would be accessed off of a minimum maintenance county road. The Board explained that the Nebraska Department of Roads regulations require involvement of a licensed engineer to provide hydraulic/hydrology studies before a decision can be made to reclassify a minimum maintenance road to a local county road. Ziemba said as it stands today the burden of the cost to upgrade a county road from minimum maintenance to local, is on the individual who wants to build on land off of a classified minimum maintenance road, and said road upgrade needs to meet the Nebraska Department of Roads standards. The consensus of the Board is to have the County Highway Superintendent contact an engineer for a cost estimate for engineering services and for upgrading the county road from minimum maintenance to local. The County Highway Superintendent plans to contact Dan Preister with the cost estimates.

The Board; Tim Cornwell, Chairman Nance County Board of Supervisors; Denny Johnson, Boone County Sheriff; Ben Bakewell, Nance County Sheriff; and Steve Schwarz, Nance County Chief Deputy Sheriff, discussed the possibility of merging the Boone and Nance County 911 Communications dispatching services. A regional dispatch center was discussed and a study completed in 2017 for Boone, Nance and Merrick Counties. Boone County decided not to proceed with a regional dispatch center. Since that decision Merrick County has entered an agreement with Hamilton County and Nance County is not currently fully staffed for dispatching services with the deputy sheriff's helping dispatch. A merger between Boone and Nance would move all 911 Communications dispatching services to Boone County. Boone County has been talking about upgrading the radio counsel system and Johnson said there is a possibility that the State of Nebraska may put a state wide radio on the County Communications Tower. Bakewell said that Nance County is already on the state radio system. Sheriff Johnson said that Boone County would possibly need to hire an additional two full time and one part time employee for the 911 Communications and Law Enforcement staff. Nance County does not have a jail facility and is requesting the use of Boone County's jail facility as part of the agreement, as they would like to have a centralized place to house inmates. Johnson felt that Nance County should help pay for a portion of the new radio counsels and cover the cost of two additional employees. No details have been worked out in regard to an agreement with Nance County and their portion of the monthly expenses. Motion made by Luettel, second by Maricle to authorize Denny Johnson, Sheriff, to contact Stacen Gross, consultant for communication mergers, to prepare recommendations for a Boone/Nance 911 Communications dispatching services. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

The Board and approximately twenty-four county residents discussed the agenda item number thirteen. A request from the Boone County Agricultural Society, Inc. asking the Board to rescind their July 16, 2018 decision of a Bond Election for construction of a new fairgrounds building and in the alternative take action to fund the project directly, due to significant donor commitments. Members of the new fairgrounds building project said that they received a significant commitment of \$85,000.00 per year for ten years for a total of \$850,000.00 towards the building project, if the Board would rescind the November Bond Election. In further discussion, it was said that the \$850,000.00 is a match commitment over ten years. In addition, it was mentioned that the donor commitment to date figure is approximately \$950,000.00 over a ten year period, provided only if the project does not go before the vote of the people. In addition, the discussion addressed that there is a difference between pledge/commitment/donation for a project. A donation is cash in hand and that there is no guarantee that each of the next ten years that the pledge/commitment will actually be received and used towards payment of the building.



Boone County Board Minutes



The group discussion included trying to find other types of financing procedures for the building project with the use of the ten year pledge/commitments. The group was informed that the County of Boone, governmental entity, cannot borrow funds except by bonding. The Agricultural Society has no statute authority to borrow funds by bonding. The fairgrounds real estate was deeded to the County in March of 1944 due to mortgage foreclosure. The Agricultural Society does not own the real estate in order to secure a loan. Following an hour and half lengthy discussion of many topics in regard to the funding, bonding, election ballot for a fairgrounds building project, no action was taken by the Board with agenda item number thirteen of the Agricultural Society request.

Chairman Luettel declared said meeting recessed at 12:59 P.M., for the Board of Equalization meeting.

Chairman Luettel declared the Board of Commissioners meeting to be reconvened at 2:20 P.M.

Public Comments:

- Commissioner Luettel reported that four applications have been received to review for the Region 44 Emergency Manager position.
- Commissioner Rasmussen updated the Board in regard to a road issue discussion with a Madison County Commissioner and road foreman.
- Commissioner Maricle reported on the BCDA, Inc. strategic planning workshop.
- An appraiser for NIRMA will be conducting on-site inspections and appraisals of nine of the County buildings on Thursday, July 26, 2018.

Chairman Luettel declared the meeting adjourned at 3:01 P.M., with the next Board meeting scheduled for Monday, July 30, 2018.

Kathy Thorberg,
Boone County Clerk