

# Boone County Board Minutes



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

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

The Board accepted and approved a written resignation from a full-time road employee at their August 13, 2018 Board meeting. Motion made by Maricle, second by Rasmussen to approve a Payroll Claim filed for payment on the Road Fund \$2,861.02, Ameritas Ret 193.12, and EFTPS \$218.88 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Boone County Ambulance Service has used a Pump & Pantry Fleet Services Card for diesel on occasions when the ambulance returns back to Albion after local business hours following a patient transfer. The company changed their card service system and issued new account service cards in June 2018 with the understanding the billing information of the ambulance account would transfer to the new ambulance account. The billing information apparently was not transferred to the new account in time to be available for payment when the County pays the Accounts Payable Vendor Claims. Motion made by Maricle, second by Rasmussen to approve an Accounts Payable Vendor Claim of \$124.60 from the County Ambulance Fund with the understanding that the prior account billing information will be transferred to the new account service card. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the County Board Proceedings of August 13, 2018 as presented. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. 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. The St. Edward Economic Development requested assistance to advertise the Vintage in the Valley event scheduled for October 6, 2018. Motion made by Maricle, second by Luettel to approve the application requesting funding assistance for advertisement from the Visitor's Promotion Fund as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Ken Luettel, County Commissioner, plans to attend the Nebraska Intergovernmental Risk Management Association (NIRMA) Board of Directors meeting scheduled for August 22-24, 2018 at Wildcat Hills State Recreation Area and Nature Center, Gering, Nebraska. The Board received information that a Madison County Commissioner and spouse may carpool with the Boone County Commissioner to Gering, Nebraska. Motion made by Rasmussen, second by Maricle to approve other Nebraska County Commissioner(s) and/or spouse to occupy the Boone County vehicle that is being used for transportation to the NIRMA meeting in Gering, Nebraska. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.



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Stacen Gross, SCG Consulting Services, LLC, a consultant for communication mergers, was contacted to provide recommendations for a merger of the Boone and Nance Counties communications dispatching services. Gross provided written estimated costs summary and assignment by agency costs for joint dispatching services. Gross reviewed the estimated costs with and answered questions of the Boone County Board of Commissioners; Tim Cornwell and Dennis Jarecke, Nance County Board of Supervisors; John Buck, Boone County Chief Deputy Sheriff; Ben Bakewell, Nance County Sheriff; Michael Epley, Platte Valley Communications of Kearney, Nebraska; and by teleconference Denny Johnson, Boone County Sheriff. Gross presented the variations of estimated costs amounts for each county which is dependent upon the 911 Funds available for purchase of new equipment in accordance with Nebraska State Statutes. The present Nebraska State Statutes regulate what services qualify to be paid and what new equipment/upgraded equipment can be purchased from the 911 Land Line, 911 Wireless, or 911 Holding Funds.

Gross informed the Boards that Boone and Nance County Sheriff's offices have been considering the purchase of Justice Data Solution (JDS), Records Management Software (RMS) and Computer Aided Dispatch (CAD) software as an add-on to the existing Jail Management software each agency uses today. In order to effectively share records and data between agencies and provide metrics and statistics on dispatch activity, the counties should jointly implement this technology with some costs share to reflect that portion of the system that will actually be used by each county. Wireless reserve funds can be used to pay for the "CAD and data conversion services" portion of the JDS quote. Similar to the RMS and CAD software, both agencies have been contemplating the purchase of the web-accessible GeoComm mapping system that would allow Nance County to access the mapping system remotely from their office to see the locations of 9-1-1 calls and CAD incidents in their county which are being dispatched by Boone County. This system would replace the existing Emergency Call Works map.

Gross informed the Boards that there is the possibility of changes in the future as the State of Nebraska (State) looks for reduction costs and moves for consolidation of regional dispatch services, currently Boone County is a member of the EC911 East-Central Region. In addition, the State may start charging maintenance fees for the NRIN equipment and in the future the State may reconsider changing the 911 Funds payments of services and equipment regulations. The estimated cost for new radio console, software and communications equipment, etc. is \$360,000.00 and annual recurring costs of \$7,325.00 for Boone County. The estimated figures do not include the new radio equipment for the law enforcement vehicles. Gross informed the Boards that upon a merger Boone County would receive about half of the amount of the 911 Wireless Service Funds that Nance County presently receives from the Public Service Commission. Both the County Boards' and County Sheriffs' plan to review the information provided and further discuss what would be beneficial for both counties. The Boards' and Sheriffs' plan to meet again at a later date.

Michelle Olson, BCDA, Inc. Executive Director and BCDA, Inc. Executive Committee representatives Irene Dresch, Primrose, and Danielle O'Brien, AEDC, appeared before the Board regarding the Membership Agreement and Disbursement Agreement for fiscal year 2018-2019. Olson presented and reviewed a report with the Board in regard to the economic development group activities and an overview of available resources to help business. The County of Boone, Nebraska financial contribution for 2017-2018 was \$105,784.80. The financial request from BCDA, Inc. for 2018-2019 is \$109,000.00. The BCDA, Inc. 2017-2018 budget was \$149,675.00 and the 2018-2019 budget request is \$154,050.00. The Nebraska Auditor of Public Accounts recent BCDA, Inc. audit report was discussed. The BCDA, Inc. representatives informed the Board that steps are being taken to adhere to the auditor's suggestions and are implementing operational compliance and transparent procedures.



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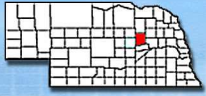
Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Membership Agreement for fiscal year 2018-2019 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Disbursement Agreement for fiscal year 2018-2019 committing a sum of \$109,000.00 payable to BCDA, Inc. from the County Inheritance Tax Fund payable in two payments as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

A group of approximately thirty concerned citizens attended the Board meeting in regard to a continued discussion of a proposed new building project at the county fairgrounds. On July 16, 2018 the Board approved 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.

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 instead take action to fund the project directly due to significant donor commitments was discussed at length on July 25, 2018 with no action taken by the Board. At the Board meeting today, August 20, 2018, Kevin Rasmussen said that to date the donor commitment figure is approximately \$1,635,000.00. Members of the new fairgrounds building project said that of the \$1,635,000.00, \$850,000.00 being a significant match commitment of \$85,000.00 per year for a ten year period, which is pledged with the condition of the Board rescinding their motion for a November Bond Election, and \$785,000.00 being pledged commitments payable from one to ten year periods. Kevin Rasmussen said that he is confident that the group can raise pledges/commitments for the rest of the two million for the building project and for the furnishings that are not included in the building project construction bids. Jeff Jarecki, Attorney for the Boone County Agricultural Society, Inc. and Kevin Rasmussen said that upon approval of a said 501(c)(3) entity, they will be able to apply for grants to help pay for the construction of the building project and the furnishings for the building that were not included in the three million dollar construction quotes. The Board of Commissioners originally committed \$1.3 million of the County Inheritance Tax Fund towards the building project. To date \$172,284.00 of the \$1.3 million has been used to pay architect and attorney fees. A three million dollar building project is not all for the construction, but includes payments for all of the regulatory permits, attorney and architect fees, etc.

In addition, the discussion addressed that there is a difference between a pledge, commitment, and donation for funding of a project. A donation is cash in hand and with a pledge/commitment 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 project. James Ely, County Attorney, cautioned that the pledge agreements for said building project must be in writing and signed by the donor to assure the payments for ten years of the County issued Limited Tax Building Bonds. The Board and the building group said that the individuals that pledged/committed will be signing agreements for payment(s) of said building project. County issued Limited Tax Building Bonds are bonds approved by the Board of Commissioners, not bonds approved by voters at an election. Therefore, \$1.3 million dollars of the County Inheritance Tax Fund is the tax payer's portion of the building project, of which \$172,284.00 has already been used, and the \$1.7 million dollars funded with commitments/donations provides for a three million dollar building project. Any expenses beyond the three million dollar building project will need to come from fundraising/donations, not from the County or a tax levy assessed upon the tax payers.



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Motion made by Maricle, second by Rasmussen to rescind the Board of Commissioners motion of July 16, 2018 for 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. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Luettel to approve the Agricultural and Educational Activities Building project at the Boone County Fairgrounds and engage bonding attorney Michael Rogers, Gilmore & Bell, P.C.; underwriter/placement agent Andrew Forney, D.A. Davidson & Co.; Boone County Attorney, James W. Ely, Jr.; and Boone County Agricultural Society, Inc. attorney, Jeff Jarecki, Jarecki Yosten Maul, P.C., to assist in the alternative financing plan subject to approval of the Board of Commissioners' parameters. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board tabled Resolution No. 2018-28, prepared by Gilmore & Bell, P.C., calling for a Bond Election at the General 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 on July 25, 2018. The resolution was tabled and never approved or signed. Motion made by Rasmussen, second by Maricle to not proceed with the resolution calling for a General Obligation Bond Election on November 6, 2018 and authorize the County Clerk to use the Resolution No. 2018-28 for the next resolution document. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

At the Board meeting held on July 25, 2018, the Board tabled the Engagement Letter with D.A. Davidson & Co., as underwriter, in connection with the issuance of General Obligation Bonds for a Bond Election at the November 6, 2018 General Election dependent upon the passing of the Bond Election. Motion made by Luettel, second by Maricle to not proceed with the Engagement Letter with D.A. Davidson & Co. as underwriter for General Obligation Bond, Series 2018, but approve Andrew Forney, D.A. Davidson & Co., as an underwriter/placement agent to help prepare the documents to fund the fairgrounds building project with County issued Limited Tax Building Bonds. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

## Public Comments:

- Meetings: Northeast Nebraska Juvenile Services, Inc. – August 24, 2018; NIRMA – August 22-24, 2018; County Planning and Zoning Commission – August 27, 2018.
- Commissioner Maricle reported that BCDA, Inc. new administrative assistance is Jaime Hendrickson of Spalding, Nebraska.
- Commissioner Maricle reported that the new Region 44 Emergency Manager is Denise Ziemba of Clarks, Nebraska.
- Commissioner Rasmussen reported on the BCDA, Inc. and Region 4 Behavioral Health System board meetings.
- Commissioner Maricle informed the Board that she received an inquiry in regard to upkeep of the Naomi Cemetery.

Chairman Luettel declared the meeting adjourned at 12:40 P.M., with the next Board meeting scheduled for Monday, August 27, 2018.

Kathy Thorberg,  
Boone County Clerk