



Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS
AUGUST 27, 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 27, 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.

Motion made by Maricle, second by Luettel to approve the County Payroll Claims filed for payment from the various funds: General \$93,245.62, BCBS \$55,399.52, Ameritas Ret \$6,452.70, EFTPS \$6,930.26, Section 125 Fees \$10.00, Wellness Program \$106.61; Road \$55,474.29, BCBS \$28,765.04, Ameritas Ret \$3,744.52, EFTPS \$4,181.27; Ambulance \$2,835.13, Ameritas Ret \$62.99, EFTPS \$216.89; and Public Defender Contract \$3,213.60. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

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

Richard Martinsen, CPA, Schmeits, Mueller & Martinsen, P. C., met with the Board to discuss the proposed fiscal year 2018-2019 County Budget. The proposed property tax request is \$3,679,011.00, which is an increase from the 2017-2018 property tax request of \$3,606,824.00. The proposed 2018 county tax rate is 0.153638, which is different from the 2017 county tax rate of 0.150708. Martinsen provided answers to questions asked with regard to the proposed budget. Nebraska Legislation changes are as follows: eliminates delinquent tax allowance unless Federal Prime Rate is Above 10%; eliminates budgeting for anticipated litigation claims; supermajority Board approval is not needed for 1% increase to restricted funds authority, only Board approval; listing of capital improvement projects and the corresponding amount being used as lid exemption; and Highway Allocation is no longer a restricted fund and no additional calculation is needed this year. The Interlocal Agreement Report (LB 51) (2017) is to be filed with the State Auditor's office on or before September 20th and impacts the county budget hearing, audits and contracts. The overall County taxable value increased \$1,339,086.00 primarily due to the re-valuations of the Commercial and Commercial Hog Confinement properties. Motion made by Luettel, second by Rasmussen to set the County of Boone, Nebraska budget hearing for 10:00 A.M. on Monday, September 17, 2018. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

On or before August 1st, all political subdivisions subject to county levy authority shall submit a preliminary request for levy allocation to the County Board. The preliminary request shall be in the form of a resolution. The Nebraska State Statutes provides that each County Board shall adopt a resolution which determines a final allocation of levy authority and forward a copy of such resolution to the chairperson of the governing body of each of its political subdivisions by September 1st. The Boone County Board of Commissioners received levy allocation requests from various political subdivisions for the 2018-2019 fiscal year. Motion made by Maricle, second by Luettel to approve Resolution No. 2018-28, authorizing the levy allocation requests for the 2018-2019 fiscal year for the Albion, Cedar Rapids, Petersburg, Primrose and St. Edward Rural Fire Districts, Boone County Agricultural Society, Inc. and Boone County Historical Society, Inc. as presented. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.



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Jacqueline Wells, Veteran Service Officer, has registered to attend the annual Nebraska County Veteran Service Officers Association schooling in North Platte, Nebraska in September 2018. The Board received information that other Veteran Service Officers from other counties may carpool with the Boone County Veterans Service Officer to North Platte, Nebraska. Motion made by Luettel, second by Rasmussen to approve other Nebraska County Veteran Service Officers to occupy the Boone County vehicle that is being used for transportation to arrive in North Platte on September 11, 2018 for said schooling that is scheduled for September 12-14, 2018. Roll call vote: Yeas: Luettel, Rasmussen and Maricle. Nays: None. Motion carried.

Pursuant to State Statute Section 23-347, within two calendar months after the close of each fiscal year, each county officer shall make, acknowledge under oath, and file with the County Board, of his or her county, an inventory statement of all county personal property in the custody and possession of said county officer. The County Board in each county shall examine into each inventory statement so filed, and, if said statement is correct and proper in every particular, the County Board shall deliver each of said inventory statements to the clerk of the county for filing as a public record in said county clerk's office in a manner convenient for reference. Motion made by Rasmussen, second by Maricle to approve the County Offices' 2017-2018 Inventories of county personal and real estate property as presented from the various offices and file the submitted inventories with the County Clerk's office as a public record in a manner convenient for reference. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Stacey (Robinson) Ziembra, Boone County Highway Superintendent, updated the Board regarding equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The Board and Highway Superintendent discussed different types of heating sources for the County Road shop building located at Cedar Rapids. The Board suggested that the Highway Superintendent advertise for quotes for propane forced air heat system and propane radiant heat system in order to compare the differences before installing a new heat system in the shop building.
- The Highway Superintendent presented a list of the road surplus items that were sold on the Big Iron Auctions. Upon receiving payment for the sold items, the said items will then be removed from the County insurance and inventory.
- The County Highway Superintendent informed the Board that there are some areas in the County that need attention in regard to mowing the road ditches and that a notice will appear in the newspaper addressing the landowners to mow all weeds.

The Board and Rod Nelson, Maintenance, discussed disposal of smaller county office equipment/furniture that is valued under a \$100.00, that is in storage or no longer in use at the June 27, 2018 Board meeting. The Board approved disposal each year in the fall for any smaller surplus county office equipment/furniture that is valued under a \$100.00, to be tagged for sale in the hallway of the courthouse in conjunction with the Albion City wide garage sales. Motion made by Maricle, second by Rasmussen to allow smaller surplus county office equipment/furniture that is valued under \$100.00 to be tagged for sale in the hallway of the courthouse from September 3-14, 2018. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board; Denny Johnson, Boone County Sheriff and John Buck, Boone County Chief Deputy Sheriff; Michael Epley, Platte Valley Communications of Kearney, Nebraska; and Mike Jeffres, State of Nebraska Office of the Chief Information Officer, discussed a request to install equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds.



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The installation of equipment on the County Communications Tower for the SRS was discussed at length on August 13, 2018. SRS is a digitally encrypted system that allows cross-communication between agencies and improves radio coverage throughout rural counties.

Jeffres said that the State of Nebraska is funding a site addition to the SRS to boost radio coverage in the area. This coverage addition would benefit the State Patrol, State Fire Marshall, Nance County, Boone County and other public safety agencies in the area. The state outlined a plan to install the state equipment, clean off old antennas and lines, install new antennas and lines, license new frequencies and reprogram local radios. The state has offered to assist with the costs of maintaining the county tower and generators as part of the SRS maintenance. The State of Nebraska Office of the Chief Information Officer (OCIO) will coordinate and manage the project. The OCIO is statutorily responsible for the communications systems and technology solutions for State agencies, including the management of the SRS that is used by public utilities and public safety agencies/entities, including emergency and medical services, law enforcement services, fire management services and disaster relief services. Jeffres said that the Nebraska Public Power District (utilities side) and State of Nebraska Office of the Chief Information Officer (safety side) entered into an Interlocal Agreement to jointly own, operate, maintain and manage the SRS and created the System Operating Group to carry out the ownership and management responsibilities. Jeffres said that if the Board agrees to install equipment for the SRS on the County Communications Tower, the state's goal is to complete the project in November 2018.

Motion made by Luettel, second by Maricle to approve and authorize Mike Jeffres, State of Nebraska Office of the Chief Information Officer; Michael Epley, Platte County Communications of Kearney, Inc.; and Denny Johnson, Boone County Sheriff, to proceed with the drafting of an agreement and installation of equipment for the SRS on the County Communications Tower located at the Boone County Fairgrounds. Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

A group of approximately twenty concerned citizens attended the Board meeting in regard to a continued discussion of a proposed new building project at the county fairgrounds. The Boone County Board of Commissioners reviewed bid proposals that were submitted to the architect, Joseph R. Hewgley & Associates, Inc. for a new building for the Boone County Fairgrounds. The following six bids were received: VRL Construction, Inc. DBA Rathman Manning Construction of Chapman, NE - \$2,966,035.00/455 calendar days; Bierman Contracting, Inc. of Columbus, NE - \$2,997,300.00/325 calendar days; RaDec Construction Co., Inc. of Hartington, NE - \$3,218,800.00/365 calendar days; Chief Industries DBA Chief Construction Co. of Grand Island, NE - \$3,496,000.00/300 calendar days; Rogge General Contractors, Inc. of Lincoln, NE - \$3,728,000.00/365 calendar days; and B-D Construction, Inc. of Columbus, NE - \$4,329,260.00/400 calendar days. Kurt Kruse, fairgrounds building committee, said that the two low bids were for Behlen buildings and that discussion had been held with Rathman Manning Construction where they agreed to shorten the construction days. Motion made by Maricle, second by Rasmussen to accept the bid proposal of \$2,966,035.00 from VRL Construction, Inc. DBA Rathman Manning Construction of Chapman, Nebraska. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The Board and Jeff Jarecki, Attorney for Boone County Agricultural Society, Inc., discussed the appointment of an advisory committee for/during the construction of a new county owned building at the county fairgrounds. The advisory committee will oversee construction of the building project and any change orders will need to be presented as an agenda item at a Board of Commissioners meeting for approval.

Motion made by Luettel, second by Maricle to appoint and approve the following to serve as the advisory committee for/during construction: Chairman of the Boone County Board of Commissioners; Boone County Agricultural Society, Inc. President and one other board member (Chuck Rolf); one board member of the Boone



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County 4-H Council (Kristine Schrad); one board member from the Boone County Planning and Zoning Commission (Paul Groeteke); and one Boone County resident committee member at large (Ron Coakes). Roll call vote: Yeas: Luettel, Maricle and Rasmussen. Nays: None. Motion carried.

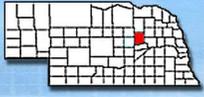
Andrew Forney, Vice President of D.A. Davidson & Co., presented an Engagement Letter for the Board to review. The Engagement Letter is disclosures by D.A. Davidson & Co. as Underwriter/Placement Agent pursuant to MSRB Rules G-17 and G-23 for Limited Tax County Building Bonds, Series 2018. Forney answered questions and explained the ten year bond issue parameters. Forney said that current market interest rate is 2.77 percent, but the final interest rate will not be determined until the bonds are sold. The group seeking commitments for the building project asked Forney if the sale of the bonds could be offered locally first in order to try to keep the funds in the county. Forney said that priority in bond allocation could be given locally. Motion made by Maricle, second by Rasmussen to approve and authorize the Board Chairman to sign the Engagement Letter with D.A. Davidson & Co. as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Michael Rogers, Gilmore & Bell, P. C., prepared a resolution authorizing the issuance of Limited Tax Building Bonds, Series 2018, of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,000,000.00 for a new county owned building at the county fairgrounds. Kevin Rasmussen, fairgrounds building committee, said that the fund pledge/commitment drive is going well and that he is confident in raising more than the \$1.7 million. Forney explained that the bond issue includes an extraordinary redemption provision that would allow for repayment of the bonds early if donations come in earlier than expected and that the County also has an option to refinance the bonds after five years if a lower interest rate is available. The bond resolution states that the first bond payment will be made by October 15, 2019 and the final payment by October 15, 2029. The October 15, 2019 payment will include two interest payments and first principal payment. Beginning with the year 2020 bond payments there will be an interest payment due each May and principal/interest payment due each October.

It was noted that all pledge/commitment agreements must be signed. The attorneys Jim Ely and Jeff Jarecki said they are in the process of finalizing the pledge/commitment agreements. The County Clerk noted that the State Statutes of the County Agricultural Society Act, does not allow County Agricultural Society's to receive gift, pledge or bequest of any type. Jarecki noted that is why a 501(c) (3) nonprofit organization is being formed for the collection of the donations to repay the bonds.

Motion made by Rasmussen, second by Luettel to approve Resolution No. 2018-29, authorizing the issuance of Limited Tax Building Bonds, Series 2018, of the County of Boone, Nebraska in the aggregate principal amount of not to exceed \$2,000,000.00 for a building owned by the County and initially to be used as an Agricultural and Educational Activities Building at the county fairgrounds. Roll call vote: Yeas: Rasmussen, Luettel and Maricle. Nays: None. Motion carried.

Mary Ziemba, Boone County Zoning Administrator, and the Board discussed suggested proposed changes to the County Zoning Regulations. The Board decided to visit with the State of Nebraska, Department of Roads, for a better understanding of the road classification requirements, following a lengthy discussion regarding the regulation for not allowing any residential structure to be built on a minimum maintenance road. No suggestions or decisions were made in regard to the County Zoning Regulations by the Board.



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Public Comments:

- Meetings: County Planning and Zoning Commission – August 27, 2018.
- The Boone County Clerk, Election Commissioner's office received approval from the State of Nebraska, Secretary of State, John A. Gale, of the Mail Only precinct application for the North Manchester, Southeast Manchester, and Southwest Manchester precincts starting with the 2020 Election cycle. Starting with the 2020 Election cycle all of the election voting in Boone County will be Mail Only precincts.

Chairman Luettel declared the meeting adjourned at 1:22 P.M., with the next Board meeting scheduled for Monday, September 10, 2018.

Kathy Thorberg,
Boone County Clerk