

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS DECEMBER 10, 2018 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, December 10, 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, Alan Rasmussen and Hilary K. Maricle. 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. 1408 submitted for payment number two in the amount of \$41,891.92 for the contractor services in regard to the new building project for the Boone County Fairgrounds. The Board discussed the additional dirt work in regard to the building project due to the discovery of metal and wood debris that has been buried on the County property. Motion made by Maricle, second by Rasmussen to approve payment number two for Vendor ID No. 1408, Rathman Manning Construction, in the amount of \$41,891.92 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$37,778.67; Road/Weed - \$71,415.64; Inheritance Tax - \$2,216.24; 911 Emergency Management (2910) - \$391.59; 911 Wireless Service (2913) - \$471.49; Fair Building (4025) - \$41,891.92; Ambulance - \$6,703.63. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

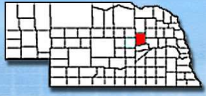
Motion made by Rasmussen, second by Maricle to approve an Accounts Payable Vendor Claim filed for payment on the Road fund for Vendor ID No. 801 in the amount of \$1,933.82, a non-exclusive contract for services to back-haul aggregate for the county. Roll call vote: Yeas: Rasmussen and Maricle. Nays: None. Abstain: Luettel. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the County Board Proceedings of November 28, 2018 as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Motion made by Luettel, second by Maricle to approve the following reports of the County Officials as presented for November 2018:

- Clerk - \$3,363.50 (State of Nebraska-\$1,253.04)(County of Boone-\$2,110.46)
- Clerk of the District Court - \$717.25 (State of Nebraska-\$244.00)(County of Boone-\$473.25)
- County Planning and Zoning - \$235.50
- Sheriff - \$1,356.99
- Treasurer - Miscellaneous Receipt Nos. 16696-16753 - \$297,871.93; Total Collections - \$546,879.79

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



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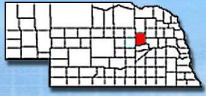
The County Longevity Program for full-time employees that was started in August 1979 will end December 21, 2018. A Merit Based Pay Program with employee performance evaluation begins for January 2019 being effective December 22, 2018 to coincide with the 22/21 pay period. An hourly wage increase of (0-12 cents) which is based on a full-time employee's performance evaluation every November will be a new benefit beginning with the January 2019 payroll to coincide with 22/21 pay period. The employee's performance evaluation is to be placed in the employee's personnel file in their respective office and the employee recommendation performance forms will be submitted to the Board for review at the first Board meeting in December each year. After review, the Board will submit the performance forms to the County Clerk's office in order to prepare the payroll system for the next calendar year and will be placed in the employee's respective locked personnel file located in the County Clerk's office. The Board reviewed the submitted Merit Based Pay Recommendations for full time county employees. Motion made by Maricle, second by Luettel to approve the Merit Based Pay Recommendations for full time employees for the 2019 payroll year submitted by the respective office supervisors. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The Board approved an Interlocal Cooperation Agreement/Tower Use Agreement between the Nebraska Office of the Chief Information Officer (OCIO), an agency of the State of Nebraska and Boone County, Nebraska, a political subdivision of the State of Nebraska, for installation of equipment for the Nebraska Statewide Radio System (SRS) on the new County Communications Tower located on the Boone County Fairgrounds. Within the Agreement the State of Nebraska will be taking over the maintenance of the County owned Olympian generator located at the tower site. The annual three year generator maintenance Agreement with NMC included both the Olympian generator located at the tower site and the Winco generator located at the Law Enforcement/Sheriff's office building. Rod Nelson, Maintenance, discussed the generator maintenance change with NMC. NMC provided an updated Maintenance Agreement with no change to the maintenance fee for the Winco generator and removed the Olympian generator annual maintenance fee from the County Agreement. Motion made by Maricle, second by Luettel to approve the revised Maintenance Agreement for the annual PM3 inspection for the Winco generator fee of \$654.00 for each year through 2020. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

The County Highway Superintendent updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. In addition, the following topics were discussed:

- The new propane heating system installed in the County Road Shop at Cedar Rapids is not operating correctly and has been using an average of 40 gallons of propane per day with an average of 55 degrees inside the building. The Board directed the Highway Superintendent to contact the installer again and request that a company representative be sent to the site to check the new system.
- The contractor for the construction of a 16' x 16' office/break room building for the County Road Shop District #1, Cedar Rapids informed the County Highway Superintendent that the concrete and underground wiring would possibly double in expense if they start the construction now due to the frozen ground. The road employees stated that they do not want water services to the new office/break room building addition and would like the Board to consider bringing in a pre-built or portable building to attach to the present shop building. Possible changes will be discussed with the contractor.
- Chairman Luettel had some information on Calcium Chloride (CaCl₂) Dust Control material for dusty County roads. The County Highway Superintendent will check with other counties to see what type of dust control they use and how often they apply the material.

The County Highway Superintendent and the Board discussed the purchase of a tank and liquid deicing material for use by the Boone County Road Department that would be centrally located in Albion for disbursement



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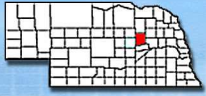


where needed within the County. A company contacted in Colorado had not responded to date with a quote for either the tank or liquid deicing material. A company from Iowa submitted a quote for a 6000 gallon tank with cone stand and fittings, delivered for \$7,350.00. Smith Fertilizer & Grain of Knoxville, Iowa submitted a quote for deicing liquid material at \$1.43 per gallon delivered with a minimum of 4700 gallons. Motion made by Maricle, second by Rasmussen to approve and authorize the County Highway Superintendent to purchase a 6000 gallon tank with stand and fittings for approximately \$7,350.00 and deicing liquid material delivered for approximately \$1.43 per gallon. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

The County Highway Superintendent presented an updated Snow Removal Plan and Policies for the Boone County Department of Roads. The snow removal plan covers the procedure that will be followed in the event of a winter snowstorm. The maps for each area of the County show priority roads for snow removal. Snow plowing will begin when snow accumulation reaches three inches or more. The 2018 Snow Removal Plan and Policies will be posted on the Boone County website. Motion made by Rasmussen, second by Maricle to approve the Boone County Department of Roads, Snow Removal Plan and Policies, effective December 2018 as prepared and submitted by the Boone County Highway Superintendent. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

The Board contacted the NACO office and reviewed the information received regarding guidelines for filling county office vacancies. In a county having a population of less than one hundred fifty thousand inhabitants in which no county surveyor has been elected and qualified, the county board of such county shall appoint a competent surveyor either on a full-time or part-time basis from any other county of the State of Nebraska to such office. An appointed surveyor shall serve the same four-year term as that of an elected surveyor. The county board shall negotiate a contract with the surveyor, such contract shall specify the responsibility of the appointee to carry out the statutory duties of the office of county surveyor. The Board received proposals from Brent D. Cyboron, Initial Point Surveying, LLC of Grand Island, Nebraska and Christopher C. Hays, Hays Land Surveying, LLC of Osceola, Nebraska for the appointment as Boone County Surveyor. Cyboron and Hays were both present at the Board meeting and presented their respective proposal to the Board. The Board acknowledged appreciation for their interest in the appointed position. Motion made by Maricle, second by Luettel to table the decision of the appointment of a Boone County Surveyor to the December 17, 2018 Board meeting to allow the Board to further review the two proposals. Roll call vote: Yeas: Maricle, Luettel and Rasmussen. Nays: None. Motion carried.

Jeff Jarecki, Jarecki Maul PC LLO and attorney for the Boone County Agricultural Society, Inc., and the Board discussed the Pledge Agreements with the County for the new livestock facility at the Boone County Fairgrounds. Jarecki explained how pledges would be handled after discussion with the Nebraska Community Foundation and Boone County Community Foundation. The Pledge Agreements are between the pledge donor and the Boone County Agricultural Education Center, Inc. Jarecki said that an Account Agreement will be finalized between the Boone County Community Foundation, Nebraska Community Foundation and County of Boone, Nebraska, with specific details on how the donated funds to pay for the bonds for the new livestock building at the county fairgrounds will be held and transferred. Jarecki said that the Account Agreement will come to the Board for approval once it is drafted. The application for the Boone County Agricultural Education Center, Inc. for a 501(c)(3) status is now in final form and ready for submission. The donor funds for the Boone County Agricultural Education Center, Inc. are presently being held by the Boone County Community Foundation due to no approval of the non-profit status to date. This building project needs to be transparent and have continuous communication and cooperation between the County, building advisory committee and the foundations.



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The Boone County Treasurer has set up a separate account to receive the donated funds in order to pay the bonds for the building project. Any interest earned on said building bond account will also be used towards the ten year bond/interest payments. The donated funds may be made directly to the Boone County Treasurer or the Boone County Community Foundation/Boone County Agricultural Education Center, Inc.

The Board received two change orders to review for consideration for the new livestock building project for the Boone County Fairgrounds. Leo Dwyer, president of Rathman Manning Construction, explained that Change Order #2 is for additional dirt work and excavation. The original building site was too close to the new County Communications Tower, of which any building needs to be a minimum of 300 feet from the center of the communications tower. The additional dirt work and excavation costs for Change Order #2 is \$38,680.00. The additional dirt work/excavation is due to the building being straightened from the original plan of setting at an angle; moved further east from its original planned location to avoid the communications tower and recreational trail; building movement requires moving more dirt from hilly area; and during excavation a buried dump site was found under the site containing mainly metal and wood debris that needs moving. The additional cost came to \$46,680.00 and the contractor is donating \$8,000.00 in labor cost, bringing the additional dirt work total down to \$38,680.00. Motion made by Maricle, second by Rasmussen to approve Change Order #2 for additional dirt work/excavation for the new fairgrounds building project in the amount of \$38,680.00 for Rathman Manning Construction as presented. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Dwyer explained that the Change Order #1 in the amount of \$55,893.00 dealt with various changes in the building plan and the movement of the building location. Chuck Rolf, Ag Society, was asked by Pat Neidhardt why some of the plan changes were necessary for the livestock building. Rolf replied that the building advisory committee felt the change would make the building more useable. The Board decided to approve only part of the Change Order #1 requests: changing doors to double doors with card readers; added two 16'L x 10'W overhead doors; transition with doors and squaring up the class/meeting room caused changes to floor tile, etc.; double doors and hallway changes increased the size of the class/meeting room for framing/drywall/painting expense; building movement will need to extend utilities such as electrical, water, etc. lines; and install a fire hydrant and water line. The Board tabled and did not approve Div. 03 additional concrete footing expense due to cold weather - \$3,868.00 and Div. 26, 27, and 28 additional electrical work, utility hookups, panel boxes, etc. - \$50,209.00. Motion made by Maricle, second by Rasmussen to approve Change Order #1 as follows: Div. 08, 09, 22, 23 and not approve/table Change Order #1 as follows: Div. 03, 26, 27, 28 as per attached change order document. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.

Public Comments:

- Meetings: NACO Conference – December 12-14, 2018; BCDA, Inc. – December 11, 2018.
- Commissioner Maricle reported that the new Region 44 Emergency Manager, Denise Ziemba, plans to attend the December 27, 2018 Board meeting to introduce herself.
- The Board acknowledged receiving a letter of concern from Dan Batenhorst regarding possible erosion occurring on a finished stream bank stabilization site located by Cedar Rapids, Nebraska along 360th Street. The Board forwarded the letter to the County Highway Superintendent.

Chairman Luettel declared the meeting adjourned at 12:57 P.M., with the next Board meeting scheduled for Monday, December 17, 2018.

Kathy Thorberg,
Boone County Clerk