



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS LEASE OF COUNTY OWNED REAL ESTATE

Alan Rasmussen, Chairman of the Boone County Board of Commissioners called for a motion to open a public hearing on Monday, July 15, 2019 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Rasmussen, second by Commissioner Rutten to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Commissioners present for said public hearing were Alan Rasmussen, Ben Rutten and Larry Temme. Also present for said hearing was Michelle Olson, BCDA, Inc. Executive Director. Chairman Rasmussen acknowledged the publication notice for the record.

In accordance with Nebraska State Statute 23-107.01, real estate owned by the county; sale or lease; terms and procedures: any county board has power to sell or lease real estate owned by the county and not required for county purposes at a fair market value regardless of the value of the property. The county board of such county shall hold an open and public hearing prior to any such sale or lease at which any interested party may appear and speak for or against the sale or lease and raise any issue(s) regarding the fair market value of the property as determined by the county board. Public notice of any such public hearing shall be run once each week for two consecutive weeks prior to the hearing date in any newspaper or legal publication distributed generally throughout the county.

The County Board of Commissioners has power to lease real estate owned by the county, specifically the South 22 feet of the North 66 feet of Lots 5 and 6, Block 14, Original Town of Albion, Boone County, Nebraska. The County Board shall hold an open and public hearing in accordance with Nebraska State Statute 23-107.01.

The County Board of Commissioners ran a public notice the weeks of July 1 and July 8, 2019, prior to the hearing date of July 15, 2019 in the Albion News newspaper in accordance with state statute to lease county owned real estate.

The Board may advertise to reserve the right to reject any and all proposals received and to waive any informalities or technicalities. The Board is not obligated to accept the highest or lowest bid. If the county receives no bids or if the bids received are substantially lower than the fair market value, the County Board may negotiate a contract for lease of the real estate if such negotiated contract is in the best interests of the county.

The joint public agency of Boone County Development Agency was approved by the Nebraska Secretary of State on October 26, 2000. The former Boone County Development Agency operated within the County of Boone, Nebraska budget system and federal tax identification number. The BCDA, Inc. was formed as a Non-profit Corporation 501(c)(3) effective January 1, 2014 to replace the joint public agency entity. Due to the entity structure change from Joint Public Agency to a Non-profit Corporation, the County procedure to lease or sell real estate is outlined in said Nebraska State Statute.

Motion made by Temme, second by Rutten to close said hearing at 10:12 A.M. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to accept sealed bids for the property to be leased, specifically the South 22 feet of the North 66 feet of Lots 5 and 6, Block 14, Original Town of Albion, Boone County, Nebraska, commonly known as BCDA, Inc. until 4:00 P.M. on Friday, July 26, 2019, at the Boone County Clerk's office with bids to be opened/reviewed at 11:00 A.M., on Monday, July 29, 2019 in the Boone County Commissioners Meeting Room located in the courthouse, Albion, Nebraska. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Kathy Thorberg,
Boone County Clerk