

# 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, January 13, 2020 at 11:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Temme, second by Commissioner Rasmussen 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 Larry Temme, Alan Rasmussen and Ben Rutten. Also present for said hearing was Chuck Rolf, Boone County Agricultural Society, Inc. representative. 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 a fractional part of the Northeast Quarter (NE1/4) of Section Twenty-eight (28), Township Twenty (20) North, Range Six (6) West of the 6<sup>th</sup> P.M., Boone County, Nebraska commonly known as the Boone County Fairgrounds, containing 53.61 acres more or less of which 2.23 acres more or less is occupied by Road R.O.W., except the County Communications Tower 0.32± acres. The County Board shall hold an open and public hearing in accordance with Nebraska State Statute 23-107.01 prior to any such lease at which time any interested party may appear and speak for or against the lease and raise any issue concerning the County Board leasing said property.

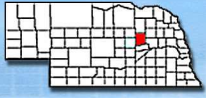
The County Board of Commissioners ran a public notice the weeks of December 30, 2019 and January 6, 2020, prior to the hearing date of January 13, 2020 in the Albion News newspaper in accordance with state statute to lease county owned real estate.

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 County of Boone, Nebraska is the owner of the real estate (Warranty Deed dated March 23, 1944) together with all the tenements, hereditaments, and appurtenances thereunto belonging. The Lease Agreement dated January 10, 1978 between the County of Boone, Nebraska and the Boone County Agricultural Society, Inc. was terminated effective December 31, 2019. Due to the termination of the Lease Agreement, the County procedure to lease or sell real estate is outlined in said Nebraska State Statute.

Motion made by Rasmussen, second by Rutten to close said hearing at 11:15 A.M. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rasmussen to accept sealed bids for the property to be leased, specifically a fractional part of the Northeast Quarter (NE1/4) of Section Twenty-eight (28), Township Twenty (20) North, Range Six (6) West of the 6<sup>th</sup> P.M., Boone County, Nebraska commonly known as the Boone County Fairgrounds, containing 53.61 acres more or less of which 2.23 acres more or less is occupied by Road R.O.W., except the County Communications Tower 0.32± acres, until 4:00 P.M. on Friday, January 24, 2020, at the Boone County Clerk's office with bids to be opened/reviewed at 11:00 A.M., on Monday, January 27, 2020 in the Boone County Commissioners Meeting Room located in the courthouse, Albion, Nebraska. Roll call vote: Yeas: Temme, Rasmussen and Rutten. Nays: None. Motion carried.



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Kathy Thorberg, Boone County Clerk