

Boone County Board Minutes



BOONE COUNTY BOARD OF COMMISSIONERS PROCEEDINGS FEBRUARY 10, 2020 ALBION, NEBRASKA

The Boone County Board of Commissioners of Boone County, Nebraska, met in regular session at 9:00 A.M. on Monday, February 10, 2020, in the Commissioners Meeting Room of the Courthouse in Albion, Nebraska.

Vice Chairman Temme called the meeting to order and Commissioners present for roll call were Larry Temme and Ben Rutten. Commissioner Alan Rasmussen was absent due to illness. Notice of the meeting was given in advance by publication and the convened meeting was open to the public. Vice Chairman Temme 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. Motion made by Temme, second by Rutten to approve the Accounts Payable Vendor Claims filed for payment from the various funds: General - \$46,062.21; Road/Weed - \$153,561.58; Boone County Visitor's Promotion - \$1,440.16; Inheritance Tax - \$183,952.98; 911 Emergency Management (2910) - \$453.17; 911 Wireless Service (2913) - \$512.14; Fair Building (4025) - \$220,674.06; Ambulance - \$1,498.37. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

The Board accepted and approved a written resignation from a full-time County Sheriff office employee at their January 13, 2020 Board meeting. Motion made by Rutten, second by Temme to approve a Payroll Claim filed for payment on the General Fund for a net amount of \$855.04 with the withholding amounts being included in the above approved Accounts Payable Vendor Claims as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board Proceedings of January 27, 2020 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Rutten, second by Temme to approve the County Board Public Hearing Proceedings of January 27, 2020 as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Temme, second by Rutten to approve the County Board of Equalization Proceedings of January 27, 2020. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Motion made by Temme, second by Rutten to approve the following reports of the County Officials as presented for January, 2020:

- Clerk - \$15,565.75 (State of Nebraska \$10,164.29)(County of Boone \$5,401.46)
- Clerk of the District Court - \$1,134.89 (State of Nebraska \$605.00)(County of Boone \$529.89)
- Sheriff - \$2,161.22
- Treasurer - Miscellaneous Receipt Nos. 17586-17651 - \$1,837,506.80
- Treasurer - Total Collections - \$3,156,452.73

Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.



Boone County Board Minutes



The Board received Payment Application Nos. 13 & 14 from Rathman Manning Construction for the fairgrounds building. The payment request is for a portion of the concrete, fire suppression, plumbing, HVAC system, doors, windows, electrical, utilities and fire alarm/communications system. Motion made by Rutten, second by Temme to approve payment number thirteen for \$128,045.42 and fourteen for \$92,628.64 from Rathman Manning Construction for a total of \$220,674.06 as presented. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Board received a change order to review for consideration for the new livestock building project for the Boone County Fairgrounds. The original project quote was \$2,966,035.00 from Rathman Manning Construction. Construction Change Orders #1 and #2 were reviewed and discussed on December 10, 2018 when the Board approved Change Order #2 for \$38,680.00 and part of Change Order #1 for \$16,281.00. The architect then merged Change Orders #1 and #2 to AIA Document G701 known as Change Order Number: 001 for \$54,961.00 increasing the project construction amount to \$3,020,996.00. On September 25, 2019 a change order was reviewed and discussed to change the Fire Sprinkler main piping from a 4" line to a 6" line per on-site Fire Marshal inspection for \$6,034.60. The AIA Document G701 Change Order Number: 002, which should be Change Order #3 document request, for \$6,034.60 increased the project construction amount to \$3,027,030.60. A change order was received for the Board to review as AIA Document G701 Change Order Number: 003, which should be Change Order #4 document request, for \$7,978.44. Some of the changes were faucets; flood protection valve; thermostats; light switch, TV outlet, electrical meter, etc. and partial deduction of sidewalk on north side of building. Motion made by Rutten, second by Temme to approve the AIA Document G701 Change Order Number: 003 as submitted, which should be Change Order #4 document request, for \$7,978.44 to add and delete changes as presented with the building project construction amount now being \$3,035,009.04. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Boone County Board of Commissioners authorized the Boone County Treasurer to transfer funds from the General Fund to the Road Fund on a monthly basis each fiscal year. The County Treasurer disperses the percentage of delinquent taxes received each month to the respective funds. Motion made by Temme, second by Rutten to adopt and approve Resolution No. 2020-03, authorizing the Boone County Treasurer to discontinue the transfer of funds from the General Fund to the Road Fund for the delinquent tax year 2018 as presented. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Boone County has been a County member of the Northeast Nebraska Economic Development District (NENEDD) for several years. NENEDD contacted the Board and asked that Boone County appoint a Commissioner as a Boone County representative for the Council of Officials for NENEDD. The Council of Officials are invited to attend each monthly meeting and comment on items being discussed. However, they only have voting rights at just two meetings a year being June and December. Motion made by Rutten, second by Temme to appoint Commissioner Larry Temme as Boone County representative for the Council of Officials for NENEDD for year 2020. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Boone County Board of Commissioners approved Resolution No. 96-26, joining with other Nebraska public agencies in accordance with Nebraska law and the Interlocal Cooperation Act, by becoming a participant in the Nebraska Public Agency Investment Trust (NPAIT) on June 17, 1996. The NPAIT account allowed public agencies to invest surplus or excess funds. On May 30, 2010 the Boone County NPAIT account balance was zero and the Boone County Treasurer has not used the NPAIT account since May of 2010. Motion made by Temme, second by Rutten to approve and authorize Laurie Krohn, Boone County Treasurer, to complete and sign the NPAIT document "Close Sub-Account/Master Authorization" permanently closing the NPAIT account effective February 10, 2020 and Boone County will no longer be a participant with NPAIT, therefore voiding



Boone County Board Minutes



Resolution No. 96-26. Roll call vote: Yeas: Temme and Rutten. Nays: None. Absent: Rasmussen. Motion carried.

Stacey Ziemba, County Highway Superintendent, updated the Board regarding road equipment repair/replacement, road/bridge maintenance, materials and projects. Ziemba informed the Board that Road District #1, Cedar Rapids, is in need of a power washer to clean their machines. The consensus of the Board is that the Highway Superintendent will decide on the most economic purchase under \$10,000.00 of either a used or new power washer for Road District #1.

Stacey Ziemba, County Highway Superintendent, submitted two state quotes from Nebraska Machinery Company (NMC) for a new motor grader for the Board to review. The quote for a Caterpillar 140-13AWD with v-plow is \$302,040.00 and a Caterpillar 140-13AWD with ADJ wing is \$311,230.00. Ziemba informed the Board that the 1998 Caterpillar 140H motor grader will be a trade-in for the new motor grader. Ziemba informed the Board that if the new motor grader is ordered now that the new machine may possibly be delivered in April. Ziemba informed the Board that the plans are to utilize the Nebraska Machinery Company CAT Financial plan and pay a financing cost of \$250.00 in order to have the new machine in use in April and not pay for the new machine until July. Motion made by Rutten, second by Temme to approve the purchase of a new Caterpillar 140-13AWD motor grader with v-plow from Nebraska Machinery Company for \$261,140.00 (\$302,040.00 less a trade-in allowance of \$40,900.00) and use the CAT Financial plan to defer the full payment to the new fiscal budget year of July 2020. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

On January 21, 2020 the County Highway Superintendent and Board discussed the purchase of a new drag carrier that would be mounted on the new motor grader located at Road District #3, Petersburg with brackets to accommodate snow wing so it can be left on year around. The Board asked the Highway Superintendent to obtain additional quotes. The following quotes were received: Molt Mfg., Inc. of Spalding, NE - \$10,850.00; Front Runner FAB., Inc. of Fullerton, NE - \$5,200.00; and Beaver Creek Machine, LLC of Petersburg, NE - \$4,578.60. Motion made by Rutten, second by Temme to approve the quote for a new drag carrier from Beaver Creek Machine, LLC for approximately \$4,578.60. Roll call vote: Yeas: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

Andy Zoucha, Don Casper and Gayle Noble met with the Board to discuss their concerns regarding County road issues and needed repairs on asphalt roads. The County Highway Superintendent and Brian McDonald, JEO Consulting Group, Inc., were also present for the discussion. The group discussed several sizes of pot holes, soft spots, deterioration of asphalt roads and the edges of roads. Some of the road areas discussed were 260th Street between the intersection of 11th Street and Fairview Street, thence west to the intersection of 240th Avenue and Fairgrounds Road, Fairgrounds Road and 240th Avenue south of State Highway 91, vicinity of the Albion Country Club, Cemetery Road, roads in the area of Bob's Country Acres, Cuddy's Ark Acres and Golf Course View Subdivisions. Some questions being asked: which of the area roads are considered open roads for County maintenance; what roads are not considered open roads and who is responsible for maintenance and repairs; are any of the area roads in discussion on the County One Year Road Improvement Plan; and any plans for the County to accept and maintain subdivision roads. McDonald informed the group that if the County physically accepted the area platted subdivision roads, the roads would have to meet the Nebraska DOT minimum standards. McDonald plans to inspect the roads while he is in the area today.

The Board, County Highway Superintendent, Brian McDonald, JEO Consulting Group, Inc., Ralph Pieke and Scott Wallin discussed the Bridge Project #6(393), located at 150th Street east of 330th Avenue. The plans are for an existing 24 foot bridge to be replaced with a triple 10 x 9 foot box culvert at an estimated cost of \$160,000.00. The box culvert would accommodate a larger volume of water, but a heavy rain will still likely continue to overtop the bridge due to the road needs to be built up. Pieke and Wallin were in favor of a larger



Boone County Board Minutes



bridge like the bridge further upstream and build the road up. McDonald said that the channel capacity of the Shell Creek is a determining factor and that can't be changed. McDonald said that there is no justification for what it would cost to build the road up 2 to 3 foot and install a larger bridge for a minimal daily traveled road.

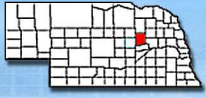
The Board, County Highway Superintendent, and Brian McDonald, JEO Consulting Group, Inc., discussed two FEMA bridge projects. McDonald presented two FEMA projects for the Board to review and let for bidding. The two bridge projects are due to the 2019 flooding. The Cedar Rapids Northwest bridge project on 150th Avenue south of State Highway 52 estimated cost is \$450,000.00. The St. Edward South bridge project, which connects to the City of St. Edward sewage lagoon is estimated at \$100,000.00. Copies of the contract documents are on file in the County Clerk's office for examination by bidders. Project bidding documents are available from JEO Consulting Group. Motion made by Rutten, second by Temme to authorize the County Clerk to advertise for bids for the Cedar Rapids Northwest bridge project and the St. Edward South bridge project, with the Invitation to Bid as prepared by JEO Consulting, Group, Inc. and bids to be received until 10:00 A.M. on March 9, 2020 by the Boone County Clerk's office. Roll call vote: Rutten and Temme. Nays: None. Absent: Rasmussen. Motion carried.

The Board, County Highway Superintendent, and Brian McDonald, JEO Consulting Group, Inc., discussed several road/bridge issues/projects. Some of the following projects discussed with no final decisions made at this time:

- A bridge on Pilot Knob Road near Primrose.
- A bridge south of St. Edward on 350th Street west of State Highway 39.
- A bridge east of Raeville on 260th Avenue north of 20th Street.
- Culvert replacement on Ridge Road west of Albion.
- The asphalt (black top roads that were milled and packed in fall of 2019: 260th Street between intersection of 11th Street and Fairview Street, thence west to the intersection of 240th Avenue and Fairgrounds Road; A Street going north out of St. Edward; and 170th Avenue known as Water Tower Road going South out of Cedar Rapids.

The Board; Boone County Agricultural Society, Inc. board members Dave Noble and Chuck Rolf; UNL Extension Educator, Steve Pritchard; and Pam Jochum continued the review and discussion of a proposed lease document. The Lease Agreement being discussed would be between the County of Boone and the Boone County Agricultural Society, Inc. for the County owned property commonly known as the Boone County Fairgrounds. The Ag Society asked for the language of #35 Budget be changed from "provide a separate detailed report of revenue and expenses for each of the activities" to a "monthly summary report of revenue and expenses and a detailed report for the activities when requested by the Board." The language regarding insurance coverage changes will be provided by NIRMA and a revised legal description of the fairgrounds property will be provided by the County Surveyor.

Steve Pritchard, UNL Extension, presented a quote for new furnishings for the UNL office space and meeting room to be located in the new building at the fairgrounds. A quote from Mark's Custom Woodworking of Creston, NE for the UNL Extension office area for cabinets and counter tops \$23,749.96 and for the meeting/conference room for cabinets, counter tops, sink, etc. \$6,184.49. The new fairgrounds building project cost of \$3.3 million did not include funding for any furnishings for the building. In accordance with state statute, the Board would like to review at least three informal bids due to the quotes for the office and meeting room furnishings appears to be greater than \$10,000.00. The Board asked Steve Pritchard, UNL Extension, to



Boone County Board Minutes



obtain additional quotes to present at a future meeting. In addition, Pritchard presented the Board a copy of a 2019 Boone-Nance Extension annual report for their review.

Public Comments:

- Meetings: BCDA, Inc. – February 11, 2020; Boone County Agricultural Society, Inc. – February 17, 2020; Northeast Nebraska Area Agency on Aging – February 20, 2020; Region IV, Inc./ NorthStar Services – February 20, 2020; Northeast Nebraska Juvenile Services – February 21, 2020; Boone County Health Center – February 25, 2020.
- Commissioner Rutten updated the Board regarding the Boone County Trails System Committee meeting with a state forester and landscape designer on February 7, 2020.
- The Board received a 2019 Annual Report from Nebraska Intergovernmental Risk Management Association (NIRMA) to review.
- The Board acknowledged receiving a thank you from the recipients of the County silent auction donations for the 2019 NACO Fundraiser for flood victims.

Vice Chairman Temme declared the meeting adjourned at 1:09 P.M., with the next Board meeting scheduled for Tuesday, February 18, 2020.

Kathy Thorberg,
Boone County Clerk