

# Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

August 3, 2021

The Board of County Commissioners of Madison County, Nebraska met in regular session at 9:30 A.M.

Advance notice of meeting was published in the Thursday, July 29, 2021 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was provided to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Following a moment of Silence and the Pledge of Allegiance to the flag of the United States of America, Chairman Troy Uhlir called the meeting to order and notified the public of the copy of the Open Meetings Act posted in the meeting room.

Present: Commissioners Eric Stinson, Ron Schmidt, and Troy Uhlir, County Clerk Anne Pruss, County Highway Superintendent Richard Johnson, and Road Foreman Jeff Schroeder. Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronnfeldt were present until 11:13 A.M.

Commissioner Schmidt read the following consent agenda items into the record:

- 1) Approval of minutes of July 20, 2021 meeting
- 2) Acknowledge receipt of levy allocations request for rural fire districts of Battle Creek, Madison, Meadow Grove, Newman Grove, and Norfolk, Madison County Agricultural, and Norfolk Sanitary District
- 3) Acknowledge receipt of expenditures of emergency funds from all available sources, the invoking of mutual aid agreements, and the applying of the State of Nebraska for assistance from the Governor's Emergency Fund regarding the July 9-10, 2021 wind damage event

Motion was made by Schmidt and seconded by Stinson to approve the consent agenda. Roll call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

Motion was made by Schmidt and seconded by Stinson to approve the regular agenda. Roll call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

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Chairman Uhlir opened a public hearing at 9:54 A.M. to receive comments on the advisability of the proposed insurance by the County of one or more series of its revenue bonds for the benefit of Behavioral Health Specialists, Inc., BHS, to finance and refinance certain capital projects of BHS.

Andy Forney from D.A. Davidson of Omaha explained interest rates have continued to lower therefore it's a good time to refinance some of the bonds that the Behavioral Health Specialist, BHS, has. Mr. Forney reported that he was able to combine all of BHS's outstanding debt and put it into one bond with a lower interest rate. Due to the County issuing the bonds, BHS was able to receive nonprofit interest rates. The weighted average debt was approximately 3.4% and by combing the debt together it cut it down to 2.5%. This does include a five year call option which was require by the lender in order to receive the lower interest rate. The BHS recently purchased and remodeled the Golden Living Center and with adding in these new expenses they were still able to save about \$200,000 in interest savings by conjoining everything together.

The newly remodeled building will serve up to 24 clients for alcohol drug treatment, including short-term care, community support, and an intensive outpatient program. The assisted living side of the building will open up more room to be utilized for extra services. They are hopeful that by November 20, 2021, they will have everyone moved over to the new building. Chairman Uhlir serves on the BHS board and stated that along with the former Golden Living Center building BHS also owns property along Norfolk Avenue and Sunrise Place as well as some properties in Columbus. BHS stated that their debt to service ratio should not be an issue with the newly lowered interest rates.

No one spoke in opposition to the conditional use permit.

Chairman Uhlir closed that public hearing at 9:59 A.M.

After discussion, the following resolution was introduced:

### RESOLUTION #2021-30

**A RESOLUTION OF THE BOARD OF COMMISSIONERS (THE "BOARD") OF THE COUNTY OF MADISON, NEBRASKA (THE "COUNTY") AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS (A) REVENUE REFUNDING BOND (BEHAVIORAL HEALTH SPECIALISTS, INC. PROJECT), SERIES 2021A, AND (B) REVENUE AND REFUNDING BOND (BEHAVIORAL HEALTH SPECIALISTS, INC. PROJECTS), SERIES 2021B (COLLECTIVELY, THE "BONDS") IN A COMBINED AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIVE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$5,250,000), THE PROCEEDS OF WHICH WILL BE LOANED TO BEHAVIORAL HEALTH SPECIALISTS, INC. (THE "BORROWER") FOR THE PURPOSE OF FINANCING AND REFINANCING CERTAIN CAPITAL PROJECTS OF THE BORROWER; MAKING FINDINGS AND DETERMINATIONS WITH REFERENCE TO THE BONDS; DETERMINING THAT THE BONDS SHALL NOT BE A LIABILITY OF THE COUNTY NOR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWERS; APPROVING AND AUTHORIZING EXECUTION OF ONE OR MORE LOAN AGREEMENTS AND RELATED DOCUMENTS; AUTHORIZING THE SALE OF THE BONDS; DESIGNATING OR DEEMING THE BONDS, OR PORTIONS THEREOF, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS"; GRANTING PUBLIC APPROVAL WITHIN THE MEANING OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING THAT THE INVALIDITY OF ANY PART OF THIS RESOLUTION SHALL NOT AFFECT THE REMAINDER; REPEALING ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH AND PROVIDING FOR THE EFFECTIVE DATE OF THIS RESOLUTION.**

**WHEREAS**, the County of Madison, Nebraska (the "County") is a county and body politic created and validly existing under the laws of the

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State of Nebraska (the “**State**”); and

**WHEREAS**, the County is authorized and empowered by the provisions of Chapter 13, Article 11, of the Nebraska Reissue Revised Statutes, as amended (the “**Act**”), to finance and refinance projects, as that term is defined in the Act, including, among other things, any land, building, or equipment or other improvement, and all real and personal properties deemed necessary in connection therewith, which shall be suitable for use as a nonprofit enterprise incurred to finance or refinance such land, building, equipment, improvement, or other properties, except that a project under this subdivision shall not include any portion of such land, building, equipment, improvement, or other properties to the extent used for sectarian instruction or study or devotional activities or religious worship, and to issue its revenue and/or refunding bonds for the purpose of financing and refinancing the cost of acquisition, construction or purchase of any such projects; and

**WHEREAS**, Behavioral Health Specialists, Inc. (the “**Borrower**”), a Nebraska nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“**Code**”), has requested that the County issue its revenue bonds in one or more series in a combined aggregate principal amount not to exceed \$5,250,000 and loan the proceeds thereof to the Borrower to (i) finance various capital expenses of the Borrower located within the corporate boundaries and jurisdiction of the County (the “**New Money Project**”), (ii) refund and redeem \$850,000 in aggregate principal amount of the County’s Revenue Refunding Bond (Behavioral Health Specialists, Inc. Project), Series 2017 (the “**Refunded 2017 Bond**”), which refinanced certain indebtedness that originally financed and refinanced various capital expenses related to the Borrower’s facilities (the “**2017 Projects**”), and (iii) refund and redeem \$2,935,000 in aggregate principal amount of the County’s Revenue Bond (Behavioral Health Specialists, Inc. Project), Series 2019 (the “**Refunded 2019 Bond**” and together with the Refunded 2017 Bond, the “**Refunded Bonds**”), which financed various capital expenses related to the Borrower’s facilities (the “**2019 Projects**” and together with the 2017 Projects, the “**Prior Projects**” and together with the New Money Projects, the “**Projects**”); and

**WHEREAS**, following publication of a Notice of Public Hearing on the County’s website that was displayed on July 21, 2021 until August 3, 2021, the Board of Commissioners of the County (the “**Board**”) conducted a public hearing on August 3, 2021 pursuant to and in compliance with the requirements of Section 147(f) of the Code, at which all interested parties were given an opportunity to express their views orally or in writing for or against the proposed issuance in one or more series pursuant to a plan of financing of not to exceed \$5,250,000 principal amount of the County’s revenue bonds to finance the costs of the New Money Project and to refinance the Prior Projects through the redemption of the Refunded Bonds; and

**WHEREAS**, the County has determined that the financing of the New Money Project and the refinancing of the Prior Projects through the redemption of the Refunded Bonds, by issuing its bonds and the loan of the proceeds thereof to the Borrower will promote the public purpose of providing health care facilities and services; and

**WHEREAS**, the County has determined and agreed to issue its (a) Revenue Refunding Bond (Behavioral Health Specialists, Inc. Project), Series 2021A, and (b) Revenue and Refunding Bond (Behavioral Health Specialists, Inc. Project), Series 2021B, in the combined aggregate principal amount not to exceed \$5,250,000 (collectively, the “**Bonds**”) under and pursuant to one or more Loan Agreements (collectively, the “**Loan Agreements**”), among the County, the Borrower and one or more lenders to be named therein (collectively, the “**Lender**”), as purchaser of the Bonds, for the purposes described herein and to sell the Bonds to the Lender; and

**WHEREAS**, there have been prepared in connection with the issuance and sale of the Bonds the following documents (collectively, the “**Financing Documents**”) which have been presented to the Board on this date:

- (1) The form of the Loan Agreements setting forth the respective terms of the Bonds and the conditions and security for the Bonds;

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and

(2) The form of the Federal Tax Agreement (the “**Tax Agreement**”) between the Borrower and the County; and

(3) The form of one or more Combination Deeds of Trust, Security Agreements, Fixture Financing Statements and Assignments of Leases and Rents, from the Borrower to the trustee named therein for the benefit of the Lender, granting a mortgage lien on and a security interest in certain real property and assets described therein (this document not to be executed by the County); and

**WHEREAS**, it appears that each of the instruments above referred to, which are now before each of the members of the Board, is in appropriate form and is an appropriate instrument for the purposes intended; and

**WHEREAS**, the principal of, premium, if any, and the interest on the Bonds are to be payable solely from the loan payments from the Borrower under the Loan Agreements and the other funds and collateral pledged thereto, and the Bonds neither constitute a general obligation of the County nor is secured by a pledge of or charge against the general credit or the taxing powers of the County; and

**WHEREAS**, all terms used herein and not otherwise defined herein shall have the meanings assigned to them in the applicable Loan Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MADISON, NEBRASKA, AS FOLLOWS:**

### ARTICLE I

#### LEGAL AUTHORIZATION; FINDINGS

**Section 1.01. Legal Authorization.** The County is a body corporate and politic duly organized and existing as a county under the Constitution and laws of the State and is authorized to issue and sell the Bonds pursuant to the provisions of the Act, this Resolution and the Loan Agreements. All terms used herein and not otherwise defined herein shall have the meanings assigned to them in the Loan Agreements.

**Section 1.02. Findings and Determinations.** Based on certain information from and representations of the Borrower, the Board has heretofore found and determined and does hereby makes the following findings and determinations:

(a) The loan of the proceeds of the Bonds by the County to the Borrower pursuant to the terms of the Loan Agreements to finance the costs of the New Money Project and to refinance the costs of the Prior Projects by refunding the Refunded Bonds is in furtherance of the purpose set forth in the Act.

(b) As represented and warranted by the Borrower, the Projects consist of eligible “projects” as defined in the Act.

(c) The County has been advised by the Borrower that the estimated cost of the New Money Project and the refinancing of the Prior Projects, including, but not limited to, any original issue discount, reserves and the costs of issuance related to the Bonds, is not less than \$5,250,000.

(d) The proceeds from the sale of the Bonds are to be loaned to the Borrower pursuant to the Loan Agreements. The amount necessary to pay the principal of, premium, if any, and interest on the Bond, in the principal amount not to exceed \$5,250,000, is the same as the loan payments required to be paid by the Borrower under the Loan Agreements.

(e) The Loan Agreements provide that the Borrower shall maintain the Projects (unless otherwise contemplated in the Loan Agreements) and carry all proper insurance with respect thereto and shall pay taxes and assessments, if any, with respect to the Projects.

(f) The Bonds do not constitute an indebtedness or obligation as to which the faith and credit of the County, the State, or any other political subdivision of the State are pledged. The Bonds are special, limited obligations of the County, and the County shall pay the principal of, premium, if any, or interest on the Bonds only from payments made to the County under the Loan Agreement and other amounts and

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collateral pledged thereto. The Bonds shall not constitute nor give rise to a pecuniary liability of the County or a charge against its general credit or its taxing power.

### ARTICLE II

#### AUTHORIZATION AND ISSUANCE OF THE BONDS; AUTHORIZATION OF DOCUMENTS

**Section 2.01. Authorization of Issuance of Bonds; Terms of the Bonds.** For the purpose of making loans to the Borrower to finance the costs of the New Money Project and to refinance the costs of the Prior Projects through the redemption of the Refunded Bonds, the Board authorizes the issuance by the County of a revenue bonds in the combined aggregate principal amount not to exceed \$5,250,000 to be designated (a) "County of Madison, Nebraska Revenue Refunding Bond (Behavioral Health Specialists, Inc. Project), Series 2021A" and (b) "County of Madison, Nebraska Revenue and Refunding Bond (Behavioral Health Specialists, Inc. Project), Series 2021B." The Bonds will be issuable in fully registered form, without coupons, in the denomination or denominations set forth in the applicable Loan Agreement. The Bonds shall be in such series, bear such dates and rates, mature and be payable at such places and in such forms, carry such registration privileges, be subject to redemption, be executed, be in such forms and contain such terms, security, covenants and conditions, all as set forth in the applicable Loan Agreement.

The Bonds shall be executed on behalf of the County by the manual or facsimile signature of the Chair or the Vice Chair of the Board and attested by the manual or facsimile signature of the County Clerk or the County Treasurer, or anyone authorized to sign on their behalf, all of whom are hereby authorized to execute and attest and deliver the Bonds on behalf of the County.

**Section 2.02. Sale of the Bond.** Pursuant to the Loan Agreements, the Bonds shall be sold to the Lender at a private sale at a price to be determined by the Borrower and the Lender. D.A. Davidson & Co., as placement agent for the Bonds (the "**Placement Agent**"), shall be paid a fee, as placement agent for the Bonds, in an amount to be agreed to by the Borrower and the Placement Agent.

**Section 2.03. Approval of Financing Documents.** The form, terms and provisions of the proposed Loan Agreements and Tax Agreement are, in all respects, hereby approved, authorized, ratified and confirmed, and the Chair of the Board, the Vice Chair of the Board, the County Clerk and the County Treasurer (each, including any person authorized to act on his or her behalf, an "**Authorized Officer**"), or each individually, is authorized and directed to execute, acknowledge and deliver each of the Loan Agreements and the Tax Agreement, including counterparts thereof, in the name and on behalf of the County. The Loan Agreements and the Tax Agreement, each as executed and delivered, shall be in substantially the forms now before this meeting and hereby approved, subject to such changes therein as shall be approved by the Authorized Officer executing the same, such execution thereof to constitute conclusive evidence of the County's approval of any and all changes or revisions therein from the forms of the Loan Agreements and the Tax Agreement now before this meeting; from and after the execution and delivery of the Loan Agreements and the Tax Agreement by the County, the Authorized Officers and all other officers, agents and employees of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Loan Agreements and the Tax Agreement as executed.

**Section 2.04. Authority to Execute and Deliver Additional Documents; Further Authorizations.** The Authorized Officers, or each individually, is authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents and other papers and to perform all other acts as the party signing may deem necessary or appropriate to implement and carry out the purposes and intent of this Resolution.

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## ARTICLE III

### PUBLIC HEARING AND APPROVAL

At the public hearing conducted by the Board on August 3, 2021 regarding the proposal of the County to issue the Bonds for the purposes of financing and refinancing the costs of the Projects, as applicable, all interested parties who desired to do so were given the opportunity to express their views orally and in writing for or against the proposed Bonds and the Projects. The Board has considered all oral and written statements which were made or filed for or against the proposed Bonds, and hereby determines that the proposed issuance by the County of the Bonds, for the purposes set forth in the Notice of Public Hearing and described in the preamble hereof, is in the best interest of the County, and the same is hereby approved in accordance with the public approval requirements of Section 147(f) of the Code and the Act.

## ARTICLE IV

### MISCELLANEOUS

**Section 4.01. Limitation of Rights.** With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Bonds is intended or shall be construed to give to any person, other than the County, the Borrower and the Lender, any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions and provisions herein contained; this Resolution and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the County, the Borrower and the Lender as herein provided.

**Section 4.02. Severability.** If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

**Section 4.03 Immunity of Officers.** No recourse for the payment of any part of the principal of, premium, if any, or interest on the Bonds for the satisfaction of any liability arising from, founded upon or existing by reason of the issue, purchase or ownership of the Bonds shall be had against any official, officer, member or agent of the County or the State, all such liability to be expressly released and waived as a condition of and as a part of the consideration for the issue, sale and purchase of the Bonds.

**Section 4.04. Bank-Qualified Obligations. Bank Qualified Status of the Bonds.** The Board may designate either series of Bonds, as “qualified tax-exempt obligations” under Section 265(b)(3) of the Code, or if applicable, deem designate either series of Bonds, as “qualified tax-exempt obligations” under Section 265(b)(3) of the Code. Such designation shall be set forth in the Loan Agreements or the Tax Agreement.

(i) If the Board designates either series of Bonds, as “qualified tax-exempt obligations” under Section 265(b)(3) of the Code and seeks to use a portion of the County's current year's bank qualified allocation, the County shall represent that:

(1) the aggregate face amount of all tax-exempt obligations (other than private activity bonds that are not “qualified 501(c)(3) bonds” and certain refunding bonds) which will be issued by the County (and all subordinate entities thereof) during the current calendar year is not reasonably expected to exceed \$10,000,000; and

(2) the County (including all subordinate entities thereof) will not issue an aggregate principal amount of tax-exempt

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obligations (other than private activity bonds that are not “qualified 501(c)(3) bonds” and certain refunding bonds) during the current calendar year, including the Bonds, in excess of \$10,000,000, without first obtaining an opinion of nationally recognized counsel in the area of municipal finance that the designation of the Bonds as “qualified tax-exempt obligations” will not be adversely affected.

(ii) If the Board chooses to deem designate either series of Bonds, as “qualified tax-exempt obligations”, the County shall represent that:

(i) the refunded issue(s), were designated as “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(B) of the Code;

(ii) the average maturity date of either series of Bonds will not be later than the average maturity date of the refunded issue(s); and

(iii) either series of Bonds will have a final maturity date which is not later than the date which is 30 years after the date the original issue being refunded with proceeds of either series of Bonds was issued.

**Section 4.05. Post-Issuance Compliance Procedures.** In connection with the issuance of the Bonds, the Board approves and adopts the post-issuance compliance policies and procedures substantially in the form attached hereto as Exhibit A and made a part hereof (the “**Post-Issuance Compliance Policies and Procedures**”) as may be supplemented from time to time as provided in the Post-Issuance Compliance Policies and Procedures. The Board authorizes and directs the officers and staff members of the County listed in the Post-Issuance Policies and Procedures (each, an “**Authorized County Representative**”) to take such actions as any such Authorized County Representative, after appropriate consultation with Bond Counsel to the County, deems necessary, appropriate or desirable to finalize the Post-Issuance Compliance Policies and Procedures and to effect the implementation thereof. Notwithstanding the foregoing, pursuant to the Tax Agreement the County will assign to the Borrower its obligations with respect to post-issuance tax compliance as it pertains to the Bonds, and the Borrower’s acceptance of such assignment will be a condition to the issuance of the Bonds.

**Section 4.06. Incorporation of the Act.** This Resolution does hereby incorporate by reference, as though fully set out herein, the provisions of the Act.

**Section 4.07. Prior Resolutions.** To the extent that the provisions of this Resolution conflict with provisions of prior resolutions, or parts thereof, the provisions of this Resolution shall control, to the extent of such conflicts.

**Section 4.08. Effective Date.** This Resolution shall be in full force and effect immediately upon its passage and approval.

**Section 4.09. Captions.** The captions or headings in this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

**Section 4.10. Validity of the Bond.** The Bonds shall contain a recital that the Bonds are issued pursuant to and under the Act, and such recital shall be conclusive evidence of its validity and of the regularity of its issuance.

Motion was made by Stinson and seconded by Schmidt that the foregoing resolution be adopted. Roll call vote: Ayes, Schmidt and Stinson. Nays, none. No vote by Uhlir due to conflict of interest. Motion carried.

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Commissioner Ron Schmidt stated that the courthouse was built in 1977 and many pieces of its equipment are original and need to be updated. One of those being is the HVAC and heating system. He explained that the system is currently working but it's only a matter of time before it will not. Farris Engineering of Omaha will be performing a further examination of the system and will help make recommendations so the project can be put out for bids. County Highway Superintendent Richard Johnson explained that there are some pressing needs that need to occur right away with the HVAC system. He stated that one of the needs is repairing a hole in the boiler flue. Mr. Johnson reported that the hole in the boiler flue has the potential of leaking carbon monoxide out into the courthouse so a temporary fix has been done to prevent further safety risks. Another issue the HVAC system is experiencing, is that the whole roof top unit needs to be replaced. To replace this it is an estimated cost of about \$100,000. Also, the chiller needs replaced and expansion of controls with new equipment with an estimated cost of about \$300,000.

Mr. Johnson stated that he would like to do some research on how the county could budget for this project. He explained that energy efficiency could be one of the uses that that the American Rescue Plan funds could go towards. County Clerk Anne Pruss reported that NACO hasn't heard what the regulations are yet for the funds but they are hopeful to know soon. Commissioner Eric Stinson said it makes sense that the hole in the boiler flue be fixed immediately but for the rest of the project they should wait to see what kind of funds they will be able to use. Mr. Johnson agreed and said that Farris Engineering should look at the system and see what could be done to be more energy efficient with a possible air filtration system. He said then that way if the funds can be used for energy efficiency they already have it in the plans to do so.

No action was taken.

Commissioner Schmidt stated that currently there are a lot of pieces of equipment with really low miles that the road districts could use. Some of these pieces of equipment haven't gone to a dealership yet but once they do they will go quickly, therefore the County should put together bids for some of the equipment that they could use. Chairman Troy Uhlir stated that with the COVID-19 pandemic going on right now it has made it hard for everyone to get any type of new equipment so finding something that has been used would be the route to go. Commissioner Schmidt stated that road district one could use a different maintainer and that he is currently looking at a used one that would work well for them. Districts two and three are both looking at purchasing a used dump truck and district three has a used loader in mind also looking to purchase. Commissioner Schmidt stated that he understands that this isn't ideal to purchase new equipment before the budget has been approved but in order to save the County some money now is the time to jump on purchasing some of this equipment.

Motion was made by Schmidt and seconded by Stinson to authorize the County to advertise to purchase for all road districts two dump trucks, one loader, and one maintainer. Roll Call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

Chairman Uhlir stated that the Inheritance Tax fund had a good year with a collection of \$1,354,519 which left the ending balance of \$3,050,906. With comparison of the general fund office functions it looks like it will experience a 0.61% increase. Chairman Uhlir explained that the board has asked the County offices to try and keep their operating expenses as low as possible and then shooting for a 2-3% increase in pay. The elected officials and the County board are currently working on a merit wage scale for their employees. By doing the merit scale it is expected to increase the budget

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for wages about \$500,000 therefore, the board is considering help from a company who specializes in human resource services to help go through the process. Chairman Uhlir said that the other thing that the board needs to keep in mind is that for years the County has been good at being able to hire new employees at a lower base pay because of what they are able to give for benefits. Unfortunately, lately has been more challenging to hire new employees as they are not looking at the benefits package because they are wanting more pay. If the County decides to go forward with the merit scale the employee's contribution for benefits may need to be adjusted to save the County on some of their costs.

Chairman Uhlir explained that another thing that's going on in the general fund is that the communication center is moving to the City of Norfolk Police Department. Sheriff Todd Volk has budgeted for about 6 months' worth of wages to get through until those employees are moved into their new positions. For the dispatch budget you will see that it will significantly decrease with this change so it is a good example to know how much it was costing the County before the transition. Most of the employees who worked in the communication center will now be combined with the correctional department so there is a \$630,000 increase in the budget for corrections because of the added employees.

The county court is requesting about \$30,000 added to their budget for new desks. Currently, they have higher desk dividers and it is difficult for the employees who are in the back to see customers who need assistance at the window. County Clerk Anne Pruss suggested purchasing a camera system like the treasurer's office has because it would be a cheaper solution. Commissioner Eric Stinson also suggested that the desks should be looked at further to see if those high rise dividers could just be taken down and then there would be no cost at all.

Commissioner Schmidt explained that there is a funding request of \$27,000 under telephone and \$3,600 under internet. Chairman Uhlir stated that the County no longer has these as separate companies and they both are now under the same thing, therefore one of these requests needs to be eliminated. Commissioner Stinson questioned why the website domain cost increased 379%. It was found that the services that Hollman Media provided for writing a new system that exports timecards from Easy Clocking into MIPS was a one-time fee that does not need to be added to this next fiscal year's budget.

The Court Appointed Special Advocates, CASA, is also partially funded by Madison County. CASA was able to receive some fund from the government due to the COVID-19 pandemic so the only used about \$14,000 out of the \$32,000 of what was budgeted for them. They would like to take what remain \$18,000 and add it onto the 2021-2022 fiscal year budget because they are needing some new equipment and furniture. Chairman Uhlir explained that what typically happens with government budget is at the end of the year the money goes back into the general fund and not back into the department's individual fund. The board will need to decide if they will approve rolling over the remaining funds or not as CASA is not 100% funded by Madison County.

The Madison County Historical Society has invited the Madison County board and the City of Madison to a meeting to further discuss their agreement with one another and explain their budget. Commissioner Schmidt stated that he plans to go to this meeting and would like to hear what the historical society wants to see from the county. Mrs. Pruss stated that they still have not received a breakdown of the historical society's budget but have their budget request. Commissioner Schmidt explained that they need to have that breakdown before they can go further discussing what will be accepted as their budget.

Mrs. Pruss stated that she has spoken with Precision IT and they have notified her that the Barracuda Server backup is becoming dangerously close to having the storage capacity filled. Precision IT is recommending that the County do an upgrade of the system before it does get filled and information is no longer being stored. Mrs. Pruss explained that \$12,960 would be the security cost for archiving services which is a one-time fee that will last for three years. Precision IT is also recommending that the County purchase the subscriptions for the unlimited storage, energized updating, and instant replacement. These three subscriptions would each be additional costs added on. Currently, the County has had an IT specialist present at the courthouse three days a week to provide onsite support. After further studies, Precision IT has determined that the IT specialist is not need as much

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as what was projected, therefore they are recommending cutting down the hours spent at the courthouse for onsite support. By doing so, this could save the county up \$7,000 a year.

The county has future plans for rewiring the whole courthouse and getting an upgrade phone system. Mrs. Pruss explained that typically there has been a \$945 annual fee the county had been paying to Priority Communications for support. She stated that the county has not been paying the fee for quite some time now due to not actually receiving the support that they should be. Also, with the upgrade of the system the County should not continue paying on something they will no longer be using.

Commissioner Schmidt asked for further explanation on how there is a \$55,000 savings shown in the county and district court attorney fees. He wondered if more of the older court cases are finally getting caught up. Deputy County Clerk explained that the savings most likely is showing because the court appointed attorneys are getting caught up on backed up cases.

No action was taken.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Sale of surplus property items

The following claims were audited:

### GENERAL FUND

Total Net Payroll		164,997.32
Advanced Correctional Healthcare	Medical Services, County Jail	27,530.53
Mark Albin	Legal Services, County Court	1,156.93
American Family Life Assurance Company	Insurance Premiums	1,112.78
Appearra	Rug Service, Supplies, Public Defender	33.02
Appearra	Towel & Mop Service, County Jail	74.36
ARL Credit Services	Garnish of Wages	412.88
Kathy Baker	Professional Services, Community Based Grant	162.50
Lucinda Bauer	Legal Services, Juvenile Court	4,466.28
Black Hills Energy	Gas Service, Zoning Department	10.76
Black Hills Energy	Gas Service, Noxious Weed Department	10.77
Blue Cross Blue Shield of Nebraska	Insurance Premiums	142,072.77
Bob Barker Company, Inc.	Supplies, County Jail	82.58
Brockhaus Funeral Home	Cremation Services, General Assistance	2,200.00
Brogan & Stafford PC	Legal Services, Juvenile Court	1,523.55
Brogan Lamlli PC LLO	Legal Services, Juvenile Court	1,303.60

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## MADISON COUNTY, NEBRASKA

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Marcy Brown	Mileage, Mental Health	16.80
Capital One	Supplies, Juvenile Accountability	108.00
Carney Law PC	Legal Services, County Court	472.30
Champs Inc.	Maintenance Contract, County Jail	2,500.00
City of Madison	Utilities, Courthouse	178.25
City of Norfolk	Utilities, Extension Office	174.38
City of Norfolk	Utilities, Veterans Service Office	20.31
Clay County Sheriff	Civil Process Fees, District Court	6.75
Colonial Life and Accident Insurance Company	Insurance Premiums	284.46
Copple, Rockey, Schlecht & Mason PC LLO	Legal Services, County Court	1,687.04
Cor Therapeutic Services LLC	Professional Services, Community Based Grant	162.50
Credit Management	Garnish of Wages	256.17
DAS State Accounting	Telephone Service, Zoning Department	33.04
DAS State Accounting	Teletype Service, County Sheriff	262.29
DAS State Accounting	Telephone Service, County Attorney	23.94
DAS State Accounting	Teletype Service, County Jail	441.71
DAS State Accounting	Telephone Service, Noxious Weed Department	33.03
Eakes Office Solutions	Supplies, County Court	639.48
Eakes Office Solutions	Supplies, Copier Contract, County Attorney	546.98
Eakes Office Solutions	Supplies, County Jail	85.98
Eakes Office Solutions	Supplies, Probation Office	35.58
Easy Clocking	Annual Software Fee, County Offices	3,975.00
James Egley	Mileage, Mental Health	16.80
First Concord Benefits Group LLC	Deductible Buy Down Costs, Flex Plan	2,762.94
Floor Maintenance & Paper Supply	Supplies, County Jail	472.93
Pam Foltz	Mileage, Extension Office	15.68
Forensic Behavioral Health Inc.	Professional Services, Mental Health Board	1,850.00
Futureware Distributing Inc.	Supplies, Clerk of District Court	16.86
Yvonne Gerrard	Cleaning Services, Probation Office	300.00
Gillette Printing	Supplies, County Jail	90.00
Global Equipment Company	Supplies, County Jail	186.79
Hall County Sheriff's Office	Civil Process Fees, County Court	7.77
Matthew Headley	Postage, Public Defender	207.00

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## MADISON COUNTY, NEBRASKA

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Hilliges & Associates LLC	Professional Services, Public Defender	250.00
Hollman Media	Website Hosting, County Offices	50.00
Jack's Uniforms & Equipment	Uniforms, County Sheriff	184.70
Nancy Jochum-Schramm	Court Reporting Services, Mental Health	106.00
Michelle Kroupa	Cleaning Services, Extension Office	370.00
Madison County Clerk	Tax Deposit, Retirement	88,225.07
Madison County Sheriff Inmate Fund	Subscription, Repairs, Supplies, County Jail	1,264.95
Madison County Sheriff	Civil Process Fees, County Court	182.66
Madison County Sheriff	Civil Process Fees, District Court	406.24
Madison County Sheriff	Civil Process Fees, Mental Health	68.09
Madison County Treasurer	Cash-in-Lieu Reimbursement	119.05
Madison National Life Insurance Company Inc.	Insurance Premiums	334.50
Mahoney Fire Sprinkler, Inc.	Inspection Fees, County Jail	375.00
Christal McDonald	Transcript, District Court	2,373.75
Menards	Supplies, Noxious Weed Department	16.63
Microfilm Imaging Systems Inc.	Annual Service Fees, Equipment Rent, County Court	561.75
Motorplex of Norfolk	Vehicle Repairs, County Sheriff	693.95
Moyer, Moyer & Lafleur	Legal Services, County Court	1,804.15
Nebraska Association of County Officials	Registration Fees, County Officials	1,800.00
Nebraska Association of County Officials	Supplies, Planning Department	6.00
Nationwide Retirement Solutions	Deferred Compensation	1,255.00
Nebraska Child Support Payment Center	Child Support	257.08
Nebraska Law Enforcement Training Center	Registration Fees, County Jail	18.55
Nebraska Public Power District	Utilities, Planning Department	77.70
Nebraska Public Power District	Utilities, Extension Office	351.51
Nebraska Public Power District	Utilities, Noxious Weed Department	113.80
Nebraska Public Power District	Utilities, Veterans Service Office	234.34
Sarah Nelson	Notary Renewal, Probation Office	102.18
Nielsen Family Enterprises LLC	Annual Storage Rent, County Sheriff	840.00
Norfolk Daily News	Publication Costs, County Offices	268.97
Norfolk GM Auto Center	Vehicle Repairs, Noxious Weed Department	47.34
Northeast Nebraska Juvenile Services Inc.	Boarding Juveniles, Juvenile Detention	2,052.00
Rita Olberding	Transcript, County Court	63.95

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## MADISON COUNTY, NEBRASKA

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Valorie Olson	Court Reporting Services, Mental Health	100.00
Olson's Pest Technicians	Pest Control Services, Extension Office	39.00
Olson's Pest Technicians	Pest Control Services, Veterans Service Office	26.00
One Office Solution	Supplies, County Clerk	88.60
One Office Solution	Supplies, County Court	144.18
Physicians Laboratory PC	Autopsy Fees, Law Enforcement	443.00
Precision IT	Supplies, County Sheriff	57.98
Precision IT	Equipment, County Attorney	169.93
Precision IT	Supplies, Juvenile Accountability	19.99
Precision IT	Data Processing Costs, Probation Office	51.00
Precision IT	License Fees, County Offices	99.00
Redwood Toxicology Lab Inc.	Medical Testing, Probation Office	299.70
Maria Nievas Salavera	Mileage, Juvenile Accountability	17.36
Saunders County Sheriff	Civil Process Fees, County Court	18.50
Secretary of State	Copies, Law Enforcement	20.00
Sparklight	Internet Service, Extension Office	145.81
Stanek Fire Protection	Inspection Fees, County Jail	249.00
Summit Food Service LLC	Inmate Meals, County Jail	7,703.21
Donald Svitak	Mileage, Noxious Weed Department	144.48
The Glass Edge	Repairs, Courthouse	139.00
Daisy Valle	Cleaning Services, Probation Office	145.00
Verizon Wireless	Telephone Service, Reappraisal	40.01
Verizon Wireless	Telephone Service, County Sheriff	1,382.93
Verizon Wireless	Telephone Service, Law Enforcement	51.21
Verizon Wireless	Router Services, Courthouse	80.02
Vision Service Plan	Insurance Premiums	489.99
Waterbury Funeral Services	Cremation Services, General Assistance	2,200.00
Winsupply of Norfolk	Supplies, Courthouse	255.38
	Total General Claims with Payroll	<u>484,516.58</u>

### ROAD/BRIDGE FUND

Total Net Payroll

35,762.25

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## MADISON COUNTY, NEBRASKA

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American Family Life Assurance Company	Insurance Premiums	640.55
Battle Creek Light & Power	Utilities	201.84
Bauer Built Tire	Tire Repairs	1,920.90
Black Hills Energy	Utilities	62.41
Blue Cross Blue Shield of Nebraska	Insurance Premiums	33,378.92
Bomgaars	Shop Supplies	1,170.48
Certified Laboratories	Testing Fees	317.50
City of Madison	Utilities	508.13
City of Norfolk	Utilities	34.01
Colonial Life and Accident Insurance Company	Insurance Premiums	249.36
Colonial Research Chemical Corporation	Shop Supplies	100.70
Cornhusker International Trucks Inc.	Parts, Repair Service	6,454.96
Courtesy Ford Lincoln Mercury	Parts, Repair Service	4,316.46
Cubby's Inc.	Fuel	451.61
Dale Johnson Ent. Inc.	Gravel	46,554.12
DAS State Accounting	Telephone Service	25.28
Dinkel Implement Company	Parts, Repair Service, Equipment Rent	3,289.30
Eco Water Systems	Shop Supplies	45.95
Micah Ellenberger	Parts	75.00
Fastenal Company	Parts	84.20
First Concord Benefits Group	Flex Plan, Administration Fees	629.82
Humphrey Machine & Welding	Parts, Repair Service	1,021.40
Joe Sackville Trucking LLC	Gravel, Trucking Services	2,827.86
Kelly Supply Company	Parts	199.66
Koch Excavating Co., Inc.	Trucking Services	456.50
Lawson Products	Parts	43.11
Loup Power District	Utilities	92.73
Madison County Clerk	Tax Deposit, Retirement	18,376.27
Madison National Life Insurance Company Inc.	Insurance Premiums	43.67
Matteo Sand & Gravel Co., Inc.	Gravel	1,535.17
Menards	Shop Supplies	239.86
Nationwide Retirement Solutions	Deferred Compensation	1,175.00
Nebraska Association of County Officials	Registration Fee	150.00

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## MADISON COUNTY, NEBRASKA

Nebraska Child Support Payment Center	Garnish of Wages	287.55
Nebraska Public Power District	Utilities	353.63
Nicholas Nielsen	Commercial Driver's License	31.00
NMC Exchange LLC	Parts, Repair Service	993.72
Norfolk NAPA	Shop Supplies	1,475.49
Pinkelman Truck & Trailer	Parts, Repair Service	427.20
Prime Sanitation	Garbage Removal Services	58.50
RDO Truck Centers	Parts	136.73
Road Builders Machinery & Supply	Parts, Repair Service, Extended Warranty	14,024.64
Rockmount Research & Alloys Inc.	Parts	152.49
Rutjens Construction Inc.	Contract Services	28,496.86
Vern Scheer	Trucking Services	4,183.98
T-Bone North	Fuel, Oil	9,849.95
Truck Center Companies	Fuel	50.00
Village of Meadow Grove	Utilities	69.00
Vision Service Plan	Insurance Premiums	144.56
	Total Road/Bridge Claims with Payroll	<u>223,170.28</u>

### VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administration Fees	1,011.52
	Total Visitors Promotion Fund	<u>1,011.52</u>

### VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Administration Fees	1,267.36
	Total Visitors Improvement Fund	<u>1,267.36</u>

### DRUG TESTING FUND

Gillette Printing	Supplies	184.00
	Total Drug Testing Fund	<u>184.00</u>

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## MADISON COUNTY, NEBRASKA

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### 911 EMERGENCY FUND

Century Link	Telephone Service	792.35
DAS State Accounting	Statewide Radio System Access Fee	<u>903.00</u>
	Total 911 Emergency Fund	<u>1,695.35</u>

### DRUG COURT FUND

Eakes Office Plus	Supplies	25.46
NMG LLC dba Norfolk Works	Drug Testing	462.00
Redwood Toxicology	Drug Testing	<u>41.45</u>
	Total Drug Court Fund	<u>528.91</u>

Motion was made by Schmidt and seconded by Stinson to approve the claims as audited and authorize the County Clerk to issue checks for payment of said claims. Roll call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

The Board adjourned at 11:42 A.M. to Tuesday, August 17, 2021 at 9:30 A.M.

ATTEST:

County Clerk Anne M. Pruss

Troy Uhlir, Chairman  
County Board of Commissioners