# BOARD OF EQUALIZATION

Madison, Nebraska January 21, 2009

The Board of Equalization of Madison County, Nebraska met at 9:00 A.M.

Advance notice of meeting was published in the Thursday, January 15, 2009 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Lee Klein called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, County Assessor Jeff Hackerott, County Treasurer Donna Primrose, and County Clerk Nancy Scheer.

Motion was made by Uhlir and seconded by McCallum to approve the agenda for the meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Motion was made by McCallum and seconded by Uhlir to approve the minutes of the meeting held on January 6, 2009. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman Klein opened a public hearing at 9:03 A.M. to consider the following motor vehicle exemption applications presented by County Treasurer Donna Primrose:

| | |
|---|---|
| Liberty Centre Services, Inc., 900 East Norfolk Avenue, Norfolk | 2008 Chevrolet Impala |
| Our Savior Lutheran Church, 2500 Norfolk Avenue, Norfolk | 1997 Ford Club Wagon |

County Treasurer Donna Primrose reported that the County Board previously approved exemption applications for these organizations. No one appeared at the hearing to offer verbal testimony. Chairman Klein closed the hearing at 9:04 A.M.

After discussion, it was moved by McCallum and seconded by Uhlir to approve the motor vehicle exemption applications as submitted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

#2461: Michael and Kristina Frauendorfer, 54621 822nd Road, Humphrey
Addition to the 2008 tax rolls in the amount of $150.58 due to a change from dry cropland to irrigated for 2008

#2462: Richard and Jill Frauendorfer, 312 East 3rd Avenue, Lindsay
Addition to the 2008 tax rolls in the amount of $176.12 due to a change from dry cropland to irrigated for 2008

#2463: Kelvin and Sandra Bonner, 54181 829th Road, Lindsay
Addition to the 2008 tax rolls in the amount of $435.40 due to a change from dry cropland to irrigated for 2008

#2464: Mildred Bonner, 2500 Madison Avenue, Norfolk
Addition to the 2008 tax rolls in the amount of $412.10 due to a change from dry cropland and grassland to irrigated for 2008

#2465: Mildred Bonner, 2500 Madison Avenue, Norfolk
Addition to the 2008 tax rolls in the amount of $38.36 due to the addition of more irrigated acres for 2008

#2466: August and Elsie Hintz Trustees, c/o United Farm & Ranch Management, 400 Braasch Avenue, Suite 1, Norfolk
Addition to the 2008 tax rolls in the amount of $663.80 due to a change from dry cropland and grassland to irrigated for 2008

#2467: Brian and Wendy Taake, 3900 North 37th Street, Norfolk
Addition to the 2008 tax rolls in the amount of $796.92 due to the addition of irrigation for 2008

#2468: J B Leasing LLC, P.O. Box 753, Norfolk
Deduction from the 2008 tax rolls in the amount of $6,820.52 for removal of the 2008 personal property taxes due to the equipment being located in another county

#2469: Dennis and Sandra Smith, 3601 Rolling Hills Drive, Norfolk
Deduction from the 2006 tax rolls in the amount of $161.36 for correction to the square footage of the house due to a clerical error

#2470: Dennis and Sandra Smith, 3601 Rolling Hills Drive, Norfolk
Deduction from the 2007 tax rolls in the amount of $314.54 for correction to the square footage of the house due to a clerical error

After discussion, it was moved by Uhlir and seconded by McCallum to approve the tax list corrections as submitted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board of Equalization adjourned at 9:14 A.M.

_____ _____

County Clerk Chairman

# COMMISSIONERS PROCEEDINGS

Madison, Nebraska January 21, 2009

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, January 15, 2009 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman McCallum called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, and County Clerk Nancy Scheer. Weed District Board members Eudell Feldmann and Earl Reeves were present from 9:30 A.M. to 9:42 A.M. County Highway Superintendent Richard Johnson joined the meeting at 10:14 A.M.

Chairman McCallum read the following consent agenda item into the record:

1) Approval of minutes of the January 6, 2009 meeting

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

County Clerk Nancy Scheer reported that U.S. Bank re-scheduled their appointment to another date. Motion was made by Uhlir and seconded by Klein to approve the regular agenda with removal of the agenda item with U.S. Bank regarding purchase cards. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board reviewed the following reports:

1) County Clerk December fee report
2) Fund balance report
3) Register of Deeds December fee report
4) Clerk of the District Court December fee report
5) County Sheriff December fee report
6) 4th Quarter Veterans' Aid Fund financial report
7) December, 4th Quarter, and 2008 annual building permit reports
8) Planning and Zoning Department 4th Quarter fee report
9) Sale of surplus property report
10) 4th Quarter report of CASA of Northeast Nebraska

Weed District Board members Eudell Feldmann and Earl Reeves were present for discussion on the resignation of Weed District Board member Delbert Meisinger.

County Clerk Nancy Scheer read a letter of resignation submitted on behalf of Delbert Meisinger from his position as a member of the County Weed District Board. She reported that Sharon Lavaliere, daughter of Delbert Meisinger, signed the resignation letter in her capacity as Power-of-Attorney. She reported that Deputy County Attorney Gail Collins reviewed the state statutes and the power-of-attorney document submitted with the resignation, and she determined that, although this may be a gray area, the County Board could accept the resignation letter as submitted. In addition, she reported that the state law reflects that the resignation of the elected official would not take effect until accepted by the County Board and that the vacancy must be filled within 45 days after the vacancy occurs unless good cause is shown that the requirement imposes an undue burden.

Chairman McCallum questioned how many years Delbert Meisinger served on the Weed District Board and County Clerk Nancy Scheer reported that Mr. Meisinger was appointed to the Weed Board on March 5, 1996 to replace Board member Preston Olson who was moving out of the county.

After discussion, motion was made by Klein and seconded by Uhlir that the resignation of Weed District Board member Delbert Meisinger be accepted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Weed District Board member Eudell Feldmann reported that Myron Nelson would be a good candidate to fill the vacancy. He explained that Mr. Nelson is currently in the process of moving into a home located at 206 North 1st Street in the City of Newman Grove. He stated that it is difficult to find someone who lives in town and has an interest in the Weed District Board duties. In addition, he stated that no one from the southwest corner of the county has served on the Weed District Board.

Chairman McCallum questioned what the procedure was for filling the vacancy. County Clerk Nancy Scheer recommended that the Board publish a notice regarding the vacancy on the Weed District Board and establish a deadline for submitting applications and subsequently the County Board would review the applications and possibly interview applicants prior to appointing someone to fill the vacancy.

Commissioner Uhlir questioned when the term of office for Delbert Meisinger expires and Eudell Feldmann responded that there are two years left on his term. Mr. Feldmann stated that he did not submit an application when he was appointed to the Weed District Board, but was simply appointed by the County Board.

After discussion, motion was made by Uhlir and seconded by Klein to authorize publication of a notice to seek applications to fill the vacancy on the Weed District Board and review the applications at the February 18, 2009 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Norfolk City Administrator Al Roder, Norfolk City Operations Manager Gary Miller, and Management Intern Michael Caldararo, were present to discuss economic development issues. Karen Linnenbrink, Director of Entrepreneur Programs with Elkhorn Valley Economic Development Council, was also in attendance.

Mr. Roder stated that he has several issues dealing with economic development that he has shared with the Elkhorn Valley Economic Development Council (EVEDC) and the Norfolk City Council members. He stated that he has concerns regarding the sustainability of EVEDC and where the organization would be one year into the future and whether there would be economic development. He explained that after he attended several review committee meetings with EVEDC representatives, he was frustrated because there was a lot of talking, but few questions were answered and there was no plan or direction. Mr. Roder stated that he prepared a proposal that addresses the financial accountability and also adds more focus to the economic development effort. He explained that his proposal includes an economic development director and continues the entrepreneurship outreach, which is an integral part of any program. He applauded the regional efforts of EVEDC and stated that these efforts need to continue. He stated that the challenge is that Norfolk is the economic engine of northeast Nebraska, but the city doesn't exist on an island and needs to be sensitive to the communities that support Norfolk. He stated that the entrepreneurship program continues to reach out to other communities and he suggested that, in addition to continuing this program, the communities shouldn't be required to make a financial contribution to be part of this program. He stated that the argument is that people want ownership of the program; however, he thinks that there is an obligation to provide this type of service and he suggested that the entrepreneur program be subsidized through the City of Norfolk. Mr. Roder explained that the proposal involves between $150,000 and $200,000 budget and the Norfolk City Council has directed the staff to research funding options in the city's budget. He stated that he is not asking the county for money nor to abandon EVEDC, but he is simply making sure that the county is aware of what his proposal entails and which direction the city would be heading should the council decide to proceed. He stated that he wants the County Board to know that the city has not make a decision to move forward, but the council simply wants more information and wants the staff to continue looking at options. Mr. Roder reiterated that his main concern is for the viability of a sustainable economic development program for the City of Norfolk and Madison County. He stated that the City Council has to be willing to delegate a certain amount of authority to whoever is working on economic development and must be able to work outside the city limits of Norfolk because most of the industrial base is outside the city limits and they also need to work outside the county because a couple of the largest employers are in Stanton County. He explained that they can't be very territorial with this plan and must create a fair amount of latitude with the program. He stated that, in his opinion, elected people are the wrong individuals to serve on an economic development board and he recommended that five to eleven people from the business community serve on the economic development board, with the ideal number being seven.

Mr. Roder reported that he has invited EVEDC to come up with a plan. He stated that, in his opinion, it is EVEDC's responsibility to develop a plan. He stated that it is disappointing that EVEDC is in financial trouble, that this issue hasn't already been resolved, and there isn't a plan in place. He reported that there have been discussions about a subscription drive and raising the member dues; however, there is still no plan. Mr. Roder stated that the City of Norfolk would not move through 2009 without a plan. He stated that, if EVEDC prepares an alternative plan, he encouraged the County Board member to look at it. He stated that he doesn't have the one right answer, because there isn't only one solution.

Chairman McCallum stated that representatives from Madison, Pierce, and Stanton Counties and the City of Norfolk should meet and agree on a plan, so that if EVEDC does not come forward with a plan, there would be a plan ready to implement. He stated that he would not support any plan that banishes the regional concept. He stated that the county has a good relationship with the City of Norfolk and Pierce and Stanton Counties. He stated that EVEDC should be treated fairly and the members should carefully consider any plan developed by EVEDC. Chairman McCallum stated that Madison County can't operate without the City of Norfolk nor can the City of Norfolk operate without Stanton County being involved in economic development.

Al Roder stated that if EVEDC develops a plan, Madison County and the City of Norfolk have an obligation to review it. He stated that it is his understanding that EVEDC has a deadline for the end of January to develop a plan; so he recommended that both the city and county review the plan before contacting Pierce and Stanton Counties. He explained that they are discussing this matter early out of respect for EVEDC and for the entities that have money invested and are owed money. He explained that if they wait until the money is all gone, they are not being fair to the entities that EVEDC has liabilities with.

Chairman McCallum stated that the small communities should be serviced by their counties and within their budgets. He stated that EVEDC isn't able to sustain a budget if some communities don't pay their dues. He stated that the budget for EVEDC is not stable the way it is currently organized. He reported that some of the small communities are not continuing their membership with EVEDC because they can't afford it. Al Roder responded that proportionately, the membership costs hit the smaller communities as hard as it hits the counties.

Al Roder stated that they need to be sensitive to the fact the entrepreneurship is an integral part of any economic development program and this needs to be maintained. He stated that he would continue to promote the regional effort because it is the people in Pierce and Stanton Counties and the smaller communities that support Norfolk. He reported that sales tax is the number one revenue stream in Norfolk City's General Fund and this revenue is also coming from people outside the City of Norfolk. He explained that they must continue to keep these communities viable and also define what is a successful economic development program. Mr. Roder stated that they don't know if they have done anything worthwhile for these communities because they haven't asked the communities what they would consider a success. He stated that whatever economic development is completed for the small communities should be what they have requested.

Chairman McCallum stated that the small communities should be advised that they will not be short changed simply because they aren't being assessed. He explained that Pierce County is interested in supporting Norfolk because a large percentage of their paychecks come from Norfolk businesses. Commissioner Klein concurred that a viable plan is necessary and that the county must be involved. Chairman McCallum asked if Mr. Roder would organize a regional meeting and Mr. Roder responded that he would do that as long as there was an understanding that he would not do anything until after EVEDC has revealed its plan.

Norfolk City Operations Manager Gary Miller stated that the issue has been discussed for several months and that Mr. Roder explained that it is time to have an alternative position so both entities know what they would be faced with in preparing budgets and how funds would be allocated. He stated that it is better to complete this process early instead of at the last moment of budget planning. He agreed that Madison County and the City of Norfolk need to be together in whatever plan is approved because neither entity can afford it alone.

Karen Linnenbrink, Director of Entrepreneur Programs with Elkhorn Valley Economic Development Council, stated that the regional concept is extremely important for all of northeast Nebraska. She expressed concerns that Mr. Roder's recommendation for an Advisory Board did not include members from the smaller communities and that no membership would be charged. She questioned how Mr. Roder would promote a regional concept if the smaller communities aren't at the table to discuss issues or be a partner in decision-making or have a financial investment by paying a membership fee.

Mr. Roder responded that he didn't think that having someone sit at the table is what economic development is about, but it is about service provided. He explained that, in his opinion, the obligation would be to provide service because economic development is not about elected officials or city councils, but it is about the business people that they are trying to serve. He stated that, in his opinion, the Advisory Board should not consist of 20 to 25 members, but between 5 to 11 members who understand how to move things forward, and create and maintain vision and focus. He stated that he is looking to the business community to drive the Advisory Board, not elected officials. Mr. Roder stated that economic development happens out in the field building relationships with the business people that are suppose to be served. He explained that this concept must be maintained and expanded by being more aggressive. He stated that he would rather see the small communities take their contribution that is currently going to EVEDC and put it into the businesses themselves and help the entrepreneurs because they need real hands on help.

Karen Linnenbrink responded that one thing that has made the regional concept so successful is the small communities believing in the concept by being at the table, having a part in the decision making process, and having the ability to ask questions. She explained that when they vote on anything the small communities have one voice just like the City of Norfolk. He stated that there is a balance when looking at the regional concept that gives the smaller communities the buy in to know that they are just as important to EVEDC as the City of Norfolk.

Mr. Roder responded that he didn't disagree with Ms. Linnenbrink's comments; however, he stated that an Advisory Board must not be so large that it is not manageable. He stated that his proposal is not the only option because there are many ways to be successful with economic development. Ms. Linnenbrink questioned if Mr. Roder was thinking of a seven-member board of business owners in the Norfolk area, with no more than two elected officials. Mr. Roder responded that, in his opinion, an Advisory Board comprised of 10 or 15 elected officials from Norfolk or Madison County or the smaller communities is not the right composition. He explained that it is not because they are bad people or aren't passionate about helping their community or the region. Ms. Linnenbrink questioned if the other members of the Advisory Board, aside from the elected officials, would be business people from Norfolk. Mr. Roder stated that he didn't say that the business people would all be from the City of Norfolk. He clarified that his proposal would be 5 to 7 members, with business people, but no more than two elected officials, and not all bankers or financial people because he didn't think one industry should be over represented. He stated that he has never talked about geographics or the makeup of the Board beyond the size and limiting the types of people on the Board.

Chairman McCallum stated that the EVEDC took care of the small communities even if they didn't pay the membership fees. He stated that lack of payment by members was one reason it was hard to sustain the budget. He explained that the City of Madison is not a member of the EVEDC; however, the city received help from EVEDC. He stated that it isn't about the dollars, but about the progress being made. He stated that Madison County and the City of Norfolk couldn't have economic development without involvement from other communities in the region.

Rick Hemphill, representing Bill Johnson from Stanton County Public Power District, stated that Mr. Johnson wanted to express his support for Elkhorn Valley Economic Development Council because the agency has worked well with him. He reported that because of EVEDC, Mr. Johnson is a sustaining member on the Norfolk Area Chamber of Commerce. He stated that Mr. Johnson wants to make sure that the City of Norfolk is not over represented in any organization because then the city tends to take ownership at the exclusion of all others. He reported that Mr. Johnson stated that this has happened in previous years.

The Board took no action.

Mark Mainelli, engineer with the firm Mainelli, Wagner & Associates, met with the Board to discuss projects for the county one and six-year road plan. He stated that after the County Board determines which projects to complete for the one year and six year plan, he will prepare a large map reflecting the one year projects and six year projects in conjunction with the federal and state functional classification systems.

Mr. Mainelli explained that there are state functional classification and federal functional classification requirements and that the State Board of Classification and Standards requires that the county must follow its design standards based on the functional classification of minimum maintenance, collector, arterial, or major arterial and on traffic counts. He explained that the Nebraska Department of Roads has authority of all roads and bridges in the state and that the statutes gives this agency the authority to delegate this authority to local public agencies and to distribute the highway allocation funds to the local agencies to fund infrastructure; however, the county must follow the regulations adopted by the Board of Classification and Standards to qualify for these funds. Mr. Mainelli explained that if a guideline is not found in the Board of Classifications regulations, the AASHTO guidelines adopted by the American Association of State Highway Transportation Officials must be followed for sizing culverts and bridges, site surveys, hydrology characteristics, bridge designs, design standards, and other criteria. He explained that if the County Board replaces a bridge and it is not included on the one and six year plan and it is not built to standards, the Board of Classifications and Standards has the authority to fine the county 10% of the highway allocation funds for each site not built to the required standards. He stated that in the past, if someone made a formal complaint to the Board of Classification and Standards, the agency would send someone out to review the project; however, the department is currently taking a more proactive role in this process. He explained that the department is revising the manual and has established five on-line courses and a one-week class that must be completed before individuals can be certified. Mr. Mainelli stated that the one and six year plan must reflect all projects that are not simply maintenance. He explained that both counties must execute an interlocal agreement when working on county-line projects because both counties must agree which expenses each county will pay. In addition, he stated that if another county takes the lead on a county-line project, it doesn't relieve the other county of 50% of the responsibility for the project.

Chairman McCallum questioned replacement of the bridge on the Platte County line close to the Reigle feedlot. Mark Mainelli explained that a hydraulic study must be completed to evaluate options and determine if the bridge should be rehabilitated or replaced with a bridge, box culvert, or steel culverts. He explained that after the engineer completes the study; the information should be brought to the County Board to determine if the project will be completed with county labor or contract labor. He stated that he doesn't care who constructs the project as long as it is completed according to standards.

Mark Mainelli explained that the Corp of Engineers regulates fill in all waterways and permits are required on many culvert and bridge projects. Chairman McCallum stated that before he starts on any construction projects, he asks the county engineer to approve the project. Mr. Mainelli explained that simple projects, such as culvert replacement, might require a Corps of Engineers permit. He stated that obtaining a Corps permit requires an application, photos of the site, cross-sections of the culverts, and in some cases, justification that the natural migration of aquatic life in the waterway is not impeded.

Mark Mainelli reported that he is the county highway superintendent in Stanton, Colfax, Pawnee, Nuckolls, and Nemaha Counties and he has staff in every county that supervises the day-to-day activities including assistant highway superintendents, road foremen, and secretaries. He explained that he trains staff to recognize when he needs to get involved and he assists with completion of the one and six year plans. In addition, he stated that it takes accountability so that the projects that are listed on the one and six year plan proceed to completion.

Commissioner Uhlir questioned if a one or two-inch overlay on a road is considered re-construction or maintenance. Mr. Mainelli responded that if the surface is changed from gravel to pavement it is considered reconstruction and must be included on the one and six-year plan. He explained that an asphalt overlay is considered maintenance; however, it is a major expenditure and must be included on the one and six-year plan. He stated that the county would not need an engineer involved, unless the project cost exceeds $80,000; however, bids must be solicited when the cost exceeds $20,000.

Commissioner Uhlir questioned what is considered a federal aid project. Mr. Mainelli responded that federal classification designates where federal funds can be obtained through the federal highway bill. He explained that STP funds are available for the major collector roads; however, minor collector roads are not eligible for these federal funds. He reported that this program pays for projects with 80% federal funds and 20% local funds and would pay for grading, gravel surfacing, paving, culverts, or many other projects. He explained that the BR program is for any eligible bridge to obtain federal funds or soft match credit. He reported this federal aid program provides money for projects with 80% federal funds, 5% state funds, and 15% local funds. He explained that if the county completes a bridge project that is eligible for soft match credit, 80% of the cost of the materials and 80% of the cost of the county labor and equipment is submitted for soft match credit. He stated that this information goes into a binder at the Nebraska Department of Roads and gets approved by the Federal Highway Administration and when the county completes a federal aid project, the local cost of the project comes from the soft match credit program. He explained that, to take advantage of this, the county must continually have projects in line for this program. He reported that some counties have 15 to 20 projects planned so that they can have several projects, possibly in different phases, moving ahead. He explained that as projects are completed, more projects are waiting for approval and that the average time for completion is three years. He reported that he completed three soft match projects in Stanton County in 2008, with three more projects in various stages for completion in 2009 and three more projects recently approved for bid letting in 2009.

Chairman McCallum stated that, in his opinion, the county needs Mr. Mainelli's recommendation on bridges that should be replaced with soft match funds. County Highway Superintendent Richard Johnson stated that the three bridges that had recently been closed would be eligible for soft match construction. Mr. Mainelli stated that first they need to study the design flow for the bridge and determine the sufficiency rating of the bridge, which determines eligibility for soft match credit. He explained that it is important to complete long term planning so that the county can identify which bridges are in the last 20% of their service life. He explained that the county couldn't obtain any federal aid funds unless plans are completed and waiting for consideration.

Mark Mainelli stated that the county is planning to use federal aid funds and state funding for the first phase of the Nucor Road project. He reported that he and County Highway Superintendent Richard Johnson have been working with Nucor Steel representatives and they believe that they have made a commitment to assist with payment of the new service road and also work with the counties on the right-of-way acquisition. He explained that improvements to Victory Road are also close to being ready to bid and that the proposed improvements would tie into the first phase of the Nucor Road project. He stated that the bridge on the Nucor Road project in the second phase would replace the existing truss bridge on Eisenhower Avenue that will subsequently be closed. He explained that the first portion of this project would be road construction from Highway 35 to the Ethanol Plant road. Mr. Mainelli reported that the state approved splitting the Nucor Road project into three phases because the total project costs were so large that no one wanted to be involved. He stated that the project is now split into phases that can actually be funded and everyone agrees to proceed with the project.

Mark Mainelli reported that Victory Road plans are finished and the project consists of two sections, with the Eisenhower South portion being Norfolk City's section. He explained that the big issue is drainage and that he has surveyed possible detention areas. He explained that major problems are lack of storage for the water and lack of adequate outlet structures. He reported that when a six-inch rain fell in the spring of 2008, the water got up to or barely over Victory Road. He stated that a small culvert located under Victory Road didn't drain the water away fast enough, so it is ineffective. Mr. Mainelli explained that some of the water could be stored behind natural barriers, road barriers, in Woodland Park detention, Highway 35 detention area, or Eisenhower Avenue detention areas. He stated that as more development occurs in this area, more detention could potentially be lost. He further stated that he is trying to determine a realistic calibration model, but he is having trouble with the storage.

Chairman McCallum stated that, in his opinion, the Victory Road project should not be delayed because of a drainage issue. Mr. Mainelli responded that they have considered a big detention pond; however, it is too large of a drainage area for the size of basin and the amount of the storage. He reported that there are 35-acre feet of storage at Victory Road with the current conditions and that they looked at running culverts on the east and west sides of Victory Road to get under the road and over to Spring Branch. He stated that another option is to enhance the current drainage path; however, it may impede potential expansion in the area. County Highway Superintendent Richard Johnson stated that the City of Norfolk would pay for half of the drainage costs. He explained that if the county builds the road and then needs to tear it up at a later time, it would be an interruption for three to four businesses. Mr. Mainelli explained that he has walked the area many times and needs to complete a percolation test to substantiate his findings. He explained that if a potential problem is recognized, the county should work with the City of Norfolk to resolve the issues. He explained that a solution might be a combination of several proposals; however, a final plan hasn't been completed at this time. He stated that the plans for the road are completed, but the county is waiting for him to submit a drainage report. County Highway Superintendent Richard Johnson stated that the City of Norfolk is ready with their portion of the Victory Road project.

Commissioner Klein asked about training for the road department employees and Mr. Mainelli responded that he would look to the County Board for direction because each county establishes different levels of authority for employees. He stated that he would meet with the road employees to develop plans or explain record keeping requirements.

County Highway Superintendent Richard Johnson reminded Board members that soft match projects must have construction engineering. Chairman McCallum concurred that projects must be completed as required by state regulations. Mr. Mainelli stated that the county must get aggressive on federal aid projects. He requested Board members to each bring five potential sites that they think are big, long term problems and he will narrow the project list down to three projects for each road district and consider putting them on the federal aid list. He recommended that the county also begin paperwork for road and bridge stimulus projects.

Mr. Mainelli requested the Board members to advise him of their expectations and how often the Board wants him to attend meetings. Chairman McCallum stated his main concern is that Madison County stays on top of the federal aid projects and Mr. Mainelli responded that the Board members must submit projects that can be programmed.

The Board took no action.

The following claims were audited:

GENERAL FUND

| | | |
|---|---|---|
| Total Net Payroll | | 107,057.09 |
| Joseph Abler | Postage, Supplies, Public Defender | 109.98 |
| Account Control Technology Inc. | Garnish of Wages | 115.54 |

| | | |
|---|---|---|
| Alltel | Telephone Services, Planning and Zoning | 56.03 |
| American Family Life Assurance Company | Insurance Premiums | 575.66 |
| American Planning Association | Dues, Subscriptions, Planning and Zoning | 323.00 |
| Ameritas Life Insurance Corporation | Employee Share Retirement | 6,928.92 |
| Ameritas Life Insurance Corporation | Employer Share Retirement | 10,177.19 |
| Ameritas Life Insurance Corporation | Insurance Premiums | 313.34 |
| Antelope County Court | Supplies, County Court | 175.27 |
| Appeara | Mat Service, Public Defender | 34.00 |
| Appeara | Mat Service, Courthouse | 265.17 |
| Aramark Correctional Services | Meals, County Jail | 16,130.60 |
| AT&T | Telephone Service, Public Defender | 99.56 |
| Auto Zone | Supplies, County Sheriff | 25.97 |
| Barnes Mini Mart | Supplies, County Sheriff | 27.99 |
| Behavioral Health Specialists | Services, Juvenile Diversion | 253.75 |
| Black Hills Energy | Gas Service, Courthouse | 833.77 |
| Black Hills Energy | Gas Service, County Jail | 725.16 |
| Gary Bring, D.D.S. | Dental Services, County Jail | 190.00 |
| Brogan & Stafford, P.C. | Legal Services, County Court | 173.80 |
| Joanie Brugger | Mileage, Meals, Telephone Services, Victim Witness | 152.89 |
| BTS Inc. | Supplies, County Court | 53.08 |
| BTS Inc. | Repairs, County Jail | 240.00 |
| Buck’s Specialty | Uniforms, County Jail | 126.42 |
| Cabela’s Marketing & Brand Management Inc. | Supplies, County Sheriff | 125.43 |
| Cableone | Internet Services, Public Defender | 95.00 |
| Carney Law P.C. | Legal Services, County Court | 283.35 |
| Central United Life Insurance Company | Insurance Premiums | 56.32 |
| City of Madison | Utilities, Public Defender | 429.51 |
| City of Madison | Utilities, Courthouse | 1,212.60 |
| City of Madison | Utilities, County Jail | 3,574.29 |
| City of Norfolk | Medical Services, County Jail | 550.00 |
| Colonial Life and Accident Insurance | Insurance Premiums | 99.79 |
| Complete Pest Elimination | Services, County Jail | 125.00 |
| Connecting Point | Internet Services, Probation | 18.95 |
| Connecting Point | Internet Services, Contract Services, Courthouse | 1,273.90 |
| Constellation Energy | Fuel, Courthouse | 2,111.53 |
| Constellation Energy | Fuel, County Jail | 4,926.89 |
| Copple, Rockey & McKeever, P.C., LLO | Legal Services, County Court | 1,479.79 |
| Credit Bureau Services | Garnish of Wages | 126.99 |
| Creighton University Medical Center | Medical Services, County Jail | 10,238.73 |
| Crown Point Apartments | Rent, County Relief | 300.00 |
| Day Companies | Rent, Probation | 2,400.00 |
| DDSS Inc. | Services, Software, County Sheriff | 902.40 |
| DDSS Inc. | Services, Courthouse | 1,026.24 |
| Don’s Auto Repair Inc. | Repairs, County Sheriff | 30.83 |
| Eakes Office Plus | Supplies, County Court | 53.96 |
| Eakes Office Plus | Supplies, County Attorney | 529.73 |
| Eakes Office Plus | Supplies, Services, County Jail | 774.65 |
| Electrical Engineering & Equipment | Supplies, Courthouse | 514.75 |
| Elite Court Reporting Service, Inc. | Transcript, Law Enforcement | 94.70 |
| Enviromaster Inc. | Supplies, County Jail | 42.00 |
| Faith Regional Health Services | Medical Services, County Jail | 2,780.00 |
| Field’s Hardware | Supplies, County Jail | 142.02 |
| First Concord Benefits Group | Flexible Benefits Plan | 1,772.60 |
| Floor Maintenance | Supplies, County Jail | 516.82 |
| Frontier | Telephone Services, Public Defender | 310.48 |
| Daniel Fullner | Mileage, Mental Health | 44.00 |
| Gall’s Inc. | Uniforms, County Jail | 188.46 |
| Gartner & Associates Co. Inc. | Repairs, Courthouse | 496.20 |
| Gordy’s Towing & Repair | Repairs, County Sheriff | 51.96 |
| Kayla Grone | Services, Probation | 100.00 |
| Hall County Sheriff | Service Fees, District Court | 16.16 |
| Hartford Life Insurance Company | Deferred Compensation | 175.00 |
| Matthew Headley | Mileage, Public Defender | 222.44 |
| Jeffrey Hrouda | Legal Services, County Court | 3,858.35 |
| Humane Restraint | Supplies, County Jail | 423.00 |
| Hy-Vee Pharmacy | Medical Services, County Relief | 228.25 |
| Jack’s Uniforms | Uniforms, County Sheriff | 16.00 |
| Jerry’s Standard | Fuel, County Sheriff | 23.08 |
| John’s Disposal | Garbage Service, Probation | 44.00 |
| Johnson, Morland, Easland & Lohrberg, P.C. | Legal Services, District Court | 467.00 |
| John Johnson | Supplies, Planning and Zoning | 55.00 |
| K & S Door Co. Inc. | Repairs, County Jail | 453.20 |
| Kensington Apartments | Rent, County Relief | 250.00 |
| Kristina Lenser | Services, Probation | 100.00 |
| Louderback Drug | Prescriptions, County Jail | 1,995.71 |
| Louderback Drug | Prescriptions, Juvenile Detention | 380.70 |
| Madison Ampride Inc. | Fuel, Courthouse | 48.94 |
| Madison Ampride Inc. | Fuel, County Sheriff | 303.29 |
| Madison County Clerk | Tax Deposit | 39,166.20 |
| Madison County Clerk of District Court | Fees, District Court | 1,276.00 |

| | | |
|---|---|---|
| Madison County Court | Transcripts, Law Enforcement | 58.50 |
| Madison County Court | Court Costs, County Court | 2,113.00 |
| Madison County Sheriff | Court Costs, Mental Health | 92.28 |
| Madison County Sheriff | Court Costs, County Court | 1,417.30 |
| Madison County Sheriff | Court Costs, District Court | 423.80 |
| Madison County Sheriff | Dues, County Sheriff | 220.00 |
| Madison County Sheriff | Dues, Registration, County Jail | 161.29 |
| Madison County Treasurer | Insurance Reimbursement | 100.00 |
| Madison County Veterans' Service Office | Veterans' Aid Costs | 2,000.00 |
| Madison Food Pride | Supplies, Public Defender | 29.51 |
| Madison Volunteer Fire Department | Equipment, County Jail | 226.78 |
| Major Refrigeration Co. Inc. | Repairs, County Jail | 271.40 |
| Marriott Hotels & Resorts | Lodging, County Board | 209.98 |
| Matthew Bender & Company, Inc. | Publications, County Sheriff | 265.80 |
| Matthew Bender & Company, Inc. | Publications, County Attorney | 227.25 |
| Matthew Bender & Company, Inc. | Publications, County Jail | 91.85 |
| Christal McDonald | Court Reporting, Mental Health | 150.00 |
| Menards | Supplies, County Jail | 20.64 |
| Microfilm Imaging Systems Inc. | Supplies, Register of Deeds | 31.50 |
| Microfilm Imaging Systems Inc. | Equipment, County Court | 454.00 |
| Midwest Office Automations | Copier Maintenance, Probation | 115.00 |
| Midwest Plumbing & Heating | Repairs, County Jail | 1,400.50 |
| MIPS Inc. | Computer Support, Supplies, County Clerk | 616.05 |
| MIPS Inc. | Computer Support, County Treasurer | 855.13 |
| MOCIC | Dues, County Sheriff | 150.00 |
| Model Electric | Repairs, County Jail | 985.00 |
| Morrissey Motor Company | Repairs, County Sheriff | 61.54 |
| MS Data Services | Services, District Court | 344.00 |
| NACO | Registration, County Board | 240.00 |
| NACO | Publication, District Court | 16.00 |
| NACO Planning and Zoning | Dues, Planning and Zoning | 60.00 |
| Nebraska Child Support Payment Center | Garnish of Wages | 759.69 |
| Nebraska Department of Revenue | Annual Sales Tax | 155.01 |
| Nebraska Health & Human Services | State Institutions Funding | 657.00 |
| Nebraska Supreme Court Publications Office | Publications, County Court | 57.00 |
| Norfolk Daily News | Subscription, Election Commissioner | 144.75 |
| Norfolk Daily News | Publication Costs, Courthouse | 139.23 |
| Norfolk Printing Company | Supplies, District Judge | 65.25 |
| Northeast Nebraska Juvenile Services Inc. | Board of Juveniles, Juvenile Detention | 15,201.25 |
| Northeast Nebr. Association of Clerks & Register of Deeds | Dues, County Clerk | 10.00 |
| Northeast Nebr. Association of Clerks & Register of Deeds | Dues, Register of Deeds | 10.00 |
| Office Products Center | Supplies, Probation | 92.00 |
| Sherry Peterson | Mileage, Telephone Services, Juvenile Diversion | 351.31 |
| Pfeifer Auto Body Inc. | Repairs, Courthouse | 241.00 |
| Marvin Pfeifer | Snow Removal, Public Defender | 190.00 |
| Pioneer Telephone | Telephone Services, Courthouse | 150.51 |
| Postmaster | Postage, Election Commissioner | 4.27 |
| Postmaster | Box Rent, District Judge | 53.00 |
| Puppy Love | Impound Fees, County Sheriff | 150.00 |
| Quill Corporation | Supplies, County Court | 731.96 |
| Qwest | Telephone Service, Probation | 461.52 |
| Region IV Inc. | Quarterly Funding | 9,147.75 |
| Reserve Account | Postage, Courthouse | 10,000.00 |
| Retail Acquisition & Development | Supplies, County Jail | 232.70 |
| Reynoldson's Inc. | Fuel, County Sheriff | 350.25 |
| William Rusk | Meal, County Sheriff | 6.62 |
| Scheer's Ace Hardware | Repairs, Courthouse | 86.46 |
| Schroeder Land Surveying | Services, County Surveyor | 1,610.00 |
| Security Shredding | Services, Probation | 60.00 |
| Shell Fleet Plus | Fuel, Reappraisal | 70.33 |
| Short Stop | Fuel, County Sheriff | 157.15 |
| Signal 88 Security | Guard Services, County Jail | 2,829.75 |
| Standard Appraisal Service | Services, Reappraisal | 7,125.00 |
| Stanton County Court | Copies, Law Enforcement | 6.50 |
| State of Nebraska | Board of Prisoners, Medical Services, County Jail | 3,329.57 |
| State of Nebraska IMServices | Data Processing Costs, County Sheriff | 2.51 |
| Michelle Sullivan | Mileage, Juvenile Diversion | 174.66 |
| Transamerica Life Assurance Company | Insurance Premiums | 9.00 |
| U.S. Cellular | Telephone Services, Law Enforcement | 108.97 |
| David Uher | Legal Services, County Court | 7,627.55 |
| Glen Uher | Equipment, County Jail | 488.56 |
| Walmart Community | Supplies, County Assessor | 10.48 |
| West Asset Management | Medical Services, County Relief | 107.23 |
| Western Office Plus | Supplies, County Clerk | 52.14 |
| Western Office Plus | Supplies, Register of Deeds | 7.49 |
| Western Office Plus | Supplies, County Assessor | 733.68 |
| Western Office Plus | Supplies, District Court | 68.83 |
| Western Office Plus | Supplies, County Court | 670.53 |
| Western Office Plus | Supplies, Public Defender | 233.32 |
| Western Office Plus | Supplies, County Sheriff | 274.98 |

| | | |
|---|---|---|
| Western Office Plus | Supplies, Copier Maintenance, County Attorney | 368.16 |
| White Star Oil Company | Fuel, Repairs, County Sheriff | 217.24 |
| York General Hospital | Medical Services, County Jail | 930.55 |

ROAD/BRIDGE FUND

| | | |
|---|---|---|
| Total Net Payroll | | 25,264.08 |
| American Family Life Assurance Company | Insurance Premiums | 302.06 |
| Ameritas Life Insurance Corporation | Employee Share Retirement | 1,536.62 |
| Ameritas Life Insurance Corporation | Employer Share Retirement | 2,305.03 |
| Ameritas Life Insurance Corporation | Insurance Premiums | 81.92 |
| Appeara | Towel Service, District #1, #2 | 176.69 |
| B & D Truck Parts Inc. | Repairs, District #1 | 200.00 |
| B's Enterprises Inc. | Blades, Supplies, District #1, #3 | 1,066.20 |
| Bankfirst | Repairs, District #1, #2 | 127.62 |
| Battle Creek Farmers Coop | Fuel, District #1, #3 | 5,794.18 |
| Bauer Built Inc. | Repairs, District #2, #3 | 1,392.63 |
| Black Hills Energy | Gas Service, District #1 | 341.86 |
| Brandl Electric | Repairs, District #1 | 80.55 |
| Carquest Auto of Norfolk | Repairs, District #1 | 19.34 |
| Colonial Life and Accident Insurance | Insurance Premiums | 121.80 |
| Constellation Energy | Gas Service, District #1, #3 | 2,130.91 |
| D & L Towing LLC | Services, District #2 | 200.00 |
| D & M Machinery | Repairs, District #3 | 38.76 |
| Larry Dittrich | Repairs, District #3 | 144.54 |
| Eisenmann Supplies Inc. | Supplies, District #1 | 191.70 |
| Electrical Engineering & Equipment | Supplies, District #3 | 34.32 |
| First Concord Benefits Group | Flexible Benefit Plan | 477.27 |
| Ken's Trailer Sales & Repair | Repairs, District #3 | 71.50 |
| Kimball Midwest | Repairs, Supplies, District #1, #2 | 317.88 |
| Linweld Inc. | Supplies, District #1, #2, #3 | 546.70 |
| Loup Power District | Utilities, District #1 | 165.00 |
| M & M Farm Supply | Supplies, District #1 | 21.10 |
| Madison Ampride | Fuel, District #1 | 613.00 |
| Madison County Clerk | Tax Deposit | 8,633.91 |
| Meisinger Oil Company Inc. | Fuel, District #1 | 3,659.54 |
| Menards | Supplies, District #1 | 52.50 |
| NAPA Auto Parts of Norfolk | Repairs, District #3 | 10.97 |
| Nebraska Child Support Payment Center | Garnish of Wages | 230.77 |
| Norfolk Auto Supply | Repairs, District #3 | 1,547.91 |
| Norfolk Chevrolet | Repairs, District #3 | 56.09 |
| Pioneer Telephone | Telephone Services, District #1, #3 | 46.41 |
| Quick Serve Oil Co. Inc. | Fuel, District #3 | 289.10 |
| Red Bud Inc. | Supplies, Equipment, District #3 | 3,945.85 |
| Rich-N-Stitch | Repairs, District #3 | 195.00 |
| Schaben Industries | Repairs, Equipment, District #1 | 17,481.96 |
| Scheer's Ace Hardware | Repairs, District #1, #2 | 882.12 |
| Stanley Petroleum Maintenance Inc. | Repairs, District #3 | 55.40 |
| The Grove | Fuel, District #1 | 109.95 |
| Transamerica Life Assurance Company | Insurance Premiums | 44.57 |
| Truck Center of Norfolk | Repairs, District #1, #2 | 224.15 |
| Weldon Industries, Inc. | Repairs, District #2 | 276.96 |
| West Lumber Company | Supplies, District #1 | 10.65 |
| White Star Oil Company | Supplies, District #1 | 72.18 |

LAW ENFORCEMENT OPERATING FUND

| | | |
|---|---|---|
| Madison County Sheriff | Postage, Supplies | 1,303.40 |

NOXIOUS WEED FUND

| | | |
|---|---|---|
| Total Net Payroll | | 2,435.25 |
| Ameritas Life Insurance Corporation | Employee Share Retirement | 102.42 |
| Ameritas Life Insurance Corporation | Employer Share Retirement | 153.63 |
| First Concord Benefits Group | Flexible Benefit Plan | 50.00 |
| Madison County Clerk | Tax Deposit | 721.53 |

911 EMERGENCY FUND

| | | |
|---|---|---|
| Qwest | Telephone Service, Equipment | 12,167.59 |

Motion was made by Uhlir and seconded by Klein that the claims be approved as audited and that checks be drawn for payment. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board adjourned at 12:04 P.M. to Tuesday, February 3, 2009 at 9:30 A.M.

_____ _____

County Clerk Chairman