

## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

January 27, 2015

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 22, 2015 edition of The Norfolk Daily News and posted on the Madison County website. 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 Ohl 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 Christian Ohl, Jim Prauner, and Ron Schmidt, County Highway Superintendent Richard Johnson, Deputy County Clerk Carol Knapp, Road District Foremen Don Eucker and Jeff Schroeder, Norfolk Daily News reporter Jerry Guenther, US92 reporter Eric McKay, and WJAG reporter Susan Risinger. County Attorney Joseph Smith was intermittently present during the meeting. Juvenile Accountability Officer Sherry Peterson was present until 9:45 A.M. Road foreman John Hrabanek joined the meeting at 9:48 A.M.

Chairman Ohl read the following consent agenda items into the record:

- 1) Approval of minutes of the January 13, 2015 meeting
- 2) Acknowledge receipt of the Continuation Certificate of the Official Bond of Rob Ronk as Chairperson of Sanitary Improvement District #10
- 3) Acknowledge receipt of the Continuation Certificate of the Official Bond of Kirk Morgan as Clerk of Sanitary Improvement District #10
- 4) Acknowledge receipt of the Official Bond of Robert Hilger as Treasurer of Lower Platte North Natural Resources District
- 5) Authorization for County Board Chairman to execute the program income report for CDBG Grant #09-ED-008 for the period ending December 31, 2014
- 6) Authorization for County Board Chairman to execute an agreement with the Nebraska Department of Roads for surveying services for Project No. RD-81-3(1055), In Norfolk & North and N-59 – B-84
- 7) Authorization to reimburse Zoning Administrator Heather McWhorter \$30 per month for business use of personally owned cell phone
- 8)

### RESOLUTION #2015-4

WHEREAS, the County of Madison, Nebraska is a member of the Northeast Nebraska Solid Waste Coalition; and  
WHEREAS, as a member of the Northeast Nebraska Solid Waste Coalition the County of Madison, Nebraska is authorized to name a representative to the Board of Directors of the Northeast Nebraska Solid Waste Coalition; and  
WHEREAS, the County Board of Commissioners of the County of Madison, Nebraska previously adopted Resolution #2013-2 appointing Christian Ohl as the representative and Lee Klein as the alternate representative of the County of Madison, Nebraska to the Northeast Nebraska Solid Waste Coalition Board of Directors;

NOW, THEREFORE, in consideration of the foregoing recitals, the County Board of Commissioners of the County of Madison, Nebraska hereby adopts the following resolution:

BE IT RESOLVED by the County Board of Commissioners of the County of Madison, Nebraska that:

- 1) Christian Ohl is hereby appointed as the representative of the County of Madison, Nebraska to the Northeast Nebraska Solid Waste Coalition Board of Directors, and in the event of the absence of Christian Ohl, then Jim Prauner shall be declared as the alternate representative to the Board and shall act and vote on behalf of the County of Madison, Nebraska.
- 2) That Christian Ohl shall serve as Madison County's representative to the Northeast Nebraska Solid Waste Coalition Board of Directors until his or her resignation from the Board of Directors or until his or her successor is appointed by resolution of the County Board of Commissioners, whichever shall occur first.

9)

### RESOLUTION #2015-5

WHEREAS, pursuant to §2-954 and §2-955 Nebraska Revised Statutes, each county weed authority is authorized to serve individual notices to landowners to secure more prompt or definite control of noxious weeds, and

WHEREAS, the Madison County Board of Commissioners serves as the Madison County Noxious Weed Authority, and  
WHEREAS, Donald Svitak has been appointed to serve as Madison County Noxious Weed Superintendent for the 2015 calendar year,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, in its role as the Madison County Noxious Weed Authority, hereby authorizes Donald G. Svitak, as the duly appointed Madison County Noxious Weed Superintendent to make the findings described in the statutes and to issue and deliver notices pursuant to the Noxious Weed Control Act.

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

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

County Attorney Joseph Smith and Juvenile Accountability Officer Sherry Peterson were present to discuss an agreement with John and Elisabeth Krantz for lease of space located in the Centrum at 123 North 4th Street in Norfolk for use as a day reporting center for youths under the care and supervision of the Madison County Juvenile Accountability Unit.

Mr. Smith presented the history of the Juvenile Accountability program and reported that his office has handled diversion for 30 years and Juvenile Accountability for about 10 years. He explained that Madison County has taken the lead on the juvenile accountability program and through the years has become involved with several other counties and school districts. He stated that schools are requesting assistance with students who are on probation and at risk juveniles. Mr. Smith explained that his office is moving forward into new areas of service and they need a location for kids who are on probation or who have been suspended from school to stay during the day where they can be supervised and have tutoring available. He reported that half of the rent will be funded by grants and the other half will be paid with county funds. He asked the Board of Commissioners to approve the lease and stated that the space would be put to good use and the community would enjoy the new service.

Commissioner Prauner asked if the lease will be for one year at a time or if it is negotiable. County Attorney Joseph Smith responded that the lease is one year at a time and the owners are anxious for the County to use the space. He reported that he is familiar with the space since it was the former County Attorney's Office prior to relocation to the Courthouse. He reported that the United Way provides funding for the Diversion program; however, sometimes they have issues with getting people to the Diversion program. He explained that he doesn't want to move too much Diversion to this new location; however, it makes sense to have this space available for kids who don't have travel accommodations. He stated that his office completes testing and monitoring for kids in the Diversion program. He stated that the schools are anxious for the County to take responsibility for truant students and he agreed to do that.

Commissioner Prauner asked if the program participants are uncontrollable juveniles and Mr. Smith responded that participants would be at risk juveniles. He explained that this is how the program ties into what the County Attorney's office does because it involves truancy officers and delinquency issues.

Norfolk Daily News reporter Jerry Guenther questioned if the Diversion Program is already using the office space and Mr. Smith responded that no one is currently using this space and that the Juvenile Accountability program operates from his office. He stated that the County currently does not have space for a day reporting center. He explained that the County Attorney's Office will continue to be the command hub for the Diversion and Accountability programs. He stated that participants would primarily be from the Norfolk School District.

Commissioner Prauner questioned what age group would be included in this program and Mr. Smith responded that juveniles through age 18 could participate. Commissioner Prauner inquired what the youngest age group was and Mr. Smith responded that youth as young as age 12 participate in the Diversion program. He explained that there was a 12 year old in a small town where an Accountability Officer had to intervene several times.

Mike Hart, principal of Norfolk Junior High School, joined the meeting at 9:35 A.M. He reported that the Norfolk Public School District works with Juvenile Accountability Program through Sherry Peterson and Carey Hopkins to assist kids who are at risk and having issues. He stated that having a place for at risk kids to go is a positive thing because while parents are at work kids should not be home unsupervised. He stated that the program will provide an opportunity for at risk kids to work on job and social skills.

County Attorney Joseph Smith stated that they are working on details of the day reporting center by getting certified teachers involved in the project. He explained that truancy ties in with the day reporting center.

Commissioner Schmidt inquired if the office space was fully furnished and Mr. Smith responded that the building is not furnished, but Sherry Peterson has been working on getting contributions of chairs and tables.

Commissioner Prauner questioned how many students from the Norfolk Public School District are participating. Mr. Hart responded that this is a voluntary program for parents, so having the option available would be very positive. He stated that they don't like to suspend students, but when that happens, having a place where they can be supervised is a good alternative. Mr. Smith stated that the involvement of the Juvenile Accountability staff helps students and teachers from a safety aspect and it also helps other students in the school.

Mr. Hart stated that the Norfolk Public School system appreciates the community partnership which helps the kids because the kids getting into trouble also need support.

Commissioner Schmidt asked how big of an area will be served. Mr. Smith responded that the day reporting center can serve anyone geographically who can get to the facility. He explained that the Juvenile Accountability program works with eight counties with the farthest being Knox County. He stated that the Attorney's Office has been expanding services so much that he can use the office space for Accountability and Victim Witness programs and also for teaching classes for Probation.

Commissioner Prauner questioned if there was any concern about security problems and Mr. Smith responded that there may be security issues, but he doesn't anticipate problems since Sherry Peterson is an officer. Commissioner Prauner asked how many would be participating in the day reporting center program and Sherry Peterson responded that nothing is in the building yet and no youth are set up to come at this time; however, they have many kids who are waiting for the day reporting center to open. Mr. Smith anticipated that the center will be operating in a short amount of time, within the next week or two.

Commissioner Ohl asked if there is any potential to use teachers that are already working in the Juvenile Detention Center or any cooperative efforts to use this staff. Commissioner Prauner responded that the teachers at the Juvenile Detention Center are contracted and he didn't think that the time schedule would permit sharing with the day reporting center. Mr. Smith explained that the goal is to have retired teachers and have the Accountability staff coordinate the teaching schedule.

Commissioner Prauner questioned if there would be adequate funds in the budget to cover the expenses for this program. Mr. Smith responded that grant funds are available. Juvenile Accountability Officer Sherry Peterson explained that grant funds are available for community based services and this program would fit the grant requirements of the Nebraska Crime Commission. Mr. Smith explained that they have a good relationship with the Nebraska Crime Commission because Madison County started the Accountability Program before other counties did, so they now have six or seven counties that are participating.

Chairman Ohl thanked Mr. Smith, Mr. Hart, and Mrs. Peterson for sharing information with the Board. He stated that it sounds like this would be a very good program for the community and the area. He expressed appreciation for the work on the program and for being efficient and using resources wisely.

After discussion, a motion was made by Prauner and seconded by Schmidt to approve the agreement with John and Elisabeth Krantz for lease of space located in the Centrum at 123 North 4th Street in Norfolk for use as a day reporting center for youths under the care and supervision of the Madison County Juvenile Accountability Unit. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Ohl reported that the Commissioners need to re-appoint several members to serve on the Board of Adjustment. He explained that the terms of Roger Acklie and Darrell Lyon are expired and both of these members are willing to continue serving on the Board of Adjustment. Commissioner Prauner stated that these people are both experienced. Commissioner Schmidt commented that both of these members are familiar with Board of Adjustment procedures.

After discussion, a motion was made Schmidt and seconded by Prauner to re-appoint Roger Acklie and Darrell Lyon to serve as members of the Board of Adjustment with said terms to expire December 31, 2017. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Ohl reported that Don Roberg resigned from the Board of Adjustment and the name of Ralph Pieke has been submitted as a replacement and he is interested in serving.

After discussion, a motion was made by Prauner and seconded by Schmidt to appoint Ralph Pieke to serve as a member of the Board of Adjustment to replace Don Roberg with said term to expire in August 2016. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner Schmidt reported that the Madison shop has a dump truck with a snow blade attachment that is used to distribute brine salt for ice. He stated that the truck is in questionable shape and the truck is outside the Courthouse for inspection by the Board members. He explained that he feels that the condition of the truck is an emergency so that the County doesn't need to solicit sealed bids for a replacement. He stated that he has obtained two quotes for trucks, but he wants the other Board members to look at the truck to make sure that the other Commissioners agree that this would be an emergency situation because, in his opinion, this truck really should be taken off the road.

County Attorney Joseph Smith explained that competitive bidding is a big thing for jurisdictions and something that should be protected, so wherever the line is, the Board should always stay way on one side of it. He stated that, in his opinion, an emergency would exist if there is some event or set of circumstances which necessitates a particular purchase, such as a circumstance that would impair public safety, and there isn't time to take formal bids without impairing public safety. He stated that the Board should look at what the truck is used for, but the emergency cannot be a matter of convenience or saving money, but a public safety issue.

Commissioner Prauner stated that the Board can't say if this is an emergency because no one knows how soon more snow would fall. Commissioner Schmidt responded that this truck is the only vehicle that District #1 has for the removal of snow and for salting icy roads. He stated that if he knew that it wasn't going to snow again, this would not be an emergency. Mr. Smith stated that before making a decision, the Board needs to look at the criteria and discuss it. He stated that the public needs to know that competitive bidding is something the Board normally does, just like having open public meetings. Commissioner Schmidt stated that he did obtain two quotes for trucks. Mr. Smith reiterated that the Board should discuss the nature of the emergency, how the public may be imperiled, and how long it would take to complete a competitive bidding process.

County Highway Superintendent Richard Johnson stated that during previous similar situations the Board has approved a resolution stating the nature of the emergency so there is documentation for the record. He reported that he prepared a resolution for consideration by the Board.

Commissioner Schmidt recommended looking at the truck so the other Board members understand the nature of the emergency. County Attorney Joseph Smith explained that if the Board recesses and goes out together, that creates another legal issue. Commissioner Schmidt asked if the meeting could just be moved outside instead of recessing. Mr. Smith stated that he has a small issue with that, but it is better than recessing. He explained that if no one objects to walking outside it may be okay, but nothing else should be discussed.

Chairman Ohl stated that all the options should be reviewed before moving outside. He asked what time is required to go through the formal bidding process. County Highway Superintendent Richard Johnson responded that it would take about four to six weeks for a formal bidding process. Mr. Smith advised that the Board should look at options of any other vehicles that may be feasible to use and reiterated that an emergency is something more than completing the process quickly, but impairing public safety. He stated that the next snowfall is unpredictable.

Chairman Ohl inquired if the County has an option to lease a vehicle for short term. Commissioner Schmidt stated that another option would be to share a vehicle with another district. Commissioner Prauner responded that District #1 is the only district that uses brine. He reported that District #3 uses a salt and sand mixture which is a completely different truck. He stated that brine goes in a tank and they don't have a truck with a tank. Chairman Ohl stated that if a vehicle would need to be shared, the resources of the other district would also need to be used.

Commissioner Prauner stated that if there is a large snowfall all the road districts will be pushing snow and if the wind blows, the employees will be out every day. Mr. Smith stated that if it snows and there is ice and the County doesn't have the proper equipment, it becomes a public safety issue. County Highway Superintendent Richard Johnson explained that if the districts share equipment someone may not get the snow and ice removed which puts the County more at risk.

Chairman Ohl thanked Commissioner Schmidt for the time invested in research and looking at different trucks. He inquired if the truck Commissioner Schmidt looked at in Minnesota would still be available if the County went through the formal bidding process. Commissioner Schmidt responded that the truck is listed for sale, so it may or may not be available. He reported that both trucks that he looked at are currently being held for the County until a decision is made.

Commissioner Prauner asked why the truck is unsafe. District #1 foreman Don Eucker responded that he told Assistant County Highway Superintendent Dave Heggemeyer that the bushings are out of the tandem drive. He explained that truck has a double frame and salt got into the frame causing it to crack. He stated that the truck was used all summer to haul dirt and the frame is starting to sag between the cab and the box. He reported that they normally haul 1,600 gallons of brine, which is a lot of weight. In addition, he reported that the bottom is broke out in between the drivers and they welded it years ago and the outside held, but the inside broke open. He stated that approximately 75% to 80% of the frame is completely broken.

Commissioner Schmidt reported that it is against the law the weld on the frame of a truck and if you look at a new truck it has a notice on the frame to not weld on the flange because they are tempered steel frames. He reported that the two truck options are a 2010 CL120 Freightliner dump truck from Cornhusker International in Norfolk which has a Cummins motor with automatic transmission and 260 horsepower with 16,000 front axle and 40,000 rear axle, with a 14 foot dump box. He stated that this truck has a front plow mount with hydraulic controls in the cab. He reported that the truck has 115,544 miles, the previous owner was Cuming County. Commissioner Schmidt reported that the second option is a 2006 International 7600 which has a Cummins ISM motor with 425 horsepower with 18,000 front axle and 148,000 miles and a 10 speed ultra shift automatic transmission. He reported that this truck comes with a front plow and a rear hitch that could be used to pull a pup trailer. He explained that he checked with dealers within a 250 mile radius of Madison including dealers from Denver, Kansas City, Wichita, Minneapolis, and Sioux Falls and the supply is very limited right now.

Commissioner Prauner stated that he has been looking for a plow truck and will probably take bids for one because he doesn't have a regular plow truck in District #3, only a pickup with a blade on it. He stated that he understands what the problem is with the District #1 truck, and in his opinion, the International truck would be the best option. Commissioner Schmidt stated that he wants to purchase a truck with ultra-shift or automatic transmission because there are many different drivers in his road department.

Chairman Ohl stated that he can trust that the truck is in poor shape. County Highway Superintendent Richard Johnson questioned what the plan is for disposition of the old truck. Commissioner Schmidt responded that the box is really new, so the box and hoist would be removed and any tires that are decent would also be removed. He stated that C & H, a truck salvage yard in South Sioux City, is interested in the truck.

Madison shop foreman Don Eucker reported that the original box on the truck rusted out and a new box was put on about four or five years ago, so it is in good shape. Norfolk shop foreman Jeff Schroeder stated that since the County has the box and rear end, purchasing a glider kit may be a possibility so save some money. Commissioner Schmidt responded that he hasn't looked into that option simply because time was of the essence.

Chairman Ohl stated that in the current situation there is a chance that the truck could fail. He questioned what the County's ability would be to clean roads in District #1 if sharing vehicles with another district. Norfolk shop foreman Jeff Schroeder responded that the problem would be getting a truck to the location in a timely manner if they cleared the roads in their area first.

Chairman Ohl stated that he wants the Board to go through the correct procedures. He said that if the Board expedites the process, it would take four to six weeks. Commissioner Schmidt reviewed the definition of emergency as outlined in Chapter 15 of the County Board handbook which stated that competitive bids are not required when purchasing the following: unique or non competitive items, petroleum products, professional services, equipment maintenance, and when the price has been established by the Federal General Services Administration. He stated that the handbook also states that the County Board may by majority vote waive the bidding requirements to meet an emergency which threatens serious loss of life, health, or property in the County, which is located in State Statute Section 23-3109, paragraph 2.

Chairman Ohl stated that his concern is that the County does not have a situation yet, but could have a situation where an emergency could threaten the property of the County, but at the moment he doesn't know if the County is in this situation. He said that he knows Commissioner Schmidt has spent a lot of time on this matter and put a lot of effort into it. Commissioner Schmidt stated that this truck will not be used again simply because it is completely out of compliance with DOT. He reported that the back end moves when it is driven down the road, the frame is cracked and broken, and it is not safe to drive. He stated that he will respect any decision that is made by the Board because if there isn't another snow storm they will be fine, but if there is a snow storm they won't be able to put salt on icy roads until borrowing a truck from another road district.

Commissioner Prauner stated that one problem is that the other two road districts use sand and salt and the Madison district using liquid deicer. He said there would be a lot of set up time to convert another truck to use the liquid deicer system. Chairman Ohl questioned what the likelihood was of leasing a truck from Cornhusker International during the time it takes to go through the formal bidding process.

Mark Hess, sales representative from Cornhusker International, stated that they won't lease the truck because of licensing and insurance issues. Commissioner Schmidt reported that the other truck is located in Minnesota, about 330 miles away, so leasing it not an option. Mr. Hess stated that if the County continues to drive the current truck, DOT will shut it down and also fine the County.

Commissioner Prauner asked if Chairman Ohl felt that the situation did not meet the emergency criteria. Chairman Ohl responded that he could understand the situation where there could be an emergency if a snow storm occurred and road needs to be cleared and there could also be a health hazard, but he wants to make sure that the Commissioners respect the requirements and guidelines.

Commissioner Prauner stated that, in his opinion, the emergency requirements are met due to the fact that if snow comes next week, the Madison shop does not have an option to push snow and de-ice roads, which could be a life threatening situation. Commissioner Schmidt responded that the Madison shop would be able to move snow, but if an ice storm occurred, they wouldn't have a way to deice roads.

Motion was made by Prauner and seconded by Schmidt to adopt the following resolution:

**RESOLUTION #2015-6 (NOT ADOPTED)**

WHEREAS the 1994 Ford L9000 dump truck used by the county shop in Madison for a salt truck was found to be in need of immediate repair or replacement; and

WHEREAS, there is severe rust causing structural damage to the frame and the rear axle suspension is in a state of disrepair; and

WHEREAS, the potential exists for loss of life, injury, or damage to property if the truck is operated in its present condition; and

WHEREAS, the county shop in Madison will need a salt truck for the remainder of the winter; and

WHEREAS, a replacement truck which would meet the needs of a salt truck has been located at a reasonable price; and

WHEREAS, §23-3109(2) Nebraska Revised Statutes provides that competitive bidding shall not be required "if such waiver is necessary to meet an emergency which threatens serious loss of life, health, or property in the county".

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby finds that an emergency exists which meets the conditions prescribed by §23-3109(2) Nebraska Revised Statutes and that competitive bidding will not be necessary for replacement of the 1994 Ford L9000 dump truck.

During discussion on the motion, Commissioner Prauner reiterated that if a snow storm occurs with ice before it, District #1 will be short one truck and the deicing equipment is not compatible with any trucks in the other road departments. He stated that the truck can't be put into use in its current condition which makes an emergency situation. Commissioner Schmidt stated that he would like to use the bid process, but time is important. Chairman Ohl stated asked what the time requirement would be for an emergency purchase of the truck at Cornhusker International if there was a serious emergency with snow and ice. Mr. Hess of Cornhusker International responded that they would need to mount the County's plow onto the truck, but this could be done with 24 hours. Commissioner Schmidt explained that the current plow could be retrofitted and mounted onto the truck at Cornhusker International.

Norfolk shop foreman Jeff Schroeder explained that in the event of an emergency, the Norfolk shop could operate with five trucks and still get done clearing the roads in their district. He stated that the deicing equipment could be placed in the back of one of the dump trucks in the Norfolk shop. He said that this is an issue that needs to be taken care of because they can't afford to be down one truck; but, in the event of an emergency, they could make a truck conversion in a matter of hours. He reiterated that it will take additional time to get roads in the Norfolk district open, but as long as the public can be patient the roads will get opened.

Commissioner Prauner withdrew his motion and Commissioner Schmidt withdrew his second of the motion. Commissioner Prauner stated that he would be requesting bids in the spring for the same type of truck.

Commissioner Prauner suggested looking at both new and used trucks. Commissioner Schmidt stated that prices would probably range between \$80,000 and \$100,000. Commissioner Prauner said that good used trucks around model year 2012 could be located. Commissioner Schmidt stated that he would prefer an older model truck. Mr. Hess from Cornhusker International suggested looking at trucks with low mileage starting at model years 2006 or 2007 because there would be fewer emission problems. Commissioner Schmidt reported that trucks model years 2007 or older are the best. Commissioner Prauner recommended model years 2006 or newer and look at mileage.

County Highway Superintendent Richard Johnson asked if Mr. Hess had a problem with his truck proposal being public record. Mr. Hess responded that there isn't much he could do about it and Mr. Johnson stated that they could ask the media to not mention the numbers.

County Highway Superintendent Richard Johnson suggested that he prepare specifications with assistance from shop foremen Don Eucker and John Hrabanek. He explained that bids have been taken on Thursday preceding the Board meeting which allows time for research prior to the Board making a decision. He stated that the bid opening could be set for March 5, 2015 and a Board decision could be made at the March 10, 2015 meeting.

Commissioner Schmidt reported that the truck dealers that he talked to regarding used trucks said that highway departments normally take bids after July 1st, so the used trucks don't come in until August so if bids are taken now, they may not get many dealers to submit bids. He reiterated that they searched in a 250 mile radius of Madison and there weren't many used trucks available with automatic transmissions and the way the County wants it set up. Mr. Hess reported that Cornhusker International has the state bid this year. Commissioner Schmidt reported that if the County wants to buy a new truck it will cost approximately \$200,000 and Commissioner Prauner and Mr. Hess both responded that the price would not be that high.

Chairman Ohl recommended bidding for one truck at the current time and bid again at a later date.

After discussion, a motion was made by Schmidt and seconded by Ohl to authorize advertisement of bids for purchase of a used salt truck and set the bid opening date for February 19, 2015. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner Ohl reported that all the Commissioners and road foremen have looked at several AM General semi-tractors at Federal Surplus. Norfolk shop foreman Jeff Schroeder reported that the trucks are totally refurbished and won't provide the most comfortable ride, but for the amount of money spent the trucks will get the job done. He stated that the County has an issue with gravel availability so most of the gravel will need to be trucked from Columbus and the County needs to have a truck that will withstand the miles.

Commissioner Schmidt stated that his main concern is that the trucks don't have air-ride and a spring-ride is not very comfortable. He said that if the road employees are willing to drive the truck he is okay with that. Mr. Schroeder responded that without taking the truck down the road, they won't know how the ride will be. Commissioner Schmidt stated that he also has a concern that the cab of the truck is obsolete and finding parts would be difficult. Mr. Schroeder reported that the County already owns a 1979 AM General and has never had any issues finding parts.

Chairman Ohl reported that the comparable trucks that they researched were a much higher cost and the truck at Federal Surplus has been totally refurbished with the engine and transmission overhauled. Mr. Schroeder reported that the 1979 AM General was \$8,500 and has considerable more miles on it. He said that this shows what the truck is worth and what the County can get for that amount of money. Commissioner Prauner stated that Federal Surplus will negotiate on the price. Mr. Schroeder reported that different government entities have previously had these trucks on hold and one of these trucks would work well with their program if the Board wants to consider purchasing one. He stated that he has a 10 day hold on one of the trucks. He said that he fully appreciates that the truck won't provide a very good ride and some employee may not be happy driving it, but considering the cost of other used trucks, it would get the job done.

Chairman Ohl stated that the County doesn't have enough gravel in this area so there may be an increased demand for trucks to haul long distance. Commissioner Schmidt reported that a good used truck, model year 2000 or newer, equipped with air ride should be available for approximately \$25,000 to \$30,000. He stated that spending \$8,500 for a 1979 model versus \$25,000 for a 2000 or newer model is not a good deal. He stated that even though the truck is refurbished and the motor and transmission would be good, but his opinion is that a 1979 truck is not a good purchase. He stated that if District #2 wants to purchase the truck he won't oppose the purchase. Mr. Schroeder stated that he would be in favor of purchasing a 2000 or newer model with air ride, but he knows that money is an issue. Commissioner Schmidt stated that it may be a great truck to move a trailer around for construction equipment, but using it for long distance hauls is not a good idea.

No action was taken.

Chairman Ohl asked if there were any other comments from the road foremen regarding equipment needs in the road department.

Commissioner Prauner reported that District #3 is considering the purchase of a thumb, but it will depend upon the budget balance near the end of fiscal year. Norfolk shop foreman Jeff Schroeder responded that every road district should have a thumb because it is safer, more efficient, and faster. He explained that a thumb is attached to a backhoe excavator bucket to pick up trees or concrete, and gently set it in a truck and not damage the truck. He also reported that District #2 had issues with a lowboy trailer that is bent and it will cost approximately \$5,000 to fix. In addition, he stated that the trailer is older so they may discuss trading, selling, buying a different trailer, or putting money into fixing the older trailer. Mr. Schroeder reported that the trailer is used to haul their equipment and has a hydraulic tail.

No action was taken.

The following written reports and correspondence were reviewed:

- 1) County Treasurer fund balance report
- 2) Register of Deeds December fee report
- 3) Letter from Zodiac Properties regarding rent adjustment for lease of the District Two Probation Office
- 4) Letter from Angel, Murphy & Campbell, P.C., L.L.O. regarding appeal of the following cases: SID No. 1, Butler County, Nebraska v. County Treasurer of Butler County, etal, and SID NO. 1, Butler County, Nebraska v. County Treasurer of Adams County, Nebraska etal
- 5) Public notice from Tim Campbell dated January 20, 2015

The following claims were audited:

GENERAL FUND

Total Net Payroll		132,494.37
Phillis Allison	Repairs, County Jail	87.79
Appeara	Mat Service, Public Defender	42.27
AS Central Services	Data Processing, County Clerk	52.00
AS Central Services	Data Processing, County Treasurer	120.20
AS Central Services	Data Processing, County Jail	32.00
BI Incorporated	Monitoring Services, Juvenile Diversion	2,015.79
Jennifer Birmingham	Dues, Public Defender	98.00
Blue Cross Blue Shield of Nebraska	Insurance Premiums	131,730.38
Brogan & Gray, P.C., L.L.O.	Legal Services, County Court	498.87
Business Telecommunication Systems	Repairs, County Sheriff	220.00
Michael Bussard	Witness Fees, District Court	37.25
Cableone	Internet Services, Public Defender	28.09
Cableone	Internet Services, Probation	8.00
Cableone	Internet Services, Courthouse	218.50
Carney Law, P.C.	Legal Services, County Court	4,046.10
CBM Managed Services	Meals, County Jail	6,943.09
Century Link	Telephone Service, Probation	576.49
Charm-Tex	Uniforms, Mattresses, County Jail	6,746.84
Checker Cab Co.	Transportation Costs, Juvenile Diversion	5.40
Choice Foods	Supplies, Public Defender	37.43
Choice Foods	Fuel, Courthouse	4.96
City of Madison	Utilities, County Jail	4,352.04
City of Norfolk	Region 11 Emergency Management	20,571.00
City of Norfolk	Garbage Service, Noxious Weed	24.00
City of Norfolk	Utilities, County Relief	44.89
Complete Pest Elimination, Inc.	Pest Control, County Jail	125.00
Connecting Point	Repairs, Data Processing	99.00
Connecting Point	Equipment, County Sheriff	150.00
Connecting Point	Equipment, Supplies, County Attorney	103.99
Connecting Point	Equipment, County Jail	169.00
Connecting Point	Equipment, Probation	2,349.00
Constellation Newenergy Gas Division, L.L.C.	Gas Service, Courthouse	969.61
Constellation Newenergy Gas Division, L.L.C.	Gas Service, County Jail	2,262.43
Copycraft Printing	Supplies, Public Defender	96.00
County Assessor's Association of Nebraska	Dues, County Assessor	56.00
Cuming County Clerk	Administrative Expense, Juvenile Diversion	652.17
Custom Sports	Uniforms, County Jail	39.00
DiscountDentSupply.com	Supplies, County Sheriff	145.45
Douglas County Court	Copies, Law Enforcement	3.00
Eakes Office Plus	Supplies, District Court	25.99
Eakes Office Plus	Supplies, District Judge	57.97
Eakes Office Plus	Supplies, County Jail	286.31
Eakes Office Plus	Supplies, Probation	859.12
Egley, Fullner, Montag and Hockabout	Legal Services, District Court	354.00
Elite Office Products	Supplies, Planning and Zoning	19.86
Elite Office Products	Supplies, Noxious Weed	19.86
Ewalt Law Office, P.C., L.L.O.	Contract Services, Public Defender	4,000.00
Field's Hardware	Supplies, Public Defender	6.89
First Concord Benefits Group	Flexible Benefit Plan	2,161.43
Fitzgerald, Vetter & Temple	Legal Services, District Court	465.00
Fitzgerald, Vetter & Temple	Legal Services, County Court	889.20
Floor Maintenance and Paper Supply	Supplies, County Jail	579.52
Daniel Fullner	Mileage, Mental Health	22.40
Gempler's	Supplies, Noxious Weed	130.60
Gordy's Towing & Repair	Repairs, County Sheriff	676.94
Gregg Hanson	Mileage, Veterans' Service Office	150.65
Matthew Headley	Postage, Public Defender	103.95
Heckert Nursing Consulting	Expert Witness Fees, Law Enforcement	517.00
Jeffrey Hrouda	Legal Services, District Court	2,372.30
Jack's Uniforms & Equipment	Uniforms, Equipment, County Sheriff	1,060.24

Jerry's Sinclair	Repairs, County Sheriff	32.10
John's Disposal, Inc.	Garbage Service, Probation	61.00
Matthew Kiernan	Mileage, Meals, County Attorney	157.40
Lee Klein	Insurance Refund	12.78
John Krantz	Rent, Juvenile Diversion	3,000.00
Lancaster County Court	Copies, Law Enforcement	3.75
LEAF	Office Equipment, Veterans' Service Office	91.00
Linsali, Inc.	Services, Reappraisal	8,600.00
Madison County Clerk	Tax Deposit	50,471.57
Madison County Sheriff Inmate Fund	Repairs, Supplies, County Jail	341.55
Madison County Sheriff	Fees, County Court	956.52
Madison County Sheriff	Fees, District Court	665.82
Madison County Sheriff	Fees, Mental Health	2.00
Madison County Sheriff	Registrations, County Jail	154.23
Barbara Masilko	Dues, Public Defender	98.00
Jerry McCallum	Insurance Refund	12.78
Medtox Laboratories, Inc.	Testing, Juvenile Diversion	81.12
Menards	Supplies, Planning and Zoning	22.10
Menards	Supplies, Noxious Weed	22.10
Midwest Plumbing & Heating	Repairs, County Jail	511.23
Andrew Mohr	Mileage, Juvenile Diversion	77.28
Morland, Easland and Lohrberg	Legal Services, County Court	1,174.20
National Enterprise Systems	Garnish of Wages	194.91
Nationwide Retirement Solutions	Deferred Compensation	935.00
Nebraska Association of County Treasurer's	Dues, County Treasurer	75.00
Nebraska Child Support Payment Center	Garnish of Wages	369.23
Nebraska Health & Human Services	State Institution Costs	1,017.00
Nebraska Law Enforcement Training Center	Lodging, County Jail	200.00
Nebraska Public Power District	Utilities, Planning and Zoning	132.24
Nebraska Public Power District	Utilities, Probation	1,173.48
Nebraska Public Power District	Utilities, Noxious Weed	387.63
Nebraska Public Power District	Utilities, Veterans' Service Office	52.56
Nebraska Public Power District	Utilities, County Relief	173.31
Nebraska UC Fund	Unemployment Insurance	2,976.00
Norfolk Daily News	Publication Costs, Courthouse	176.67
Northeast Nebraska Juvenile Services	Equipment, Supplies, Juvenile Diversion	1,093.00
Northeast Nebraska Juvenile Services	Board of Juveniles, Juvenile Detention	23,345.00
Northeast Nebraska County Assessor Association	Dues, County Assessor	25.00
Rita Olberding	Transcript, County Court	119.45
Valorie Olson	Court Reporting, Mental Health	150.00
Phillips 66	Fuel, County Sheriff	1,365.32
Pierce County Leader	Subscription, Planning and Zoning	30.00
Pierce County Sheriff	Service Fees, District Court	29.01
Pitney Bowes	Supplies, Courthouse	481.87
Platte County Court	Copies, Law Enforcement	2.75
Premier Biotech	Supplies, Juvenile Diversion	405.49
Redwood Toxicology Lab	Testing, Probation	339.20
Retirement Plans Division of Ameritas	Employee Share Retirement	8,758.38
Retirement Plans Division of Ameritas	Employer Share Retirement	12,808.33
Shell	Fuel, Reappraisal	84.67
Shell	Fuel, County Sheriff	3,159.33
Joseph Smith	Mileage, Law Enforcement	244.16
Stratton, DeLay, Doele, Carlson, & Buettner, P.C., L.L.O.	Legal Services, Mental Health	225.00
Donald Svitak	Registration, Noxious Weed	10.00
T.O. Haas Tire	Repairs, County Sheriff	52.36
Thomson Reuters-West	Subscription, Public Defender	273.47
Thomson Reuters-West	Publication, Law Library	92.50
Tom's Rexall Drug	Prescriptions, Juvenile Diversion	287.20
US Bank Corporate Payment System	Fuel, Supplies, County Sheriff	171.87
US Bank Corporate Payment System	Lodging, County Attorney	337.18
US Bank Corporate Payment System	Copies, Law Enforcement	7.00
US Bank Corporate Payment System	Fuel, Postage, Juvenile Diversion	112.49
Verizon Wireless	Telephone Services, Courthouse	33.26
Verizon Wireless	Telephone Services, County Sheriff	1,724.92
Verizon Wireless	Telephone Services, Law Enforcement	80.43
Verizon Wireless	Telephone Services, Noxious Weed	62.93
Western Office Technologies	Supplies, County Clerk	116.00
Western Office Technologies	Supplies, Register of Deeds	128.12
Western Office Technologies	Supplies, County Sheriff	99.90
Wex Bank	Fuel, County Sheriff	789.52
Jim Widhalm	Snow Removal, Veterans' Service Office	8.00
Zee Medical Service	Supplies, County Sheriff	60.85
Zee Medical Service	Supplies, County Jail	78.40

## ROAD/BRIDGE FUND

Total Net Payroll		28,593.12
Antelope County Clerk	Responsible Charge Services	6,413.00
Battle Creek Farmers Coop	Fuel	5,149.10
Bauer Built Tire	Repairs, Tires	85.50
Beck Tractor & Equipment	Parts	763.53
Black Hills Energy	Gas Service	543.83
Blue Cross Blue Shield of Nebraska	Insurance Premiums	28,949.06
Bomgaars Supply	Shop Supplies	328.59
Carquest Auto of Norfolk	Parts	186.29
Cartridge World	Supplies	61.17
Constellation Newenergy Gas Division, L.L.C.	Gas Service	1,762.88
D-Ware	Software, Computer Support	1,050.00
Fastenal Company	Parts	328.83
First Concord Benefits Group	Flexible Benefit Plan	410.76
Fischer Oil Sales	Supplies	241.52
K & S Door Company	Repairs	1,335.20
Kelly Supply Company	Parts	78.10
KGP Services, L.L.C.	Supplies	193.20
Loup Power District	Utilities	229.10
Madison County Clerk	Tax Deposit	10,022.73
Matteo Sand & Gravel	Gravel	1,712.76
Medical Enterprises Inc.	Testing	537.00
Menards	Shop Supplies	121.49
Nebraska Child Support Payment Center	Garnish of Wages	93.24
Nebraska Harvestore Systems	Repairs	279.06
Nebraska Public Power District	Utilities	397.21
NMC Exchange, L.L.C.	Parts	874.30
NMG, L.L.C	Testing	321.00
Northeast Machine & Manufacturing	Parts	20.14
Power Station	Supplies	57.90
Red Bud Hardware Inc.	Shop Supplies	51.29
Retirement Plans Division of Ameritas	Employee Share Retirement	1,705.84
Retirement Plans Division of Ameritas	Employer Share Retirement	2,558.83
Road Builders Machinery & Supply	Repairs	500.32
Seals and Service Inc.	Parts	552.99
Stanley Petroleum Maintenance	Repairs	756.65
Telebeep Wireless	Internet Services	365.00
Verizon Wireless	Telephone Services	247.54
Wiese Waterworks L.L.C.	Shop Supplies	302.30
Zee Medical	Supplies	53.35
Zoubek Oil Company Inc.	Fuel	4,980.57

## FEDERAL AID SECONDARY FUND

Christensen Brothers, Inc.	Contract Payment	334,844.50
Mainelli, Wagner & Associates, Inc.	Engineering Services	29,969.88

## VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administrative Expense	39,539.98
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## VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Administrative Expense	12,326.35
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## LAW ENFORCEMENT OPERATING FUND

Charm-Tex	Supplies	143.40
Food Express USA	Supplies	199.32
Norfolk Daily News	Subscriptions	2,295.00

## DRUG COURT FUND

Adam Jorgensen	Supplies	49.50
Putters	Supplies	23.00
Redwood Toxicology Lab	Testing	382.25

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

The Board adjourned at 11:32 A.M. to Tuesday, February 10, 2015 at 9:30 A.M.

Deputy County Clerk Carol Knapp

Christian Ohl, Chairman  
County Board of Commissioners