

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

January 29, 2013

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 24, 2013 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 Lee Klein and Christian Ohl, County Highway Superintendent Richard Johnson, Assistant County Highway Superintendent Dave Heggemeyer, and County Clerk Nancy Scheer. Also in attendance were Norfolk Daily News reporter Jerry Guenther and WJAG news reporter Paul Hughes.

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

- 1) Approval of minutes of the January 15, 2013 meeting
- 2) Set February 26, 2013 as the hearing date for the one and six year road plan
- 3) Approval of temporary easement contract with Nucor Corporation for Northeast Industrial Highway, Phase 3 (Tract 23)
- 4) Approval of temporary easement contract with Nucor Corporation for Northeast Industrial Highway, Phase 3 (Tract 25)
- 5) Approval of temporary easement contract with Greater Norfolk Economic Development Foundation, Inc. for Northeast Industrial Highway, Phase 3
- 6) Authorization to solicit statements of qualifications for appraisal and review appraisal services for Northeast Industrial Highway, Phase 2
- 7) Award of contract in the amount of \$5,633,849.84, to A & R construction, for Northeast Industrial Highway, Phase 3
- 8) RESOLUTION #2013-5

WHEREAS, the 2012-2013 fiscal year budget, adopted by the Board of Commissioners of Madison County, Nebraska, commits up to \$3,066,062.00 from the Federal Aid Secondary Fund to pay for expenditures exceeding monies available in the Road/Bridge Fund; and

WHEREAS, monies in the Road/Bridge Fund are now insufficient to meet the current expenditures approved by the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that five hundred thousand dollars (\$500,000.00) be transferred from the Federal Aid Secondary Fund to the Road/Bridge Fund to meet current expenditures.

- 9) RESOLUTION #2013-6

BE IT RESOLVED, that the withdrawal by Bank First, Norfolk, Nebraska of the following securities, held in safekeeping by Union Bank & Trust Company, Lincoln, Nebraska, to secure deposits of the county in said bank, to wit:

FEDERAL HOME LOAN BANK	\$500,000.00	Union Bank & Trust Company
Rate 0.400%	Maturity 07/30/2014	Lincoln, Nebraska
Receipt Date: 07/30/2012	Cusip 3133803Q8	Receipt No. 5938

and the substitution of the following securities be and the same hereby are approved:

FEDERAL HOME LOAN BANK	\$500,000.00	Union Bank & Trust Company
Rate 0.400%	Maturity 09/24/2015	Lincoln, Nebraska
Receipt Date: 01/10/2013	Cusip 3134G32R0	Receipt No. 5866

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

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

Pursuant to published legal notice in the Friday, January 18, 2013 edition of the Norfolk Daily News, Chairman Klein opened a public hearing at 9:32 A.M. to receive citizens' comments regarding an application to the Nebraska Department of Economic Development for a grant under the Community Development Block Grant program.

Thomas Higginbotham, Jr., Executive Director of Northeast Nebraska Economic Development District, explained that the public hearing is the second stage to apply for CDBG funds. He stated that the first phase was the environmental review which is completed, with a copy of the report available at the Northeast Economic Development District office. He explained that Madison County is submitting an application for \$505,000 in CDBG funds, of which \$500,000 will be used for construction of Northeast Industrial Highway Phase II located north of Norfolk and \$5,000 will be used for general administration. He stated that the State of Nebraska pays for the administration expense, which is not part of the matching funds. He reported that the total project cost of Phase II is estimated to be \$1,668,600. In addition, he explained that the County and the City of Norfolk will provide matching funds of \$1,163,600. Mr. Higginbotham stated that the funds will be utilized to pay for paving, grading, culverts, and bridges for construction of Northeast Industrial Highway Phase II. He reported that Phase I of Northeast Industrial Highway is completed and the County awarded a contract today for Phase III. He stated that the County and the City of Norfolk will leverage another estimated \$4,738,200 for Phase III construction. He also explained that the application is for an economic development grant which can be used for public infrastructure, so there must be job creation. Mr. Higginbotham reported that the benefiting businesses in the area need to create 20 jobs over the next three years and he has these commitments. He explained that at least 51% of the jobs must be made available to low to moderate income persons, which is one of the national objectives of the Community Development Block Grant program. He reported that no one will be displaced as a result of this project.

Norfolk Daily News reporter Jerry Guenther questioned if the new jobs were with the existing employers and Mr. Higginbotham responded affirmative. He explained that the application is under the economic development category so job creation had to be tied to the application. He stated that a survey was completed that indicates that a minimum of 20 new jobs will be created that will benefit the existing businesses along Northeast Industrial Highway.

Chairman Klein stated that there is always the possibility that new businesses may relocate to the area after Northeast Industrial Highway is completed. Mr. Higginbotham stated that another benefit of completing the Northeast Industrial Highway project is the potential future of this area after bypassing the main thoroughfares in the City of Norfolk.

Norfolk Daily News reporter Jerry Guenther questioned how soon the County would know if the grant was approved. Mr. Higginbotham responded that obtaining grant funds is a lengthy process because the economic development funds take longer to obtain than other grant programs. He stated that the first step of the grant process was the environmental review which has been completed and the next phase was completing the job creation forms which have been signed by the businesses. He stated that when these two items were completed, the County was invited to submit an application. In addition, he explained that the public hearing is the next phase of the process; however, there is no guarantee of obtaining the grant, but the probability is high.

WJAG reporter Paul Hughes questioned what potential jobs and which businesses were involved. Mr. Higginbotham responded that Nucor, Norfolk Iron and Metal, and Tube City are the three businesses that assisted with completion of the job survey. He stated that the job creation forms will be part of the application to the Department of Economic Development. He reiterated that these businesses have 36 months to create 20 jobs.

Mr. Higginbotham stated that the Board needs to authorize a pre-agreement letter to be sent to the Nebraska Department of Economic Development so the remainder of the grant process can begin before the grant award. In addition, he stated that the Board also needs to adopt a resolution authorizing the Board Chairman to sign the application and all grant related documents.

No public comments were submitted during the public hearing.

Chairman Klein closed the hearing at 9:40 A.M. He requested that all documents requiring action of the Board be added to the next meeting agenda. No action was taken.

Chairman Klein reported that agenda item #17 will not be discussed due to the absence of County Attorney Joseph Smith because of illness.

Motion was made by Ohl and seconded by Klein to table agenda item #17 for consideration of right-of-way contracts for Project No. S479(2) and Project No. S221(7). Roll call vote: Ayes, Klein and Ohl. Absent, McCallum. Nays, none. Motion carried.

Assistant County Highway Superintendent Dave Heggemeyer reported that 11 pieces of road equipment were sold on a Big Iron auction. He stated that the road equipment was all surplus and some had not been used for almost ten years. He reported that some of the equipment was not capable of being overhauled. He stated that the County made a profit on the items sold in comparison to the original acquisition cost.

No action was taken.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Sale of surplus property report
- 3) 4th Quarter report of CASA of Northeast Nebraska

The following claims were audited:

GENERAL FUND		
Total Net Payroll		119,195.67
American Family Life Assurance Company	Insurance Premiums	546.35
Ameritas Life Insurance Corporation	Employee Share Retirement	7,985.68
Ameritas Life Insurance Corporation	Employer Share Retirement	11,688.91
Ameritas Life Insurance Corporation	Insurance Premiums	381.44
Ross Bartlett	Mileage, Juvenile Diversion	41.81
BI Incorporated	Monitoring Services, Juvenile Diversion	926.91
Big Red Printing	Supplies, County Sheriff	190.61
Big Red Printing	Supplies, County Jail	249.17
Black Hills Energy	Gas Service, Planning and Zoning	22.15
Black Hills Energy	Gas Service, Noxious Weeds	22.15
Black Hills Energy	Gas Service, Veterans' Service Office	74.83
Blue Cross Blue Shield	Insurance Premiums	117,458.44
Bob Barker Company Inc.	Supplies, County Jail	256.14
Bomgaars Supply Inc.	Supplies, Courthouse	69.97
Bomgaars Supply Inc.	Supplies, County Jail	46.46
Bomgaars Supply Inc.	Supplies, Repairs, Noxious Weed	160.01
Bessie Bove	Prior Service Benefits	12.00
Al Brandl	Supplies, Repairs, County Jail	705.43
Cable One	Internet Services, Probation	169.96
Carney Law P.C.	Legal Services, County Court	1,247.63
Gladys Carranza	Witness Fees, County Court	166.90
Central Restaurant Products	Supplies, County Jail	614.51

Century Link	Telephone Services, County Jail	17.66
Century Link	Telephone Services, Probation	372.97
Maria Izabel Chavez	Interpreting Services, Law Enforcement	270.00
City of Norfolk	Emergency Management Services	20,385.13
Clerk of the Supreme Court	Fees, District Court	125.00
Colonial Life and Accident Insurance	Insurance Premiums	247.46
Connecting Point	Repairs, Supplies, Printer Maintenance, County Sheriff	1,366.50
Connecting Point	Repairs, County Jail	67.50
Connecting Point	Supplies, Equipment, Probation	91.00
Connecting Point	Supplies, Courthouse	19.95
Consolidated Management Company	Meals, County Jail	69.75
Constellation NewEnergy Gas Division	Gas Service, Planning and Zoning	95.14
Constellation NewEnergy Gas Division	Gas Service, Noxious Weed	95.14
Constellation NewEnergy Gas Division	Gas Service, Veterans' Service Office	151.22
Constellation NewEnergy Gas Division	Gas Service, Courthouse	781.26
Constellation NewEnergy Gas Division	Gas Service, County Jail	1,822.93
Copple, Rockey, McKeever & Schlecht, P.C., L.L.O.	Legal Services, County Court	7,312.53
Copycraft Printing	Supplies, Reappraisal	185.55
Credit Management Services Inc.	Garnish of Wages	135.39
Dick Day	Supplies, County Court	342.61
Dent Specialists	Repairs, County Sheriff	129.69
Eakes Office Plus	Supplies, District Court	5.99
Eakes Office Plus	Supplies, County Extension	8.58
Eakes Office Plus	Supplies, County Sheriff	39.98
Eakes Office Plus	Supplies, County Jail	146.27
Eakes Office Plus	Supplies, Probation	165.48
ECMC	Garnish of Wages	142.34
EDM Publishers	Subscription, Planning and Zoning	99.00
Electrical Engineering & Equipment Company	Supplies, Courthouse	7.47
Enviromaster	Supplies, County Jail	42.00
First Concord Benefits Group	Administrative Fees	2,698.04
Fitzgerald, Vetter, & Temple	Legal Services, District Court	3,442.83
Floor Maintenance and Paper Supply	Supplies, County Jail	523.17
Floor Maintenance and Paper Supply	Supplies, Probation	169.93
Frontier	Telephone Services, Public Defender	363.38
Frontier	Telephone Services, Courthouse	975.12
Gall's Inc.	Equipment, County Sheriff	157.98
Gall's Inc.	Uniforms, County Jail	158.59
Gordy's Towing & Repair	Repairs, County Sheriff	993.61
Gregg Hanson	Supplies, Veterans' Service Office	24.27
Chelsey Hartner	Postage, Registration, Public Defender	142.00
Javier Hernandez	Witness Fees, County Court	38.08
Holiday Inn Express Hotel & Suites	Lodging, County Extension	139.98
Interstate All Battery Center	Repairs, County Sheriff	57.62
Jack's Uniforms	Uniform, County Jail	670.34
Kurt Jackson	Mileage, County Extension	19.98
Jerry's Sinclair	Repairs, County Sheriff	19.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	3,780.45
Kasseburg Canine Training Center	Canine, County Sheriff and Jail	8,500.00
Lester Keiser	Training, County Jail	91.50
Linsali, Inc.	Services, Reappraisal	5,475.00
Michael Long	Mileage, Law Enforcement	24.42
Louderback Drug	Prescriptions, County Jail	726.79
Louderback Drug	Prescriptions, Juvenile Detention	471.70
Madison County Clerk	Tax Deposit	44,675.26
Madison County Court	Fees, County Court	85.20
Madison County Sheriff Inmate Fund	Uniform, County Jail	54.99
Madison County Sheriff	Fees, County Court	1,000.53
Madison County Sheriff	Fees, District Court	90.36
Madison County Sheriff	Fees, Mental Health	110.59
Madison County Sheriff	Fuel, Dues, County Sheriff	251.03
Madison County Treasurer	Insurance Reimbursement	107.72
Madison County Veterans Service Office	Veterans Aid	3,000.00
Madison National Life	Insurance Premiums	115.74
Madison Star Mail	Supplies, Register of Deeds	33.94
Madison Star Mail	Publication Costs, County Clerk	11.78
Amy Majchrowitz	Witness Fees, District Court	36.95
Manatron, Inc.	Subscription, County Assessor	2,787.02
Maximus Inc.	Cost Allocation Plan	2,039.97
Medtox Laboratories Inc.	Drug Testing, Juvenile Diversion	430.60
Menards	Repairs, Noxious Weed	45.20
Midwest Health Partners	Medical Services, County Jail	209.00
Midwest Plumbing & Heating	Repairs, County Jail	739.94
Modern Drapery & Sewing Center	Repairs, Supplies, County Extension	186.50
Evelyn Muegge	Mileage, County Extension	15.54
NACO	Dues, Planning and Zoning	60.00
Nationwide Retirement Solutions	Deferred Compensation	855.00

Nebraska Association of County Officials	Registration, County Board	135.00
Nebraska Child Support Payment Center	Garnish of Wages	276.92
Nebraska Health and Human Services	State Institution Funding	663.00
Nebraska Public Power District	Utilities, Planning and Zoning	104.30
Nebraska Public Power District	Utilities, Noxious Weed	262.35
Nebraska Public Power District	Utilities, Veterans' Service Office	42.14
Nebraska Public Power District	Utilities, Probation	798.36
Nebraska Supreme Court	Publication, County Court	118.00
Mark Nelson	Mileage, County Extension	2.22
Norfolk Daily News	Publication Costs, Courthouse	366.23
Northeast Community College	Lease, Administrative Expense, County Extension	3,845.30
Northeast Nebraska Juvenile Services Inc.	Board of Juveniles, Juvenile Detention	29,605.00
Northeast Research & Extension Center	Telephone Service, Supplies, Postage, County Extension	1,444.24
Valorie Olson	Court Reporting, Mental Health	200.00
Pell Reporting	Transcripts, County Court	546.00
Sherry Peterson	Training, Fuel, Juvenile Diversion	273.70
Phillips 66	Fuel, County Sheriff	544.48
Sarah Polacek	Mileage, Meals, Lodging, County Extension	248.65
Precision Painting	Services, Courthouse	250.00
Puppy Love	Impound Fees, County Court	50.00
Racom Corp	License Fee, County Sheriff	75.00
Redwood Toxicology Lab	Testing, Probation	259.35
Santa Marianita Clinic, P.C.	Medical Services, County Jail	100.00
Marjorie Schaffer	Mileage, District Court	118.65
Judy Schroeder	Prior Service Benefits	11.00
Security Shredding	Services, Probation	210.00
Shell Fleet Plus	Fuel, Planning and Zoning	269.84
Shell Fleet Plus	Fuel, Reappraisal	82.80
Shell Fleet Plus	Fuel, County Sheriff	3,116.20
Lee Sherry	Mileage, Meals, County Extension	110.07
Stratton, DeLay, Doele, Carlson & Buettner, P.C., L.L.O.	Legal Services, County Court	183.70
Michelle Sullivan	Training, Juvenile Diversion	200.00
Donald Svitak	Publication, Noxious Weed	10.70
T.O. Haas Tire	Tires, County Sheriff	728.26
Toshiba	Copier Lease, Probation	475.00
Trane US Inc.	Maintenance Agreement, Courthouse	537.50
David Uher	Legal Services, District Court	873.30
Dave Unkel	Mileage, County Extension	9.99
US Bank Corporate Payment System	Fuel, Juvenile Diversion	58.86
US Bank Corporate Payment System	Fuel, Equipment, Dues, Uniforms, County Sheriff	1,334.60
Verizon Wireless	Telephone Service, Courthouse	33.15
Verizon Wireless	Telephone Service, County Extension	179.38
Verizon Wireless	Telephone Service, Law Enforcement	85.72
West Payment Center	Subscription, Publication, County Attorney	1,189.55
Western Office Plus	Supplies, County Clerk	49.95
Western Office Plus	Supplies, Copier Maintenance, County Court	839.96
Western Office Plus	Supplies, County Sheriff	160.32
Why Try, L.L.C.	Publications, Probation	514.00
Jamie Young	Witness Fee, Law Enforcement	50.00

ROAD/BRIDGE FUND

Total Net Payroll		28,153.72
Advance Auto Parts	Parts	71.80
American Family Life Assurance Company	Insurance Premiums	251.80
Ameritas Life Insurance Corporation	Employee Share Retirement	1,686.26
Ameritas Life Insurance Corporation	Employer Share Retirement	2,529.20
Ameritas Life Insurance Corporation	Insurance Premiums	113.06
Battle Creek Farmer's Coop	Fuel	560.60
Black Hills Energy	Utilities	519.99
Blue Cross Blue Shield of Nebraska	Insurance Premiums	29,727.55
Bomgaars	Shop Supplies	570.41
Carquest Auto of Norfolk	Parts	20.15
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Connecting Point	Supplies	524.00
Constellation NewEnergy Gas Division, L.L.C.	Gas Service	2,017.14
Eisenmann Supplies Inc.	Parts	38.04
First Concord Benefits Group	Administrative Fees	489.54
Frisch Electric, L.L.C.	Services	130.73
Frontier	Telephone Services	146.87
Hotsy Equipment Company	Shop Supplies	164.40
Loup Power District	Utilities	120.34
Madison County Clerk	Tax Deposit	9,870.50
Madison County Treasurer	Insurance Reimbursement	21.97
Madison National Life	Insurance Premiums	41.00
Matteo Sand & Gravel Co. Inc.	Gravel	5,968.72
Menards	Shop Supplies	73.89

Nebraska Child Support Payment Center	Garnish of Wages	218.24
Nebraska Public Power District	Utilities	385.16
NMC Exchange LLC	Parts, Repairs	35,406.86
Pioneer Telephone	Telephone Services	61.64
Power Station	Parts	209.95
Powerplan	Parts	1,548.52
Stanley Petroleum Maintenance, Inc.	Repairs	549.80
Superior Lamp Inc.	Parts	259.07
Verizon Wireless	Telephone Services	265.95

FEDERAL AID SECONDARY FUND

Nucor Corporation	Right-of-way	20,000.00
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VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administrative Expense, Advertising	2,185.41
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DRUG TESTING FUND

Nebraska Public Health Environment Lab	Testing	98.00
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911 EMERGENCY FUND

Century Link	Telephone Service	975.12
Frontier	Telephone Service	160.41
Racom Corporation	Equipment	4,960.00

LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff Inmate Fund	Supplies, Subscription	194.24
Norfolk Daily News	Subscriptions	2,160.00

DRUG COURT FUND

On Call Employee Health	Testing	210.00
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Motion was made by Ohl and seconded by Klein to approve the claims as audited and authorize the County Clerk to issue checks for payment of said claims. Roll call vote: Ayes, Klein and Ohl. Absent, McCallum. Nays, none. Motion carried.

The Board adjourned at 10:18 A.M. to Tuesday, February 12, 2013 at 9:30 A.M.

County Clerk Nancy Scheer

Lee Klein, Chairman
County Board of Commissioners