

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

BOARD OF EQUALIZATION

Madison, Nebraska

February 7, 2017

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

Advance notice of meeting was published in the Thursday, February 2, 2017 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 Christian 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 Clerk Nancy Scheer, County Assessor Jeff Hackerott, and County Treasurer Donna Primrose.

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

Motion made by Schmidt and seconded by Prauner to approve the minutes of the January 10, 2017 meeting. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Prauner opened a public hearing at 9:01 A.M. to receive testimony regarding the following motor vehicle exemption applications:

Community Bible Church, 401 East Park Avenue, Norfolk	2011 Chevrolet Van
Faith Regional Health Services, 2700 West Norfolk Avenue, Norfolk	2014 Ford Truck, 2016 Isuzu Truck, 2016 Dodge Grand Caravan, 2012 Chrysler Car
Great Plains Annual Conference United Methodist Church, 406 West Phillip Ave., Norfolk	2011 Toyota Camry
Missionary Benedictine Sisters, 300 North 18th Street, Norfolk	2015 Chevrolet Impala, 2015 Toyota Camry, 2015 Dodge Grand Caravan, 2012 Ford Fusion, 2010 Ford Fusion, 2008 Chevrolet Malibu, 2008 Ford Escape, 2006 Dodge Caravan, 2005 Chevrolet Silverado, 2002 Chevrolet Impala, 2001 Dodge Caravan, 2000 Ford Taurus, 1989 Chevrolet Pickup
Norfolk Catholic School, 2300 West Madison Avenue, Norfolk	2010 Dodge Caravan, 2003 Chevrolet Van, 2005 Chevrolet Astro Van, 2012 Dodge Caravan, 2013 Dodge Caravan, 2002 Chevrolet Bus, 2006 International Bus, 2010 International Bus, 2014 H & H Trailer
Northeast Nebraska Community Action Partnership, PO Box 667, Pender	1997 Chevrolet Lumina, 2001 Dodge Caravan
Our Savior Lutheran Church, 2500 West Norfolk Avenue, Norfolk	2012 Ford Econoline Wagon Sport Van
Sacred Heart Church, 204 South 5th Street, Norfolk	2008 Chevrolet Pickup, 1980 Homemade Trailer
The Link, Inc., 1001 West Norfolk Avenue, Norfolk	2016 Ford Van
Wesley Center Inc., 500 West Phillip Avenue, Norfolk	2006 Ford Econoline Wagon, 2009 Ford Econoline Wagon

Chairman Ohl stated that the application of Wesley Center was tabled from a prior meeting because the Board members had questions regarding the nature of the business and how the vehicle is used. Michelle Lawson, Director of Wesley Center, was present during the hearing. She testified that the Wesley Center operates a child care and pre-school and the vehicles are used to transport children to and from school for parents who are can't provide transportation. She explained that they transport children in the morning to school and pick them up after school. She reported that the vehicles are also used for field trips. Commissioner Prauner asked how many vehicles are owned by Wesley Center and Ms. Lawson responded that the organization has three vehicles. Commissioner Schmidt asked if the Wesley Center is non-profit and Ms. Lawson responded that the Wesley Center is a non-profit 501(c)3 organization. Commissioner Prauner asked if a fee is charged to transport children to and from school and Ms. Lawson responded that a fee of \$2.50 per trip per child is charged to families who use the transportation service. She also reported that the vehicles are sometimes used to get groceries for the Wesley Center programs.

County Treasurer Donna Primrose reported that exemption applications have previously been approved by the Board for the other organizations.

No other public comments were received during the hearing. Chairman Ohl closed the hearing at 9:04 A.M.

A motion was made by Schmidt and seconded by Prauner to approve the motor vehicle exemption applications as submitted. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

#3207: CNH Capital America LLC, P.O. Box 802206, Dallas, Texas
Addition to the tax rolls in the amount of \$142.90 for correction to the 2016 personal property taxes when recovery depreciation was changed from a five year basis to a seven year basis

#3208: Sandra Hanke, 804 South Main Street, Madison
Addition to the tax rolls in the amount of \$13.10 for correction to the 2016 real estate taxes due to junking a mobile home that is used only for storage so it was added to the real estate

After discussion, a motion was made by Prauner and seconded by Schmidt to approve the foregoing tax list corrections as submitted. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board of Equalization adjourned at 9:06 A.M.

ATTEST:

County Clerk Nancy Scheer

Christian Ohl, Chairman
County Board of Equalization

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COMMISSIONERS PROCEEDINGS

Madison, Nebraska

February 7, 2017

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, February 2, 2017 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was provided to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

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

Present: Commissioners Christian Ohl, Jim Prauner, and Ron Schmidt, and County Clerk Nancy Scheer. Zoning Administrator Heather McWhorter was present until 9:42 A.M. County Highway Superintendent Richard Johnson was present until 10:55 A.M. Norfolk Daily News reporter Jerry Guenther, WJAG reporter Paul Hughes, and US92 reporter Michael Shively were present until 10:25 A.M.

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

- 1) Approval of minutes of the January 24, 2017 meeting
- 2) Award of contract to the low bidder, Paulsen, Inc., in the amount of \$807,910.60, for Project No. C-59-862, South Victory Road
- 3) Acknowledge receipt of the Continuation Certificate for the Official Bond of Betty Jane Froehlich as Clerk of Sanitary Improvement District #9
- 4) Authorization for County Board Chairman to execute an agreement with John and Elisabeth Krantz for renewal of lease for office space located in the Centrum at 123 North 4th Street in Norfolk for use by the Juvenile Accountability Unit
- 5)

RESOLUTION #2017-4

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:

FNMA	\$500,000.00	Union Bank & Trust Company
Rate 1.25%	Maturity 01/30/2017	Lincoln, Nebraska
Receipt Date: 12/19/2013	Cusip 3135G0GY3	

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

SLM Student Loan TR SRS 2006-1 B	\$500,000.00	Union Bank & Trust Company
Rate 0.00%	Maturity 01/25/2027	Lincoln, Nebraska
Receipt Date: 1/30/2017	Cusip 78442GRQ1	

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

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

Pursuant to published legal notice in the Wednesday, January 25, 2017 edition of The Norfolk Daily News, Chairman Prauner opened a public hearing at 9:32 A.M. to receive public comments regarding the application of Chris and Angie Sovereign for a Conditional Use Permit to operate a pick your own pumpkin patch and corn maze on property located in Section 12-23-2, which is located approximately 2 miles South and 3 miles West of the City of Norfolk on West South Airport Road.

Zoning Administrator Heather McWhorter reported that Mr. and Mrs. Sovereign would like to start a pumpkin patch and corn maze on property located Southwest of Norfolk. She explained that the Sovereigns will lease the land from Bob Werner with the hope of purchasing the property in the future. She reported that at the current time no buildings will be constructed, but tents and portable restroom facilities will be used. Ms. McWhorter stated that ingress, egress, and parking at the business was discussed during the Planning Commission meeting and that the application received unanimous approval from the Planning Commission. She explained that the business is permitted under the agri-tourism zoning regulations.

Chris and Angie Sovereign were present at the hearing. Mr. Sovereign reported that they live about 7½ miles North of Norfolk and they want to start a small business. Chairman Prauner asked if any additional driveways will be required and Mr. Sovereign responded that they plan to have one single lane entrance into the property from West South Airport Road and approximately 200 yards from the entrance will be a visible open exit, to alleviate any traffic congestion. He explained that the entrance is located on the East side of the property and traffic will funnel down to the parking area and the exit will be directly off the parking area. He stated that they plan to use 4½ to 5 acres for parking.

Chairman Prauner asked how long they estimate it will take to establish the business since there is already another similar business in the same location. Mr. Sovereign responded that they have two small children and there isn't anything to do around the time of year when the business would be open. He explained that they are aiming the operation towards younger children. He stated that they are talking to schools about having Friday as children's day so that children who are in day care, kindergarten, and pre-kindergarten could come out and be able to pick a pumpkin and enjoy a small corn maze that could be easily navigated.

Chairman Prauner asked if any animals would be part of the business and Mr. Sovereign responded that they don't plan to have animals at this time. Chairman Prauner asked if the conditional use permit would need to be changed if animals are added in the future and Ms. McWhorter responded that animals are allowed under agri-tourism regulations.

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Commissioner Schmidt asked when the business would be open and Mr. Sovereign responded that the first year they plan to operate the business on Friday, Saturday, and Sunday for five weeks starting with the last weekend in September and four weekends during the month of October. Commissioner Schmidt stated that during his travels through the state there are a number of pumpkin patch operations and they are very well attended on the weekend. Mrs. Sovereign reported that fall is their favorite time of the year. Mr. Sovereign stated that have gone to several pumpkin patches over the last couple years, including the pumpkin fest in Rapid City, South Dakota, and they have always grown pumpkins in their personal garden. He stated that this business is something they have wanted to do and when they moved back to the area he started developing a plan.

Chairman Prauner asked if they live close to the property and Mr. Sovereign responded that they live North of Norfolk; however, his uncle owns the property next to Bob Werner and they will be using a lot of his uncle's equipment for the pumpkin operation. Mr. Sovereign explained that Mr. Werner is very excited and will help out since he is retired from farming. He stated that Neal Acklie lives across the road from the operation and will plant the pumpkins and also offer assistance.

Commissioner Schmidt asked if they will be asking the County to assist with installing driveways and Mr. Sovereign responded that one driveway is already established and he plans to inquire at the Norfolk road shop if the spot where he wants to put a driveway will need a culvert. Mr. Sovereign explained that if a culvert is required, they may ask the County to install the culvert; however, if a culvert is not required, he will install a driveway.

Chairman Prauner stated that the main concern is traffic safety. Mr. Sovereign explained that the location where traffic will exit is located about 150 yards East of the four-way intersection. He said the operation is located along a nice asphalt road. Commissioner Ohl asked about their plan to work on a partnership in area schools. Mr. Sovereign explained that they are working with Battle Creek schools now because they don't want to invite every school and not be able to give them their full attention. Mrs. Sovereign reported that they plan to have private parties come out at certain times during the day so they can give the children a good experience.

Ms. McWhorter explained that the Sovereigns aren't planning to do any permanent structures initially in case the operation doesn't work out and it will be easy to return the property to farm ground. Commissioner Schmidt asked if there is a water well on the parcel and Mrs. Sovereign responded that water is available on the property, but it's not enough volume for irrigation. Mr. Sovereign explained that they will be hauling in water from the adjacent property for the pumpkins. He stated that corn grows fine on the property.

No one spoke in opposition to the conditional use permit.

Chairman Prauner closed the hearing at 9:41 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2017-5

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF MADISON, NEBRASKA UNDER AUTHORITY GRANTED BY THE MADISON COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

WHEREAS, a recommendation has been received from the Madison County Joint Planning Commission and

WHEREAS, notice of public hearing was published in the Saturday, January 7, 2017 edition of The Norfolk Daily News, and a public hearing was held by law.

WHEREAS, the Madison County Joint Planning Commission and the Madison County Board of Commissioners have established the following Statement of Finding of Facts:

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. Property is zoned A-1, Agriculture Intensive.
3. Land is currently leased with the possibility to purchase in the future.
4. Operation will be seasonal.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Chris and Angie Sovereign to operate a pick your own pumpkin patch and corn maze under Section 402 AG1 Agriculture Intensive, Permitted Conditional Uses on property described as:

The SW ¼ SW ¼ of Section 12, Township 23 North, Range 2 West of the 6th P.M., Madison County, Nebraska.

This Conditional Use Permit shall be subject to the following conditions in addition to those established with the Madison County Zoning and Subdivision regulations:

1. All buildings constructed in the future must have a Zoning Permit issued prior to construction.
2. A copy of the liability insurance must be given to the Zoning Administrator and this liability insurance shall be "in-force" during the annual operating period.
3. The Conditional Use Permit shall be for a period of ten years. Zoning Administrator must be notified 30 days prior to any transfer in ownership.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown on the Official Zoning Map of Madison County, previously adopted by reference, and said zoning map is hereby reincorporated as a part of the Madison County, Nebraska Zoning and Subdivision Resolution as amended.

Motion was made by Schmidt and seconded by Ohl that the foregoing resolution be adopted. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Pursuant to published legal notice in the Thursday, January 26, 2017 edition of the Norfolk Daily News, Chairman Prauner opened at public hearing at 9:48 A.M. to receive citizens' comments regarding the road construction program for 2017 and the six-year road improvement plan. Road District #1 foreman Don Eucker and citizens Myron Tiedtke and Roger Acklie attended the hearing.

County Highway Superintendent Richard Johnson reported that the County is required by State law to file a one and six year road improvement plan with the Board of Classifications and Standards prior to March 1st of each year. He explained that the plan outlines the projects to be completed in year one and proposals for the following five years. A map displayed during the hearing reflected the locations of the proposed projects.

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Mr. Johnson explained that in Road District #1, the one year plan includes 10 road projects and 9 structures. He reported that three bridges on the Madison-Stanton County line will all be replaced with culverts and they were approved for bridge match funds and are in various stages of being designed. He explained that last week he received the program agreement from the Nebraska Department of Roads and he requested several changes. He stated that the County will need to approve an interlocal agreement with Stanton County prior to approval of the program agreement, so hopefully this will be available at the next Board meeting. Mr. Johnson reported that another project in District #1 is located West of Newman Grove, which is one mile of asphalt overlay. He explained the Project No. 889 is the road past Big Country Auto which has significant damage, with approximately 2,000 feet in severe deterioration. He reported that they will take out the concrete, stabilize the subgrade, and replace with 8 inches of concrete. He stated that another project in District #1 is Project No. 817 which is approximately one-half mile of road along the West side of Agrex which will be 9 inch concrete. He reported that he is working through several design issues with the railroad located on one side of the road and a large power line on the other side. He explained that there are also several culvert and grading projects in District #1.

Mr. Johnson explained that District #2 has Project No. 810 along the county line which is Kaneb Road from Highway 81 to 1st Street and is under contract with Elkhorn Paving Company. He explained that the County will reclaim and mill the road, compact the asphalt millings, and then Elkhorn Paving will put 6 inches of concrete on top of this base. He reported that South Victory Road is another District #2 project and the contract was approved with Paulsen for 1.1 miles of concrete. He explained that they want to complete this project so that when the gravel pit opens, the road will handle the traffic. Mr. Johnson reported that another major project in District #2 is asphalt overlay on 839th Road from Hwy. 121 East 3 miles. He stated that Projects No. 800 and 801 are the federal aid emergency relief projects which are going into their 7th year. He explained that another project in the one year plan is concrete on Benjamin Avenue from Victory Road to Hwy. 35, which is in dire need of repair. He stated that this probably won't be started until next year because next month the City of Norfolk will close East Norfolk Avenue from 1st Street and he doesn't want to have both Norfolk and Benjamin Avenues closed at the same time because it will cause traffic problems. Mr. Johnson reported that Projects No. 894 and 895 are Eisenhower Avenue from 1st Street to the railroad tracks and also 1st Street from Eisenhower Avenue to Northeast Industrial Highway. Mr. Johnson stated that Project No. 895 has an overlay that is two or three years old and he suspects that Helena or OTC Pipe will want the road upgraded so they can get to Northeast Industrial Highway. He said he added this project so the County can be prepared because the estimated cost for both projects is approximately \$2 million since a bridge would need to be replaced, the railroad crossing would need to be upgraded with possibly arms or signals, and the road needs to be re-paved. He said that if the industries make a request for these improvements, the County will need to react quickly. He stated that the intersection of Northeast Industrial Highway would also be tight for turning trucks, so the County will look at this. Commissioner Schmidt stated that the intersection of Eisenhower Avenue turning onto 1st Street may also need to be improved. Mr. Johnson reported that the last project is two miles of Hadar Road with plans to leave the asphalt overlay in place and white top the road with a concrete overlay.

Mr. Johnson reported that District #3 has Project No. 853 by Hwy. 45 and Project No. 852 on 539th Road, which is the Meadow Grove Road. He explained that the County will mill the asphalt, pack the road bed, and then Elkhorn Paving Company will pave the road, followed by the County completing the shouldering work. He reported that Project No. 896 is one mile by the County line north of Meadow Grove. He stated that concrete is getting very competitive with asphalt even though it may be an inconvenience for the road to be closed longer when using concrete; however, concrete will last longer with less maintenance than asphalt; so, long term concrete can be more economical. He explained that the road West of Battle Creek past Producers Hybrids may need attention in the 6 year plan.

Mr. Johnson reported that last year another project consisting of two bridge replacements was submitted for the county bridge match funds. He stated that he may be able to submit more projects in June or July and he plans to look at packaging several projects to see if the County could obtain more funds. He explained that the bridge match program looks like it may be a good deal for the County. Commissioner Schmidt suggested talking to surrounding counties to determine if bridge replacement projects can be packaged together.

Mr. Johnson reported that the estimated cost for projects in the one year plan in District #1 is approximately \$1.9 million. He stated that projects in District #2 total approximately \$4.7 million, which includes Benjamin Avenue, Eisenhower Avenue, and 1st Street projects which probably won't all be completed in the one year plan and may reduce the cost by about \$3 million. He reported that projects in District #3 in the one year plan total approximately \$2 million. He stated that he wants to review the budget to determine what funds are available in this fiscal year since there are three carry over projects from last year that should be paid from this current fiscal year budget. He said that the costs for some of the new projects may need to be extended into the next fiscal year.

Commissioner Ohl asked if parts of projects need to be delayed to stay within the budget or if terms of payment need to be included in agreements to accommodate the budget. Mr. Johnson responded that he needs to review the budget to determine what funds are currently available and then try to plan so that the County can pay for as much from the current fiscal year as possible. He said that the Board needs to also consider keeping the levy stable. He stated that payment could be delayed on projects, or the project may need to be delayed. Commissioner Schmidt stated that a subject that is not popular is bonding some of the costs because some of the projects are overdue and need to be completed. Mr. Johnson reported that the County has approximately \$2 million of bonded debt, mostly for costs associated with Northeast Industrial Highway. Commissioner Ohl stated that the Board doesn't like to carry forward debt, but rates are currently incredibly low and in some cases inflation can be gaining faster than the cost of the interest. Commissioner Schmidt stated that it's a difficult decision to issue bonds; however, when taxpayers see roads being repaired they see how their tax money is being spent. Chairman Prauner stated that President Trump is talking about sending funds to local governments.

Myron Tiedtke reported that 540th Avenue going east of the City of Battle Creek is in bad shape. Chairman Prauner asked if Road District #2 employees have been grading and graveling this road because the road had holes and rough areas the last time he drove it.

No one expressed opposition to the proposed one and six year road plan. Chairman Prauner closed the hearing at 10:09 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2017-6

WHEREAS, pursuant to published legal notice, public hearing on the one year and six year Road Improvement Programs for Madison County was held, and

WHEREAS, Richard C. Johnson, Madison County Highway Superintendent has presented the one year and six year Road Programs, and

WHEREAS, said Road Programs, as presented, have been given due consideration,

NOW, THEREFORE, BE IT RESOLVED, that the one year Road Program and the six year Road Program, as presented, are hereby accepted.

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Motion was made by Ohl and seconded by Schmidt that the foregoing resolution be adopted. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Matthew Nelson was present for discussion on his application to serve as manager of Norfolk Country Club. Mr. Nelson reported that he has been in the hospitality business for 23 years and worked some time with Wells Fargo prior to coming to Norfolk. He stated that has been working at Norfolk Country Club since April 2016.

Commissioner Schmdit asked what his duties are as manager of Norfolk Country Club. Mr. Nelson responded that he manages the club house, restaurant, membership, swimming pool, golf pro memberships, and the liquor license. He reported that they have a superintendent who oversees the golf course. Chairman Prauner asked if entertainment and bands come to the Norfolk Country Club and Mr. Nelson responded that occasionally they have entertainment. Mr. Nelson reported that the State girls and boys golf tournaments were held at the Norfolk Country Club golf course. He explained that one stipulation during the State golf tournaments is that alcoholic beverages can't be sold.

Chairman Prauner asked if the restaurant is open all the time and Mr. Nelson responded that during the winter months the restaurant is open on Wednesday, Thursday, Friday, and Saturday; but, during the golf season the restaurant is closed on Sunday and Monday. Commissioner Schmidt asked if anyone can eat at the restaurant or if it was limited to members and Mr. Nelson responded that the restaurant is open to members; however, he would invite and welcome anyone to try the restaurant. Chairman Prauner asked how many people are employed by Norfolk Country Club and Mr. Nelson responded that 12 employees work during the winter months and about 20 employee work during the busy season. Chairman Prauner asked how many members belong to the Norfolk Country Club and Mr. Nelson responded that there are 183 golf members and 250 total members.

County Clerk Nancy Scheer read an incident narrative from Investigator Michael Bowersox which reflected that a background investigation was conducted and there appears to be nothing in the examination that would suggest a reason for denying the manager application of Matthew Nelson as requested.

Motion was made by Ohl and seconded by Schmidt to approve the application of Matthew Nelson to serve as manager of Norfolk Country Club. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) County Sheriff January, 2017 fee report
- 3) Clerk of the District Court January, 2017 fee report

Myron Tiedtke spoke under the public comments portion of the agenda. He stated that he has drainage issues and it seems like nothing gets done to change it. Commissioner Ohl asked if the problem stems from drain tiles that drain into the ditches. Mr. Tiedtke responded that the County built up the road west of his house and used clay and the clay washed down into the ditch and nothing grew for four years. He explained that the ditches filled up and he couldn't get anything to drain. Commissioner Ohl asked if the ditch in question is one that the County road crew dug out in the past. Commissioner Schmidt asked where the drainage problem is located and Chairman Prauner responded that the problem is on a road three miles East of Battle Creek. Mr. Tiedtke clarified that the drainage problem is located on 840th Road between 549th and 550th Roads. He explained that the water should drain through a culvert East and then North across to the river. He stated that he spoke to both Commissioners Ohl and Prauner. He asked if the County would dig out the ditch and Commissioner Ohl responded that he would take another look at it, but he couldn't make any promises. Mr. Tiedtke reported that road foreman Jeff Schroeder told him that the culvert is working, but it's not. He said that Mr. Schroeder also told him to call John Hrabanek because he's the one who screwed it up, but Mr. Hrabanek didn't mess it up since the clay caused the problem by washing down into the ditch. Chairman Prauner asked if the culvert was full and Mr. Tiedtke responded that nothing is in the culvert. Chairman Prauner asked if Mr. Johnson has ever talked to Mr. Tiedtke. Mr. Tiedtke stated that when Rod Hughes was a Commissioner he rode with Mr. Johnson to look at a culvert south of him. Mr. Johnson offered to look at Mr. Tiedtke's drainage issue.

Mr. Tiedtke reported that on 540th Avenue by Everett Tiedgen's property the tiles aren't draining because the ditch is plugged. Chairman Prauner stated that the ditch is filled up with reeds and the ditch is soaking up the road bed. Commissioner Schmidt asked if the culverts would need to be lowered on any of these projects. Mr. Tiedtke stated that if the ditch is cleaned out the water will flow through the culvert. He asked why a smaller culvert was installed. He said that when the County is working on a project, he stays out of the way. He said that he asked County employees where the old culvert that was removed was taken and no one would give him an answer. Chairman Prauner said that the old culvert should be in the county yard unless it was rusted and hauled in for scrap and Mr. Tiedtke responded that the culvert wasn't rusted and that he knows what happened to the culvert; but, it didn't go to the county yard. Chairman Prauner asked what size the old culvert was and Mr. Tiedtke said he could walk through it so it was probably 4 foot.

Mr. Tiedtke stated that when the road employees completed the overlay of the road past his driveway, they built up all the intersections and driveways except for his. He reported that he asked the road employee grading the road to remind Jeff Schroeder that his driveway needed to be fixed. He said that when the road crew was shouldering the road, he also talked to Jeff Schroeder who said that when they got time they would do it. He asked if the road crew was that busy that his driveway still wasn't fixed. He asked why the road crew would start an asphalt job right in the middle of someone's private driveway. He said that half of the driveway is 6 inches lower than the other half. Chairman Prauner asked Mr. Johnson to also look at the driveway since it is in the county's road right-of-way. Mr. Tiedtke reiterated that the road crew fixed everyone else's driveway except his.

Mr. Tiedtke reported that he read in the newspaper that the Elkhorn River bank was going to be stabilized. He said that this year the river took more ground than is left between the road and the river and the County will lose two roads and the Ray Bridge if something isn't done about stabilizing the river bank. Chairman Prauner responded that the County is working with the Natural Resources District and businesses and taxpayers will also assist with the cost of the project. He stated that the plan was to take a backhoe out and drop in concrete to save the road. Mr. Tiedtke stated that he tracked the amount of damage and the river took an average of 21 foot per day for a number of days. Chairman Prauner reported that the same problem occurred North of Tilden. He said that there are so many projects that the County doesn't know where to start. Commissioner Ohl reported that he kept track of the river on a regular basis and unfortunately it would cost more to stop the river than to re-build a road.

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Chairman Prauner reported that he wants to see if plastic fence inserted into the river would stop some of the bank erosion. He said that if there is a big flood like 2010, the entire fence would be washed out. Mr. Tiedtke stated that he doesn't want to see two roads and a bridge destroyed from further bank deterioration. Commissioner Schmidt stated that working with the Army Corp of Engineers is difficult and delays projects. He said that when concrete is used for river bank stabilization, there can't be any rebar and it can't be placed directly into the river. Chairman Prauner reported that the County has been working with the Corp for seven years on the emergency bridge projects. He said common sense would say that you could drop rip rap along the bank for stabilization, but the Corp requested that a hole be dug 50 feet back where the rip rap could be dropped, so more ground would fall into the river. He said eventually an expansion would need to be added to the bridge to cover the extra length.

Chairman Prauner directed County Highway Superintendent Richard Johnson to contact Myron Tiedtke to review the projects he discussed at the meeting. No further action was taken.

The following claims were audited:

GENERAL FUND		
Total Net Payroll		145,452.36
Mark D. Albin	Legal Services, County Court	2,720.57
Ronald J. Albin	Legal Services, County Court	427.32
American Family Life Assurance Co.	Insurance Premiums	1,109.10
Appeara	Mat Service, Public Defenders	29.91
Associated Psychologists & Counselors LLC	Medical Evaluation, Public Defender	600.00
Addison Beck	Mileage, Community Based Grant	45.48
Black Hills Energy	Gas Services, Zoning Department	25.68
Black Hills Energy	Gas Services, Noxious Weed	25.67
Black Hills Energy	Gas Services, Veterans Service	72.15
Blue Cross Blue Shield of Nebraska	Insurance Premiums	130,898.08
Bob Barker Company Inc.	Supplies, County Jail	342.84
Bomgaars Supply	Supplies, Courthouse	13.97
Bomgaars Supply	Supplies, Noxious Weeds	2.58
Bessie Bove	Prior Services, Courthouse	12.00
Brandl Electric	Repairs, Courthouse	150.00
John Buck	Contract Services, Community Based Grant	86.25
Canham Maytag	Repairs, County Jail	399.94
Carney Law, PC	Legal Services, District Court	1,290.50
Carney Law, PC	Legal Services, County Court	3,936.76
CBM Managed Services	Meals, County Jail	7,490.96
Champs	Maintenance Contract, County Jail	2,166.00
City of Madison	Utilities Service, Courthouse	2,164.79
City of Norfolk	Emergency Management Costs	22,714.00
City of Norfolk	Utilities, Courthouse	36.76
Clerk of the Supreme Court	Filing Fees, District Court	126.00
Colonial Life and Accident Insurance	Insurance Premiums	284.98
Connecting Point	Supplies, County Clerk	112.00
Connecting Point	Supplies, County Sheriff	19.99
Connecting Point	Equipment, County Attorney	650.00
Connecting Point	Equipment, Probation Office	5,376.40
Connecting Point	Web Hosting, Contract Services, Courthouse	1,112.98
Constellation Newenergy	Utilities, Zoning Department	51.00
Constellation Newenergy	Utilities, Courthouse	1,135.26
Constellation Newenergy	Utilities, County Jail	1,997.94
Constellation Newenergy	Utilities, Noxious Weeds	51.00
Constellation Newenergy	Utilities, Veterans Service	144.00
Karen Coolidge	Tutoring, Community Based Grant	55.00
Copycraft Printing	Clothing, County Jail	93.85
Cuming County Clerk	Contract Services, Community Based Grant	1,279.92
Custom Cage	Equipment, County Sheriff	740.00
DAS State Accounting	Telephone Service, Zoning Department	25.73
DAS State Accounting	Teletype Service, County Sheriff	262.29
DAS State Accounting	Telephone Service, Law Enforcement	43.40
DAS State Accounting	Teletype Service, County Jail	441.71
DAS State Accounting	Telephone Service, Noxious Weed	25.74
DAS State Accounting	Telephone Service, Veterans Service	65.71
Douglas County Sheriff	Civil Processing Fees, County Court	20.14
Douglas County Treasurer	Autopsy Fees, Law Enforcement	500.00
Eakes Office Solutions	Supplies, County Treasurer	161.10
Eakes Office Solutions	Supplies, County Assessor	72.76
Eakes Office Solutions	Supplies, Zoning Department	10.75
Eakes Office Solutions	Supplies, County Court	248.73
Eakes Office Solutions	Supplies, County Sheriff	81.98
Eakes Office Solutions	Supplies, County Jail	349.38
Eakes Office Solutions	Supplies, Copier Maintenance, Probation Office	1,705.70
Eakes Office Solutions	Supplies, Noxious Weeds	10.74

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Eakes Office Solutions	Supplies, Veterans Service Office	82.47
Egley, Fullner, Montag and Hockabout	Legal Services, District Court	1,123.95
Ewalt Law Office PC, LLO	Legal Services, County Court	663.00
Field's Hardware	Supplies, Public Defender	12.98
Field's Hardware	Supplies, County Jail	27.45
First Concord Benefits Group	Administration Fees, Flex Plan, Deductible Buy Down	6,389.64
Fitzgerald, Vetter, Temple & Bartell	Legal Services, District Court	1,031.46
Fitzgerald, Vetter, Temple & Bartell	Legal Services, County Court	835.08
Floor Maintenance and Paper Supply	Supplies, Courthouse	844.09
Frontier	Telephone Service, Courthouse	1,040.88
Futureware Distributing Inc.	Supplies, Courthouse	17.24
Galls/Quartermaster	Supplies, County Sheriff	380.50
Galls/Quartermaster	Clothing, County Jail	36.27
Yvonne Gerrard Cleaning Services	Cleaning Services, Probation Office	675.00
Good Life Counseling	Counseling Services, Law Enforcement	266.05
Curt Guenther	Tutoring, Community Based Grant	55.00
Interstate All Battery Center	Supplies, County Sheriff	59.20
Jack's Uniforms & Equipment	Clothing, County Sheriff	226.79
Jewell & Collins	Legal Services, County Court	3,768.75
Joseph Law Office	Legal Services, County Court	1,038.85
Matthew Kiernan	Mileage, County Attorney	83.99
Kustom Signals Inc.	Repairs, County Sheriff	56.00
Lancaster County Sheriff	Civil Processing Fees, District Court	37.14
Madison County Clerk	Tax Deposit, Retirement	80,488.75
Madison County Clerk of District Court	Filing Fees, District Court	1,380.00
Madison County Court	Court Costs, County Court	1,972.00
Madison County Sheriff Inmate Fund	Supplies, County Jail	17.00
Madison County Sheriff	Civil Process Fees, County Court	569.55
Madison County Sheriff	Civil Process Fees, District Court	1,260.34
Madison County Sheriff	Civil Process Fees, Mental Health	27.61
Madison National Life Insurance Co Inc	Insurance Premiums	149.22
Manatron, Inc.	Annual Licensing & Support, County Assessor	10,518.29
Mike Mapel	Contract Services, Community Based Grant	15.00
James Marshall	Tutoring, Community Based Grant	135.00
Dustin Martin	Contract Service, Community Based Grant	78.75
Benjamin McBride	Contract Services, Mileage, Community Based Grant	104.04
Microfilm Imaging Systems, Inc.	Equipment Rental, County Court	218.00
Mimick Motor Company	Repairs, County Sheriff	89.92
MIPS Inc.	Supplies, County Clerk	182.60
Pamela Nathan	Notary Fee, County Court	80.00
National Enterprise Systems	Garnishment of Wages	214.55
Nationwide Retirement Solutions	Deferred Compensation	2,205.00
Nebraska Child Support Payment Center	Garnishment of Wages	200.00
Nebraska Public Power District	Utilities, Zoning Department	113.04
Nebraska Public Power District	Utilities, Noxious Weeds	369.26
Nebraska Public Power District	Utilities, Veterans Service Office	43.52
Norfolk Auto Center	Repairs, County Sheriff	42.68
Norfolk Daily News	Publication Costs	657.24
One Office Solution	Copier Maintenance, Supplies, County Clerk	465.48
One Office Solution	Copier Maintenance, County Assessor	51.74
One Office Solution	Supplies, County Court	204.95
One Office Solution	Supplies, Public Defender	155.54
One Office Solution	Supplies, County Sheriff	53.77
Megan Osler	Mileage, Public Defender	229.52
Patricia Peterson	Tutoring Services, Community Based Grant	85.00
Physicians Laboratory, PC	Autopsy Fees, Law Enforcement	1,408.00
Susan Pohlman	Tutoring, Community Based Grant	240.00
Ramada Inn - Kearney	Lodging, County Jail	79.00
Reynoldsons	Fuel, Zoning Department	29.60
Reynoldsons	Fuel, Noxious Weed	81.54
Judy Schroeder	Prior Services Benefits, Courthouse	11.00
Security Shredding Services	Shredding Services, County Jail	280.00
Stratton, DeLay, Doele, Carlson & Buettner, PC, LLO	Legal Services, County Court	7,692.83
Michelle Sullivan	Mileage, Juvenile Accountability	164.61
The Zone	Contract Services, Community Based Grant	663.30
Thompson Reuters - West	Subscription, Public Defender	290.12
US Bank Corporate Payment System	Fuel, Software Support, County Sheriff	293.27
US Bank Corporate Payment System	Travel Expense, Dues, County Attorney	1,029.70
US Bank Corporate Payment System	Equipment, Juvenile Accountability	478.99
US Bank Corporate Payment System	Postage, Public Defender	206.50
Jessica Vaughn	Supplies, Veterans Service Office	67.75
Verizon Wireless	Telephone Services, Reappraisal	40.01

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Verizon Wireless	Telephone Services, Juvenile Accountability	67.47
Verizon Wireless	Telephone Services, Community Based Grant	243.02
Verizon Wireless	Internet Services, Courthouse	78.04
Vision Service Plan	Insurance Premiums	397.75
Irma Watt	Interpreter Services, Public Defender	176.77

ROAD/BRIDGE FUND

Total Net Payroll		30,152.44
American Family Life Assurance Company	Insurance Premiums	618.74
B's Enterprises Inc.	Parts, Grader Blades	828.80
Battle Creek Municipal Light & Power	Utilities	207.45
Bauer Built Tire	Repairs	5,196.80
Black Hill Energy	Utilities	388.88
Blackstrap Inc.	Road Salt	1,545.08
Blue Cross Blue Shield of Nebraska	Insurance Premiums	31,622.41
Bomgaars	Supplies	642.33
Carhart Lumber Company	Supplies	934.70
City of Madison	Utilities	616.01
City of Newman Grove	Utilities	61.00
City of Norfolk	Utilities	24.34
Colonial Life and Accident Insurance	Insurance Premiums	153.37
Connecting Point	Internet Service	15.00
Constellation Newenergy Gas Division, LLC	Gas Service	2,604.00
Courtesy Ford Lincoln Mercury	Parts, Oil	37.76
Dale R. Johnson Ent. Inc.	Gravel	2,325.97
DAS State Accounting	Telephone Service	24.24
Dinkel Implement Company	Equipment Rent	2,247.70
Eastern Nebraska Telephone Company	Telephone Service	52.11
Echo Group Inc.	Supplies	1,584.30
Electrical Engineering & Equipment Co.	Supplies	48.49
Engineered Specialties LLC	Parts	1,233.25
Fastenal Company	Supplies	38.65
Field's Hardware	Supplies	194.00
Filter Care of Nebraska LTD	Repairs	167.70
First Concord Benefits Group	Flex Plan, Administration Fees, Deductible Buy Down	890.94
Frontier	Telephone Service	178.53
GAK Trucking	Trucking Services	875.00
Green Line Equipment	Parts, Oil	119.35
Kelly Supply Company	Supplies	95.08
Ken's Trailer Sales & Repair	Parts, Oil	20.10
Madison County Clerk	Tax Deposit, Retirement	16,119.80
Madison National Life Insurance Co. Inc.	Insurance Premiums	37.76
Matheson Tri-Gas Inc.	Supplies	164.44
Matteo Sand & Gravel Co. Inc.	Gravel	1,632.96
Menards	Supplies	607.74
Nationwide Retirement Solutions	Deferred Compensation	235.00
Nebraska Child Support Payment Center	Garnish of Wages	243.24
Nebraska Harvestore Systems	Parts	385.17
Nebraska Public Power District	Electric Services	136.69
NMC Exchange L.L.C.	Parts, Repairs	3,592.60
Norfolk Specialties Inc.	Repairs	48.00
On Call - Norfolk	Medical Testing	125.00
Powerplan	Parts	96.97
Prime Sanitation	Garbage Services	53.75
Rise Broadband	Internet Service	124.09
Seals and Service Inc.	Parts, Repairs	299.90
Sioux City Tarp Inc.	Parts	5,822.18
Truck Center Company	Parts	36.99
Village of Meadow Grove	Utilities	70.00
Vision Service Plan	Insurance Premiums	68.10
Zoubek Oil Company Inc.	Oil	390.50

VISITORS PROMOTION FUND

Norfolk Area Visitor Bureau	Administration Fees	6,143.55
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VISITORS IMPROVEMENT FUND

Norfolk Area Visitor Bureau	Administration Fees	7,185.73
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CDBG #2

Northeast Nebraska Economic Development District	Administration Services	203.00
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MADISON COUNTY, NEBRASKA

	911 EMERGENCY FUND		
Century Link	Telephone Services		781.57
Frontier	Telephone Services		164.10
	LAW ENFORCEMENT OPERATING FUND		
Madison County Sheriff Inmate Fund	Supplies		2,688.25
	DRUG COURT FUND		
A Small Affair	Supplies		50.00
On Call Employee Health	Medical Testing		300.00

Motion was made by Ohl and seconded by Schmidt 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 11:36 A.M. to Wednesday, February 22, 2017 at 9:30 A.M.

ATTEST:

County Clerk Nancy Scheer

Jim Prauner, Chairman
County Board of Commissioners