BOARD OF EQUALIZATION

Madison, Nebraska February 12, 2013

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

Advance notice of meeting was published in the Thursday, February 7, 2012 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. Vice-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 Assessor Jeff Hackerott, County Treasurer Donna Primrose, and County Clerk Nancy Scheer.

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

Motion made by Ohl and seconded by Klein to approve the minutes of the January 2, 2013 meeting. Roll call vote: Ayes, Klein and Ohl. Absent, McCallum. Nays, none. Motion carried.

Vice-Chairman Klein opened a public hearing at 9:02 A.M. to receive testimony regarding the following motor vehicle exemption applications:

Christ is King Community Church, 715 West Madison Avenue, Norfolk	1999 Dodge Sport Van
Community Bible Church, 401 East Park Avenue, Norfolk	1992 Ford Eldorado Bus
Community Concern of Norfolk, 307 Prospect Avenue, Norfolk	2011 Dodge Sport Van
Countryside Home, 703 North Main Street, Madison	1999 Ford Bus
First Christian Church, 1408 East Benjamin Avenue, Norfolk	2000 Ford Econoline Van
Lutheran High Northeast, 2010 North 37th Street, Norfolk	2000 Setra Bus

Orphan Grain Train, Inc., P.O. Box 1466, Norfolk 1996 Ford Van, 2006 Haulmark Enclosed Trailer (2), 2000 Supreme Enclosed Trailer, 2011 Homemade Enclosed Trailer, 1973 Polar Tank Trailer, 1976 Great Dane Semi Trailer, 1979 STE Tank Trailer, 1983 Merrit Cattle Trailer, 1986 Reefer Utility Trailer, 1986 Ford Passenger Van, 1988 Ford Van Truck, 1989 Corn Grain Trailer, 1989 Ford Truck, 1992 Strick Van Trailer, 1993 Ford Pickup, 1993 Great Dane Semi Trailer, 1997 United Box Trailer, 1998 Cargomate Utility Trailer, 1999 D & K Gooseneck Trailer, 2001 Cargomate Utility Trailer, 2002 Cargomate Utility Trailer (2), 2003 Cargomate Utility Trailer, 2005 H & H Trailer, 2005 Dodge Quad Cab Pickup, 2006 S & W Gooseneck Trailer (2) , 2007 S & W Utility Trailer (5), 2008 Hammar Container Chassis, 2003 Chevrolet Pickup, 2008 Chevrolet Impala, 2011 Homemade Flatbed Trailer, 2008 Carry On Utility Trailer, 2006 Landoll Flatbed Trailer, 1989 Great Dane Semi Trailer, 2006 Shopmade Kitchen Trailer,

Our Savior Lutheran Church, 2500 West Norfolk Avenue, Norfolk	1997 Ford Bus
The Link, Inc., 1001 West Norfolk Avenue, Norfolk	2005 Dodge Van
United Methodist Church, P.O. Box 1283, Norfolk	2011 Toyota Camry Sedan
Wesley Center, Inc. Crisis Nursery, 500 West Phillip Avenue, Norfolk	2003 Dodge Van

County Treasurer Donna Primrose reported that all exemption applications were renewals. No public comments were received.

Vice-Chairman Klein closed the hearing at 9:03 A.M.

Motion made by Ohl and seconded by Klein to approve the motor vehicle exemption applications as submitted. Roll call vote: Ayes, Klein and Ohl. Absent, McCallum. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

#2834: Leon and Portia Becker, 3506 Portia Place, Norfolk
Deduction from the tax rolls in the amount of $546.90 for correction to the 2012 real estate taxes for deduction of a land split omitted due to a clerical error

#2835: Peterson-Becker Development, Inc., 3506 Portia Place, Norfolk
Addition to the tax rolls in the amount of $533.18 for correction to the 2012 real estate taxes for addition of a land split omitted due to a clerical error

#2836: Reliable Electric, P.O. Box 608, Norfolk
Deduction from the tax rolls in the amount of $38.44 for correction to the 2012 personal property taxes because equipment that was purchased in 2012 was added to the 2012 personal property schedule in error

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

The Board of Equalization adjourned at 9:05 A.M.

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County Clerk Nancy Scheer Board of Equalization Vice-Chairman Lee Klein

COMMISSIONERS PROCEEDINGS

Madison, Nebraska February 12, 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, February 7, 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, County Clerk Nancy Scheer, Norfolk Daily News reporter Jerry Guenther, and WJAG news reporter Paul Hughes. Noxious Weed Superintendent Don Svitak was present until 9:40 A.M. and Planning and Zoning Administrator John Johnson was present until 9:47 A.M.

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

1) Approval of minutes of the January 29, 2013 meeting
2) Approval of Wiese Living Trusts Lot Split Located in Section 29-21-3
3) Approval of agreements with the State of Nebraska Department of Roads for surveying services for Project Nos. DPS-35-3(107) and DPS-35-3(108)
4) Approval of HVAC service agreement with Trane U.S. Inc.
5) Authorization to negotiate a contract for appraisal services with United Farm and Management and a contract for review appraisal services with Ransom Roman for Northeast Industrial Highway, Phase 2
6) Authorization for County Board Chairman to execute a pre-agreement letter for the Northeast Industrial Highway Project Community Development Block Grant (CDBG) application
7) Authorization for County Board Chairman to execute the Statement of Assurance and Certifications for CDBG funds
8) Authorization for County Board Chairman to execute the Financial Management Certification for CDBG funds
9) RESOLUTION #2013-7
RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL
TO SIGN AN APPLICATION FOR CDBG FUNDS

WHEREAS, Madison County, Nebraska is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and

WHEREAS, Madison County is requesting $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, and

WHEREAS, the total project cost for Phase II is estimated to be $1,668,600, of which $505,000 is CDBG funds and $1,163,600 is matching funds provided by Madison County and the City of Norfolk, all of which will be utilized for 9" PCC paving, grading, culverts, and bridges for the construction of Northeast Industrial Highway Phase II, and

WHEREAS, Madison County and the City of Norfolk will leverage another $4,738,200 for Phase III construction, and

WHEREAS, this project will create 20 jobs of which 51% will benefit low to moderate income persons over 36 months, and

WHEREAS, all CDBG funds will be used for activities that will meet the CDBG national objective of benefiting low-to-moderate income persons and no persons will be displaced as a result of CDBG activities,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Nebraska that the Chairman be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between Madison County and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

10) RESOLUTION #2013-8
RESOLUTION TO ADOPT A POLICY OPPOSING DISCRIMINATION
IN THE ACQUISITION, OWNERSHIP, POSSESSION OR ENJOYMENT
OF HOUSING TO ASSIST AGGRIEVED PERSONS IN FILING
COMPLAINTS BY PROVIDING CERTAIN INFORMATION

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MADISON COUNTY NEBRASKA, THAT:

1. It shall be the policy of the Governing Body to oppose discriminating practices on the basis of race, color, religion, national origin, handicap, familial status or sex in the acquisition, ownership, possession or enjoyment of housing in accordance with the Nebraska Fair Housing Act and Article 1, Section 25 of the Constitution of the State of Nebraska; and
2. It shall be the policy of the Governing Body to provide information on the Nebraska Fair Housing Act and the Nebraska Equal Opportunity Commission to assist aggrieved persons in filing complaints regarding discriminatory housing practices.
3. Madison County hereby appoints the County Attorney as the local Fair Housing representative.

11) RESOLUTION #2013-9

WHEREAS, Midwest Bank, N.A., Pierce, Nebraska has pledged securities held in safekeeping by Midwest Independent Bank, Jefferson City, Missouri, to secure deposits of the County, and

WHEREAS, Midwest Bank, N.A., Pierce, Nebraska has requested that said securities be released,

NOW, THEREFORE, BE IT RESOLVED, that the withdrawal by Midwest Bank, N.A., Pierce, Nebraska of the following securities held in safekeeping by Midwest Independent Bank, Jefferson City, Missouri, is approved and said securities are hereby released:

YORK CNTY NEB SCH DIST #012	Midwest Independent Bank
Cusip: 986365DQ4	Jefferson City, Missouri
Receipt Date: 04/29/2010	Maturity Date: 12/15/2017
Receipt Number: JC44319	$250,000.00

12) RESOLUTION #2013-10

WHEREAS, much of eastern Nebraska consists of soils which are highly susceptible to erosion and stream degradation; and

WHEREAS, the erodible streambeds of eastern Nebraska are unstable and are widening due to degradation which results in damage to public and private infrastructure such as bridges, culverts, utility lines, loss of farmland, and

WHEREAS, The Hungry Canyon Alliance, Inc. is a coalition of counties in Iowa which was developed specifically to research and implement solutions to problem of stream channel erosion and degradation of western Iowa,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska would support a similar coalition of counties seeking County, State, and Federal funding sources to limit stream channel degradation in the impacted region of eastern Nebraska.

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 Saturday, February 2, 2013 edition of the Norfolk Daily News, Chairman Klein opened a public hearing at 9:32 A.M. to receive citizens' comments regarding the application of Scott Nelson to construct a house on less than 40 acres in Section 13-21-4.

Planning and Zoning Administrator John Johnson reported that Scott Nelson is buying the property from his grandfather and plans to build a house. He explained that Mr. Johnson has a hog unit located southwest of the subject property. He stated that the facts and proposed stipulations regarding the application are outlined in the proposed resolution and the Planning Commission recommended approval of the application.

The applicant, Scott Nelson, was present and stated that he currently lives in the City of Newman Grove with his wife, Kristin, and three sons. He reported that he farms with his dad and raises hogs on his grandfather's property. He explained that he wants to get back to the farm and build a house on the home place.

No other public comments were submitted during the hearing. Chairman Klein closed the public hearing at 9:34 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2013-11

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, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the 2003 Madison County Zoning and Subdivision Resolution and Legislative Bill 186 (1978).

Finding of Facts

1. The application is consistent with the Madison County Comprehensive Plan.
2. The application is consistent with the Madison County Zoning and Subdivision Regulations.
3. Mr. Nelson is purchasing this property from family.
4. Mr. Nelson is familiar with both the positives and negatives of living in the country.
5. Mr. Nelson grew up in this area.
6. Mr. Nelson operates a hog confinement approximately one quarter mile south and one quarter mile west.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a permanent Conditional Use Permit to Scott and Kristin Nelson for a single family dwelling on less than forty acres as per Section 402: AG1 Intensive Agricultural District, 2003 Madison County Zoning and Subdivision Resolution, on the following described land:

A tract of land lying wholly in the SW ¼ of the SW ¼ of Section 13, Township 21 North, Range 4 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows: commencing at the Southwest corner of said Section 13; thence North, on section line, on an assumed bearing of North 01 degree 52 minutes 00 seconds West 623.61 feet to the point of beginning; thence continuing North 01 degree 52 minutes 00 seconds West, on section line, 361.50 feet; thence North 88 degrees 08 minutes 00 seconds East 361.50 feet; thence South 01 degree 52 minutes 00 seconds East, parallel to section line, 361.50 feet; thence South 88 degrees 08 minutes 00 seconds West 361.50 feet to the point of beginning and containing 3.00 acres more or less.

NOW, THEREFORE, BE IT FURTHE RESOLVED, that the below listed conditions must be complied with by all current and future owners of the property described above and failure to comply with said conditions may result in forfeiture of this Conditional Use Permit.

1. This Conditional Use Permit allows a single family home on less than 40 acres.
2. This Conditional Use Permit is permanent and may be transferred between owners.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust and general nuisances. This does not, however, mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska.
4. A lot split must first be approved by the Madison County Board of Commissioners to delineate the desired property before this Conditional Use Permit can be acted upon further.
5. A copy of the signed permit must be recorded with the Madison County Register of Deeds office by Scott and Kristin Nelson or another owner of the property.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown as part of 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 Ohl and seconded by Klein that the foregoing resolution be adopted. 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 Nelson Family Trust's Lot Split located in Section 13-21-4. Roll call vote: Ayes, Klein and Ohl. Absent, McCallum. Nays, none. Motion carried.

Noxious Weed Superintendent/Responsible Charge person Don Svitak and County Attorney Joseph Smith were present to discuss right-of-way contracts for Project No. S479(2) and Project No. S221(7). County Attorney Joseph Smith explained that there were several right-of-way contracts approved by the County Commissioners in the mid-1960s, which weren't properly signed and filed. He reported that this situation creates a problem with current road projects that resulted from flood damage and are located north of Battle Creek and north of Meadow Grove. He recommended that Mr. Svitak contact the present landowners to inquire if they would re-execute the right-of-way documents. He explained that if the current owners would not execute right-of-way contracts, he would proceed with issuing quiet titles. Mr. Smith suggested mailing a letter to each landowner explaining that a right-of-way document was approved in the 1960s, however, the documents were not properly completed.

Chairman Klein stated that, in his opinion, this would be the proper method to use. He recommended that Mr. Svitak meet in person with the landowners to clearly explain the situation and answer questions so that the County could move ahead with the road projects.

County Attorney Joseph Smith stated that most citizens would likely cooperate.

Chairman Klein directed Noxious Weed Superintendent/Responsible Charge person Don Svitak to contact the affected landowners to re-execute right-of-way contracts for Project No. S479(2) and Project No. S221(7).

District Judge James Kube, District Judge Robert Ensz, County Sheriff Vern Hjorth, Chief Deputy Sheriff Mike Prather, Corrections Captain Terry Kotrous, County Attorney Joseph Smith, Register of Deeds Nancy Gross, County Assessor Jeff Hackerott, and County Treasurer Donna Primrose were present for discussion on courthouse security.

County Sheriff Vern Hjorth explained that several months ago the District Court Judges met with him regarding courthouse security concerns. He reported that he has been compiling a cost analysis on improving the courthouse and courtroom security from the current system to a total security system for the entire courthouse. He stated that full security would include the possibility of making the north parking lot available for public parking and the south parking lot designated as an employee parking lot. He explained that everyone coming into the courthouse would be required to enter through the north doors, with the exception of County employees. He further explained that scanning devices would be installed at the north entrance and everyone entering the building would go through security to monitor any types of knives or guns. Sheriff Hjorth explained that this system would make the entire courthouse more secure. He reported that he is in the process of obtaining quotes for new doors for the north and south entrances; however, he has not received these quotes. He reported that wiring costs for installing a keypad door on the south entrance would be $2,999 and the cost for a new scanning device would be $3,192. He explained that the scanning device he priced is an 18 zone scanning device that would reveal if someone has a pair of pliers or knife in a sock, shoe, or shirt pocket. He reported that this is the least expensive scanning device currently available. He stated that he is not opposed to anything that improves the courthouse security to the point that the employees feel safer.

Judge James Kube reported that two years ago he called the United States Marshals Service and had them complete a security inspection of the Courthouse. He stated that the U.S. Marshals Service issued a report and he presented the written report to the Board members. He explained that the two things listed in the report were a recommendation for a building security committee and having a screening before entering the Courthouse. Judge Kube applauded the Board for the improvements that have been made up to this date, with the plexi-glass installed in each office and the cameras on the outside of the building. He explained that we have gotten to a point in our society where it is important to have one security point coming into the Courthouse. He stated that it may be inconvenient and the Courthouse is not set up perfectly with regard to two parking lots; however, the parking lot on the north is big enough to handle the public and the south parking lot could handle the employees and a keypad door could be installed for an employee entrance. Judge Kube stated that it is extremely important to have everyone that comes into the Courthouse scanned. He stated that there is security now whenever there are high profile cases in the courtrooms and Sheriff Hjorth has indicated that whenever the judges want they can ask for a metal detector to be placed outside the doors to the courtrooms. He explained that high profile cases aren't always the ones that are the most volatile. He stated that domestic relations, protection order hearings, and divorce hearings are cases where emotions start to fly and there can be a lot of anger issues which can happen without any warnings. He explained that in December during Judge Ensz's criminal court day, a deputy sheriff removed a knife out of someone's back pocket in the courtroom. In addition, he stated that this also happened to him in Drug Court approximately four months ago, so these incidents do happen. Judge Kube explained that if someone comes into the Courthouse with a gun, even if something doesn't happen, the public would probably ask how in today's world someone could come into the Courthouse with a gun. He stated that most people think that the Courthouse is the most secure building in the county because that is where the Sheriff's Office is located and where most of the county does business. He stated that although it may be somewhat of an inconvenience for people to get used to and for the County to have an expense for additional security measures, in his opinion, it would be worth it in the long run because all it would take is one time for someone to get hurt or something happens, then dire circumstances would result.

Judge Kube reported that he contacted Columbus, Kearney, Grand Island, and Fremont to inquire about Courthouse security measures. He explained that all these counties have one form or another of security at the courthouse entrance. He reported that the most expensive security is at the Platte County Courthouse where a metal detector has been installed outside the courtrooms for the past decade. He explained that he spoke to the Platte County Sheriff who reported that during the past four to five years over 6,000 items have been confiscated, including knives, illegal drugs, and one firearm. Judge Kube reported that Platte County changed to courthouse screening in October 2012. He stated that the Platte County Sheriff advised that during the two month period of October and November 2012, over 24,000 people entered the Courthouse. He reported that Platte County was using three certified officers and the security upgrades, including hiring one full-time deputy, plus purchasing a scanner and metal detector, cost an estimated $76,000.

Judge Kube reported that Kearney has a scanner and a metal detector, which have been used since October 2011, and is manned by five part-time retired deputies who work about 10 hours each week at a rate of $15.00 per hour. He stated that he doesn't know how easy it would be for Madison County to get retired officers to perform the security functions, but it may be an option to use several retired officers. Judge Kube stated that Grand Island has a full-time certified officer and a civilian officer working security. He explained that civilian officers can't carry guns and don't have arrest authority; however, they have tasers. He reported that Grand Island has a metal detector where purses, bags, and briefcases are searched. Judge Kube stated that Fremont has the most lax system. He explained that he spoke with the County Sheriff who would like to have more security, but he is only allowed by the County to have courthouse screening 2½ days each week when either County Court or District Court is being held. He stated that none of the individuals handling security in Fremont are certified officers, but the security is contracted with civilian officers. He reported that Douglas, Lancaster, and Sarpy counties all have security measures, but they obviously have larger population; however, it is getting to the point in our society where this type of issue is a good idea. He explained that the Courthouse needs to be safe for both the people who work in it, but also for the people who use the Courthouse. He stated that people who use the Courthouse expect to be safe and to come here, do their business, and leave safely. Judge Kube stated that he spoke with Sheriff Hjorth about the inconvenience of having the screening occur at the north end of the Courthouse, which would require all the people who won't be utilizing the Court system to go to the south end of the building by going through people who are waiting for Court, which may not be a comfortable situation. He stated that knowing that all the people in the Courthouse have been screened and are not carrying knives or other weapons would make everyone in the Courthouse feel a little better. He stated that it just happens to be the world we live in at this time and, in his opinion, it is time for the County to do something about the security, especially when it is recommended by the United States Marshals Service.

Judge Robert Ensz stated that the only point he wants to make is that the judges feel relatively comfortable in the courtroom because generally there is a deputy sheriff available. He explained that if there is a matter that is not criminal the judges are asked if they want courtroom security. He stated that the security only takes place within the courtroom itself and generally the people are not screened before they enter the courtroom. He reported that Sheriff Hjorth has told the judges that they could have detectors outside the courtroom anytime that they want them. Judge Ensz stated that the concern he has is the public hallway where people walk through and even with a metal detector outside the courtroom for those matters that occur within the courtroom, there is nothing to prevent people from walking through the hallways without being screened. He stated that many times people in the hallways have high emotions due to domestic problems, protection orders, or problems with the County Assessor or County Treasurer's offices. He stated that without a screening device as people come into the Courthouse, there is no protection in the hallways. Judge Ensz stated that the U.S. Marshals Service has recognized that security is missing.

WJAG reporter Paul Hughes questioned where the screening and detectors come from for the high profile cases and Sheriff Hjorth responded that a mobile metal detector is set up when needed or requested by the judges. Sheriff Hjorth explained that he has not calculated any costs for staff and doesn't have all the quotes for equipment costs at this time. Judge Kube explained that the security check should include both a metal detector for people to walk through and also a scanner to scan bags. He reported that scanners can be expensive and may cost up to $35,000. He stated that some courthouses only have a metal detector and don't have scanners, but have an officer check each bag.

County Attorney Joseph Smith stated that $76,000 would be approximately 1½ to 2 county employees and the County has a hiring freeze. Chairman Klein stated that he sees both the good side and the cost side. He stated that anyone can go to the State Capitol and walk right into the Governor's office without going through a metal detector. In addition, he reported that when he worked in the Legislature the doors were locked prior to 7 A.M. and entry was gained by identifying yourself to a camera. He stated that in contrast, you can't make it into the Supreme Court without going through a metal detector. Judge Ensz stated that many years ago anyone could walk the hallways freely throughout the State Capitol, but you can't do that now.

Chairman Klein stated that everything has a cost, but so does having someone lose their life. He stated that the County Board needs to look at more costs and no decision would be made without all members of the Board present. He questioned if the State has ever offered a program to help with security. Judge Kube stated that he is not aware of any state program that would assist with costs.

Sheriff Hjorth stated that it wasn't very long ago that the costs for security was the responsibility of the State and then it was changed by the Legislature about 10 to 15 years ago so the burden of security was transferred to the counties. Judge Ensz reported that the State provided an inspection of courtrooms and advised what measures should be implemented, so they gave the County assistance, but nothing financial. Sheriff Hjorth stated that the Judges have the right to request a certain amount of security within the courtrooms.

Judge Kube reported that there was a shooting yesterday in a Delaware courthouse where a security system required screening before entering the courthouse. He explained that a gunman walked into the lobby ahead of the screening area and started shooting. He stated that this situation illustrates the type of society that we live in and the number of people who carry guns. Judge Ensz stated that the Delaware shooting was a domestic situation, which is traditionally the most volatile. He stated that criminal situations are different because people understand why they are in the courtroom even if it may be high profile.

Judge Kube stated that the situation with Mr. White's case in Antelope County where he got into a tractor and did some damage started with a protection order and another hearing on the protection order was scheduled a day or two after the incident happened. He explained that whatever issues were going on with Mr. White caused the incident.

Chairman Klein stated that they may need to look at adding a room onto the north entrance to alleviate a backup of people trying to get through the security point. Judge Kube stated that it is a lot faster to get into the Douglas County courthouse than it is to get onto a plane at Eppley Airport. He stated that when there are a lot of people and heavy traffic, there may be a waiting line and it may be a little inconvenient. In addition, he stated that people don't like change.

Chairman Klein stated that the law requires the County Commissioners to leave the door to the Board room open during public meetings. Judge Kube responded that if additional security measures are taken, the Commissioners would know that nobody is coming into the building with a gun and today the Board members don't know that.

Chairman Klein directed Sheriff Vern Hjorth to obtain total cost estimates for implementing additional security measures in the Courthouse. No further action was taken.

The following written reports and correspondence were reviewed:

1) County Clerk January fee report
2) Fund balance report
3) County Treasurer semi-annual report from July through December, 2012
4) Clerk of District Court January fee report
5) County Sheriff January fee report
6) Sale of surplus property report
7) Letter from Angle, Murphy & Campbell, P.C., L.L.O regarding SID #1 v. County Treasurer of Butler County, Nebraska etal

The following claims were audited:

GENERAL FUND

Total Net Payroll		117,787.40
Mark Albin	Legal Services, County Court	461.20
Ronald Albin	Legal Services, County Court	930.06
Albracht Disposal Service	Garbage Service, Public Defender	41.00
Albracht Disposal Service	Garbage Service, Courthouse	94.00
Albracht Disposal Service	Garbage Service, County Jail	155.00
American Family Life Assurance Company	Insurance Premiums	530.78
American Planning Association	Dues, Subscription, Planning and Zoning	407.50
Ameritas Life Insurance Corporation	Employee Share Retirement	7,892.75
Ameritas Life Insurance Corporation	Employer Share Retirement	11,552.07
Ameritas Life Insurance Corporation	Insurance Premiums	369.92
Appeara	Mat Services, Public Defender	77.10
Appeara	Mat Services, Courthouse	83.97
Aramark Correctional Services	Meals, County Jail	17,042.75
AS Central Services	Telephone Service, Planning and Zoning	20.98
AS Central Services	Telephone Service, County Sheriff	262.29
AS Central Services	Telephone Service, County Jail	441.71
AS Central Services	Telephone Service, Law Enforcement	39.00
AS Central Services	Telephone Service, Noxious Weed	20.98
AS Central Services	Telephone Service, Veterans' Service Office	56.13
AS Central Services Office of CIO	Data Processing Costs, County Clerk	48.25
AS Central Services Office of CIO	Data Processing Costs, County Treasurer	150.25
AS Central Services Office of CIO	Data Processing Costs, County Sheriff	32.00
Battle Creek Enterprise	Publication Costs, County Clerk	20.36
Black Hills Energy	Gas Service, Courthouse	535.79
Black Hills Energy	Gas Service, County Jail	609.66
Blue Cross Blue Shield of Nebraska	Insurance Premiums	958.89
Brady & Amy's	Fuel, County Sheriff	1,188.66
Clayton Bratcher	Witness Fees, District Court	20.00
Business Telecommunication System	Repairs, County Court	69.58
Business Telecommunication System	Repairs, District Court	69.59
CableOne	Internet Services, Courthouse	116.50
Champs Inc.	Maintenance Contract, County Jail	2,166.00
Checker Cab Company	Transportation Costs, Juvenile Diversion	47.10
Cibola County Sheriff	Service Fees, Law Enforcement	32.00
City of Madison	Utilities, Public Defender	467.03
City of Madison	Utilities, Courthouse	2,438.64
City of Madison	Utilities, County Jail	4,644.31
City of Norfolk	Utilities, Veterans' Service Office	33.51
Clerk of the Supreme Court	Postage, Public Defender	3.39
Clerk of the Supreme Court	Fees, District Court	125.00
Colonial Life and Accident Insurance	Insurance Premiums	247.46
Complete Floor Maintenance Company	Services, Probation	304.00
Connecting Point	Repairs, District Court	11.25
Connecting Point	Services, Software, County Sheriff	71.00
Connecting Point	Repairs, County Jail	217.00
Connecting Point	Internet Services, Repairs, Veterans' Service Office	334.95
Connecting Point	Internet Services, Planning and Zoning	16.00
Connecting Point	Contract Services, Website Costs, Storage, Courthouse	1,922.85
Consolidated Management Company	Meals, County Jail	190.25
Continental Research Corporation	Supplies, Courthouse	180.99
Copple, Rockey, McKeever & Schlecht, P.C., L.L.O.	Legal Services, District Court	8,585.77
Credit Management Services	Garnish of Wages	135.39
Culligan of Norfolk	Drinking Water Services, County Jail	113.65
Dick Day	Supplies, County Sheriff	10.69
Douglas County Court	Copies, Law Enforcement	7.50
Eakes Office Plus	Supplies, County Treasurer	103.98
Eakes Office Plus	Supplies, District Court	33.93
Eakes Office Plus	Supplies, County Court	1,033.66
Eakes Office Plus	Supplies, County Attorney	433.18
Eakes Office Plus	Supplies, Juvenile Diversion	134.73

Eakes Office Plus	Supplies, County Jail	98.94
Eakes Office Plus	Supplies, Probation	35.50
ECMC	Garnish of Wages	142.34
Elite Court Reporting Service, Inc.	Transcript, Law Enforcement	139.30
Entertainment Unlimited	Security Equipment, Courthouse	7,576.30
Enviromaster Inc.	Supplies, County Jail	42.00
Ewalt Law Office, P.C., L.L.O.	Legal Services, County Court	1,463.35
Field's Hardware	Supplies, Public Defender	74.44
Field's Hardware	Supplies, Courthouse	2.49
Field's Hardware	Supplies, County Jail	172.92
First Concord Benefits Group, L.L.C.	Administrative Fees, Deductible Buy Down	4,699.34
Floor Maintenance	Supplies, County Jail	128.38
Gall's Inc.	Uniforms, County Jail	462.41
Gordy's Towing & Repair	Repairs, County Sheriff	37.34
Graham Tire	Repairs, Planning and Zoning	129.95
Chelsey Hartner	Postage, Public Defender	82.89
International Association of Assessing Officers	Dues, County Assessor	175.00
Jack's Uniforms	Uniforms, County Sheriff	124.89
Jack's Uniforms	Uniforms, County Jail	105.90
Jerry's Sinclair	Repairs, County Sheriff	15.00
Nancy Jochum-Schramm	Transcript, Law Enforcement	916.50
John's Disposal	Garbage Service, Probation	55.00
John's Disposal	Garbage Service, Veterans' Service Office	10.06
John Johnson	Parking, Planning and Zoning	5.00
Jorgensen Law Office	Legal Services, County Court	6,194.50
Knock Out Specialties, Inc.	Supplies, County Sheriff	317.91
Dona Kratochvil	Uniforms, County Jail	101.00
Louderback Drug	Prescriptions, County Jail	533.94
Madison County Clerk	Tax Deposit	44,096.89
Madison County Clerk of District Court	Fees, District Court	832.00
Madison County Court	Court Costs, County Court	1,660.00
Madison County Sheriff Inmate Fund	Supplies, Equipment Rental, County Jail	263.56
Madison County Sheriff	Fees, County Court	4,103.72
Madison County Sheriff	Fees, District Court	1,520.99
Madison County Sheriff	Service Fees, Mental Health	22.23
Madison County Sheriff	Registrations, County Sheriff	235.00
Madison County Treasurer	Insurance Reimbursement	55.70
Madison National Life	Insurance Premiums	115.94
Amy Majchrowitz	Witness Fees, District Court	36.95
Major Refrigeration Company, Inc.	Repairs, County Jail	485.60
Marathon	Supplies, County Sheriff	251.00
Mead Lumber	Supplies, County Jail	100.00
Microfilm Imaging Systems, Inc.	Equipment Rental, County Clerk	45.00
Microfilm Imaging Systems, Inc.	Supplies, Register of Deeds	45.20
Microfilm Imaging Systems, Inc.	Equipment Rental, County Court	218.00
Microfilm Imaging Systems, Inc.	Equipment Rental, Law Enforcement	60.00
Microfilm Imaging Systems, Inc.	Equipment Rental, County Surveyor	45.00
Midwest Health Partners	Medical Services, County Jail	165.00
Midwest Plumbing and Heating	Repairs, County Jail	1,415.87
MIPS Inc.	Computer Support, County Clerk	559.23
MIPS Inc.	Computer Support, County Treasurer	1,073.38
Cory Moeller	Witness Fees, District Court	20.00
April Moore	Witness Fees, District Court	36.95
Elida Moore	Witness Fees, District Court	20.00
Nationwide Retirement Solutions	Deferred Compensation	905.00
Nebraska Child Support Payment Center	Garnish of Wages	276.92
Nebraska Planning and Zoning Association	Dues, Registration, Planning and Zoning	250.00
Norfolk Area Shopper	Publication Costs, Noxious Weed	68.64
Norfolk Daily News	Publication Costs, Courthouse	456.85
Norfolk Winair Company	Supplies, Courthouse	112.24
Northeast Medical Imaging, P.C.	Medical Services, County Jail	117.00
Northeast Nebraska Juvenile Services, Inc.	Annual Assessment	49,252.71
Northwest Electric, L.L.C.	Repairs, Courthouse	1,439.72
Mike O'Brien	Mileage, Juvenile Diversion	88.71
Michael Peterson	Mileage, County Court	6.08
Pizza Hut	Witness Meals, Law Enforcement	56.98
Postmaster	Box Rent, County Attorney	106.00
Redfield & Company, Inc.	Supplies, County Clerk	234.96
Redwood Toxicology Lab	Testing, Probation	372.00
Reserve Account	Postage, Courthouse	7,500.00
Reynoldson's Inc.	Fuel, Noxious Weed	93.92
Marjorie Schaffer	Mileage, Mental Health	33.90
Nancy Scheer	Postage, Election Commissioner	182.33
Schroeder Land Surveying	Services, County Surveyor	1,340.00
Scranton Supply & Floor Covering	Flooring, Courthouse	4,342.50
Secretary of State	Supplies, Election Commissioner	30.00
Short Stop	Fuel, County Sheriff	189.58

Stanley Slowik, Inc.	Training, County Sheriff	325.00
Michelle Sullivan	Mileage, Juvenile Diversion	74.00
T.O. Haas Tire	Repairs, County Sheriff	728.26
Target Bank Business Card Services	Supplies, County Sheriff	27.91
Telebeep	Equipment, County Jail	1,204.00
Trane US Inc.	Maintenance Agreement, Courthouse	4,179.61
U.S. District Court	Copies, Law Enforcement	19.00
David Uher	Legal Services, County Court	2,194.13
US Bank Corporate Payment System	Fuel, Uniforms, Equipment, County Sheriff	647.07
Kirk Van Pelt	Services, Juvenile Diversion	247.00
Verizon Wireless	Telephone Services, Planning and Zoning	288.65
Verizon Wireless	Telephone Services, County Sheriff	7,927.69
Verizon Wireless	Telephone Services, Reappraisal	40.01
Verizon Wireless	Telephone Services, Juvenile Diversion	113.79
Verizon Wireless	Telephone Services, Noxious Weeds	62.88
Western Office Technologies	Supplies, County Treasurer	451.12
Western Office Technologies	Supplies, Copier Maintenance, County Assessor	119.82
Western Office Technologies	Supplies, Planning and Zoning	50.39
Western Office Technologies	Supplies, Noxious Weed	18.50
Western Office Technologies	Supplies, Copier Maintenance, County Court	321.05
Western Office Technologies	Supplies, Public Defender	22.44
Western Office Technologies	Supplies, Repairs, County Sheriff	379.33
Western Office Technologies	Supplies, Copier Maintenance, County Attorney	335.28
Western Office Technologies	Supplies, County Jail	13.98
Western Office Technologies	Supplies, Veterans' Service Office	389.96
Jim Widhalm	Snow Removal, Veterans' Service Office	5.00
Zodiac Properties, L.L.C.	Rent, Probation	7,930.67

ROAD/BRIDGE FUND

Total Net Payroll		28,291.49
Advanced Fire & Safety Inc.	Shop Supplies, Equipment, Inspections	4,352.90
Albracht Disposal Service, Inc.	Garbage Service	40.00
American Family Life Assurance Company	Insurance Premiums	251.81
Ameritas Life Insurance Corporation	Employees Share Retirement	1,695.37
Ameritas Life Insurance Corporation	Employers Share Retirement	2,542.85
Ameritas Life Insurance Corporation	Insurance Premiums	113.06
Appeara	Towel Service	294.43
AS Central Services	Telephone Services	25.16
B's Enterprises Inc.	Signs	3,008.00
Battle Creek Farmer's Coop	Fuel	480.73
Battle Creek Municipal Light & Power	Utilities	229.80
Bauer Built Tire	Tire Repairs	58.50
Black Hills Energy	Gas Service	198.50
Blue Cross Blue Shield of Nebraska	Insurance Premiums	67.09
Brady & Amy's Inc.	Fuel	450.02
Carhart Lumber Company	Shop Supplies	967.44
City of Madison	Utilities	641.71
City of Newman Grove	Utilities	33.00
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Connecting Point	Services	16.00
Constellation Newenergy Gas Division LLC	Gas Service	3.35
Cornhusker International Trucks	Parts	71.29
Eakes Office Plus	Supplies	9.98
Eastern Nebraska Telephone	Telephone Service	49.73
Fields Hardware	Shop Supplies	40.01
Filter Care of Nebraska	Services	160.05
First Concord Benefits Group	Administrative Fees, Deductible Buy Down	1,442.87
Green Line Equipment	Parts, Equipment Rental	5,377.61
Dave Heggemeyer	Equipment	95.10
Island Supply Welding Co.	Shop Supplies	155.30
K & C Grain Inc.	Salt	1,670.88
Kelly Supply Company	Parts	131.33
LDI Chemical Sales Inc.	Shop Supplies	154.58
Logan Street Radiator L.L.C.	Repairs	1,222.00
M & M Farm Supply	Shop Supplies	25.50
Madison County Clerk	Tax Deposit	9,921.09
Madison National Life	Insurance Premiums	41.03
Matheson Tri-Gas Inc.	Shop Supplies	276.10
Meisinger Oil Company	Fuel	6,239.44
Menards	Shop Supplies	221.47
Nebraska Child Support Payment Center	Garnish of Wages	218.24
Nebraska Harvestore Systems	Parts	92.97
Nebraska Public Power District	Utilities	274.11
NMC Exchange LLC	Repairs	30,938.09
Norfolk Auto Supply Inc.	Parts	336.95
Norfolk NAPA	Parts	905.66

Pollard Pumping Inc.	Services	387.50
Powerplan	Parts	110.87
Prime Sanitation	Garbage Service	53.75
Red Bud Hardware Inc.	Shop Supplies	295.75
Reigle Implement Company, Inc.	Repairs	366.18
Reynoldson's Inc.	Fuel	203.05
Scheer's Ace Hardware	Shop Supplies	30.00
Seals and Service Inc.	Repairs	34.91
Sioux City Truck Sales Inc.	Parts	95.56
Rod Suckstorf	Fuel	1,000.96
Telebeep Wireless	Pager Services, Internet Services	141.96
The Pit Stop	Fuel	1,456.34
Truck Center of Norfolk	Parts	332.21
Vic's Engine Service Inc.	Repairs	30.98
Weldon Parts Inc.	Parts	76.35
Western Office Technologies	Supplies	20.95
White Star Oil Company	Fuel	163.88
Zee Medical	Shop Supplies	90.70
81 Auto Glass L.L.C.	Repairs	30.00

FEDERAL AID SECONDARY FUND

Elkhorn Rural Public Power District	Services	11,469.62

VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administrative Costs	2,988.65

VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Services, Dues, Advertising	545.20

911 EMERGENCY FUND

Business Telecommunications System	Services	134.00
Eastern Nebraska Telephone	Telephone Services	127.86

LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies	829.32

DRUG COURT FUND

A Small Affair	Supplies	30.00
Putters	Supplies	23.00

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 10:51 A.M. to Tuesday, February 26, 2013 at 9:30 A.M.

_____
County Clerk Nancy Scheer

_____
Lee Klein, Chairman
County Board of Commissioners