

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

February 20, 2019

The Board of County Commissioners of Madison County, Nebraska met in regular session at 9:30 A.M.

Advance notice of the meeting was published in the February 14, 2019 edition of The Norfolk Daily News. Copy of said notice was mailed to each Board member and affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Chairman Ron Schmidt called the meeting to order and notified the public of the posted copy of the Open Meetings Act, which was followed by a moment of silence and the Pledge of Allegiance to the flag of the United States of America. Present: Commissioners Christian Ohl, Ron Schmidt, and Troy Uhlir, and Deputy County Clerk Nancy Scheer. County Highway Superintendent Richard Johnson was presented until 11:15 A.M. County Sheriff Todd Volk and Deputy Sheriff Jon Downey were present until 9:50 A.M. Noxious Weed Superintendent Don Svitak was present from 9:40 A.M. to 10:35 A.M. Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronnfeldt were present until 10:45 A.M. County Attorney Joseph Smith was intermittently present during the meeting.

Motion was made by Ohl and seconded by Uhlir to remove agenda item #13 for adoption of Resolution #2019-11 from the consent agenda. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Commissioner Ohl read the following consent agenda items into this record:

- 1) Approval of the minutes of February 5, 2019
- 2) Acknowledge receipt of the Official Bond of Mary R. Honke as Interim Vice-President of Administrative Services for Northeast Community College
- 3) Authorization for County Board Chairman to sign the Victims of Crime Act (VOCA) grant applications for 2019-2020 fiscal year
- 4) Approved appointment of Jim Prauner to serve a 3-year term on the Madison County Joint Planning Commission with said term to expire in February, 2022
- 5) Authorization to reimburse Travis Amen \$30.00 per month for use of personal cell phone for County business
- 6)

RESOLUTION #2019-12
SIGNING OF THE PROJECT PROGRAM AGREEMENT – BL1920
Madison County

WHEREAS, Madison County is proposing a transportation project for which it would like to obtain County Bridge Match funds;
WHEREAS, Madison County understands that it must strictly follow all State and local laws, rules, regulations, policies and guidelines applicable to the funding of the project; and

WHEREAS, Madison County and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the project.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Madison County that Ronald Schmidt, Chairman of the Madison County Board of Commissioners, is hereby authorized to sign the attached Project Program Agreement between Madison County and the NDOT.

BE IT FURTHER RESOLVED that Madison County is committed to providing local funds for the project as required by the Project Program Agreement:

NDOR Project Number: STWD-CBMP(3)
NDOR Control Number: 00974B
CBMP Control Number: 0097B(u)
NDOR Project Name: County Bridge Match Program

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

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

Chairman Schmidt requested discussion on the contract award for Project No. ER-2815(3), Battle Creek North. County Highway Superintendent Richard Johnson explained that the County is responsible for paying 20% of the project costs. He reported that to date Madison County has paid \$25,529.00, and another \$8,300.00 is owed to the State of Nebraska. He stated that the County's share of the estimated construction costs, based upon the bid, would be \$180,000.00, and the County's share of the estimated construction engineering cost is \$21,600.00, for a balance of \$209,900.00 owed by the County. He stated that upon completion of the project, the total cost to the County would be \$235,429.00.

Chairman Schmidt explained that he was concerned about section 1 of the resolution which states that if for any reason the Federal Highway Administration rescinds its obligations, the County agrees to provide the necessary funds to pay for all costs incurred. Mr. Johnson reported that the bids were significantly over the estimate and his first thought was to reject all bids and re-bid the project; however, he spoke with several contractors who advised that re-bidding the project would not result in any better bid prices. He explained that another option would be that the Commissioners decide not to proceed with the project. He said that if the County abandons the project, the State would bill the County for approximately \$150,000.00 or \$160,000.00 because the original program agreement said that if the County terminated the agreement, the County would be billed for the funds spent by the State on the project. He explained that another negative aspect of abandoning the project would be that no funding would be approved for any future damage if another flood occurs in the same area with the same type of damage since the County had this opportunity to fix the damage with federal funds. He explained that he reviewed previous agreements on this project and similar wording is included in a program agreement that was signed several years ago. Mr. Johnson reported that he spoke to the State multiple times on this project and essentially the State makes a decision on whether federal funds are spent; so, as long as all rules for this project are followed there shouldn't be any problems with obtaining the necessary funding.

Norfolk Daily News reporter Jerry Guenther asked what type of situations would cause the State to rescind the funding for the project. Mr. Johnson replied that funds for the project are appropriated; but, if the County didn't follow the rules for obtaining right-of-way, or discriminated against someone, that may jeopardize the funding. Mr. Johnson reported that the State obtained the right-of-way for this project so this should not cause any issues. He said that the County is required to have a drug free workplace policy, so if the County didn't have this policy, it may cause a problem. He explained that the project includes stabilization of the river bank, work on the bridge, and overlaying the road approaching the bridge.

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Commissioner Ohl stated that the County will need to take a close look at any future projects which may be similar to this one. He said that this project could have been completed more quickly and at a reduced cost if the County simply took care of the repairs. Mr. Johnson explained that once a disaster is declared the County has six months to make repairs to be eligible from reimbursement. He said that the County had to argue for including the bank stabilization portion in the project. He explained that once the resolution is signed, the State will award the contract and send a bill for the portion of the project that the County must pay. He stated that this project is the final one in Madison County associated with the 2010 flood.

After discussion, the following resolution was adopted:

RESOLUTION #2019-11

WHEREAS, there has been signed by the County of Madison on the 8th day of November, 2011, and the State on the 14th day of November, 2011, an agreement providing for the construction of a Federal Aid County Project at the following location: Battle Creek North; and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as ER-2915(3), and

WHEREAS, the above mentioned agreement provided that the County will pay costs as set forth in the agreement, and

WHEREAS, the State, on behalf of the County received bids for the construction of this project based on the final plans and specifications on February 7, 2019 at which time 2 bids were received for the construction of this proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

M. E. Collins Contracting Company, Inc., Wahoo, Nebraska 68066-03383

Grading, Seeding, Bridge at Station 53+24.00, Bituminous, General Items: \$900,576.82

NOW, THEREFORE, in consideration of the above facts, the Board of Commissioners of the County of Madison, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Board hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Board hereby approves of the final plans and specifications that were used in the bidding process for this project.
4. The Board hereby authorizes the Chairman to sign the contract(s) with the above mentioned contractor(s) for the above mentioned work on behalf of the County.

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

County Sheriff Todd Volk and Deputy Sheriff Jon Downey appeared before the Board to discuss equipment requirements for Stealth Broadband telephone line installation. Deputy Sheriff Jon Downey apologized if he seemed abrasive at recent meetings and said that he would do his best to temper himself. He reported that Stealth Broadband installed a fiber line to the Courthouse on February 18th. He explained that Stealth Broadband contacted him several weeks ago and said that the County has two options regarding equipment. He stated that the first option is re-using some of the equipment currently being used by the County. He said that when the redundant line is installed the current equipment will work fine; however, using only one piece of equipment will not give the County redundancy if that equipment fails. He explained that Stealth Broadband recommended replacing current equipment with two pieces of new equipment which would communicate with each other. He reported that if one line was cut, the equipment would automatically switch over to the other equipment to provide redundancy. Mr. Downey said that he is the contact person for a portion of this project and he questioned how much leeway he has in making decisions so he doesn't need to come to the Commissioners at each meeting. He said that the new equipment for redundancy costs between \$2,000.00 and \$3,000.00. He explained that the Sheriff's office and Dispatch Center are the most critical offices for telephone service, especially on the weekends, and Sheriff Volk is willing to pay for a portion of the expense from his budgets; but, he needs approval from the Commissioners to make future decisions on the project.

Chairman Schmidt suggested purchasing two new pieces of equipment instead of installing a new piece of equipment to work with old equipment. Deputy Downey clarified that his recommendation is to purchase two new pieces of equipment. He explained that new equipment will provide total redundancy for the County. Commissioner Ohl clarified that the County will have redundant lines, but ultimately if a piece of County owned equipment fails, the new equipment will provide redundancy.

Deputy Downey explained that on the lowest end, redundancy would not be automatic which would require someone to switch to other equipment. He said that this would not be ideal because someone would need to notice that the lines are down. He recommended total redundancy with the equipment automatic switching in case of failure.

Chairman Schmidt asked if funds were set aside for a new telephone system. Deputy County Clerk Nancy Scheer responded that \$75,000.00 is included in the Capital Acquisitions budget for replacement of the Courthouse telephone system. Commissioner Uhlir suggested paying the costs of the Stealth Broadband project from these funds. Chairman Schmidt asked what the advantages or disadvantages are of paying for the costs from the same or different budgets. Deputy County Clerk Nancy Scheer replied that paying the costs from the Capital Acquisitions budget would allow the County to use the expense as a lid exception, which is advantageous. She explained that it is easier to track the lid exceptions if the expenses are paid from the Capital Acquisitions budget.

Chairman Schmidt asked if the Board wants to authorize Mr. Downey to proceed with spending up to a certain amount instead of coming to the Board before purchasing every item. County Highway Superintendent Richard Johnson explained that the amount of money which can be spent is outlined in the County Purchasing Act which is a maximum of \$20,000.00 without bidding. Commissioner Ohl questioned if authorizing expenses up to \$2,000.00 per item would be adequate with notification of expenditures to the Commissioners. Deputy Downey suggested a maximum amount of \$4,000.00 to allow some leeway.

Chairman Schmidt asked if Deputy Downey would stay in contact with one of the Commissioners regarding the progress of the project and Mr. Downey replied that he would be glad to keep the Commissioners informed. Chairman Schmidt stated that since no one knows the cost of items associated with this project, the project would be streamlined if Mr. Downey is authorized to oversee the project and work with one Board member. Commissioner Uhlir stated that he would work with Deputy Downey on the Stealth Broadband project. Deputy Downey stated that he has plenty of work to do and doesn't need to take over the project; but, this project directly impacts the Sheriff's office. Chairman Schmidt said that he is comfortable with setting a \$4,000.00 limit; however, he requested Deputy Downey to work with a Commissioner to get the project done. County Sheriff Todd Volk asked if the Stealth Broadband project was only for internet service or also telephone service. Commissioner Uhlir responded that the line coming into the Courthouse includes both internet and telephone service.

Deputy Downey reported that the County Commissioners need to make sure that after completion of the Stealth Broadband project for the Courthouse, they keep Stealth Broadband focused on getting lines installed to the other outlying county buildings, such as the road shops, Zoning Office, and Probation Office because, in his opinion, a tremendous amount of money could be saved. He stated that the Probation Office has invested a significant amount of infrastructure to connect the two different Probation buildings. He said that the County needs to keep moving forward with fiber line installation.

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Sheriff Todd Volk inquired if the County is looking at replacement of the Courthouse telephone system. Chairman Schmidt replied that replacement of the telephone system in the Courthouse is planned. Commissioner Uhlir explained that replacement of the Courthouse telephone system requires bids and several companies are interested in this project. Sheriff Volk said that he doesn't want a repeat of the weekend where only one telephone line into the Courthouse was working. Chairman Schmidt asked who could be contacted to obtain a cost estimate for replacing the Courthouse telephone system. Deputy County Clerk Nancy Scheer replied that a cost estimate was obtained from Priority Communications and \$75,000.00 was included in the 2018-2019 fiscal year budget for telephone equipment. Chairman Schmidt asked if a decision could be made regarding a new telephone system. Deputy Downey stated that there are several County offices in separate buildings and he suggested having a meeting with department heads to allow input from all county offices to keep moving forward. Commissioner Ohl asked if the focus would be fiber connection to all locations and Deputy Downey replied that there may be an option to connect all offices through one common fiber line or telephone network. He said that there may be cost savings by connecting all remote offices through one switchboard telephone system.

Chairman Schmidt directed Deputy Jon Downey and Commissioner Uhlir to work together on the Stealth Broadband fiber line installation project for the Courthouse. No further action was taken.

Noxious Weed Superintendent Don Svitak met with the Board regarding options for inspecting wetland areas and the Elkhorn River. Chairman Schmidt explained that Mr. Svitak has talked to the Commissioners a number of times regarding inspections along the Elkhorn River. He reported that he and Mr. Svitak went to South Dakota and looked at a used Argo. He stated that the Argo is mechanically sound, but it's not a good looking machine; so, they weren't anxious to purchase it. He said that \$8,000.00 was included in the Noxious Weed budget for purchasing an Argo and that new Argo machines are priced between \$11,000.00 and \$12,000.00. In addition, he explained that they discussed an option of asking another county to co-purchase a machine.

Mr. Svitak reported that the used Argo was a 2006 model and parts are not made for Argo machines that are 2004 and older. He said that they considered how much use the County would get from a 2006 model. He reported that a very basic new Argo machine costs \$9,000.00, but adding a fan and tracks increases the cost to \$11,000.00. He stated that he has \$7,000.00 in the Noxious Weed budget for other equipment; but, \$4,800.00 is budgeted for miscellaneous expenses which would be a total budget of \$11,800.00. Mr. Svitak reported that he checked with Antelope County about co-owning an Argo, but they weren't interested and Stanton County was undecided. He said that if the Commissioners approve the purchase of an Argo, the funds would be available in the Noxious Weed budget.

Chairman Schmidt asked if Board members were in favor of using a drone. Commissioner Ohl stated that using a drone would probably require someone to visit the site if any potential noxious weeds are found. He said that partnering with a neighboring county is a great idea to share costs because an Argo wouldn't be used every day during the summer months. Chairman Schmidt reported that the used Argo they inspected only had 230 hours on it, but it was well used. Mr. Svitak explained that Argo machines require maintenance because of use in water and sandy areas. He said that the County could try using a drone on isolated spots; but, not for the entire Elkhorn River. He stated that funds are available in the budget and the County will only purchase an Argo once, not every year and even though it's a big investment, it will last a long time. He reported that the 4-wheeler in the weed department is 20 years old and is still being used.

Commissioner Uhlir said that Mr. Svitak told him that one of the hardest parts about inspecting the river is that landowners tell him that they can't get through areas to inspect. Mr. Svitak reported that in the phragmites spots, he is using a 4-wheeler to get through some difficult areas; so, if he can get through these bad areas, the landowners should also be able to get through with a 4-wheeler. He explained that they test drove an Argo and went through some six-foot tall cattails. Commissioner Uhlir stated that if noxious weeds are located, they may need to be sprayed with an airplane. He said that a drone may be useful in some areas and even an Argo isn't the best solution. Mr. Svitak stated that an Argo would be better in wetland areas. Commissioner Uhlir explained that there aren't many good places to get out of the Elkhorn River with an Argo. Mr. Svitak replied that an Argo could usually get out on one side of the river.

Chairman Schmidt stated that he would like to try using a drone for one year. Commissioner Uhlir agreed that he would like to use a drone to identify some spots that will be difficult to access, and then the County could determine if noxious weeds have been identified. He said that Mr. Beckmann needs to obtain a permit to fly the drone over certain sites. He stated that if problem spots are identified, then the County could justify the purchase of an Argo. Commissioner Schmidt said that a better decision could be made about the need to purchase an Argo if they have more information. He said that currently they don't know if there is a noxious weed problem along the Elkhorn River.

Commissioner Ohl asked if Mr. Beckmann can obtain authorization to fly beyond his line of site so he can map the river. Commissioner Uhlir replied that this requires a 60-day permitting process. Commissioner Ohl asked what the cost would be for flying a drone along the Elkhorn River and if certain segments, or the entire Elkhorn River, would be flown. Commissioner Uhlir said that, in his opinion, the entire river doesn't need to be inspected with a drone, so Mr. Svitak needs to determine which specific sites should be inspected. Mr. Svitak stated that he would like to go back to some spots along the Elkhorn River which were detected when flying with an airplane. He stated that crop ground along the Elkhorn River doesn't have any noxious weeds, but some pasture ground may be infested. He said that he could determine which sites to fly with a drone, and if sites are located, they could determine what the best way would be to access the area without walking to them.

Chairman Schmidt explained that if noxious weeds along the Elkhorn River are identified, the land owner is responsible for spraying the area. Commissioner Uhlir stated that the best way to spray the noxious weeds would be dusting with an airplane.

Mr. Svitak stated that he was seeking direction from the Commissioners. Chairman Schmidt said that he appreciated Mr. Svitak's desire to take care of the Elkhorn River.

No further action was taken.

County Attorney Joseph Smith met with the Commissioners regarding proposed changes to the Juvenile Court procedures. He explained that court appointed attorney fees related to Juvenile Court are a big part of the County budget because there are lawyers assigned to mom, dad, and the children, and also a guardian ad litem for the children. He reported that one of the Judges wants to schedule extra hearings. He explained that when someone is involved in a case where the parents are bad, there is a review hearing every six months, but the Judge wants to schedule review hearings every three months and also mediation hearings. He said that the problem with some of these hearings is that many lawyers are involved. He explained that this change for additional hearings will increase costs. Mr. Smith said that his office will not be attending mediation hearings and he will object to 90-day hearings. He said that the Public Defender is also concerned about increasing the number of hearings due to the additional burden on his staff.

Chairman Schmidt asked what would be best for the children. Mr. Smith replied that there are different viewpoints, and one opinion is that too many children are being removed from their parents, and the other opinion is that too many children are being left in dangerous homes. He said that in some cases children have been removed from homes after they are harmed when Social Services said the home environment was okay. He said that there are two ways to measure the system, either keep children in the home or keep the children safe. Chairman Schmidt said that the decision to hold additional hearings should not be applied to all cases because there may be families who need additional hearings; but, there are families who don't need extra hearings. Mr. Smith reported that all these families will have social service workers and guardian ad litem in between hearing dates and plans every six months. He said that all the services will continue to be in place, but everyone would be in front of a Judge more often.

Commissioner Ohl asked what kind of impact additional hearings will have on families and if it would make it more difficult to maintain work schedules and other commitments. Mr. Smith replied that it depends upon the family. He said that if both parents are working and doing everything right, then going to another hearing will be bothersome; but, if everything is not being done right, then another hearing may be helpful. Commissioner Ohl said that he doesn't want parents who are in a difficult situation and trying to do everything right to be penalized.

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Mr. Smith explained that getting three to six lawyers together with a mediator doesn't make sense because everyone should know what is going on with the case. He said that additional hearings will be another time consuming event thrust in the middle of a case. He said that the biggest problem will be wasting time as opposed to using time productively. He explained that the Court decides issues and that having the Court call in a mediator to ask for everyone's opinion is currently done on Thursdays prior to meeting with a Judge.

Norfolk Daily News reporter Jerry Guenther questioned why the Judge is asking for more frequent hearings. He asked if there are decisions that the Judge needs to make since the guardian ad litem and social workers are involved in the cases. Mr. Smith explained that lawyers, guardian ad litem, social workers, and family support workers involved in the cases would continue to be involved no matter how many hearings are scheduled. He stated that every six months a plan must be approved by the Judge which is why there are review hearings every six months. He said that if bad things are happening it is unlikely that everyone involved in the case will let that happen. He said that adding additional hearings will get people together more often, get people in front of a Judge more often, and incentivize the parents to improve. Chairman Schmidt asked if holding additional hearings will be at the discretion of the Judge for different cases. Mr. Smith replied that if the Judge likes the outcome of additional hearings he may schedule these hearings for all cases; but, if the Judge doesn't like it, he may not schedule any additional hearings. He explained that additional hearings may be an experiment. He said that Juvenile Court is a large budget expense and the Commissioners have gone a long way in controlling court appointed fees in County and District Courts; but, Juvenile Court cases have many lawyers involved with each case, so it is difficult to control costs.

Commissioner Ohl stated that scheduling additional hearings in Juvenile Court has the potential for increased costs to the County.

Deputy Public Defender Megan Hoines appeared later during the meeting and stated that she was hoping to listen to the discussion on proposed changes for Juvenile Court procedures. She stated that she handles most of the Juvenile cases for the Public Defender's office and Board members could visit with her anytime.

No action was taken.

The Board members discussed Legislative Bill No. 411. Chairman Schmidt stated that one of the reasons he wanted this item on the agenda was because the Board members have not talked about it. He said that Senator Jim Scheer introduced the legislation at the request of Rick Benson. He said that there will be some extra scrutiny put on the Madison County Commissioners by certain individuals if the Legislative Bill is passed. He stated that, in his opinion, the Board members are in total agreement that if the public wants five Commissioners, the current Board members need to go along with it. Chairman Schmidt explained that he would like to address the statement made that there wouldn't be any added cost to the County. He explained that if the Commissioners are each earning \$40,000.00 annually, the total current salaries would be \$120,000.00. He said that if this total is divided by five Commissioners, each person would receive \$24,000.00. He questioned which two Commissioners wouldn't get health insurance.

Commissioner Uhlir asked which two Commissioners wouldn't oversee a road crew. He stated that if the Commissioners don't oversee road crews, then a Road Supervisor would be required, which involves another paid position, benefits, and a vehicle. He said that there would be some real costs associated with going to five Commissioners. He stated that he doesn't disagree that sometimes having three Commissioners is a challenge to work within. He said that, in his opinion, the County is in a good situation now because there are three good Commissioners and there were also three good Commissioners during the prior elective term. Commissioner Uhlir explained that if the County gets into a situation where there are two Commissioners who aren't so good and they run things the way they want to, then he could see an issue for five Commissioners. He agreed with Chairman Schmidt that the reality is that there is a system in place and if someone wants five Commissioners they can circulate a petition. He said that the petition process has been tried several times without success. He said that, in his opinion, if Legislative Bill No. 411 is adopted, he wouldn't blindly come before this Board and make a motion to adopt a resolution without having town hall meetings, hearing feedback from citizens, and educating taxpayers because there are some costs associated with changing from three to five Commissioners. Commissioner Uhlir stated that there wasn't an overabundance of people running for the Commissioners' positions; so, if no one is going to file, how is that better representation. He said that his concern is that the pay drops with five Commissioners, and after being a Commissioner for two months he confirmed that the job is a time commitment. He reported that he takes phone calls no matter if it's Saturday, Sunday, or nights; so, it's important to understand that if the County goes to five Commissioners the pay will drop and the best people may not be attracted to serve. He said that he is not serving because of the money, but he wants the County to do great things. He reiterated that there needs to be a trade of money for time.

Chairman Schmidt stated that one of the comments is that the citizens would get better representation. He asked if citizens want more Commissioners out talking to them, or more people at the meetings making decisions. He asked what the comment "better representation" means and he asked for an example where decisions from the past where five Commissioners would have made a better decision than three Commissioners. He said that an advantage of three Commissioners is that all discussions need to be made at Board meetings and they don't talk to each other to make decisions before meetings. He explained that with five Commissioners, the Board members can talk to each other before meetings. He reported that a neighboring county is finding that when meetings convene, decisions have already been made and the public isn't hearing any discussion during meetings. Chairman Schmidt said that the current system isn't perfect and having five members won't be a perfect system either; so, the decision is whatever the voters want. He stated that there should be a return on investment and if two more people take county health insurance the cost is an additional \$40,000.00. He expressed concerns how five Commissioners would manage three different road districts. He explained that most counties which have five Commissioners also have a highway superintendent and there isn't anything wrong with this system; however, this is an added cost. He stated that another position with salary, benefits, county-owned pickup, and computer, could cost up to \$100,000.00 more each year.

Commissioner Uhlir stated that another aspect is electing by district versus electing at-large. He explained that there was a suggestion to elect three Commissioners by district and two Commissioners at-large. He stated that he spoke with NACO Executive Director Larry Dix who advised that there is no mix and match of electing Commissioners at-large and by districts. He explained that the County can go from districts to at-large or from at-large to district; but, there is no mix and match.

Chairman Schmidt stated that people need to think about the fact that there are three Commissioners and eight other elected officials serving and representing Madison County. He reported that in a city, the Mayor appoints the positions of police chief and clerk; but, in the County these positions are all elected. He said that he is opposed to five Commissioners without the public knowing what the extra costs would be to taxpayers. He said that, in his opinion, there should be a return on investment and if it will cost an extra \$100,000.00 or \$150,000.00 for taxpayers to have five Commissioners there should be a return. He said that they should be able to identify areas where money could be saved to pay for the extra costs rather than just add this expense to the budget. He clarified that the Board members aren't saying this it will truly cost an extra \$100,000.00 to \$150,000.00, but it is very possible that it could cost this much.

Commissioner Ohl stated that every county is different. He explained that Platte County has seven Supervisors, a full-time highway superintendent, a full-time assistant highway superintendent, and full-time engineer and Mr. Johnson serves Madison County in three of these positions without working full-time for the County. He explained that there is certainly cost savings to the current system of three Commissioners; so, these things must be considered. He said that Senator Scheer has done a great job of introducing the legislative bill because he heard from constituents asking for the bill. He stated that the current law allows citizens to make the determination on the number of Commissioners by a petition process and he is not opposed to this method rather than giving that authority to the Board of Commissioners.

Chairman Schmidt stated that if there is going to be that type of change in County government it should come from the people in a grass roots effort and a petition is a great process. He said during the last three years there have been two petition processes in the county. He said that if the Commissioners make the motion to change from three Commissioners to five that eliminates the Board members from any discussion. He explained that the current Commissioners must remain neutral about the issue; but, if there is a petition process, the Board members could voice opinions about advantages and disadvantages of this system.

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County Highway Superintendent Richard Johnson explained that prior to January 1st of each election year for county officials, salaries must be set for Commissioners. He said that the question of changing the number of Commissioners is decided at a General Election. He explained that if an affirmative decision is made by the voters, the new Commissioners must be appointed by January. He said that he is concerned if the Commissioners have the right to change the salaries. Deputy County Clerk Nancy Scheer explained that the salaries for Commissioners can be set every election cycle because a member is elected every two years; however, the Commissioners have never changed the salary prior to a Presidential election year. She explained that another challenging issue for a county electing Commissioners by district is the requirement to re-district the County between the date of the General Election and the end of the year while maintaining a district for each elected Board member and a district for the Board members who will be appointed. Chairman Schmidt reiterated that the issue includes more than simply changing from three to five Commissioners since there are unintended consequences to the entire situation and Board members are trying to give the full story to citizens.

Commissioner Uhlir reported that he called Senator Scheer and asked him why he didn't reach out to Madison County Commissioners to discuss the issue. He asked Senator Scheer if he wanted Madison County Board members to write a letter of support and Senator Scheer advised that he didn't care because he wanted to introduce the bill for several years. He said that he understands the process of providing another mechanism; but, as a Commissioner he wouldn't feel comfortable offering a motion to put the issue on the ballot without discussing it with Madison County constituents. He reported that Rick Benson stated that in the realm of the entire County budget, the increase is so minimal it is pointless to argue about the additional expense. He stated that \$150,000.00 would complete a lot of work on a county road.

Chairman Schmidt said that if the citizens want to change to five Commissioners, they will operate within the change.

Commissioner Ohl reiterated that Senator Scheer has been tremendously responsive to citizens, he has done a good job, and he represents the area well.

The following written reports and correspondence were reviews:

- 1) Fund balance report
- 2) County Clerk January, 2019 fee report
- 3) County Sheriff January, 2019 fee report
- 4) Register of Deeds January, 2019 fee report
- 5) Notice of public hearing from the City of Norfolk regarding the Nor-Park Redevelopment Project
- 6) Sale of surplus property report

The following claims were audited:

GENERAL FUND

Total Net Payroll		156,425.13
Account Control Technology, Inc.	Garnish of Wages	179.34
Advanced Correctional Healthcare	Contracted Medical Services, County Jail	13,145.12
Mark Albin	Legal Services, County Court	766.51
Albracht Disposal Service, Inc.	Garbage Services, Courthouse	141.00
American Family Life Assurance Company	Insurance Premiums	1,094.39
Antelope County Sheriff's Office	Civil Process Fees, County Court	18.00
Apex Therapy Services, LLC	Professional Services, Community Based Grant	162.50
Appeara	Rug Service, Supplies, Public Defender	28.84
Kathy Baker	Professional Services, Community Based Grant	325.00
Battle Creek Enterprises	Publication Costs, County Clerk	20.40
BB Construction	Office Modifications, Veterans Service Office	3,194.00
BI Incorporated	Monitoring Services, Juvenile Accountability	293.60
Black Hills Energy	Gas Services, Courthouse	368.58
Black Hills Energy	Gas Services, County Jail	674.86
Blue Cross Blue Shield of Nebraska	Insurance Premiums	4,671.95
Bomgaars Supply	Supplies, Courthouse	12.06
Brady & Amys Inc.	Fuel, County Courthouse	46.82
Brady & Amys Inc.	Fuel, County Sheriff	887.39
Cable One	Internet, Public Defender	64.97
Cable One	Internet, Extension Office	150.98
Cable One	Internet, County Sheriff	148.94
Cable One	Internet, Courthouse	264.99
CASA of Northeast Nebraska	Rent, Payroll, Tax Deposit	6,901.33
Cash-Wa Distributing	Supplies, County Jail	21.34
CBM Managed Services	Inmate Meals, County Jail	7,743.31
Cedar County Sheriff	Civil Process Fees, District Court	6.00
Century Link	Telephone Services, Probation Office	626.54
Champs Inc.	Equipment, County Jail	4,994.80
Maria Chavez	Interpreting Services, Public Defender	617.00
Checker Cab Company	Transportation Services, Community Based Grant	12.00
City of Madison	Utilities, Public Defender	389.19
City of Madison	Utilities, Courthouse	1,931.88
City of Madison	Utilities, County Jail	5,922.82
City of Norfolk	Utilities, Probation Office	64.17
City of Norfolk	Garbage Service, Probation Office	12.00
City of Norfolk	Annual Region 11 Emergency Management Costs	24,257.00
Colonial Life and Accident Insurance	Insurance Premiums	246.56
Complete Pest Elimination, Inc.	Pest Control, County Jail	125.00
Connecting Point	Supplies, County Treasurer	820.00
Connecting Point	Repairs, County Attorney	119.00
Connecting Point	Internet Service, Veterans Service Office	38.95
Connecting Point	Internet Service, Community Based Grant	59.95
Connecting Point	Contract Services, Courthouse	1,995.00

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MADISON COUNTY, NEBRASKA

Consolidated Management Company	Meals, County Jail	166.53
Consolidated Management Company	Meals, County Sheriff	26.22
Credit Management Services Inc.	Garnish of Wages	225.62
Cubby's Inc.	Fuel, Noxious Weed Department	101.02
Culligan of Norfolk	Supplies, Probation Office	70.00
Culligan of Norfolk	Supplies, Community Based Grant	45.25
Custom Sports	Uniforms, County Jail	60.00
CVSOAN	Registration, Veterans Service Office	275.00
D & L Towing	Towing Services, County Sheriff	114.00
DAS State Accounting - Central Finance	Data Processing Costs, County Clerk	41.60
DAS State Accounting - Central Finance	Data Processing Costs, County Treasurer	96.16
DAS State Accounting - Central Finance	Data Processing Costs, County Jail	32.00
DAS State Accounting - Central Finance	Telephone Services, Veterans Service Office	57.23
Dick Day	Supplies, Software Support	24.75
Doerr & Klein, P.C.	Legal Services, County Court	1,082.12
Douglas County Sheriff	Civil Process Fees, County Court	19.61
Eakes Office Solutions	Supplies, Equipment, County Court	433.92
Eakes Office Solutions	Supplies, District Judge	25.98
Eakes Office Solutions	Supplies, Reappraisal	183.25
Eakes Office Solutions	Supplies, Extension Office	63.95
Eakes Office Solutions	Supplies, Juvenile Accountability	116.09
Eakes Office Solutions	Supplies, County Jail	31.64
Eakes Office Solutions	Supplies, Equipment Lease, Probation Office	1,884.63
Eastern Auto Service, Inc.	Repairs, County Sheriff	808.31
Egley, Fullner, Montag, Morland & Easland	Legal Services, County Court	2,619.91
Electrical Engineering & Equipment Co.	Supplies, Courthouse	174.05
Elite Office Products	Copier Maintenance, Extension Office	63.56
Environmental Systems Research Institute	Software Contract, Zoning Department	400.00
Ewalt Law Office, PC, LLO	Contracted Legal Services	12,500.00
Faith Regional Health Services	Medical Testing, Law Enforcement	100.00
Field's Hardware	Supplies, County Court	29.98
First Concord Benefits Group	Flex Plan	2,284.29
Floor Maintenance & Paper Supply	Supplies, Extension Office	92.38
Floor Maintenance & Paper Supply	Supplies, County Jail	703.50
Daniel Fullner	Mileage, Mental Health	22.04
Jan Fullner	Mileage, County Treasurer	29.43
Galls, LLC	Uniforms, County Jail	149.00
General Reporting Services	Transcript, County Court	21.25
Generation Consultants, LLC	Subscription, County Sheriff	89.97
Gillette Printing	Supplies, County Sheriff	136.00
Global Equipment Company	Supplies, County Jail	134.31
Goodlife Counseling	Professional Services, Community Based Grant	1,218.75
Gordy's Towing & Repair	Repairs, County Sheriff	536.10
Curt Guenther	Tutoring, Community Based Grant	305.00
Naomi Hemphill Cleaning	Cleaning Services, Public Defender	90.00
Hilliges & Associates LLC	Polygraph, Law Enforcement	250.00
Holiday Inn - Kearney	Lodging, Clerk of District Court	104.95
Carey Hopkins	Mileage, Supplies, Community Based Grant	87.91
Trent Howard	Supplies, Fuel, County Sheriff	53.27
Jack's Uniforms & Equipment	Uniforms, County Sheriff	989.69
Jack's Uniforms & Equipment	Uniforms, County Jail	359.63
John's Disposal Inc.	Garbage Services, Probation Office	74.00
John's Disposal Inc.	Garbage Services, Veterans Service Office	28.00
Johnson's Inc.	Equipment, Courthouse	14,600.00
Knox County Sheriff	Civil Process Fees, County Court	31.32
Krantz Family Revocable Trust	Rent, Utilities, Juvenile Accountability	1,750.00
Lancaster County Sheriff	Civil Process Fees, District Court	27.61
Lancaster County Sheriff	Civil Process Fees, County Court	18.61
Lincoln Marriott Cornhusker Hotel	Lodging, County Attorney	119.00
Madison County Clerk	Tax Deposit, Retirement	83,165.71
Madison County Clerk of District Court	Civil Process Fees, District Court	1,311.00
Madison County Court	Court Costs, County Court	2,270.00
Madison County Register of Deeds	Filing Fees, Noxious Weed Department	62.00
Madison County Sheriff Inmate Fund	Uniforms, Subscriptions, Supplies, County Jail	343.36
Madison County Sheriff	Civil Process Fees, County Court	622.63
Madison County Sheriff	Civil Process Fees, District Court	459.24
Madison County Sheriff	Civil Process Fees, Mental Health	28.37
Madison National Life Insurance Company	Insurance Premiums	249.96
Major Refrigeration Co., Inc.	Repairs, County Jail	211.15
James Marshall	Tutoring, Community Based Grant	845.00
Benjamin McBride	Contract Services, Mileage, Community Based Grant	213.22
Medtox Laboratories Inc.	Drug Testing, Juvenile Accountability	166.92
Menards	Supplies, Zoning Department	15.92
Menards	Supplies, Noxious Weed Department	15.92
Menards	Supplies, Courthouse	101.92
Menards	Supplies, County Jail	26.04
Menards	Equipment, Probation Office	568.00

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MADISON COUNTY, NEBRASKA

Microfilm Imaging Systems Inc.	Scanning Services, County Court	218.00
Midtown Health Center	Professional Services, Community Based Grant	812.50
Midwest Plumbing & Heating	Repairs, County Jail	289.00
MIPS Inc.	Data Processing Costs, Supplies, County Clerk	834.26
MIPS Inc.	Data Processing Costs, County Treasurer	1,341.39
MIPS Inc.	Data Processing Costs, Equipment Lease, Deeds Office	534.00
Andrew Mohr	Mileage, Community Based Grant	21.46
Morland, Easland and Lohrberg, PC	Legal Services, District Court	1,692.70
Jacob Mrsny	Tutoring, Community Based Grant	68.25
Nationwide Retirement Solutions	Deferred Comp	2,675.00
Nebraska Association of County Clerks	Annual Dues, County Clerk	75.00
Nebraska Association of County Clerks	Annual Dues, Register of Deeds	75.00
Nebraska Association of County Treasurers	Annual Dues, County Treasurer	50.00
Nebraska Child Support Payment Center	Garnish of Wages	726.62
Nebraska Criminal Defense Attorneys Assn.	Registration Fee, Public Defender	200.00
Nebraska Health & Human Services	State Institution Costs	1,422.00
Nebraska Public Power District	Utilities, Probation Office	721.80
Maria Nievas Salavera	Mileage, Community Based Grant	17.98
Norfolk Daily News	Publication Costs	273.31
Norfolk GM Auto Center	Repairs, County Sheriff	210.75
Norfolk Implement	Repairs, Noxious Weed Department	52.71
Norfolk Public Schools	Meals, Community Based Grant	122.00
Northeast Nebraska Juvenile Services Inc.	Boarding Juveniles, Juvenile Detention	2,972.50
Norman Nykodym	Snow Removal Services, Public Defender	185.00
Mike O'Brien	Mileage, Community Based Grant	125.28
Olsen Mowing & Snow Removal	Snow Removal, Extension Office	240.00
Olson's Pest Technicians	Pest Control Services, Extension Office	330.00
One Office Solution	Supplies, Copier Maintenance, County Clerk	778.28
One Office Solution	Supplies, County Treasurer	179.70
One Office Solution	Supplies, Register of Deeds	80.66
One Office Solution	Copier Maintenance, County Court	380.50
One Office Solution	Supplies, Public Defender	458.36
One Office Solution	Copier Maintenance, Reappraisal	97.49
One Office Solution	Supplies, County Sheriff	283.76
One Office Solution	Supplies, County Jail	23.72
One Office Solution	Equipment, Probation Office	418.00
PCS Mobile	Radio Equipment, County Sheriff	689.00
Sherry Peterson	Mileage, Community Based Grant	83.52
Phillips 55 Company	Fuel, County Sheriff	34.41
Susan Pohlman	Tutoring Services, Community Based Grant	295.00
Postmaster	Box Rent, County Attorney	120.00
Donna Primrose	Mileage, County Treasurer	323.40
QHA Cleaning LLC	Cleaning Services, Extension Office	400.00
Redwood Toxicology Lab	Medical Testing, Probation Office	771.60
Reigle Implement Co. Inc.	Repairs, Courthouse	143.75
Relx Inc. dba Lexis Nexis	Subscription, County Attorney	543.00
Reserve Account, Inc.	Postage, Zoning Department	200.00
Reynoldson's Inc.	Fuel, Zoning Department	36.33
Reynoldson's Inc.	Fuel, Extension Office	26.56
Monica Rotherham	Meals, Mileage, Clerk of District Court	176.98
Sarpy County Sheriff	Civil Process Fees, County Court	19.80
Scheer's Ace Hardware	Parts, County Clerk	7.22
Schroeder Land Surveying	Services, Equipment Rent, County Surveyor	1,322.00
Security Shredding	Shredding Services, County Court	70.00
Security Shredding	Shredding Services, Juvenile Accountability	35.00
Shell	Fuel, County Reappraisal	213.78
Shell	Fuel, County Sheriff	2,376.41
Short Stop	Fuel, County Sheriff	219.38
Jessica Tannehill	Supplies, Veterans Service Office	24.98
Tilden Citizen/Meadow Grove News	Publication Costs, County Clerk	20.18
Top Quality Glove	Supplies, County Jail	39.90
Transunion Risk & Alternative	Subscription, County Sheriff	25.00
Troy Uhlir	Mileage, County Commissioners	146.16
University of Nebraska Lincoln	Quarterly Salary and Benefits, Extension Office	13,686.88
UNL Print and Copy Service	Supplies, Extension Office	393.92
US Bank Corporate Payment System	Fuel, Supplies, Uniforms, Lodging, County Sheriff	1,309.08
US Bank Corporate Payment System	Fuel, Juvenile Accountability	22.00
US Bank Corporate Payment System	Dues, County Attorney	295.00
Verizon Wireless	Telephone Service, Courthouse	55.54
Verizon Wireless	Telephone Service, Extension Office	459.16
Verizon Wireless	Telephone Service, Noxious Weed Department	59.93
Vision Service Plan	Insurance Premiums	359.09
Waste Connections of Nebraska, Inc.	Garbage Services, Extension Office	36.90
Wex Bank	Fuel, County Sheriff	531.70
Wichita Falls Times Record News	Publication Costs, County Court	895.44
Elizabeth Wilke	Contract Services, Community Based Grant	281.25
Zodiac Properties LLC	Rent, Probation Office	12,059.54

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MADISON COUNTY, NEBRASKA

ROAD/BRIDGE FUND		
Total Net Payroll		32,324.49
Albracht Disposal Service, Inc.	Garbage Services	60.00
American Family Life Assurance Company	Insurance Premiums	601.67
Appeara	Towel & Uniform Services	298.87
B & D Truck Parts	Parts	750.00
B's Enterprises, Inc.	Blades, Signs, Supplies	8,106.00
Battle Creek Collision Center	Repairs	70.11
Battle Creek Farmers Pride	Fuel	469.76
Bauer Built Tire	Tire Repairs	357.00
Big Country Auto	Parts	131.10
Black Hills Energy	Gas Service	619.31
Blackstrap Inc.	Road Salt	1,834.30
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,067.16
Brady & Amy's Inc	Fuel	466.62
City of Newman Grove	Utilities	80.00
Colonial Life & Accident Insurance Co.	Insurance Premiums	115.53
Cornhusker International Trucks Inc.	Parts	37.54
Credit Bureau Services Inc.	Garnish of Wages	299.36
Dale R. Johnson Ent. Inc.	Gravel	2,530.05
Eakes Office Solutions	Supplies	22.86
Eastern Nebraska Telephone Company	Telephone Service	52.50
Electrical Engineering & Equipment Company	Supplies	282.23
Fastenal Company	Parts	125.86
Filter Care of Nebraska Ltd.	Supplies	164.05
First Concord Benefits Group	Flex Plan	596.91
Floor Maintenance and Paper Supply	Shop Supplies	72.03
Frame Aligners Inc.	Parts	530.40
Freudenburg Tools Inc.	Tools	79.99
Island Supply Welding Company	Shop Supplies	224.89
K & S Door Company/Overheard Door	Repairs	62.00
Kelly Supply Company	Shop Supplies	406.46
Ken's Trailer Sales & Repair	Parts	627.30
Kimball Midwest	Tools, Shop Supplies	1,085.95
Kohlhof Truck Repair, Inc.	Repairs	1,800.98
Lawson Products	Parts	163.61
Loup Power District	Utilities	150.31
M & M Farm Supply	Supplies	7.80
Madison County Clerk	Tax Deposit, Retirement	16,723.78
Madison National Life Insurance Company	Insurance Premiums	57.46
Matheson Tri-Gas Inc.	Supplies	866.84
Matteo Sand & Gravel Company, Inc.	Gravel	1,661.40
Meisinger Oil Company	Fuel, Oil	11,441.10
Menards	Shop Supplies	607.37
Nationwide Retirement Solutions	Deferred Compensation	755.00
Nebraska Child Support Payment Center	Garnish of Wages	93.24
NMC Exchange, LLC	Parts	910.29
Nebraska Harvestore Systems	Parts	29.68
Nebraska Public Power District	Utilities	361.68
Northeast Machine & Manufacturing	Supplies	267.50
Norfolk Auto Supply	Parts	22.28
Norfolk GM Auto Center	Repairs	442.49
Pioneer Telephone Company	Telephone Service	63.07
Powerplan	Parts	545.86
RDO Truck Center	Repairs, Parts	11,404.21
Reigle Implement Co. Inc.	Shop Supplies	185.65
Rise Broadband	Telephone Service	127.53
Sapp Bros. Norfolk	Shop Supplies, Oil	238.55
Seals and Service Inc.	Repairs	570.00
Sioux City Truck Sales, Inc.	Parts	208.50
Speedway Auto Parts	Parts	130.00
Stanley Petroleum Maintenance, Inc.	Parts	58.60
T-Bone North	Fuel, Oil	370.14
Truck Center Companies	Parts	78.88
Verizon Wireless	Telephone Service	206.78
Vic's Engine Service, Inc.	Parts	142.18
Vision Service Plan	Insurance Premiums	70.09
Weldon Parts Inc.	Parts	1,458.87
Westfall GMC Truck, Inc.	Parts	26.38
White Star Oil Company	Fuel	192.49
Zee Medical Service, Inc.	Shop Supplies	58.40
VISITORS PROMOTION FUND		
Norfolk Area Visitors Bureau	Administration Fees	1,116.54
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Administration Fees	20,403.75

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MADISON COUNTY, NEBRASKA

REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND

MIPS, Inc.	Data Processing Costs	518.64
INHERITANCE TAX FUND		
Meadow Grove Public Library	Books, Telephone Service, Supplies, Subscriptions	4,200.52
911 EMERGENCY FUND		
Carmichael Business Systems	Maintenance Contract	1,570.00
Eastern Nebraska Telephone Company	Telephone Services	127.88
LAW ENFORCEMENT OPERATING FUND		
Charm-Tex	Supplies	197.10
Encartele, Inc.	Telephone Cards	3,600.00
Madison County Sheriff Inmate Fund	Cable TV Services	146.12
DRUG COURT FUND		
NMG LLC dba Norfolk Works	Medical Testing	65.00
Putters	Supplies	25.00

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

The Board adjourned at 12:12 P.M. to Tuesday, March 5, 2019 at 9:30 A.M.

ATTEST:

Deputy County Clerk Nancy Scheer

Ron Schmidt, Chairman
County Board of Commissioners