

BOARD OF EQUALIZATION

Madison, Nebraska

April 7, 2015

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

Advance notice of meeting was published in the Thursday, April 2, 2015 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Jim Prauner called the meeting to order and notified the public of the copy of the Open Meeting Act posted in the meeting room.

Present: Commissioners Christian Ohl, Jim Prauner, and Ron Schmidt, County Assessor Jeff Hackerott, and County Clerk Nancy Scheer. County Treasurer Donna Primrose was present until 9:19 A.M.

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

Motion made by Ohl and seconded by Schmidt to approve the minutes of the March 10, 2015 meeting. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Prauner stated that following a public hearing at the March 10, 2015 meeting, the exemption application of Norfolk Area Baseball Foundation was tabled. Shawn Beaudette, attorney representing Norfolk Area Baseball Foundation, and Sandy Mefford, an officer of the Norfolk Area Baseball Foundation, were present at the meeting. Mr. Beaudette apologized that no one from the organization was able to attend the hearing at the March 10, 2015 meeting.

Chairman Prauner asked if the Norfolk Area Baseball Foundation was a for profit business and Mr. Beaudette responded that the Norfolk Area Baseball Foundation is a nonprofit organization. Mr. Beaudette stated that County Assessor Jeff Hackerott inspected the facility, took photographs, and discussed the inter-workings of the organization and the use of the building. He explained that Norfolk is one of the only Class A schools in the State of Nebraska which doesn't have an indoor practice facility. He reported that it's easy to tell which baseball players have been practicing during the winter months. He stated that he also coaches baseball players and significant improvements have been seen with skills of players since they have been using the indoor facility. Mr. Beaudette reported that Norfolk Steel is a relatively new program and Norfolk Steel has been allowed by the Norfolk Area Baseball Foundation to use the facility. He said that there are approximately 100 children between the ages of 8 and 14 that are participating in this select program. He stated that hopefully by the time these children transition to high school there will be a good core group with excellent skills. He explained that Norfolk used to have a good baseball program, but now that is not the case, so they are hoping to change this around.

Chairman Prauner asked how many pitching machines are in the facility and Mr. Beaudette responded that there are three pitching machines, two set up for baseball and one set up for softball. He stated that each machine can be converted for either use. He reported that there are three tunnels on the south end of the property and in the middle section of the building are three soft toss cages. He stated that the cages are walled off on three sides and balls are hit to the east. He said that the north end of the building is referred to as a barn which is completely netted where field work is completed, such as stretching, warm up, and field activities in a compressed area.

Commissioner Ohl asked where revenue is obtained to operate the facility. Mr. Beaudette responded that Greg Mefford was an avid baseball fan and he passed away several years ago. He explained that Sandy Mefford, her son Christopher Price, and her daughter Kim Strand, wanted to honor Greg Mefford, so they started raising money by having some golf tournaments. He stated that Norfolk Steel had a fundraiser event in October 2014 with Donna Herrick donating the use of the DeVent Center and the event raised about \$25,000. He reported that they have been blessed with a few members in their midst that are good at fundraising so the money that was raised was used for the Norfolk Area Baseball Foundation to purchase the building from Larry and Lori Classen. He stated that the purchase was finalized on December 10, 2014 and then Mrs. Mefford, Dr. Price, and the Norfolk Area Baseball Foundation entered into a loan agreement with U.S. Bank to borrow \$295,000 on a 15 year note. He explained that the Mefford and Price families have personally guaranteed the loan and all the money that was raised and borrowed was used to purchase the building, buy the machines, set up the netting, paint the inside, replace the lights, complete extension renovation, and construct bathrooms. Mr. Beaudette reported that five entities, including Norfolk Public High School, Norfolk Steel teams, Golden Girls, Little League players, Legion baseball, and several soccer clubs use the facility. He explained that anyone can purchase a daily pass or annual passes are sold in the amount of \$110 for 2015. He stated that at this time, with the overhead and loan, the Norfolk Area Baseball Foundation will not be making any money in the near future. He reported that Jared Faltys prepared a 501c3 application to the Internal Revenue Service which is pending since it is a lengthy procedure. He stated that it is remarkable what has been created in a relatively short amount of time. Mrs. Mefford reported that thousands of hours of volunteer work have been donated.

Commissioner Schmidt explained that he wants the Norfolk Area Baseball Foundation to know that the County Board wants to make sure that if the County Board approves the exemption application, the right decision is made, and all statutory requirements are met. He stated that the building is sizable and has brought some revenue into the County, so if the application is approved, it will be removed from the tax rolls. He inquired if the County Board could approve the application before the 501c3 status is approved. County Assessor Jeff Hackerott responded that the 501c3 status has no bearing on whether the organization qualifies for tax exemption. He presented a picture that he took of the inside of the building. Commissioner Schmidt expressed appreciation for the formation of an indoor practice facility.

Mr. Beaudette explained that several volunteers keep the facility open. He stated that they have a Board set up that shows the times that certain teams use the facility and shows other available times. He stated that a membership card lists a cell phone number that operates strictly for the purpose of knowing when the facility is available and how arrangements can be made to set up a time to use the facility so someone can make sure the facility is open. He reported that coaches have access devices so they can get into the facility without a volunteer coming to open the building.

Chairman Prauner asked if the building was air conditioned and Mrs. Mefford responded that they have the air conditioning equipment; however, funds aren't available to install the equipment.

Commissioner Ohl commended the organization on starting an indoor practice facility.

Commissioner Schmidt stated that the Board members simply had questions at the last meeting. Mrs. Mefford stated that they want the Commissioners to be informed because they are very proud of the facility. She reported that the Norfolk Area Baseball Foundation is a member of the Norfolk Chamber of Commerce and they will be having a red ribbon ceremony in the future.

County Assessor Jeff Hackerott reiterated that he was at the facility, met with both Mr. Beaudette and Mrs. Mefford, and completed a walk through tour. He recommended approval of the application.

After discussion, a motion was by Schmidt and seconded by Ohl to approve the exemption application filed by Norfolk Area Baseball Foundation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Prauner opened a public hearing at 9:18 A.M. to receive testimony regarding the following motor vehicle exemption applications:

Community Concern of Norfolk, Inc. 307 Prospect Avenue, Norfolk	2012 Dodge Sport Van
Heartland Baptist Church, 1213 East Phillip Avenue, Norfolk	1999 Ford Sport Van
Mosaic, 105 East Norfolk Avenue, Suite 200, Norfolk	2015 Dodge Grand Caravan (2)
St. Leonard Parish, 504 South Nebraska Street, Madison	1992 Chevrolet Lumina Van

County Treasurer Donna Primrose reported that Mosaic added another vehicle to their fleet and all other organizations are requesting renewal of vehicles.

No public comments were received. Chairman Prauner closed the hearing at 9:19 A.M.

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

County Assessor Jeff Hackerott submitted the following tax list corrections:

- #3033: Doneene Miller, 410 Michigan Avenue, Norfolk
Deduction from the tax rolls in the amount of \$997.24 for correction to the 2014 real estate taxes due approval of homestead exemption at 100%
- #3034: Florence Quady, 10204 Grant Avenue, Norfolk
Deduction from the tax rolls in the amount of \$1,769.84 for correction to the 2014 real estate taxes due to approval of homestead exemption at 100%
- #3035: Dinkel Implement Company, P.O. Box 1404, Norfolk
Deduction from the tax rolls in the amount of \$101.90 for correction to the 2014 personal property taxes due to removal of a sign that was doubled taxed
- #3036: Clear Wireless LLC, P.O. Box 12913, Shawnee Mission, Kansas 66282
Deduction from the tax rolls in the amount of \$182.04 for correction to the 2014 personal property taxes due to a removal of equipment that should not have been listed on 2014 personal property schedule
- #3037: S & W Underground, 1003 Monroe Avenue, Norfolk
Addition to the tax rolls in the amount of \$1,548.98 for correction to the 2014 personal property taxes after review of 2014 depreciation worksheet
- #3038: David and Patricia Domina, 900 South 5th Street, Norfolk
Addition to the tax rolls in the amount of \$12.16 for acceleration of the 2014 personal property taxes due to closure of the business
- #3039: Robert Werner, 83827 551st Avenue, Norfolk
Deduction from the tax rolls in the amount of \$75.12 for correction to the 2014 personal property taxes due to removal of a grain bin that was not reported until February 2015
- #3040: Taylor Reeves, 54893 836th Road, Battle Creek
Addition to the tax rolls in the amount of \$42.30 for correction to the 2014 property taxes due to moving a grain bin onto his property in 2014
- #3041: Jessie London, 83860 551st Avenue, Norfolk
Addition to the tax rolls in the amount of \$32.82 for correction to the 2014 property taxes due to moving a grain bin onto his property in 2014
- #3042: Voided
- #3043: Keystone Holding Company LLC, 104 East Omaha Avenue, Suite 5, Norfolk
Addition to the tax rolls in the amount of \$132.60 for acceleration of the 2014 personal property taxes due to sale of equipment
- #3044: Scranton Flooring & Supply LLC, 711 Michigan Avenue, Norfolk
Deduction from the tax rolls in the amount of \$442.08 for correction to the 2014 personal property taxes after removal of leased equipment not in possession of the business

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

The Board of Equalization adjourned at 9:24 A.M.

County Clerk Nancy Scheer

Jim Prauner, Chairman
County Board of Equalization

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

April 7, 2015

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

Advance notice of meeting was published in the Thursday, April 2, 2015 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

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

Present: Commissioners Christian Ohl, Jim Prauner, and Ron Schmidt, County Clerk Nancy Scheer, County Highway Superintendent Richard Johnson, Road Foremen Don Eucker, John Hrabanek, and Jeff Schroeder, Norfolk Daily News reporter Jerry Guenther, US92 reporter Eric McKay, and WJAG reporter Paul Hughes. County Attorney Joseph Smith was present from 9:47 A.M. to 9:58 A.M.

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

- 1) Approval of minutes of the March 24, 2015 meeting
- 2) Acknowledge receipt of the Official Bonds of Patricia Leckron as Clerk/Treasurer and Water Commissioner for the City of Tilden.
- 3) Authorization to advertise for bids for culvert pipe, grader blades, and asphaltic concrete overlay projects

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

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

Pursuant to published legal notice in the March 17, 2015, March 23, 2015, and March 30, 2015 editions of The Norfolk Daily News, Chairman Ohl opened a public hearing at 9:32 A.M. to receive citizens' comments regarding the application filed by Sapp Brothers, Inc. to withdraw property located in Section 34-24-1 from a County industrial Tract. Tim Kaup, General Manager of Sapp Brothers in West Point and Shane Burns, who will manage the Sapp Brothers location in Norfolk, were in attendance at the hearing.

Tim Kaup explained that Sapp Brothers has talked about opening a business in Norfolk for over five years and he is excited that the company is proceeding with the plan. He explained that the business will sell bulk drums of oil, cases of oil, propane, petroleum products, and fuel; however, the facility will not have bulk fuel. He reported that the location will sell mostly wholesale with a small amount of retail business. He stated that the Norfolk location will begin with five employees and possibly more employees will be hired in the future. Mr. Kaup reported that there are currently 32 employees at the West Point location and the company has been in business for 42 years.

Norfolk Daily News reporter Jerry Guenther asked for the specific location of the property and Mr. Kaup responded that the business is located west of Highway 81 on Monroe Avenue. He explained that Sapp Brothers purchased the former Petersen Ag building. Commissioner Prauner inquired if the company owned any property for future expansion and Mr. Kaup responded that no additional property is owned at the proposed location in Norfolk. He stated that he is unsure why the property needs to be removed from a County Industrial Tract and rezoned prior to opening the business at the proposed location. Chairman Ohl responded that the City of Norfolk has zoning jurisdiction within a two mile area of the City limits and that removal of the property from the County Industrial Tract will not have an impact on the County. He stated that the County Industrial Tract designation may be an outdated classification. County Highway Superintendent Richard Johnson clarified that no retail sales are allowed on property that is located within a County Industrial Tract.

County Clerk Nancy Scheer reported that the statutory requirements for publication of the notice of the hearing have been met. She presented a copy of the proof of publication verifying that the notice of the hearing was published in the Norfolk Daily News for three consecutive weeks beginning on March 17, 2015 and ending on March 30, 2015. She explained that all other property owners in the County Industrial Tract were sent notices of the hearing by certified mail as required by §13-1119 Nebraska Revised Statute and receipts reflecting that notices were sent by certified mail were made part of the official record. In addition, she reported that notification was received from the Norfolk City Clerk advising that the application of Sapp Brothers to remove the tract of land from the designated County Industrial Tract was approved by the Norfolk City Council at the March 26, 2015 meeting.

No one spoke in opposition to the application. Chairman Ohl closed the hearing at 9:38 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2015-10

WHEREAS, there has been filed with the County Clerk of Madison County, Nebraska, an application requesting the County Board of Madison County, Nebraska, to withdraw the following described real estate from a designated industrial tract:

A tract of land lying wholly in the South Half of the North Half (S½ N½) of Section Thirty-Four (34), Township Twenty-Four (24) North, Range One (1) West of the 6th P.M., in Madison County, Nebraska, which is more particularly described as follows: Commencing at the intersection of the center line of Highway No. 81, also known as 13th Street, and the center line of Monroe Avenue, as now located and established, which is also the South line of the North Half (N½) of said Section; thence East along the center line of said Monroe Avenue 360.5 feet; thence North 33 feet to the point of beginning; thence continuing North 300 feet; thence East 253.5 feet; thence South 300 feet; thence West 253.5 feet to the point of beginning.

Sometimes known or described as:

Commencing at the W¼ Corner of said Section 34; thence East along the South line of the N½ of said Section, on an assumed bearing of North 90 degrees 00 minutes East, 368.2 ft.; thence North 00 degrees 02 minutes 40 seconds West, 35.42 ft. to a point on the North Right-of-Way of Monroe Avenue which is the point of beginning; thence North 89 degrees 57 minutes 20 seconds East along the North Right-of-Way of Monroe Avenue 253.92 ft.; thence North 00 degrees 11 minutes 50 seconds West, 299.61 ft.; thence North 89 degrees 55 minutes 10 seconds West, 252.12 ft.; thence South 00 degrees 02 minutes 40 seconds East, 300.00 ft. to the point of beginning containing 1.75 acres more or less.

WHEREAS, the County Clerk designated and endorsed upon the application the 7th day of April, 2015 at 9:30 A.M. in the meeting room of the County Board of Commissioners of Madison County, Nebraska, at the Courthouse in Madison, Nebraska, as the time and place of hearing and determination of said application by the Board of County Commissioners of Madison County, Nebraska, and

WHEREAS, notice of said hearing containing the description of the above described tract and the time, place, and purpose of the hearing was published once a week for three successive weeks on March 17, 2015, March 24, 2015, and March 31, 2015, in The Norfolk Daily News, a newspaper published, and of general circulation, in Madison County, and

WHEREAS, notification was mailed to each property owner within said county industrial tract, and

WHEREAS, said hearing was held at the time and place aforesaid, at which time it was found that the tract is suitable for exclusion from the designated industrial tract and that withdrawal will be generally beneficial to the community and the industrial area, and

WHEREAS, the Norfolk City Council consented to the withdrawal of the above described tracts of land from the county industrial tract at its meeting on March 16, 2015,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the above described real estate shall be excluded from a designated industrial tract as provided in Section 13-1119 Nebraska Revised Statutes, and that a copy of this Resolution shall be filed in the offices of the Register of Deeds and County Assessor of Madison County, Nebraska, and with the City Clerk of the City of Norfolk, Nebraska.

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

County Attorney Joseph Smith reported that many of the Victim Witness grant requirements are getting burdensome so some counties have discontinued applying for grant funds. He stated that he is not prepared to discontinue using grant funds at this time, but at some point if the work associated with the Victim Witness grant gets more burdensome, he may need to change the program.

Commissioner Prauner questioned what amount of grant funds are received for the Victim Witness program and Mr. Smith responded that the County receives approximately \$42,000.

No action was taken by the Board.

County Attorney Joseph Smith reported that the lawsuit Hemmer Land LLC vs. Madison County Board of Adjustment is finished. He reported that he has not started enforcement action for the fine. He stated that Hemmer Land LLC has agreed to pay \$5,000 and this is the biggest fine that Madison County has imposed. He stated that he picked a number and there was no negotiating. He reported that Hemmer Land LLC wanted a lower amount and he said no. Mr. Smith said that Hemmer testified at a Planning Commission hearing that it would cost \$40,000 to move the bin. He stated that imposing a fine will be deterrence for non-compliance on future permits.

Prauner stated that the amount of the fine was the County Attorney's discretion. Commissioner Schmidt said that at the February 24, 2015 Commissioners' meeting it was agreed that the County Board would have the final say on the fine. Mr. Smith stated that he had to make a decision and he wanted to be fair. He said that if any of the Board members have any comments he would listen to them.

Commissioner Schmidt asked if the \$5,000 fine amount is a final decision or if the Board could request a different amount. Mr. Smith responded that he could probably change his mind about the amount; however, he is not inclined to do that. He stated that the fine is not a revenue stream or a tax. He explained that during the 30 years the County had zoning, a penalty has never been collected on a zoning issue.

Chairman Ohl reported that Mr. Smith was in communication with him as the case was proceeding and kept him up to date and he probably should have made a request to have the final decision on the fine amount come before the County Board, so he apologized to the Board members. Mr. Smith stated that there is no fault. He stated that he wanted to finalize the case, so he decided to set a fine of \$5,000. He reported that subsequently Hemmer asked for a reduction of the fine to \$1,000, but he would not negotiate.

Commissioner Schmidt stated that the fine amount has been established by the County Attorney and he asked if Mr. Smith wanted the County Board to vote on this matter because he is inclined not to vote. Mr. Smith responded that there is no need for the Board to vote on the fine amount.

No action was taken by the Board.

Chairman Ohl announced that the Board would discuss assessment of liquidated damages for Northeast Industrial Highway Phase 3. County Highway Superintendent Richard Johnson asked County Attorney Joseph Smith what discussions could be held in executive session regarding liquidated damages on a contract. Mr. Smith responded that the Board could go into executive session to discuss a contract, but there is a two part analysis. He explained that the first analysis is negotiation of a contract and the second part is strategy for possible litigation.

County Attorney Joseph Smith asked if the agenda item is discussion of a settlement offer or a compromise. County Highway Superintendent Richard Johnson responded that he has told Board members what the current settlement offer is and the contractor, Jason Aschoff, wants an opportunity to state his case. He said they would begin in open session and see where the discussion leads.

County Highway Superintendent Richard Johnson presented a history of the matter by explaining that the liquidated damage assessment for Northeast Industrial Highway Phase 3 has been dragging on for quite some time. He explained that the contract amount of liquidated damages is \$3,500 per day and counting of the calendar days for assessment purposes was stopped when the project reached 1st Street. He said that everyone involved agreed that work west of 1st Street was not an issue as far as liquidated damages. He reported that there was a total of 46 calendar days that the project overran, which calculates to a total of \$161,000. Mr. Johnson reported that in December they looked at the liquidated damages to determine a reasonable amount to try for an offer of settlement and the Board agreed on an amount of \$62,500 which was presented to Mr. Aschoff. He reported that following this decision, one of the sub-contractors asked to have a meeting with the engineers regarding the settlement. He said that A & R Construction and most of the sub-contractors were dealing with Mark Mainelli. He reported that the subcontractors were asked to correlate all the issues, give them to Mr. Aschoff, and have Mr. Aschoff submit a letter to the engineers for consideration. Mr. Johnson reported that the subcontractors asked to not count 15 working days because of the gas line issue on the Nucor railroad bridge, 3 working days that were lost waiting for the power lines to be moved, and approximately 2½ weeks which the subcontractors lost waiting for redesign of the turning lane and driveways that would go into the Tejas Tubular business. He stated that the engineers counted the numbers submitted by the contractors which totaled 31 days. He explained that while the engineers didn't necessarily agree that all the days were valid, they accepted them for consideration at the current time. He stated that if the assessment is based on the revised number of days, the liquidated damage assessment amount would be \$52,500 which is the amount he submitted to Mr. Aschoff. He reported that after the \$52,500 assessment was pondered, Mr. Aschoff returned with an offer of \$17,400. Mr. Johnson said that at this point he recommended that the matter be presented to the County Board so both the engineer and contractor could each present a case.

Jason Aschoff, representing A & R Construction, stated that the County has received a nice product. He said that Richard Johnson did a good job and was good to work with, but they did have some weather issues. He explained that seeding was the holdup because it was wet and typically seeding isn't completed in August due to heat. He reported that west of 1st Street, they completed some extra paving and saved the County a significant amount of money by doing the extra work. Mr. Aschoff reported that there was approximately \$180,000 savings on dirt for allowing Porter Construction to bring in dirt without paying a surcharge. He explained that there was approximately \$70,000 of savings on the paving portion, for a total of about \$250,000 which should have been added to the Phase 2 portion of Northeast Industrial Highway project. He said that he is hopeful that he could work with the County to get the assessment resolved. He reiterated that the County received a good product with good bridges.

Commissioner Prauner stated that he is new on the Board and he requested an explanation of the savings for the dirt west of 1st Street. Mr. Aschoff responded that on the Phase 3 portion of the project, the dirt cost \$3.46 per cubic yard and on the Phase 3 portion of the project, the dirt cost \$6.45 per cubic yard. He explained that the additional concrete work was completed by adding 70 cents per square yard to the price in the original contract. He said they were happy to work with the County.

Commissioner Schmidt asked if there is a reason that the seeding couldn't have been completed before August. Mr. Aschoff responded that the contractor was seeding, but he was a little slow. He reported that it rained a bunch last summer and then the contractor couldn't seed. Commissioner Schmidt responded that he irrigates and it wasn't necessary to irrigate in August because it was raining, so he understands. Mr. Aschoff said that conditions need to be just right to seed and he accepted the lowest bid, which is typical when a job is bid. He stated that this is his problem, but the County received a good product and everything looks good.

Chairman Ohl asked if the road remained closed until the seeding was done. Mr. Aschoff responded that the road was not opened until the seeding was completed; however, this was Mr. Johnson's discretion. He explained that usually on State projects, the seeding is done under traffic. Commissioner Schmidt asked if Mr. Aschoff knew this requirement at the beginning of the project and Mr. Aschoff responded that he didn't know this requirement until near the end of the project. Mr. Aschoff reported that Highway 35 wasn't seeded or backfilled when the contractors were paving. He stated that seeding is usually completed under traffic as long as it's not a hazard.

Commissioner Prauner asked how many people were on site when the contractor was working or if he felt there were ample people working on the project. Mr. Aschoff responded that at the start of the project when bridge work was being done, it was tough. Commissioner Schmidt reported that an assessment of \$17,400 figures out to almost 5 days.

Motion was made by Prauner and seconded by Schmidt to recess into executive session to discuss liquidated assessment on a contract. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The County Board recessed into executive session at 10:09 A.M. with County Highway Superintendent Richard Johnson and County Clerk Nancy Scheer present.

Motion was made by Prauner and seconded by Schmidt to recess from executive session. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board recessed from executive session at 10:41 A.M.

Motion was made by Ohl and seconded by Schmidt to direct County Highway Superintendent Richard Johnson to continue negotiations with A & R Construction for assessment of liquidated damages for Northeast Industrial Highway Phase 3. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The following written reports were reviewed:

- 1) Fund balance report
- 2) County Sheriff March fee report
- 3) 1st Quarter report for CASA of Northeast Nebraska
- 4) Public notice from Tim Campbell dated April 2, 2015

The following claims were audited:

	GENERAL FUND	
Total Net Payroll		130,859.09
Abe Electric	Services, Probation	159.18
Ag Spray Equipment	Repairs, Noxious Weed	1,491.47
Mark Albin	Legal Services, District Court	1798.03
Mark Albin	Legal Services, County Court	135.82
Ronald Albin	Legal Services, District Court	3,068.94
Ronald Albin	Legal Services, County Court	603.39
American Family Life Assurance Co.	Insurance Premiums	732.01
Ameritas Life Insurance Corp	Insurance Premiums	365.76
Jenny Ames	Witness Fees, County Court	110.92
Kevin Ames	Witness Fees, County Court	45.46
Appeara	Mat Service, Public Defender	28.18
Appeara	Mat Service, Courthouse	482.90
AS Central Services	Telephone Services, Planning and Zoning	24.95
AS Central Services	Telephone Services, Noxious Weed	24.95
AS Central Services	Telephone Services, County Sheriff	262.29
AS Central Services	Telephone Services, Law Enforcement	8.00
AS Central Services	Telephone Services, County Jail	441.71
AS Central Services	Telephone Services, Veterans' Service Office	71.85
Diana Barrera	Witness Fees, County Court	38.40
Addisen Beck	Mileage, Juvenile Diversion	64.17
Black Hills Energy	Gas Service, Planning and Zoning	23.68
Black Hills Energy	Gas Service, Noxious Weed	23.68
Black Hills Energy	Gas Service, Veterans' Service Office	62.44
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,566.48
Bomgaars Supply	Shop Supplies, Noxious Weed	22.94
Bessie Bove	Prior Service Benefits	12.00
Robert Bowen, M.D.	Autopsy Costs, Law Enforcement	900.00
Brady & Amy's	Fuel, County Sheriff	1,089.85
Brady & Amy's	Fuel, Courthouse	72.70
Brockhaus-Howser-Fillmer Funeral Home	Funeral Expense, General Assistance	2,400.00
Brogan & Stafford, P.C.	Legal Services, District Court	511.55
Brogan & Stafford, P.C.	Legal Services, County Court	3,206.18
Business Telecommunication Systems	Repairs, Juvenile Diversion	45.00
Business Telecommunication Systems	Repairs, Courthouse	152.44
CBM Managed Service	Meals, County Jail	6,919.32
Ruben Cea	Witness Fees, County Court	38.40
Champs, Inc.	Maintenance Contract, County Jail	2,166.00
Chief Law Enforcement Supply	Equipment, County Jail	56.93
City of Madison	Utilities, Public Defender	467.90
City of Madison	Utilities, Courthouse	2,937.05
City of Norfolk	Utilities, Veterans' Service Office	33.51
Coast to Coast Solutions	Supplies, County Sheriff	598.13
Colonial Life and Accident Insurance	Insurance Premiums	306.34
Comfort Inn	Lodging, Planning and Zoning	989.45
Connecting Point	Repairs, County Clerk	60.00
Connecting Point	Supplies, Equipment, County Sheriff	4,704.00
Connecting Point	Equipment, County Attorney	1,040.00
Connecting Point	Equipment, Probation	56.00
Connecting Point	Internet Service, Website, Courthouse	39.95
Consolidated Management Company	Meals, County Sheriff	23.25
Constellation Newenergy Gas Division	Gas Service, Planning and Zoning	142.84
Constellation Newenergy Gas Division	Gas Service, Noxious Weed	142.85
Constellation Newenergy Gas Division	Gas Service, Veterans' Service Office	126.83
Cook's Correctional Kitchen	Supplies, County Jail	87.41
Cuming County Clerk	Administrative Expense, Juvenile Diversion	915.42
Custom Cage	Equipment, County Sheriff	740.00
Dori Dailey	Witness Fees, County Court	115.20
Luke Drozd	Witness Fees, County Court	21.15
Eakes Office Plus	Supplies, Register of Deeds	79.98
Eakes Office Plus	Supplies, District Court	120.44
Eakes Office Plus	Supplies, County Jail	957.77
Eakes Office Plus	Supplies, Equipment, Furniture, Probation	1,369.38
Egley, Fullner, Montag and Hockabout	Legal Services, County Court	1,262.50
Egley, Fullner, Montag and Hockabout	Legal Services, District Court	408.75
Electrical Engineering & Equipment Company	Supplies, Courthouse	433.61
Electronic Contracting Company	Contract Services, Courthouse	701.00
Entertainment Unlimited	Services, County Jail	75.00
Enviromaster, Inc.	Supplies, County Jail	60.00
Field's Hardware	Supplies, Courthouse	3.49
First Concord Benefits Group, L.L.C.	Administrative Costs, Flexible Benefit Plan	5,936.43
Floor Maintenance & Paper Supply	Supplies, County Jail	1,078.56
Frontier	Telephone Service, Courthouse	1,030.07
Futureware Distributing, Inc.	Supplies, District Court	250.68

General Reporting Service	Transcript, County Court	52.00
Goldstar Products Inc.	Supplies, Courthouse	539.82
GreatAmerica Financial Services	Copier Lease, Public Defender	145.26
Matthew Headley	Mileage, Public Defender	124.20
Crystal Hestekind	Services, Probation	360.00
Marci Hjorth	Mileage, County Attorney	18.40
Home for Funerals	Funeral Expense, General Assistance	2,200.00
Hometown Leasing	Copier Lease, Probation	772.71
Jeffrey Hrouda	Legal Services, County Court	645.46
Joseph Hurd	Mileage, County Attorney	97.75
Hy-Vee Accounts Receivable	Meals, Juvenile Diversion	18.10
Interstate All Battery Center	Batteries, County Sheriff	146.85
Jack's Uniforms & Equipment	Uniforms, County Jail	293.94
Sharon Joseph	Legal Services, County Court	187.50
William Keaney	Rent, General Assistance	350.00
Lester Keiser	Uniforms, County Jail	133.75
Knox County Sheriff	Witness Fees, County Court	32.52
Luann Koch	Jury Fees, District Court	144.75
Lancaster County Sheriff	Service Fees, District Court	18.61
Jamie Lemus	Mileage, Public Defender	124.20
Kathryn Liebers	Services, Probation	70.61
Light and Siren	Equipment, Noxious Weed	129.90
Louderback Drug	Prescriptions, Juvenile Detention	393.49
Madison County Clerk	Tax Deposit	49,377.29
Madison County Clerk of District Court	Filing Fees, District Court	1,477.00
Madison County Sheriff Inmate Fund	Supplies, County Jail	16.88
Madison County Sheriff	Fees, County Court	1,121.72
Madison County Sheriff	Fees, District Court	894.20
Madison County Sheriff	Mileage, Mental Health	62.58
Madison National Life Insurance Company	Insurance Premiums	133.18
Menards	Supplies, Courthouse	15.96
Menards	Supplies, Parts, Noxious Weed	77.71
Midtown Health Center	Quarterly Funding, General Assistance	22,500.00
Midwest Plumbing & Heating	Repairs, County Jail	1,561.57
Amanda Milander-Mace	Witness Fees, County Court	38.40
Mallory Millard	Witness Fees, County Court	38.40
MIPS Inc.	Supplies, Equipment Lease, Register of Deeds	518.00
MIPS Inc.	Computer Support, County Clerk	592.07
MOCIC	Registration, County Sheriff	210.00
Morland, Easland & Lohrberg	Legal Services, District Court	656.40
Morland, Easland & Lohrberg	Legal Services, County Court	5,140.01
NACEB	Registration, County Extension	50.00
National Enterprise Systems	Garnish of Wages	194.91
National Public Safety Information Bureau	Publications, County Sheriff	576.00
National Public Safety Information Bureau	Publications, County Jail	288.00
Nationwide Retirement Solutions	Deferred Compensation	835.00
Nebraska Child Support Payment Center	Garnish of Wages	369.23
Nebraska Law Enforcement Training Center	Training, County Sheriff	28.00
Kim Neemeyer	Witness Fees, County Court	38.40
Norfolk Auto Center	Repairs, County Sheriff	32.64
Norfolk Auto Center	Repairs, Noxious Weed	72.20
Norfolk Daily News	Publications, County Extension	5.14
Norfolk Daily News	Publications, Courthouse	263.61
Norfolk Daily News	Publications, County Court	87.72
Northeast Community College	Lease, Operating Costs, County Extension	4,042.34
Northeast Community College	Training, Juvenile Diversion	19.20
Northeast Nebraska Juvenile Services	Vidyo Training, Juvenile Diversion	100.00
Northeast Research & Extension Center	Telephone Service, Supplies, County Extension	753.92
Mike O'Brien	Mileage, Juvenile Diversion	235.18
Wayne Ohnesorg	Mileage, County Extension	55.20
Judy Petzold	Witness Fees, County Court	96.80
Kristie Petzold	Witness Fees, County Court	38.40
Pierce County Court	Copies, Law Enforcement	2.75
Pierce County District Court	Copies, Law Enforcement	30.75
Susan Pohlman	Services, Juvenile Diversion	250.00
Sarah Polacek	Mileage, Meals, County Extension	139.95
Pedro Rayon Piza	Witness Fees, District Court	20.00
Region 4 Behavioral Health System	Quarterly Funding	13,193.25
Region IV, Inc.	Quarterly Funding	9,147.75
Retirement Plans Division of Ameritas	Employee Share Retirement	8,680.22
Retirement Plans Division of Ameritas	Employer Share Retirement	12,671.05
Reynoldsons	Fuel, Planning and Zoning	31.88
Reynoldsons	Fuel, Noxious Weed	279.58
Edith Sanchez	Witness Fees, District Court	20.00
Nancy Scheer	Mileage, Postage, County Clerk	38.70
Judy Schroeder	Prior Service Benefits	11.00
Dawn Schultz	Witness Fees, County Court	68.65

Secretary of State	Supplies, Election Commissioner	15.00
Lee Sherry	Mileage, Meals, Subscription, County Extension	47.14
Stanton County Court	Copies, Law Enforcement	5.75
Laura Stoltz	Witness Fees, County Court	38.40
Stratton, DeLay, Doele, Carlson & Buettner, P.C., L.L.O.	Legal Services, County Court	813.70
Graciela Swim	Witness Fees, County Court	38.40
US Bank Corporate Payment System	Fuel, Supplies, Meals, County Sheriff	428.49
US Bank Corporate Payment System	Postage, Meals, Equipment, Law Enforcement	165.93
US Bank Corporate Payment System	Supplies, Fuel, Juvenile Diversion	272.11
U-Save Pharmacy	Prescriptions, General Assistance	181.84
Varda Company	Equipment, County Sheriff	95.88
Verizon Wireless	Telephone Service, Reappraisal	40.01
Verizon Wireless	Telephone Service, County Extension	191.30
Verizon Wireless	Telephone Service, County Sheriff	1,954.88
Verizon Wireless	Telephone Service, Law Enforcement	80.43
Verizon Wireless	Telephone Service, Juvenile Diversion	307.63
Walmart Community	Router Service, Courthouse	78.04
Warrior Mindset	Supplies, County Attorney	99.32
Western Office Technologies	Training, County Sheriff	500.00
Western Office Technologies	Supplies, County Clerk	2.89
Western Office Technologies	Supplies, Register of Deeds	58.55
Western Office Technologies	Supplies, Planning and Zoning	14.98
Western Office Technologies	Supplies, Noxious Weed	67.89
Western Office Technologies	Supplies, Public Defender	295.11
Western Office Technologies	Supplies, County Sheriff	168.88
Western Office Technologies	Supplies, Juvenile Diversion	73.84
Zee Medical Service	Supplies, County Sheriff	48.70
Zee Medical Service	Supplies, County Jail	84.50
Zodiac Properties, L.L.C.	Rent, Probation	10,255.84

ROAD/BRIDGE FUND

Total Net Payroll		29,344.89
American Family Life Assurance Company	Insurance Premiums	411.48
Ameritas Life Insurance Corporation	Insurance Premiums	123.52
AR Solutions	Garnish of Wages	218.22
AS Central Services	Data Processing Costs	24.29
Battle Creek Farmers Coop	Fuel	5,272.55
Battle Creek Municipal Light & Power	Utilities	241.64
Bauer Built Tire	Repairs	9,985.24
Black Hills Energy	Gas Service	323.54
Blue Cross Blue Shield of Nebraska	Insurance Premiums	92.65
Bluetarp Financial Inc.	Tools	39.99
Thomas Borchers	Parts	212.96
Brady & Amy's Inc.	Fuel	919.59
B's Enterprises Inc.	Culverts, Grader Blades	17,733.00
Cartridge World	Supplies	48.99
City of Madison	Utilities	633.48
City of Newman Grove	Utilities	54.00
Colonial Life and Accident Insurance	Insurance Premiums	153.37
Connecting Point	Internet Service	15.00
Constellation Newenergy Gas Division	Gas Service	1,566.64
Courtesy Ford Lincoln Mercury	Parts	6.50
Eagle Communications, Inc.	Internet Service	239.70
Eastern Nebraska Telephone Company	Telephone Service	52.19
Eastern Nebraska Trailer Repair	Parts	30.00
Echo Group Inc.	Supplies	100.00
Electrical Engineering & Equipment Co.	Parts	79.82
Donovan Eucker	Fuel	99.00
Field's Hardware	Shop Supplies	100.61
First Concord Benefits Group	Administrative Fees, Flexible Benefit Plan	1,030.25
Frontier Bank	Equipment	20,617.00
Frontier	Telephone Service	163.95
Jebro Inc.	Asphaltic Materials	6,757.19
Dale Johnson Enterprises Inc.	Gravel	6,136.22
Johnson Engineering Company	Services	12,935.00
Kelly Supply Company	Parts	52.32
Kimball Midwest	Shop Supplies	134.24
Light and Siren	Parts	144.88
Loup Power District	Utilities	167.70
Madison County Clerk	Tax Deposit	10,333.61
Madison County Treasurer	Insurance Reimbursement	27.32
Madison National Life Insurance Company Inc.	Insurance Premiums	34.30
Mainelli Wagner & Associates, Inc.	Engineering Services	6,052.50
Matheson Tri-Gas Inc.	Shop Supplies	247.52
Matteo Sand & Gravel Company Inc.	Gravel	7,835.40
Medical Enterprises Inc.	Drug Testing	155.00

Menards	Shop Supplies	695.88
Midwest Service and Sales Company	Repairs	348.00
Myers Tire Supply	Repairs	343.87
Nebraska Child Support Payment Center	Garnish of Wages	93.24
Nebraska Public Power District	Utilities	159.45
NMC Exchange L.L.C.	Repairs	2,389.68
Norfolk Auto Supply	Parts	196.13
Norfolk NAPA	Parts	955.85
Pavers	Asphaltic Materials	1,467.38
Prime Sanitation	Garbage Service	53.75
Retirement Plans Division of Ameritas	Employee Share Retirement	1,729.99
Retirement Plans Division of Ameritas	Employer Share Retirement	2,595.05
Smutny Repair	Repairs	407.12
Telebeep Wireless	Pager Services, Internet Services	242.11
Truck Equipment Service Company	Parts	37.94

FEDERAL AID SECONDARY FUND

Christensen Brothers, Inc.	Contract Services	441,702.51
Johnson Engineering Company	Engineering Services	3,470.00
Mainelli, Wagner & Associates Inc.	Engineering Services	12,473.19

VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administrative Expense	1,625.85
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VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Administrative Expense	259.00
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REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND

MIPS Inc.	Services	501.75
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CDBG #2 FUND

Northeast Nebraska Economic Development District	February Services	60.00
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911 EMERGENCY FUND

Century Link	Telephone Service	978.60
Eastern Nebraska Telephone Company	Telephone Service	127.86
Frontier	Telephone Service	164.10

LAW ENFORCEMENT OPERATING FUND

Brandl Electric	Services	609.00
Davis Distributors	Supplies	138.00
Madison County Sheriff Inmate Fund	Supplies	88.48

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

The Board adjourned at 11:55 A.M. to Tuesday, April 21, 2015 at 9:30 A.M.

County Clerk Nancy Scheer

Christian Ohl, Chairman
County Board of Commissioners