

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

BOARD OF EQUALIZATION

Madison, Nebraska

May 14, 2019

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

Advance notice of the meeting was published in the May 9, 2019, addition of the Norfolk Daily News and posted on the Madison County website. A copy of the said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of meeting as published was executed. Chairman Christian Ohl called the meeting to order and notified the public of the location of the information regarding of the Open Meeting Act posted in the meeting room.

Present: Commissioners Ron Schmidt, Christian Ohl and Troy Uhler, County Clerk Anne Pruss, County Treasurer Donna Primrose, and County Assessor Jeff Hackerott.

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

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

Bright Horizons, 601 East Norfolk Avenue, Norfolk	2014 Dodge Grand Caravan
Community Concern of Norfolk, Inc., 222 N. 4th Street, Norfolk	2012 Dodge Sport van
Life Point Church, 715 West Madison Avenue, Norfolk	2001 Oldsmobile sedan, 2011 Ford van/bus
Mosaic, 105 East Norfolk Avenue, Norfolk	2007 Chevrolet van
Norfolk Rescue Mission, Inc., 111 North 9th Street, Norfolk	2006 Ford van
Orphan Grain Train, Inc., 601 West Phillip Avenue, Norfolk	2006 Toyota van
Trail Life USA AHG Troop 411 dba Northern Heights Baptist Church, 3000 Harvest View Drive, Norfolk	2015 R & M utility trailer
Women's Empowering Life Line, Inc., 910 West Park Ave., Norfolk	2010 Ford Bus, 2015 Ford Fusion, 201 2014 GMC Acadia, 2014 Chevrolet Traverse

County Treasurer Donna Primrose reported that all vehicles are renewals. She noted that the Christ is King Church has been renamed Life Point Church which is the organization. Mrs. Primrose also noted that Trail Life USA AHG Troop 411 added the Northern Heights Baptist Church, though the organization was previously approved under the other name. Chairman Ohl then asked if these were all renewals of existing exemptions. Mrs. Primrose said they were. Commissioner Uhler asked if the vehicle exemptions were new vehicle purchases. Mrs. Primrose stated they were mostly renewals.

No public comments were received during the hearing. Chairman Ohl closed the hearing at 9:06 A.M.

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

Motion made by Uhler and seconded by Schmidt to approve the minutes of the April 2, 2019, meeting. Roll call vote: Ayes, Ohl, Schmidt, and Uhler. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

- #3452: Chad Reeves, 84013 Creek Bridge Rd., Battle Creek
Addition to the tax rolls in the amount \$1,427.64 for correction of the 2018 personal property taxes due to equipment purchased in 2017 which was added to 2018 tax rolls
- #3453: Thomas and Diane Becker, 83221 553rd Avenue, Madison
Deduction from the tax rolls in the amount \$288.60 for removal of equipment from the 2018 tax rolls which was traded in 2017
- #3454: LaRue Coffee, P.O. Box 451119, Omaha
Addition to the tax rolls in the amount \$51.38 for acceleration of 2019 personal property taxes due to sale of equipment on February 1, 2019 in Norfolk City tax district
- #3455: LaRue Coffee, P.O. Box 451119, Omaha
Addition to the tax rolls in the amount \$6.94 for acceleration of 2019 personal property taxes due to sale of equipment on February 1, 2019 in Battle Creek City tax district
- #3456: LaRue Coffee, P.O. Box 451119, Omaha
Addition to the tax rolls in the amount \$5.40 for acceleration of 2019 personal property taxes due to sale of equipment on February 1, 2019 in 25-2N tax district
- #3457: LaRue Coffee, P.O. Box 451119, Omaha
Addition to the tax rolls in the amount \$4.24 for acceleration of 2019 personal property taxes due to sale of equipment on February 1, 2019 in Newman Grove City tax district
- #3458: LaRue Coffee, P.O. Box 451119, Omaha
Addition to the tax rolls in the amount \$0.86 for acceleration of 2019 personal property taxes due to sale of equipment on February 1, 2019 in Madison City tax district
- #3459: Richard and Caroline Soukup, 100 North 34th Street, Suite A, Norfolk
Addition to the tax rolls in the amount \$753.08 for correction of 2018 personal property taxes for addition of a pivot not reported in 2018
- #3460: Diabetes & Wellness Clinic, 809½ South 13th Street, Norfolk
Addition to the tax rolls in the amount \$464.82 for correction of 2017 personal property taxes for addition of equipment purchased in 2016 that was added to 2017 tax rolls
- #3461: Diabetes & Wellness Clinic, 809½ South 13th Street, Norfolk
Addition to the tax rolls in the amount \$291.62 for correction of 2018 personal property taxes for addition of equipment purchased in 2016 that was added to 2018 tax rolls
- #3462: TEGREA Inc. dba The Granary
Addition to the tax rolls in the amount \$421.72 for correction of 2018 personal property taxes for addition of equipment purchased in 2017 which was added to 2018 tax rolls
- #3463: Shopko Stores Operating Co. LLC, 700 Pilgrim Way, P.O. Box 19060, Green Bay, WI
Addition to the tax rolls in the amount \$1,676.76 for acceleration of 2019 personal property taxes due to closing of the store in May, 2019
- #3464: Larry and Jean Mace, 55415 829th Road, Madison
Addition to the tax rolls in the amount \$175.80 for correction of 2018 personal property taxes for equipment purchased in 2017 that was added to 2018 tax rolls
- #3465: Santa Marianita Clinic, 1112 Verges Avenue, Norfolk
Addition to the tax rolls in the amount \$68.26 for acceleration of 2019 personal property taxes due to closing of the clinic in March, 2019

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

#3466: Great Plains Hybrids, Inc., 206 Fork Circle, Crofton
Addition to the tax rolls in the amount \$111.68 for acceleration of 2019 personal property taxes due to equipment being moved to Knox County after January, 2019

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

County Assessor Jeff Hackerott reported that the Tax Equalization and Review Commission Findings and Order of Value of Real Property for Tax Year 2019 and every year there is a two-stage review of the values before they are sent to the tax payers. The first review is through the Department of Revenue who conducts a review of the values. The information they gather goes to Tax Equalization and Review Commission, then TERC does the same thing from a different perspective, which is geared more towards statewide equalization. Mr. Hackerott stated the Value of Real Property in Madison County for 2019 was found to meet the requirements of law, and there are no adjustments to value any class or subclass with an Order stating there is no order to make any changes. Chairman Ohl asked what the process would be if it were found that changes needed to be made. Mr. Hackerott explained that TERC would initially do a show cause hearing with the County being required to present evidence regarding whether the County agrees or disagrees with the findings.

After discussion, motion made by Uhlir and seconded by Schmidt to accept the Tax Equalization and Review Commission Findings and Order of value of real property for tax year 2019. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Chairman Ohl adjourned the meeting at 9:13 A.M.

ATTEST:

County Clerk Anne M. Pruss

Christian Ohl, Chairman
County Board of Commissioners

COMMISSIONERS' PROCEEDINGS

Madison, Nebraska

May 14, 2019

The Board of County Commissioners of Madison County, Nebraska, met in regular session at 9:32 A.M.

Advance notice of the meeting was published in the May 9, 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, County Clerk Anne Pruss, County Highway Superintendent Richard Johnson, Madison County Sheriff Todd Volk, Zoning Administrator Heather McWhorter. Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronfeldt were present until 2:15 P.M.

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

- 1) Approval of minutes of April 30, 2019, meeting.
- 2) Acknowledgement of receipt of the Continuation Certificate of Tim Means as Secretary/Treasurer for the Meadow Grove Rural Fire District.
- 3) Approval of Change Order No. 2 for the courthouse skylight project resulting in a net increase of \$5,037.26.

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

Commissioner Uhlir read the regular agenda. Commissioner Ohl noted that the Clerk had notified the Commissioners of adjustments in the Resolution numbers on the regular agenda. Commissioner Ohl read the regular agenda with the modifications made and revised regular agenda.

Motion made by Ohl and seconded by Uhlir to approve the regular agenda with the amendments noted. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Pursuant to published legal notice in the May 4, 2019, edition of the Norfolk Daily News, Chairman Schmidt opened a public hearing at 9:35 A.M. to receive comments regarding the conditional use permit application of Greg Lambrecht for approval of final plat for Lambrecht's Addition in Section 3-24-1, which is located approximately 2 miles north of the City of Norfolk along West Kaneb Road.

Zoning Administrator Heather McWhorter stated that the way the process works because this is a subdivision instead of a minor subdivision, it went through the preliminary plat Planning and Zoning Committee first so any concerns could be addressed. It then went back through Planning and Zoning Committee a second time for a final with no recommendations for changes. Procedurally, it had to go through Planning twice with the request for the conditional use permit receiving unanimous approval.

Mr. Lambrecht expressed support for the final plat for Lambrecht's addition. He stated the lots were well over one-quarter mile from the flood waters with an elevation approximately 10 feet higher than any flooding. Mr. Lambrecht stated the lots have been laid out so as not to change the natural drainage ways with some shaping done to direct water to the natural water ways into the ditch. Mr. Lambrecht stated he would like the Board's guidance regarding the proposed driveways from the lots to road access. He proposed three driveways for the four lots, two lots with individual driveways and two lots with a common driveway. He provided an aerial photo for reference. Chairman Schmidt asked about the personal wells for the lots. Mr. Lambrecht stated he had spoken with Dietz Well who said there was plenty of water and testing showed it to be a good water area. Chairman Schmidt asked the approximate size of the four lots, which Mr. Lambrecht stated this would be approximately 3 acres, some being 3-1/4 acres, with this not including the right-of-way. Commissioner Ohl asked if there were normally culverts in the ditches, and Mr. Lambrecht stated there were not. Commissioner Ohl stated that pending approval, Mr. Lambrecht could contact himself or the road foreman about culverts. Mr. Lambrecht stated there was enough slope that they may want culverts.

No one spoke in opposition to the application. Chairman Schmidt closed the hearing at 9:40 A.M.

Motion was made by Ohl and seconded by Uhlir that the Board approve Greg Lambrecht's application for the final plat for Lambrecht's Addition, 3-24-1, located approximately 2 miles north of the City of Norfolk along West Kaneb Road. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Pursuant to published legal notice in the May 9, 2019, edition of the Norfolk Daily News. Chairman Schmidt opened a public hearing at 9:41 A.M. to receive comments regarding Amendment to the 2018-2019 fiscal year budget to increase the revenue and expenditures in the Community Development Block Grant #2 Fund.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

County Clerk Anne Pruss reported that the Northeast Nebraska Economic Development District had miscalculation of the anticipated grant funds for the Community Development Block Grant #2 Fund. She explained that to correct this error, a budget hearing is required to amend the budget. She stated that the proposed amendment would increase the anticipated receipts and expenditures in the amount of \$357.04. She explained that these grant funds are for administration fees for Norfolk Nebraska Economic Development District to administer the grant for Project 16-D-0001, Weiland, Inc. She report that with the increase in receipts and expenditures, the total proposed budget for the Community Development Block Grant #2 Fund would be \$357.04 and that the change does not affect the property tax requirements. She stated that the 2018-2019 fiscal year budget would increase from \$41,528.00 to \$41,885.04.

No public comments were received in favor or opposition to the proposed budget amendment.

Chairman Schmidt closed the hearing at 9:46 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2019-27

WHEREAS, the County received more block grants funds for the 2018-2019 fiscal year for the Community Development Block Grant #2 Fund than anticipated when the budget was adopted, and

WHEREAS, the budget for the Community Development Block Grant #2 Fund is not adequate to provide the funding necessary for completion of Project 16-ED-0001, Weiland, Inc., and

WHEREAS, a duly advertised public hearing was held as required by §13-511 Nebraska Revised Statutes,

NOW, THEREFORE, BE IT RESOLVED, that the 2018-2019 fiscal year budget for Madison County is hereby amended to provide for additional receipts and expenditures in the amount of \$357.04 for the Community Development Block Grant #2 Fund, with total revenue and expenditures in the amount of \$41,885.04.

The hearing was closed at 9:46 A.M. Motion made by Ohl and seconded by Uhlir that the forgoing resolution be adopted. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Motion was made by Uhlir and seconded by Schmidt to recess the Board of Commissioners meeting to District Court Room #1 at 9:46 A.M. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Pursuant to published legal notice in the May 4, 2019, edition of the Norfolk Daily News, Chairman Schmidt opened a public hearing at 9:56 A.M. to receive comments regarding the application of Doug Sunderman for a large animal feeding operation on property in Section 24-23-1, which is located approximately 2 miles south of the city of Norfolk along 557th Avenue.

Chairman Ron Schmidt stated he had sought counsel and then contacted the State of Nebraska Accountability and Disclosure Commission regarding his relationship to Doug Sunderman. The Commissions' position is that Chairman Schmidt has no conflict of interest.

Zoning Administrator Heather McWhorter stated that Mr. Sunderman is requesting to add 4,999 cattle which makes it a large feeding operation with a setback requirement from a residence to be 1,980 feet. There is one home within that setback with a signed waiver provided. Mr. Sunderman does meet all of the setback requirements through the City of Norfolk's extraterritorial jurisdiction, so legal requirements for zoning regulations has been met.

Mr. Steve Mossman identified himself as the attorney representing Doug Sunderman and the Sunderman family. He provided a Nebraska Livestock Expansion White Paper produced by the University to each commissioner and for the record as well as any individual wanting to review it. The paper demonstrated the importance feeding livestock has to the backbone of the Nebraska economy. He called attention to a Golden Triangle figure, the crop-livestock-biofuel system. He summarized that there is growth opportunity in the feeding of livestock and that the Sundermans is a family operation seeing an opportunity that will also assist the local economy that will rely on this Golden Triangle of ethanol, crop production and livestock feeding. He reminded the Commissioners that there was a unanimous recommendation from the planning commission, that the planning commission had a public hearing, tabled it to consider the issues raised at such hearing, and then voted unanimously at the next meeting to recommend approval to the County board. He then stated that he believed Madison County was the first county in Nebraska to use a matrix as a tool to determine whether conditional use permits for livestock should be granted or denied, stating that the matrix was also part of the record, that the Sundermans' operation went through the matrix and scored a 450 when only needing 350 for a passing score. He stated that the Board had the tool of the planning commission and the tool of the matrix, both important considerations for the Board to look at when making their decision. Chairman

Doug Sunderman stated that he had begun farming in 1970s, buying the farm south of Norfolk in 1976. He stated he had hired professionals to design the proposed expansion and welcomed any questions from the Commissioners. Chairman Schmidt then asked Mr. Sunderman how the problem of flies is addressed. Mr. Sunderman provided examples of this including fogging which is done on a regular basis though not with a set schedule. Chairman Schmidt then asked Mr. Sunderman to discuss the trees on the property. He stated that the trees along the north and West sides would be staying. Commissioner Uhlir then asked Mr. Sunderman to address dust issues. Mr. Sunderman stated that this would be handled with sprinklers.

Steve Sunderman is the son of Doug Sunderman. He stated that the operation currently meets the setbacks and zoning requirements and that if given the opportunity to build their operation, they would also be meeting state and federal environmental regulations. He stated gentleman from Settje Agri-Services and Engineering, Inc. would be explaining what passing the matrix means and best practices as well as what is required to pass the state and federal regulations. Chairman Schmidt then asked Mr. Sunderman to explain the procedure for the delivery of cattle to the feedlot. Mr. Sunderman stated he knew there was a major concern regarding potential truck traffic on 836th Road. He noted that they have a scale at their east feedlot, which is on 835th Road and any incoming truck traffic would have to come on 835th Road and that for the trucks to reach the new operation they would need to go north down 557th Avenue, which would avoid the use of 836th Road entirely. He stated that they currently do not use 836th Road coming off First Street, using only 835th Road and 537th Avenue. Chairman Schmidt then stated that the road that goes to the north is in poor shape and asked what needed to be done to that road and if the operation is taking any responsibility to do anything with that road. Mr. Sunderman did not have an answer for the record at the time and would refer to counsel regarding liability issues and what they would be able to do, but in the past the operation had worked with and had good communication with the County regarding the roads. Chairman Schmidt asked if this meant the Sunderman operation would be willing to sit down with the County at a future date to discuss these issues, and Mr. Sunderman stated that they would. Commissioner Uhlir then clarified that this was kind of a transition phase from father to son with Steve Sunderman stating he would be stepping up and taking responsibility. Steve Sunderman said this was correct. Commissioner Uhlir stated that the Sundermans need to be good neighbors and good stewards of the land as well as being willing to address situations when called upon, asking Steve Sunderman to go on record that he would do his best to keep the operation clean and safe. Steve Sunderman stated that he would, that they have historically tried to be good neighbors and have open communication, and that they would like this to continue. Commissioner Uhlir then described a communication he had had with the Sundermans regarding a citizen's concern regarding their feed wagon drivers with that citizen later telling the Commissioner that the feed wagons had slowed down and seemed to be friendlier. Commissioner Uhlir stated that communication with his neighbors would have to be with Mr. Sunderman who would then address the concerns with his employees. Chairman Schmidt then discussed the hard surface roads to the West of the feedlot having begun to break up in places. He asked for their assurance that their trucks, trailers and other farm machinery are being weighed and utilized with the correct weight configuration. Steve Sunderman reiterated they are meeting all current state regulations including their trucks.

Dean Settje was then invited to speak. Mr. Settje stated that Settje Agri-Services and Engineering, Inc., is a professional engineering construction management company out of Raymond, Nebraska, providing engineering services, construction management, record keeping and compliance with state, federal and county regulations, manure marketing logistics, and geological and groundwater monitoring services. He has been in business for over 20 years with most of their customers being livestock-based businesses, so they understand livestock systems. Mr. Settje said the reason for the request for a permit is very simple, which is trying to construct a set of

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

new pens, basins and holding ponds, and he went on to describe this process. Mr. Settje stated that after being granted approval at this level, the next step would be to acquire the state and federal permits. Mr. Settje echoed that the County setbacks have been met as well as the deciding matrix on which this operation scored a 450. Chairman Schmidt then reiterated that the passing score is 350. Mr. Settje demonstrated a generic design that had been laid out on the facility, which was still being adjusted. This included different layouts of pens and possible locations of holding ponds which would capture the runoff from the facility. Mr. Settje described a cut-and-fill map that is used regarding the excavation involved in creating a feedlot that works properly in terms of pen maintenance, drainage and making sure the water goes where it needs to. Mr. Settje then discussed holding ponds which are used to protect groundwater and to protect surface water. Groundwater standards would be applied per state and federal regulations with state and federal regulations also being applied regarding discharge of surface water and how big the ponds need to be. Mr. Settje stated that in most given applications, his service usually exceeds that standard by 50% or more with the goal of building ponds bigger than they need to be to make sure there are no problems. Mr. Settje then described the liner expectation of protecting groundwater. The liner would either be a clay liner or a synthetic liner depending upon the quality of the soil. Mr. Settje stated that with the Sunderman operation, there is good clay soil but that samples of the soil will be pulled while excavating the holding ponds to ensure the soil has enough clay to meet the state permeability standard. Should sand be encountered, or something that is not expected, adjustments would then be made to meet or exceed the standard. He went on to describe staff gauges that are installed in the ponds to be sure they are pumped down after a rainfall event. Mr. Settje described the ponds as being designed to hold a 24-hour/25-year storm plus the month-of-June runoff. He described staff gauges as being used to adjust levels in the ponds, pumping when necessary. Staff gauges allow a recordkeeping process to ensure this happens appropriately. Mr. Settje stated that groundwater-monitoring wells will most likely be required at the Sunderman facility, which would give the assurance that the ponds are not leaking or causing problems with the aquifer. Mr. Settje went on to discuss pens and basins regarding slope, drainage, cattle comfort and reducing odor. All of the pens would drain into a basin system with that water being released out of the sediment basin over a 72-hour period as the slower the water is released, the better job it does of settling out solids in the basin to be harvested and returned to cropland, keeping them out of the pond as much as possible. The basins themselves must hold 100% of the 24-hour/25-year run-off capacity or overflow into the holding pond, whichever is most convenient at the time. Mr. Settje described the basins themselves as very simple in terms of being able to store solid in there that runs out of the pens but keep them from getting into the pond. These are designed to drain dry after every runoff event, and they are managed to keep the activity as such. Mr. Settje then described manure management. He stated it as an excellent opportunity to reduce odor compared to operations that don't have it. He then described irrigation distribution as simply pumping the water from the holding pond to a 67.5-acre pivot on the south side of the feedlot or another 35-acre pivot on the south side of that. Mr. Settje described this as all being formed into the manure nutrient management plan and irrigation distribution plan that is submitted to the State for approval. Mr. Settje then stated that the nutrient management plan is utilizing the nutrients captured out of the facility. He stated the two major products as being from the holding pond in terms of liquid and the other being solids being transported out to other fields.

Loren Bossler was present and voiced his opinion as being in favor of expansion of the Sunderman feedlot. Mr. Bossler indicated that he owned the land just north of the property. He stated that he currently sells grain and feed to the Sundermans and that this benefits the farmers in this area of Madison County with the ag economy being under a lot of pressure.

Legal Counsel and Regulatory Affairs for the Nebraska Cattlemen Association, Jessica Herman, stated that she represents over 3,500 livestock producers in all segments of the cattle industry. She indicated that the Cattlemen Association is in strong support of the Sunderman project. The University of Nebraska indicated that the economic value of the livestock production provides over 13.78 million for the State of Nebraska, and broken down even further, the impact to Madison County is \$181,848. In other words, out of Nebraska's 93 counties, Madison ranks 22nd for total impact of livestock production. This impacts job creation, increases business revenue, and results in a higher household income which converts into more tax dollars to County services and local schools, also offsetting the property burdens on residents. She stated according to Michigan State researchers, the impact of animal feeding operations on residential land values often exceeds the expectations of the economic costs of property value. She cited a study from Missouri that found that there is zero impact on property values from cattle or feeding operations. She asked that the County grant the conditional use permit because the Sundermans have greatly exceeded the requirements for the livestock siting matrix, have a proven record of being good stewards and neighbors, and this expansion is a win for Madison County with minimal risk to local land owners.

Mr. Kevin Daniel stated that he resides just east of the Sunderman property. He stated that this expansion is good for Madison County, will help by providing more jobs. Commissioner Uhlir asked what Mr. Daniel's relationship is with the Sundermans, and he stated that he has fed cattle for the Sundermans in the past. Mr. Uhlir ask Mr. Daniel how much road traffic he has and how much feed travels on his road. Mr. Daniel responded that he doesn't receive a lot of traffic on his road and that the feed comes off of First Street onto 836th Avenue.

Motion was made by Uhlir and seconded by Ohl for a five-minute recess from the hearing. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Martha Cook spoke in opposition to the Sunderman Feed lot. She stated that she resides on 855th Avenue and that her current home was built in 1969. She stated she was reminded at the Zoning Commission meeting that you are warned that there would be smells stated in the building permit but that you are not relinquishing your protection by the County. She asked what the protection by the County consisted of and mostly it consisted of a system of zoning that is in place, that has been carefully thought out and deliberated that began in 1967 when the State of Nebraska indicated a comprehensive plan be put in place. She stated that Madison County's most recent comprehensive plan is from 2002 and that the comprehensive plan is not law guided but has to exist according to the law before the County can make a zoning ordinance. The zoning ordinance is supposed to be consistent with the County's comprehensive plan. Ms. Cook stated that the first test is if the commissioners had acted arbitrarily or used their own personal discretion, or if they had not acted arbitrarily, was it consistent with the Madison County comprehensive plan. She stated that the zoning is not consistent with the Madison County plan, that the plan calls for fringe areas currently in its jurisdiction to remain buffers between urban or residential development and agricultural land. She stated that there is a fringe which is called the agricultural zone and there is only one other place that doesn't have this fringe. As of 14 months ago, the City of Norfolk expanded its extraterritorial area in this jurisdiction, but this should have triggered some type of response. She advised that the size of the buffer should be reevaluated to take into account the growth of Norfolk for the next 20 to 30 years and that this is what the County should consider first. If the County doesn't consider this first, it will result in spot zoning.

Commissioner Uhlir asked Zoning Administrator Heather McWhorter to clarify the transitional area and that nothing has been done since the City expanded. Commission Uhlir advised that there is an AG2 area prior to the Sunderman area as a buffer, referencing other communities in the county and this area being different than Norfolk's. He stated that from his research, the County oversees this area in other towns because those communities don't have a planning and zoning department. Zoning Administrator Heather McWhorter advised that every city in the County of Madison has a one-mile jurisdiction other than Norfolk. Commissioner Uhlir didn't disagree with Ms. Cook and stated that this is an issue that will need to be addressed in the future with the City of Norfolk. Ms. Cook stated that if the commissioners choose to accept this permit and then put in the agricultural transition zone, it will result in a less-restricted area that is created for the benefit of the owner surrounded by a more restricted area, which is called spot zoning. Ms. McWhorter stated that this issue could be addressed in the future but that the current property that is in question will still be agriculture intensive and the setback for an AG intensive area has currently been met by Mr. Sunderman. She stated that everywhere else in the county there is a one-mile jurisdiction except for the City of Norfolk, and then it is agriculture transitional for one-half mile. Ms. Cook stated that a first class city might be entitled to more.

Mr. Tom Richie spoke in opposition of the Sunderman Feedlot but expressed concerns of the water quality in Northeast Nebraska and that this concern should be spoken about. He stated that people are concerned about what they smell or hear. He stated that the Commissioners have asked why the feedlot should be put in and not what happens when it smells. His concern is that when he walks out to his backyard it smells like a feedlot, but that he can point to the Sundermans and say it is their fault, but the fact of the matter is that it might be smelled more and more often, and what is the county going to do about it. He stated that this is the question the County should be asking and that this is something the people living in the area will have to live with.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Mr. Lawrence Vesely was given the floor. He said he lived in the next section north of the proposed expansion site. He stated he knew the Sundermans have done a lot of work regarding the project and that everything looks good, but it comes down to it still smelling. He then talked about road conditions. He stated that last fall, at the corner of 557th Avenue and East South Airport Road, the ground was pounded so deep that when it rained he had to use four-wheel drive to get to town and when driving a car they had to go around because the ruts were so deep. He noted that having a lot of traffic on the road wears things out. He moved out there in 1974 before the feedlot was there. He stated he knows things grow but asked, "How big do you have to get to be big?" The Commissioners had no comments or questions.

Mr. Jon Siegert, who owns land one-half mile west of the proposed feedlot, was then given the floor. He stated he is concerned about property values being diminished by the expansion. Siegert expressed concern about statements he had heard made at a previous meeting that contradicted the current statement that the soil at the expansion site has clay. Siegert said when he digs down 3 feet in his property, and it is sandy soil and he hits water, which he says would mean that Sunderman should put in a synthetic liner in his ponds to protect the groundwater. Mr. Siegert stated his strong opposition to the proposal. His final statement to the board was that decisions made today impact tomorrow. Chairman Schmidt clarified that the water Mr. Siegert found when digging on his own property was surface water and that this is not the same as the groundwater people would drink. Mr. Siegert stated he believed the surface water would adversely affect the ground water. Mr. Siegert stated that when he purchased his property over a year ago he was aware of the feedlot and that there was 900 head at the time. He stated his wife has wanted to move her daycare business to the property, but that he did not think this would be successful if the proposal were approved. Mr. Siegert stated that his wife's statement had been e-mailed to the Commissioners who confirmed it had been received. Chairman Schmidt again confirmed the location of Mr. Siegert's property. Commissioner Uhlir asked if Mr. Siegert had any discussion with his neighbor when said neighbor entered into a contract to haul human waste to the north of Mr. Siegert's property. Mr. Siegert stated that he had been at the zoning commission meeting regarding that and had approved of it. He stated that smell would dissipate and only smells bad a couple of weeks out of the year.

Mr. Rob Haake was then invited to speak. He stated his address as 83730 555th Avenue. He stated they are business owners and pro-agriculture but that feedlots are a different type of agriculture. While feedlots provide economic benefits, there are a lot of disadvantages as well. As someone not raised with agricultural concerns, he stated he has been trying to determine what is reasonable. He had read that if you move yourself away from population when you build a new lot, it would help with the neighbors regarding dust and odor, and that you want to make sure there is no chance of surface water contamination. He stated that even though you may be 20 miles from a population center, you still should not build close to a river. He acquired this information from the University of Nebraska. He then stated the proposed expansion would be built within a couple of miles of 70% of the county's population. He stated that as a county we want feedlots, but do we want them on the border of the main population center of the county when the city is growing in that direction. He then commented on the matrix that had been mentioned previously. He stated that at the zoning board it was noted that all that was needed was the matrix. Mr. Haake noted that in the matrix, there is nothing about high water tables, sandy soil, and proximity to streams or population density, with those things then not being part of that consideration. Mr. Haake's last point was that despite the matrix, there is a document that says, "If any of these one things were proven, the proposal should not be approved by the board. He said that one of the edicts said that it "cannot be detrimental to the public health, safety, and welfare or materially injurious to the properties or improvements in the vicinity."

Olivia Matteo then took the floor. She gave her address as 4401 South 13th Street, Norfolk. She stated she understood their desire to grow their business, but that their business is encroaching other people's quality of life. Her main concern was about the increased amount of flies in the area that would happen with the expansion. She stated concerns that flies would be drawn to the bodies of water in the southern portion of Norfolk including Medelman's Lake, Andy's Lake and Cedar Lake, as well as possibly causing increased flies at Ta-Ha-Zouka Park as well as the along the Cowboy Trail and at the soccer fields. She was also concerned with the amount of water usage by the feedlot. Ms. Matteo noted that the planning and zoning commission was being inconsistent with whether the expansion would be a permitted or exempted project. Chairman Schmidt asked Ms. Matteo if the soccer field has a fly problem currently with Ms. Matteo stating there was not. Chairman Schmidt then advised Ms. Matteo that there is an 8900-head feedlot closer to the soccer fields, about a mile-and-a-half straight West of the soccer field. Commissioner Ohl stated he was not at the planning and zoning hearing but that they cannot make up whether something is permitted or exempt, that it is decided by the federal and state government and that it could have been misspoken. Commissioner Ohl noted that with an operation of this size, it would need to be permitted. It was ascertained the DEQ reports would be public knowledge, and Ms. Matteo was advised of where to locate that information. Ms. Matteo suggested having a link on the County's website where the community could more easily find this information would be helpful. Chairman Schmidt noted that would be a topic for discussion after the hearing.

Mr. Justin Young was then invited to speak. He is a resident of Norfolk, Nebraska. He stated he is not against feedlot expansion and has no stake in whether or not there is an expansion. He stated his opinion was if you have 200-plus community members who are not in favor of the project, it should reexamine the expansion and that the Commissioners consider if it would be best for the residents of the county if the expansion occurred elsewhere. He asked the Commissioners to take this into consideration, not saying no to the expansion, but making requirements regarding changing the location. He stated a concern that the current proposed location has a live-water stream underneath the south irrigation, so when they are pumping from the lagoon it would go directly into the live-water stream. Chairman Schmidt asked where he lived. Mr. Young stated he lived one and one-quarter miles directly north of the proposed site. It was clarified that the stream he was referring to runs from west to east, coming off Baldwin's property and runs through the irrigated system to the east. Chairman Schmidt stated this would not be addressed right now but that the board would visit with the Sundermans regarding the controls that will be in place regarding this.

Theresa Perry then took the floor, stating her address as 556th Avenue. She stated that at the planning and zoning, they were stating that the Sundermans had had no previous violations. She noted that in 2010 and 2012, they did have violations for dumping waste water into the Elkhorn River and were charged \$16,500. She stated that they also had had a violation for not monitoring a pivot. Ms. Perry then mentioned concerns regarding tax considerations. She stated it had been inferred that Sundermans pay "all the taxes," but she then noted Sundermans' taxes were \$26.60 cents per acre for the proposed expansion property and that a small homeowner is paying \$650 per acre. She figured that the Sundermans are paying \$100 per year towards repairing the roads they are destroying and that the other citizens are covering for the rest. Chairman Schmidt stated that on the matrix, the timetable when asking about violations is the last 5 years. Commissioner Ohl spoke to this point, stating he had done some research and appreciated her giving him a number at the Kansas EPA Office. He had seen the violation reports and the allegations with these being settled out of court. He stated the allegation was that due to the flood in 2010, on June 22nd and June 23rd, they were given the okay to reduce the water in their pit so they wouldn't lose the pit. The EPA office stated that by what was reported in the violation, he assumed they had over-dumped. The second incident in 2012 was described as putting the liquid fertilizer into an irrigation system that did not have a monitor or calibrating system. She expressed concerns that since they did not come forward to report these violations themselves, there may be many violations that have not been reported. Chairman Schmidt expressed his appreciation to Ms. Perry for the research she had done and provided to the Commissioners.

Russ Matteo asked about the slide presentation and wasps being introduced because he is highly allergic. Mr. Matteo also expressed concerns regarding the surface water. He stated he runs 5 sump pumps 365 days a year at his home, and he is a mile-and-a-half from the proposed expansion site. He states his soil is all sand. He also noted that flies would be increased at Ta-Ha-Zouka Park as well as the soccer fields. He stated he saw the expansion as detrimental to the quality of life in the area. Chairman Schmidt told Mr. Matteo that they would find and provide him with the information regarding the wasp issue.

Quentin Wagner spoke in opposition of the project and noted his address as 55751 835th Road, directly across the road from what he referred to as Sundermans' main cattle yard. He is for an expansion of the cattle yard. He said he has a concern regarding the problems that might come along with it. He stated what he has seen since there has been expansion of the cattle yard across the street from his property is an increase in traffic on a road he cannot pass now. Mr. Wagner stated he has a high nitrate content in his water, he sees a lot of flies, and he sees a lot of dust. He asked if it were possible to address these issues. He had a nice asphalt road that is now in bad shape. He reiterated he was not against expansion, but he was asking the board to consider and address these issues before proceeding with approval. He asked that it be decided who takes care of the road. He only has a vested interest in that his quality of life has decreased just because of the problems he listed. Chairman Schmidt made the comment that what happened to Mr. Wagner's road happened across the county and the state this spring because of the high surface water and the frost. Chairman Schmidt stated the

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

County is having trouble with roads that have never had trouble before. With regard to Mr. Wagner's question about who is responsible for the road, Chairman Schmidt stated that the County is responsible, but some of the work has yet to be done simply because the dirt has not dried out enough. Mr. Wagner stated he has seen the process of degradation of the road for well over a year, but that the water did expedite the problem. Commissioner Uhlir stated he liked his set points and the comments. He felt it was important to put a timeline together to address the roads. Commissioner Uhlir also stated this is something that needs to be evaluated for the 20- to 30-year plan. Mr. Wagner stated he would like to see this issue addressed before proceeding with the project. Chairman Schmidt then addressed Mr. Richard Johnson, the County Highway Superintendent, regarding the County approving the feedlot without taking care of the road first. Chairman Schmidt stated that his response would be that the road is not an issue with this permit, and he asked Mr. Johnson to comment on that. Mr. Wagner inserted the remark that as this is the main cattle yard, he would see an increase in traffic.

Chairman Schmidt then closed the public hearing at 12:12 P.M.

Discussion was then held by the Commissioners. Mr. Russ Matteo expressed concern about being burdened with taxes to improve the roads for the Sundermans' profit. He stated he rarely traveled the roads concerned, but the amount of money spent on the roads would be a tax burden on the residents in Madison County. Chairman addressed this by stating that the upkeep of any road in Madison County that any business uses is paid for by tax dollars provided by the County's residents. Commissioner Uhlir stated there are other roads that have had increased usage due to the closure of other roads and that the maintenance of the roads is paid for by the residents. Commissioner Uhlir stated that the County is maintaining many of the roads that are being damaged by various businesses. Commissioner Uhlir stated it would be nice to be able to come to some sort of an agreement but that it would have to be fair throughout. He stated a portion of road east of 557th Road that was damaged by the Sunderman feedlot was repaired by them at their expense. Mr. Johnson then stated that of all the taxes a resident pays, about 20 percent goes to County government with about 20 percent of that amount going to roads. Chairman Schmidt then called upon Theresa Perry who asked why Sunderman is charged such a small amount of tax for a feedlot when they do cause so much damage.

Ms. Perry stated that when she had a commercial property she was charged on the amount of income brought in, so why are the Sundermans not being charged on the amount of income they bring in. Chairman Schmidt stated it was his determination that that had nothing to do with the application.

Martha Cook was then invited to speak. She first talked about the economic benefit and asked if the Commissioners were aware that we could also reap the economic benefit if they built four miles south of the proposed location. Her second question was how far into the future was the board looking regarding the expansion of the city of Norfolk. Chairman Schmidt asked if anyone from the City of Norfolk was present to address the question. Commissioner Uhlir stated that it is going to take some communication between the County and the City of Norfolk that would not happen overnight. Chairman Schmidt stated that this had nothing to do with the current application with Ms. Cook expressing her disagreement. Zoning Administrator Heather McWhorter stated that they can anticipate moving forward and discuss things with the City of Norfolk, but the City of Norfolk extends their jurisdiction and has the right to do so without the commission's permission, but this particular matter with the commission's particular regulations currently, that the commission cannot make a decision based on Mr. Sundermans' application based on what the commission may decide to do in the future. She asked Madison County Attorney Joe Smith to weigh in if she was incorrect. Mr. Rob Merrill, City of Norfolk councilman for the Third Ward, then spoke. He stated as far as he was aware, there were no current discussions with Madison County relating to this question, not saying there would not be in the future. He stated he did not believe the City of Norfolk would step into this portion of the County's business. Martha Cook stated that the Zoning people absolutely had the responsibility to have a view into the future. Commissioner Uhlir stated that this wasn't something for discussion at this time, but he thought it was something that needed to be addressed in the future. Chairman Schmidt then took the liberty to stop entertaining questions from the audience.

Chairman Schmidt asked about the wasps and invited anyone from the Sunderman group. Mr. Dean Settje stated the wasps are not the typical wasps seen building nests. They are a wasp that does not fly or sting, they just eat fly larvae and are harmless.

Chairman Schmidt then asked Mr. Settje to address concerns regarding the stream. He stated that any stream that goes through an irrigation distribution system will be looked at by the State's Department of Environmental Quality. If there is a waterway that runs water, it would be prohibited to apply water through that area. If it is something that can be farmed through, the times when water is applied are not when water is running through it. He summarized by stating if it is farmed, you can apply water through it, if it is not farmed and water runs in it, you cannot apply water. Chairman Schmidt asked when it is the fall and you want to pump down the lagoons when done harvesting, how is that addressed if there is water running through and you are not farming. Mr. Settje stated if there is water going through, the pivot would have to stop application.

Chairman Schmidt then asked for comments or discussion regarding the 2010 and 2013 violations. Mr. Settje stated that the Sundermans had reported the violations themselves and that the DEQ and EPA did show up and found the violations. He also stated that the violations have been resolved, and the Sundermans' track record since has been spotless.

Chairman Schmidt then asked about the holding ponds and the lining of such because he has concerns regarding comments made by residents of having water in their basements. He also mentioned concern about surface water issues and a having a relatively high water table in the area. He stated he would feel better about approving this application if the holding ponds were lined. Chairman Schmidt asked Mr. Settje for any comments regarding that. Mr. Settje stated that a lot of factors are taken into consideration when developing their excavation plan with this work being done by 8 engineers and technicians. Their recommendations are then made based on the evaluation and their high level of experience, with this evaluation then sent to the DEQ. The DEQ independently evaluates the proposal. Mr. Settje did not have an answer currently, but stated that the evaluation is taking place and the work will be done correctly. He stated that with the information available to him at the time, it would not make sense to line the ponds based on the speculative thought, but it will be done according to the DEQ's regulations including placing groundwater monitoring wells around the ponds. Chairman Schmidt asked if the groundwater monitoring wells would take in what is happening with the surface water. Mr. Settje said not necessarily because they try to get past that point and to the aquifer itself. Chairman Schmidt asked if they had a responsibility as Commissioners regarding the surface water question. Mr. Settje stated this is one of their evaluation processes, making sure that a problem will not be caused by the surface water in the proposed area of the project. He stated the last thing he wanted was his name or the Sundermans' name on something that doesn't work or to cause a problem for the Sundermans. Commissioner Ohl asked for the cost difference between a clay liner and a synthetic liner. Mr. Settje stated that a clay liner would probably cost approximately 20- to 30-cents per square foot, but having to import the product would change this completely. A synthetic liner would cost approximately 50 cents per square foot. Mr. Settje stated that they install about 70% clay liners and 30% synthetic liners and that synthetic liners not without their problems. He stated there are a lot of maintenance problems with a synthetic liner that the clay liner does not have. Commissioner Uhlir asked if core samples had been done yet, and Mr. Settje stated they have not.

Commissioner Uhlir asked about Mr. Settje's thoughts about the trees surrounding the current property. He said trees are a good thing from a cattle welfare standpoint, depending on the size of the property, with north and West being good because of north and West winds in the wintertime. Mr. Settje that trees also help with the odor issue, to some extent, stating they dissipate odor and push odor up in the air. Commissioner Ohl asked if it were Mr. Settje's recommendation that the trees be kept as they are now or if there were any plans he was aware of to make any changes with the trees. Mr. Settje referred to Doug Sunderman's earlier testimony that the north and West sides would make sense, but the rest are probably not relevant.

Zoning Administrator Heather McWhorter then stated that everyone needs to remember that the conditional use permit is for the use of the land and that with an approved permit this date, that would allow the Sundermans to proceed forward; however, any problems encountered by DEQ or the EPA, etc., would take precedence over the permit. In addition to that, the permit is for the use of the land, so when they put the equipment in, the Sundermans would still need to get a zoning permit, so they will be checking setbacks to roads and streams, etc. Ms. McWhorter asked if the Commissioners had any comments regarding the possibility of property values dropping. Chairman Schmidt stated he appreciated Mrs. Perry's comments about evaluations and taxes. He stated that \$400 a head for 4,000 head as well as improvements to the property translates to \$2 million dollars. Chairman Schmidt stated that if the board approves the application and the feedlot begins functioning, they would be paying more than \$27 per acre in taxes on that land as the valuation would increase. Regarding property values, Chairman Schmidt stated that there have been a lot of new construction of nice homes that has happened adjacent to established feedlots in the area, which is one picture he looks at when it comes to valuation.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Commissioner Uhlir closed by saying to the Sundermans that it is obvious their neighbors are concerned, that is appreciated what they have done so far and that no one is perfect; however, we need to try to be perfect every time. He would appreciate in moving forward to be able to have civilized conversations when concerns need to be addressed. Commissioner Uhlir acknowledged the widespread economic impact the expansion would have but stated that the Commissioners would need to have a working relationship with the Sundermans as they represent the Sundermans' neighbors who have to see them, smell them and drive the same roads so they need to be sure to work well together. Chairman Schmidt noted that there are inherent smells with agriculture but what his concern has been and what he was trying to determine by listening to the opposition is if the Sundermans have a history of being negligent in controlling smells. He stated that they cannot eliminate smells, but he wanted to know if they have been responsible in controlling smells. He stated he had not heard any testimony from anyone stating that the Sundermans haven't tried to be responsible in controlling smells. Commissioner Ohl stated quite a couple of comments were made about trees and whether or not the trees would be left as they are currently with the Sundermans noting their intent to do so and that it is also their intention to do pest control through wasp application. They would also be adding sprinklers. He stated that a comment had been made about not having guns on the sprinklers that would be used for the application of liquids coming off the feedlots. He stated those conditions were not included in the recommendations and asked if the board would be considering to include or not include those conditions. Commissioner Uhlir asked if the guns are controlled by the DEQ with the answer being provided that they are not, that the basic premise is to make sure they are used appropriately. Commissioner Uhlir asked if there is a current condition that the irrigation cannot spray the road and if that would need to be done. It was noted by Heather McWhorter that there are laws on the books regarding this. Chairman Schmidt stated that the Commissioners want there to be a tree barrier and asked what the appropriate language would be to ensure that an appropriate tree barrier be maintained on the north and West sides of the feedlot. Mr. Mossman stated that the Sundermans would accept that as a condition.

Chairman Schmidt then mentioned including in the conditions that the County reserves the right, as always, to close the roads or put weight restrictions on the roads as seen fit for the safety of the traveling public. Mr. Richard Johnson, County Highway Superintendent, stated that language should be added that says this permit is granted with the roads in the condition they are today. County Attorney Joe Smith stated that this is a resolution and not just the permit, language should be added to state that the County is under no obligation or makes no recommendations that it will improve the surrounding roads to meet the needs of the increased traffic. After much discussion among Mr. Smith, Mr. Johnson, Ms. McWhorter, the Commissioners, and the Sundermans' representatives, it was decided that maintenance of the road would not be made a condition of the conditional use permit.

Chairman Schmidt made a statement that he is a first cousin to Doug Sunderman. He stated he has no financial connection with Mr. Sunderman and they do not spend time together socially. He submitted a letter from the Accountability and Disclosure Commission of the State of Nebraska stating there was no conflict of interest. He asked his fellow Commissioners to state if they thought it was in his or the County's best interest to vote or not vote and that he would abide by their decision. Commissioner Uhlir stated that with the steps that had been taken to address this issue, he was comfortable with Chairman Schmidt voting. Commissioner Ohl agreed that it would be appropriate for Chairman Schmidt to vote. Madison County Attorney Joe Smith concurred as there was no financial interest and Chairman Schmidt is not immediate family.

After discussion, the following resolution was introduced:

RESOLUTION #2019-28

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

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

WHEREAS, notice of public hearing was published in the May 4, 2019 edition of The Norfolk Daily News, and a public hearing was held by laWest

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

1. The application is consistent with the Madison County Comprehensive Plan.
2. The application is consistent with the Madison County Zoning and Subdivision Regulations.
3. The score for this facility on the Madison County Livestock Feeding Operation Siting Matrix was 450 points, and 350 points are needed to pass.
4. The feedlot setback is 1.980 ft. from the nearest dwelling. There is one residence within the setback but a signed waiver is provided.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Doug Sunderman for a confined animal feedlot as provided under Article Four, Section 402 "AG1" Intensive Agriculture District, Madison County 2003 Zoning and Subdivision Regulations on the following described land:

PT W ½ SW ¼ of Section 24, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska (see attached)

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

1. This is a Large Animal Feeding Operation Conditional Use Permit for an operation of up to 4,999 head equivalent of feeder cattle.
2. This conditional use permit shall be for an unlimited amount of time subject to successfully passing an annual review of the Madison County Livestock Feeding Operation Siting Matrix, implementing the additional conditions of this permit, and will become effective with the adoption of this resolution.
3. Applicant must maintain a tree barrier on the North and West side of property.
4. This permit is subject to the Madison County Zoning and Subdivision Regulations, the laws of Nebraska and the United States Government and the CAFO permitted here shall be operated to comply with all of these entities.
5. Any new owner/operator of this operation must give notice to the Madison County Zoning Administrator 30 days prior to the closing date of the sale.

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

A motion made by Ohl and seconded by Uhlir to approve the application of Doug Sunderman for a large animal feeding operation on the property section 24-23-1 which is located approximately 2 miles south of the City of Norfolk along 557th Avenue with the modification and addition of the condition that the applicant maintain an appropriate tree barrier on the north and West sides as amended. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Motion was made by Uhlir and seconded by Schmidt to recess the Board of Commissioners meeting to the Commissioners' Chambers. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Motion made by Uhlir and seconded by Ohl to come out of recess at 1:05 P.M. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Road and bridge projects were discussed. Commissioner Troy Uhlir had a phone conversation with FEMA, which was referred to as an exploratory call. Present for the phone conversation were Sheriff Todd Volk, Zoning Administrator Heather McWhorter, County Highway Superintendent Richard Johnson, and the road foremen. FEMA will be present on May 23, 2019, for an on-site visit. Mr.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Johnson stated FEMA would set up inspection times to see the different sites. Commissioner Uhlir stated he had been told that any overtime hours that could be tracked would possibly be funded and that repairs including flood-related repairs, not just maintenance repairs, would be covered. They spoke about the damaged bridges and some of the other road projects that have been fixed.

While the foremen were present at that time, there was discussion about some of the road situations, one being Old Hadar Road with repairs starting the day before, May 13, 2019. Commissioner Uhlir stated this would be a temporary fix. He stated that if there were a lot of truck traffic on the road, it would be destroyed. The road will be posted as for local traffic only, which means people from Hadar. It was emphasized that people living and working north of there should really be using Highway 98. Also, the speed limit on Old Hadar Road will be decreased to 40 mph. He stated that the County wants that corridor open because not only does it carry a lot of local traffic, it also carries ambulance service traffic from Hadar. Mr. Johnson then stated he had spoken with Foreman Jeff Schroeder who had noted he was having problems in the area and wanted to speak with Commissioner Ohl as soon as possible.

Chairman Schmidt stated that South 37th Street is now open. It was noted that this would help with the traffic on 61st Street. The plan for repairs on 836th Road were also discussed, which is just beginning as the necessary material has just become available. Mr. Johnson stated that South 37th Street is open though still needs to be seeded.

Mr. Johnson was then asked to address Benjamin Avenue. Mr. Johnson stated that he anticipates bidding will be opened next month. Mr. Johnson noted that he came to an agreement with First Christian Church, which sits at the corner on Benjamin Avenue, that they would give the County all the dirt needed in exchange for the County doing the dirt work for alternate access off of Victory Road. He stated this makes it so Benjamin Avenue can be closed without needing to accommodate anyone as the college has advised that they have a way to go around. It was stated that it will be a lot safer and work will go much faster with the road being able to be closed. Mr. Johnson stated with the current construction climate, the County would likely need to let the contractors name their completion date, possibly leaving it open to the next construction season.

Mr. Johnson then stated that Knife River, who is doing a lot of the hot mix in the area, is starting work on 3 miles of 61st Street but will come back to work on North 37th Street by Lutheran High Northeast.

No action was taken.

The Commissioners met with David Pedersen regarding Old Hadar Road. Mr. Pedersen stated he was ticketed for being on Old Hadar Road between the barricades on April 7, 2019. He stated he was also ticketed for Criminal Mischief. He stated he was guilty of living between the two barricades and gave his address as 4203 Old Hadar Road. He stated his intent on that date was not to make anyone look bad, but he stated he was trying to do some repairs to make the road passable. He then began to work on the road near one of the barricades which is when he was ticketed by the Deputy Jensen. He stated his intent was to just work on the road. He had taken things into his own hands because it had been 2 months since the flooding. He admitted that he probably went about it wrong. He stated his court date was May 7, 2019. His stated that his lawyer explained to him that he could take the charge of being between the barricades or he could fight it with the possibility of criminal mischief being back on the table and his fees going up, so he paid the \$149 to the Court. He stated he was basically trying to get rid of the ruts that were caused by dump trucks that had gone through. He stated he wasn't looking to get his money back, but he wanted to discuss the situation with the Commissioners. He stated that the public's perception is that the County does not care about repairing the road. Mr. Pedersen stated that the shoulders are too high and need to be lowered or tapered so water can run off. There was discussion about Mr. Pedersen's actions causing more of a problem than actually helping. Commissioner Ohl made a statement in defense of those working in law enforcement as they are tasked with enforcing the law in these cases. County Clerk Anne Pruss clarified that when she had spoken with Mr. Pedersen, she felt the importance issue is communication and this needs to open up, from the citizens to the Commissioners and vice versa so the citizens will know that a project hasn't been overlooked. She noted that the Commissioners are open to providing their phone numbers and that the public needs to know that they need to contact the Commissioners with their concerns.

No action was taken.

Payment of overtime for employees in Road/Bridge and Zoning Departments was discussed by the Commissioners. Zoning Administrator Heather McWhorter was asked by Chairman Schmidt about her work with Travis Amen, the Sign Department Director. She stated working with Mr. Amen has been a huge assist. Chairman Schmidt wanted to ensure that if Mr. Amen was working overtime that this was being done with Ms. McWhorter's office. Ms. McWhorter clarified that the majority of the time Mr. Amen worked with her was on Friday, Saturday or Sunday when he was not working his regular job. Ms. McWhorter advised the Commissioners that Pierce County has signed an agreement to pay half the overtime out of the Zoning Department back to Madison County will be on her next agenda.

Motion was made by Ohl and seconded by Uhlir that the Road and Bridge Departments go back to comp time rather than overtime payments, but with the exception of Zoning Department that they will continue to accrue overtime payments for the projects and requirements placed on them due to the flooding, with the Sign Department Director being included in Zoning Department, allowing for overtime payment. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none.

Motion carried.

The Commissioners discussed Blue Cross Blue Shield Health insurance benefits for County employees for the 2019-2020 fiscal year. Commissioner Ohl gave a broad overview of prior discussions. At the last meeting, discussion was held regarding keeping the current insurance plan in place but also offering a second plan in addition. Offering the second plan would result in almost no increase in cost for the County. He stated that the County is able to offer at least two plans to employees. At the previous meeting, allowing employees to opt into a \$6,000 high-deductible plan was discussed. He stated that the benefit to the employee would be not having any out-of-pocket cost for insurance premiums as these would be reduced to the point where there is a savings for them and the County. Commissioner Ohl stated he would like to propose, which could be excluded or included, that the County could also provide a \$1,000 contribution to a Health Savings Account annually and allowing that contribution to be front-loaded for at least the first year. Commissioner Ohl explained different options the County would have regarding that contribution. Regarding the HSA account, he explained that if no medical expenses were incurred or the employee never used it for a qualifying expense, the money in the account could build every year. He explained that the employees can contribute to this account and it is not limited to what the County contributes. Commissioner Uhlir confirmed that this is not being forced on the employees but would be an option. Commissioner Ohl stated, just to demonstrate the savings, that if all employees were forced to switch to a \$6,000 high-deductible/HSA plan, the County could see approximately an 18.73% savings, though it probably would not be a popular choice. If all employees opted for the high-deductible plan and the County provided a \$1,000 contribution, the savings to the County would be approximately 13.15%. He stated that NACO recommended front-loading this offering from some of the savings back to the employees in the form of an HSA. Mrs. Anne Pruss stated it is hard to calculate the cost to the County as the number of employees who would choose this option is unknown. She stated it could be similar to the cash-in-lieu offer which started small but then grew, that the County might not see a big savings the first year but could see it in the future. Chairman Schmidt asked if a deductible buy-down would apply to this program with County Clerk Anne Pruss stating it would not as it would be more complicated as it fluctuates the premium amount; therefore, deductible buy-downs would only be offered to an employee who is currently enrolled in the health plan.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

A motion made by Ohl and seconded by Schmidt to offer the following health insurance benefits for the 2019-2020 fiscal year to county employees:

1. NACO Blue Cross Blue Shield \$2,500.00 deductible Blue Preferred (PPO) plan with a deductible buy-down of \$1,000.00 by the County for single members and an additional \$1,000.00 for 2/4 party or family plan members;
 2. NACO Blue Cross Blue Shield \$6,000.00 high-deductible/HSA plan with the county to contribute \$1,000.00 when a county employee enrolls in the plan;
 3. Requires subscribers with single plans to pay \$20.00 per pay period, 2/4 party plan members to pay \$40.00 per pay period, and family plan members to pay \$50.00 per pay period;
 4. Cash-in-lieu payment of \$350.00 per month for single participants and \$500.00 per month for 2/4 party and family participants and require employees who receive cash-in-lieu payments to submit an affidavit of other insurance coverage.
- Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Voluntary benefit programs offered by AFLAC and Heritage Financial Services were then discussed. Mr. Doug Hartner, the County's AFLAC representative, offered to answer any questions the Commissioners may have. There was discussion about the platform being fairly new with company's looking to implement it but it not being fully implemented yet. Mrs. Anne Pruss she was to be provided the names of contacts but has yet to receive these names. Chairman Schmidt stated he was personally hesitant to move forward. Commissioner Uhlir stated that if the County was going to do something, it would need to be less time-consuming, with the only benefit the County would have would be the enrollment process. The Clerk's office would still be writing a lot of checks, etc. He stated that if he were to say he wanted Heritage, he would want it to be known that he would want Mr. Hartner to stay on as the AFLAC representative, but at this time he didn't feel Heritage Financials program would offer the County a big benefit until we could get to a platform where the County could write one check. He stated he left it in the lap of County Clerk Anne Pruss as the Clerk's office has to do the work.

Motion made by Uhlir and seconded by Ohl to take no action at this time and will review a year from now for the next fiscal year. There was no further discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none.
Motion carried.

The following written report and correspondence were reviewed:

- 1) Fund balance report.
- 2) County Clerk April, 2019, fee report.
- 3) Clerk of District Court April, 2019, fee report.
- 4) County Sheriff April, 2019, fee report.
- 5) Register of Deeds April, 2019, fee report.
- 6) Letter from Northeast Nebraska of Economic Development District regarding regional economic development efforts.
- 7) Letter from Nebraska Department Economic Development regarding completion of CDBG #16-ED-001.
- 8) Donation from Alex Stepanek and the Loup City Entrepreneurs Club, Inc. for flood relief.

The following claims were audited:

	GENERAL FUND	
Total Net Payroll		160,952.01
Advanced Correctional Healthcare	Contracted Medical Services, County Jail	13,145.12
Mark Albin	Legal Services, County Court	2,609.58
Mark Albin	Legal Services, District Court	901.22
American Family Life Assurance Company	Insurance Premiums	1,122.85
Appeara	Rug Service, Supplies, Public Defender	29.64
Kathy Baker	Professional Services, Community Based Grant	445.00
BB Construction	Office Modifications, Veterans Service Office	253.00
BI Incorporated	Monitoring Services, Juvenile Accountability	12.00
Big Red Printing	Supplies, County Court	404.81
Black Hills Energy	Gas Service, Zoning Department	18.95
Black Hills Energy	Gas Services, Courthouse	155.89
Black Hills Energy	Gas Services, County Jail	287.17
Black Hills Energy	Gas Service, Noxious Weed Department	18.94
Black Hills Energy	Gas Service, Veterans Service Office	49.15
Blue Cross Blue Shield of Nebraska	Insurance Premiums	4,836.59
Bob Barker Company Inc.	Supplies, County Jail	324.02
Brady & Amys Inc.	Fuel, County Courthouse	123.03
Brady & Amys Inc.	Fuel, Reappraisal	72.36
Brady & Amys Inc.	Fuel, County Sheriff	1,450.95
Brandl Electric	Repairs, Courthouse	279.92
Brandl Electric	Repairs, Extension Office	674.04
BVJ Construction Concrete Specialists	Concrete Repairs, Courthouse	2,904.00
Cable One	Internet Services, Public Defender	64.97
Cable One	Internet Services, Extension Office	145.81
Cable One	Internet Services, County Sheriff	9.61
Carhart Kitchen & Bath	Window Coverings, County Court	1,566.00
CASA of Northeast Nebraska	Reimbursement of Rent, Payroll, Taxes	7,197.30
CBM Managed Services	Inmate Meals, County Jail	7,874.06
Century Link	Telephone Service, Probation Office	665.13
City of Madison	Utilities, Public Defender	302.18
City of Madison	Utilities, Courthouse	143.26
City of Madison	Utilities, County Jail	548.50
Colonial Life and Accident Insurance	Insurance Premiums	246.56
Complete Pest Elimination, Inc.	Pest Control, County Jail	125.00
Connecting Point	Equipment, County Treasurer	369.00
Connecting Point	Repairs, County Assessor	69.00
Connecting Point	Equipment, Probation Office	733.07

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Connecting Point	Supplies, Noxious Weed Department	118.00
Connecting Point	Internet Service, Veterans Service Office	38.95
Connecting Point	Internet Service, Community Based Grant	59.95
Connecting Point	Contract Services, Internet, Courthouse	3,161.31
Consolidated Management Company	Meals, County Sheriff	26.22
Constellation Newenergy Gas Division	Utilities, Zoning Department	21.84
Constellation Newenergy Gas Division	Utilities, Courthouse	586.13
Constellation Newenergy Gas Division	Utilities, County Jail	1,185.07
Constellation Newenergy Gas Division	Utilities, Noxious Weed Department	21.84
Cubby's Inc.	Fuel, Noxious Weed Department	376.51
Culligan of Norfolk	Supplies, Probation Office	70.00
Culligan of Norfolk	Supplies, Community Based Grant	67.00
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	Telephone Service, Zoning Department	28.70
DAS State Accounting - Central Finance	Teletype Service, County Sheriff	262.29
DAS State Accounting - Central Finance	Telephone Service, County Attorney	34.30
DAS State Accounting - Central Finance	Teletype and Telephone Service, County Jail	473.71
DAS State Accounting - Central Finance	Telephone Service, Noxious Weed Department	28.69
DAS State Accounting - Central Finance	Telephone Service, Veterans Service Office	64.14
Dugan Printing & Promotions LLC	Supplies, County Treasurer	1,041.00
Eakes Office Solutions	Supplies, County Clerk	31.99
Eakes Office Solutions	Supplies, County Assessor	52.50
Eakes Office Solutions	Supplies, Clerk of District Court	16.19
Eakes Office Solutions	Supplies, Equipment, County Court	2,844.23
Eakes Office Solutions	Supplies, Extension Office	94.49
Eakes Office Solutions	Supplies, County Sheriff	124.56
Eakes Office Solutions	Supplies, Copier Contract, County Attorney	543.07
Eakes Office Solutions	Supplies, Juvenile Accountability	106.19
Eakes Office Solutions	Supplies, County Jail	343.05
Eastern Auto Service, Inc.	Repairs, County Sheriff	500.70
Egley, Fullner, Montag, Morland & Easland	Legal Services, County Court	844.35
Egley, Fullner, Montag, Morland & Easland	Legal Services, District Court	1,368.35
Elite Office Products	Copier Contract, Extension Office	207.52
Field's Hardware	Supplies, Courthouse	188.94
Helen Finkral	Prior Service Benefits	23.08
First Concord Benefits Group	Flex Plan, Administration Fees, Deductible Buy-Down Costs	6,880.43
Floor Maintenance & Paper Supply	Supplies, County Jail	305.96
Pam Foltz	Mileage, Extension Office	164.14
Daniel Fullner	Mileage, Mental Health Board	20.88
Futureware Distributing Inc.	Supplies, County Assessor	304.58
Galls, LLC	Uniforms, County Jail	160.00
GCR Tire Center	Repairs, County Sheriff	98.75
Gerhold Concrete Company	Supplies, Courthouse	19.00
Yvonne Gerrard	Cleaning Services, Probation Office	325.00
Goodlife Counseling	Professional Services, Community Based Grant	1,381.25
Curt Guenther	Tutoring, Community Based Grant	345.00
Hall County Court	Certified Copies, Law Enforcement	1.75
Chelsey Hartner	Mileage, Public Defender	95.12
Naomi Hemphill	Cleaning Services, Public Defender	80.00
Hometown Leasing	Copier Lease, Probation Office	544.02
Carey Hopkins	Mileage, Community Based Grant	46.40
Jeffrey Hrouda	Legal Services, County Court	4,911.80
Interstate All Battery Center	Supplies, County Sheriff	293.70
Jack's Uniforms & Equipment	Supplies, County Sheriff	207.99
Jack's Uniforms & Equipment	Uniforms, County Jail	212.79
Jerry's Service Center	Repairs, Juvenile Accountability	156.50
John's Disposal Inc.	Garbage Services, Zoning Department	26.50
John's Disposal Inc.	Garbage Services, Probation Office	140.00
John's Disposal Inc.	Garbage Services, Noxious Weed Department	26.50
John's Disposal Inc.	Garbage Services, Veterans Service Office	28.00
Johnson Engineering Company	Professional Services, Courthouse	450.00
Jorgensen Law Office	Legal Services, County Court	1,683.40
Sharon Joseph Law Office	Legal Services, District Court	228.00
Justice Data Solutions Inc.	Data Processing Costs, County Jail	2,300.00
Matthew Kiernan	Filing Fees, Law Enforcement	252.00
Knox County Sheriff	Civil Process Fees, County Court	44.08
Patricia LaCroix	Professional Services, Law Enforcement	242.50
Madison County Clerk	Tax Deposit, Retirement	86,170.43
Madison County District Court Jury	Jury Fees, District Court	
Maria Guadalupe Aguilar	Jury Fees, Mileage, District Court	104.80
Burton Austin	Jury Fees, Mileage, District Court	104.80
Carter Fritz	Jury Fees, Mileage, District Court	123.36
Wade Kiichler	Jury Fees, Mileage, District Court	104.80
Diane Lee	Jury Fees, Mileage, District Court	104.80
Andrea McHenry	Jury Fees, Mileage, District Court	104.80
Jane Murray	Jury Fees, Mileage, District Court	153.52

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Joyce Pojar	Jury Fees, Mileage, District Court	70.00
Todd Ridder	Jury Fees, Mileage, District Court	104.80
Brent Sell	Jury Fees, Mileage, District Court	104.80
Scott Sisson	Jury Fees, Mileage, District Court	104.80
Jerrit Spiering	Jury Fees, Mileage, District Court	104.80
Steve Weaver	Jury Fees, Mileage, District Court	104.80
Joseph Barg	Jury Fees, Mileage, County Court	52.40
Jaime Beltz	Jury Fees, Mileage, County Court	52.40
Jesse Books	Jury Fees, Mileage, County Court	43.12
Tiffany Branch	Jury Fees, Mileage, County Court	52.40
Cassandra Cazares	Jury Fees, Mileage, County Court	52.40
Robyn Cokens	Jury Fees, Mileage, County Court	52.40
Thomas Ehrhardt	Jury Fees, Mileage, County Court	61.68
David Ferguson	Jury Fees, Mileage, County Court	52.40
Victoria Gall	Jury Fees, Mileage, County Court	52.40
Leonardo Gonzalez	Jury Fees, Mileage, County Court	52.40
Michael Hall	Jury Fees, Mileage, County Court	52.40
Mary Haschke	Jury Fees, Mileage, County Court	39.64
Renne Hoile	Jury Fees, Mileage, County Court	104.80
Hoppe,Dawn Hoppe	Jury Fees, Mileage, County Court	52.40
Kelberlau,Robert Kelberlau	Jury Fees, Mileage, County Court	52.40
Keller,Penny Keller	Jury Fees, Mileage, County Court	35.00
Koehlmoos,Eric Koehlmoos	Jury Fees, Mileage, County Court	81.40
Bruce Kruse	Jury Fees, Mileage, County Court	35.00
Jordan McIntosh	Jury Fees, Mileage, County Court	52.40
Ashley Mendez	Jury Fees, Mileage, County Court	52.40
Kayla Nelson	Jury Fees, Mileage, County Court	58.20
David Pedersen	Jury Fees, Mileage, County Court	52.40
Deanna Schulz	Jury Fees, Mileage, County Court	58.20
Todd Sellin	Jury Fees, Mileage, County Court	52.40
Daniel Sholes	Jury Fees, Mileage, County Court	52.40
Amy Spiegel	Jury Fees, Mileage, County Court	52.40
Matthew Sullivan	Jury Fees, Mileage, County Court	52.40
Regina Unger	Jury Fees, Mileage, County Court	52.40
Joseph Voelker	Jury Fees, Mileage, County Court	61.68
Allison Wieser	Jury Fees, Mileage, County Court	52.40
Madison County Clerk of District Court	Civil Process Fees, District Court	1,783.00
Madison County Court	Court Costs, County Court	2,055.75
Madison County Sheriff Inmate Fund	Supplies, County Jail	69.29
Madison County Sheriff	Civil Process Fees, County Court	594.14
Madison County Sheriff	Civil Process Fees, District Court	2,222.21
Madison County Sheriff	Civil Process Fees, Mental Health	28.37
Madison County Sheriff	Civil Process Fees, Public Defender	28.37
Madison County Sheriff	Civil Process Fees, Law Enforcement	28.37
Madison County Sheriff	Civil Process Fees, County Sheriff	343.18
Madison County Treasurer	Reimbursement for Insurance Premiums	100.85
Madison National Life Insurance Company	Insurance Premiums	286.17
Major Refrigeration Co., Inc.	Repairs, County Jail	145.50
James Marshall	Tutoring, Community Based Grant	1,160.00
Maximus Inc.	Preparation of Cost Allocation Plan	837.32
Benjamin McBride	Contract Services, Mileage, Community Based Grant	366.76
Mead Lumber and Rental	Equipment Rent, Supplies, Courthouse	100.14
Medtox Laboratories Inc.	Drug Testing, Juvenile Accountability	56.26
Menards	Supplies, Zoning Department	15.53
Menards	Supplies, Courthouse	36.15
Menards	Supplies, Extension Office	101.96
Menards	Supplies, Noxious Weed Department	15.52
Microfilm Imaging Systems Inc.	Equipment Rent, County Court	218.00
Midwest Plumbing & Heating	Repairs, County Jail	584.00
MIPS Inc.	Data Processing Costs, County Clerk	637.01
MIPS Inc.	Data Processing Costs, County Treasurer	1,341.39
MIPS Inc.	Data Proc. Costs, Equipment Lease, Register of Deeds	534.00
Andrew Mohr	Mileage, Community Based Grant	16.24
Jacob Mrsny	Tutoring, Community Based Grant	500.50
National Sheriff's Association	Dues, County Sheriff	115.00
Nationwide Retirement Solutions	Deferred Compensation	3,375.00
NE DOL/Boiler Inspection Program	Inspection Services, Courthouse	60.00
Nebraska Child Support Payment Center	Garnish of Wages	726.62
Nebraska Law Enforcement Training Center	Lodging, County Sheriff	40.00
Nebraska Public Power District	Utilities, Extension Office	944.01
Nebraska Public Power District	Utilities, Probation Office	481.94
NESCA	Registration Fee, County Jail	100.00
Norfolk Daily News	Publication Costs	632.91
Norfolk Family Coalition	Contract Services, Community Based Grant	900.00
Norfolk GM Auto Center	Repairs, County Sheriff	4,130.65
Norfolk Public Schools	Meals, Community Based Grant	250.10
Northeast Nebraska Juvenile Services Inc.	Boarding Juveniles, Juvenile Detention	5,763.75

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Mike O'Brien	Mileage, Community Based Grant	100.34
Oasis Counseling International	Professional Services, Community Based Grant	577.27
Valorie Olson	Court Reporting Services, Mental Health	50.00
Olson's Pest Technicians	Pest Control Services, Extension Office	30.00
One Office Solution	Supplies, County Clerk	71.54
One Office Solution	Equipment, Register of Deeds	549.00
One Office Solution	Copier Maintenance, Supplies, County Court	140.82
One Office Solution	Supplies, Public Defender	154.02
One Office Solution	Supplies, County Sheriff	34.98
One Office Solution	Supplies, County Attorney	199.95
PCS Mobile	Radio Equipment, County Sheriff	878.45
Michael Petersen	Contract Services, Community Based Grant	211.00
Pitney Bowes Inc.	Supplies, Courthouse	339.12
Pizza Hut	Meals, County Attorney	39.95
Susan Pohlman	Tutoring Services, Community Based Grant	845.00
Sarah Polacek	Mileage, County Extension Office	153.12
Presto-X	Pest Control Services, Public Defender	142.00
Presto-X	Pest Control Services, Courthouse	101.00
PT Holdings LLC	Rent, Juvenile Accountability	1,750.00
QHA Cleaning LLC	Cleaning Services, Extension Office	400.00
Ramada Inn	Lodging, County Jail	522.00
Relx Inc. dba Lexis Nexis	Subscription, County Attorney	543.00
Reynoldson's Inc.	Fuel, Zoning Department	149.05
Reynoldson's Inc.	Fuel, Extension Office	46.11
Mary Rohrich	Cleaning Services, Probation Office	125.00
Schroeder Land Surveying	Services, Equipment Rent, County Surveyor	1,322.00
Security Shredding	Shredding Services, Public Defender	35.00
Security Shredding	Shredding Services, Probation Office	420.00
Sherwin-Williams	Supplies, County Extension Office	52.68
Short Stop	Fuel, County Sheriff	266.14
Deb Silverman	Professional Services, County Court	76.50
T & I Enterprises, LLC	Garnish of Wages	47.35
Targets Online	Supplies, County Sheriff	725.00
The Marpa Group Inc.	Supplies, County Sheriff	140.00
The Pill Box	Medication, County Jail	27.48
Therapeutic Play and Counseling	Expert Witness Services, Law Enforcement	1,950.00
Thompson Reuters	Publication, District Judge	186.00
Tilly's	Fuel, County Sheriff	169.06
Transunion Risk & Alternative	Subscription, County Sheriff	50.00
University of Nebraska Lincoln	Quarterly Payroll and Benefits, Extension Office	13,650.95
US Bank Corporate Payment System	Fuel, Supplies, Uniforms, Meals, County Sheriff	585.40
US Bank Corporate Payment System	Fuel, Registration Fee, Community Based Grant	166.63
US Bank Corporate Payment System	Meals, County Attorney	28.46
Verizon Wireless	Telephone Service, Community Based Grant	375.12
Verizon Wireless	Telephone Service, Noxious Weed Department	59.83
Vision Service Plan	Insurance Premiums	366.77
Derek Volker	Tutoring Services, Juvenile Accountability	240.00
Michele Wattier	Witness Fees, Mileage, County Court	69.30
Wex Bank	Fuel, Reappraisal	90.07
Zee Medical Service	Supplies, County Jail	150.80
Stephanie Zoubek	Mileage, Community Based Grant	154.86

ROAD/BRIDGE FUND

Total Net Payroll		37,090.28
American Broadband	Telephone Service	52.35
American Family Life Assurance Company	Insurance Premiums	601.67
Appera	Towel and Uniform Service	542.63
B's Enterprises, Inc.	Culverts, Supplies	258.50
Battle Creek Light & Power	Utilities	177.76
Bauer Built Tire	Tire Repairs	148.00
Alicia Beal	Clay	780.00
Beaver Bearing Company	Parts	69.98
Black Hills Energy	Gas Service	282.82
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,195.32
Brady & Amy's Inc.	Fuel	845.03
Central Sand & Gravel	Gravel	2,456.16
City of Madison	Utilities	578.87
City of Newman Grove	Utilities	61.00
Colonial Life & Accident Insurance Company	Insurance Premiums	115.53
Connecting Point	Internet Service	15.00
Constellation Newenergy	Gas Service	1,134.72
Cornhusker Cleaning Supply	Shop Supplies	85.95
Cornhusker International Trucks Inc.	Parts	204.00
Courtesy Ford Lincoln Mercury	Parts, Repairs	1,088.84
Cubby's Inc.	Fuel	221.79
D & M Machinery	Parts	6.75
Dale R. Johnson Ent. Inc.	Gravel	44,610.23

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Dinkel Implement Company	Equipment Rent	6,325.20
Eastern Nebraska Trailer Repair Inc.	Parts, Repairs	186.98
Donavon Eucker	Parts	39.19
Fastenal Company	Parts	51.63
Field's Hardware	Shop Supplies	35.09
Filter Care of Nebraska Ltd.	Supplies	217.15
First Concord Benefits Group	Flex Plan, Administration Fees, Deductible Buy-Down Costs	1,572.47
Floor Maintenance and Paper Supply	Shop Supplies	81.30
Great Plains Diesel Inc.	Parts	302.02
Green Line Equipment	Parts	24.30
Hotsy Equipment Company	Equipment	5,950.00
Island Supply Welding Company	Shop Supplies	9.60
Chris Kallhoff dba Northeast Glass	Parts	997.00
Kelly Supply Company	Shop Supplies	91.25
Kimball Midwest	Shop Supplies	137.05
Kohlhof Truck Repair, Inc.	Parts, Repairs	777.34
Lawson Products	Shop Supplies	11.43
Madison County Clerk	Tax Deposit, Retirement	19,561.64
Madison National Life Insurance Company	Insurance Premiums	53.53
Matheson Tri-Gas Inc.	Shop Supplies	74.54
Matteo Sand & Gravel Company, Inc.	Gravel	205.53
Meisinger Oil Company	Fuel	18,740.34
Menards	Shop Supplies	15.99
Nationwide Retirement Solutions	Deferred Compensation	955.00
Nebraska Child Support Payment Center	Garnish of Wages	93.24
Nebraska Department of Transportation	Engineering	2,951.20
Nebraska Public Power District	Utilities	155.41
NMC Exchange, LLC	Parts	195.05
Norby Construction & Fencing Company	Supplies	18.72
Norfolk Auto Supply	Parts	123.94
Norfolk NAPA	Shop Supplies	1,208.06
Northeast Machine & Manufacturing	Parts	470.00
Northern Materials LLC	Rock	17,539.50
Omaha Slings Inc.	Shop Supplies	445.43
One Office Solution	Shop Supplies	28.47
Pavers Inc.	Asphalt Materials	1,427.48
Pinkelman Truck & Trailer	Parts, Repairs	2,874.33
Pioneer Telephone Company	Telephone Service	48.56
Platte Valley Equipment LLC	Parts	260.96
Pollock Redi Mix	Concrete	1,515.00
Prime Sanitation	Garbage Service	53.75
Radio.comm	Repairs	693.00
RDO Truck Center	Repairs, Parts	1,361.50
Jeanette Reeves	Clay	5,970.00
Ridder Repair Inc.	Parts, Repairs	198.07
Sapp Bros.	Oil	330.55
Scheer's Ace Hardware	Parts	41.83
Seals and Service Inc.	Parts, Repairs	348.46
T-Bone North	Fuel	6,095.51
Tim Koenig Trucking LLC	Trucking Services	2,653.44
Truck Center Companies	Parts	36.65
Vision Service Plan	Insurance Premiums	83.88
Wallin Trucking	Trucking Services	450.00
Weldon Parts Inc.	Parts	674.42
West-Hodson Lumber & Concrete	Concrete	379.00
White Star Oil Company	Fuel	263.47
Winsupply of Norfolk	Parts	8.02
Zee Medical Service, Inc.	Shop Supplies	40.15
Zoubek Oil Company Inc.	Fuel	8,750.79
VISITORS PROMOTION FUND		
Norfolk Area Visitors Bureau	Administrative Services	7,674.36
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Administrative Services	6,303.21
REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND		
MIPS, Inc.	Data Processing Costs	518.64
COMMUNITY DEVELOPMENT BLOCK GRANT #2 FUND		
Northeast Nebraska Economic Development	Administrative Services	1,065.57
INHERITANCE TAX FUND		
Gilbert Fuchs Estate	Refund of Inheritance Tax	529.58

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

	911 EMERGENCY FUND	
American Broadband	Telephone Services	127.88
Frontier Communications	Telephone Services	164.10
	LAW ENFORCEMENT OPERATING FUND	
Madison County Sheriff Inmate Fund	Cable TV Services	146.12
	DRUG COURT FUND	
A Small Affair	Supplies	60.00
Matthew McManigal	Supplies	295.00
NMG LLC dba Norfolk Works	Medical Services	130.00

The Board adjourned at 3:32 P.M. to Wednesday, May 29, 2019, at 9:30 A.M.

ATTEST:

County Clerk Anne M. Pruss

Ronald Schmidt, Chairman
County Board of Commissioners