

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

July 21, 2020

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

Advance notice of meeting was published in the Thursday, July 16, 2020 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was provided to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

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

Present: Commissioners Christian Ohl, Ron Schmidt, and Troy Uhlir and County Clerk Anne Pruss. County Highway Superintendent Richard Johnson, and Road Foremen Jeff Schroeder, Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronnfeldt were present until 10:38 A.M.

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

- 1) Approval of minutes of July 7, 2020 meeting
- 2) Approval of Change Order No. 2 for Benjamin Avenue Paving, Project No. C-59(864), resulting in a net decrease of \$237,841.60
- 3) Approval of Change Order No. 3 for Benjamin Avenue Paving, Project No. C-59(864), resulting in a net increase of \$17,927.00
- 4) Approval of Payment Application No. 4 in the amount of \$565,423.21 for Benjamin Avenue Paving, Project No. C-59(864)
- 5) Authorization for County Board Chairman to execute the certification of the semi-annual report for Community Development Block Grant (CDBG) Program Income
- 6) Award of contract in the amount of \$188,968.10 to low bidder, Sta-Bilt Construction Co., for armor coat surfacing for 2020
- 7) Award of contract in the amount of \$21,473.00 to T & D Striping , LLC, for road striping for 2020-2021 fiscal year
- 8) Award of contract to Simon Contractors, Scottsbluff in the amount of \$129,800.00, for Project No. C-84-385, Phase 2, Stanton Northwest

9)

RESOLUTION #2020-29

BE IT RESOLVED, that the following securities of Bank First, Norfolk, Nebraska which are held in safekeeping by Union Bank & Trust Company, Lincoln, Nebraska, to secure deposits of the county in said bank, are hereby released:

VALLEY COUNTY NE SCH DIST Rate 2.900% Maturity 12/15/2026 Receipt Date: 07/08/2015	\$250,000.00 Cusip 919563CR5	Union Bank & Trust Company Lincoln, Nebraska Receipt No. 5911
VALLEY COUNTY NE SCH DIST Rate 3.000% Maturity 12/15/2027 Receipt Date: 07/08/2015	\$250,000.00 Cusip 919563CS3	Union Bank & Trust Company Lincoln, Nebraska Receipt No. 5912

10)

RESOLUTION NO. # 2020-30

A RESOLUTION AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2020, OF THE COUNTY OF MADISON, IN THE STATE OF NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FOR THE PURPOSE OF MAKING CERTAIN ROAD IMPROVEMENTS WITHIN THE COUNTY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AUTHORIZING OFFICERS OF THE COUNTY TO ENTER INTO A CONTRACT FOR THE SALE OF THE BONDS; PROVIDING FOR A PAYING AGENT AND REGISTRAR FOR THE BONDS; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES AND PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS.

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

Section 1. The Chairperson and Board of Commissioners of the County of Madison, in the State of Nebraska, (the "County") hereby find and determine as follows:

(a) The County is engaged in the construction of certain road improvements within the County and that the payment of a portion of the costs of said improvements is necessary, which costs will constitute valid obligations of the County; that the County does not have funds with which to pay the cost of the improvements and it is necessary and advisable for the County to borrow money and pledge the funds to be received from the Highway Allocation Fund to the payment of the bonds issued by the County for this purpose; that the total estimated cost necessary to be funded at this time, as certified by the engineer for the County and considering the costs of the bonds herein contemplated, is not less than \$2,500,000; that based upon current receipts by the County for its road funds from funds which are attributable to the State of Nebraska Highway Allocation Fund, the County anticipates receipts in future years which will exceed the payments due on the bonds herein authorized in each year;

(b) There are outstanding under the provisions of Section 66-4,101, Reissue Revised Statutes of Nebraska, 2009, as amended (the "Act") the following Highway Allocation Fund Pledge Bonds of the County:

Highway Allocation Fund Pledge Bonds, Series 2013 (the "2013 Bonds"), in the outstanding principal amount of \$475,000 (the "Outstanding Bonds").

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The County's receipts from the Nebraska Highway Allocation Fund for the audited fiscal year ended June 30, 2019 totaled \$2,368,686 and the greatest annual combined debt service on the Outstanding Bonds and the Bonds authorized under this Resolution will not exceed \$432,185 through the final payment of bonds issued under authority of said Resolution.

Section 2. For purposes as set out in Section 1 hereof, there shall be and there are hereby ordered Highway Allocation Fund Pledge Bonds, Series 2020, of the County, in the principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Bonds") to bear date of original issue of August 20, 2020, to be in fully registered form. Said bonds shall bear interest at the rates per annum and mature on May 15 of each year in the principal amounts as follows:

<u>May 15</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2021	\$245,000	0.70%
2022	240,000	0.75
2023	245,000	0.80
2024	245,000	0.85
2025	250,000	0.95
2026	250,000	1.05
2027	250,000	1.15
2028	255,000	1.25
2029	260,000	1.35
2030	260,000	1.45

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable on semiannually on May 15 and November 15 of each year commencing November 15, 2020 (each of said dates an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the County's Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof (the "Paying Agent and Registrar"), by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest accrued thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The County Treasurer is hereby designated to serve as Paying Agent and Registrar for the Bonds provided that the County reserves the right to designate a bank or trust company to serve in such capacity and upon such agreed upon terms as determined by the Chairperson and County Treasurer. The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at its office in Madison, Nebraska. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar by surrender of such bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent and thereupon the Paying Agent and Registrar on behalf of the County will register such transfer and will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond or Bonds shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this Resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which the banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the County by said Paying Agent and Registrar by mail not less than 30 days prior to the date

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fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
THE COUNTY OF MADISON
HIGHWAY ALLOCATION FUND PLEDGE BOND, SERIES 2020

No. _____ \$ _____

Interest Rate Maturity Date Date of Original Issue CUSIP No.
____, _____, 2020

Principal Amount: Registered Owner: Dollars (\$ _____)

KNOW ALL PERSONS BY THESE PRESENTS: That the County of Madison, in the State of Nebraska (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date to which interest has been paid or provided for, whichever is later, at the rate per annum specified above payable semiannually on May 15 and November 15 of each year commencing _____ (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof and unpaid accrued interest thereon due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the Treasurer of the County in Madison, Nebraska, as Paying Agent and Registrar. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records (the "Record Date"). Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of _____ Dollars (\$ _____), of even date and like tenor except as to denomination, date of maturity and rate of interest, for the purpose of paying the cost of road improvements constructed within The County of Madison, in the State of Nebraska and is issued pursuant to Sections 66-4,101, R.R.S. Neb., 2009. Said bonds are issued pursuant to a resolution (the "Resolution") duly passed and adopted by the Board of Commissioners of said County.

The County, however, reserves the right and option of redeeming bonds of this issue, in whole or in part, on or after the fifth anniversary of the date of original issue thereof, at the principal amount to be redeemed, together with accrued interest to the date fixed for redemption.

Notice of any such redemption shall be given by mail, sent to the registered owner of any bond called for redemption at said registered owner's address in the manner provided in the Resolution authorizing said bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof.

If the day for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the principal corporate trust office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same total principal amount and interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said bonds subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all other purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law. For the prompt payment of this bond, The County of Madison has pledged and hereby pledges funds received and to be received from the Highway Allocation Fund of the State of Nebraska with receipts from such fund to be allocated by the County to payment of principal and interest as the same fall due. In addition the County hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property in The County of Madison at such rate or rates, within applicable statutory limitations as provided in Section 66-4,101, R.R.S. Neb., 2009, as will provide funds which together with receipts from the Highway Allocation Fund, as pledged to the payment of such principal and interest and any other money made available and used for such purpose, will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due. The County has reserved the right to issue additional bonds payable from receipts from the Highway Allocation Fund of the State of Nebraska.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

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AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IN WITNESS WHEREOF, the Chairperson and Board of Commissioners of The County of Madison, in the State of Nebraska, have caused this bond to be executed on behalf of the County with the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and by causing the official seal of the County to be impressed or imprinted hereon, all as of the date of original issue specified above.

11)

RESOLUTION #2020-31

WHEREAS, 49th Street between Benjamin Avenue and Eisenhower Avenue is very hilly which causes sight distance problems for the traveling public; and

WHEREAS, a sight distance study has been done and the road does not meet sight distance requirements for the statutory speed limit of 50 miles per hour; and

WHEREAS, the City of Norfolk has a large water line buried along the centerline of the road which precludes lowering the road without potential damage to the water main; and

WHEREAS, Nebraska State Statutes require that the difference between adjacent speed limits be no more than 20 mph; and

NOW, THEREFORE, BE IT RESOLVED, that the speed limit on 49th Street between Benjamin Avenue and Eisenhower Avenue be set at 35 mph for the safety of the traveling public. .

BE IT FURTHER RESOLVED, that 35 miles per hour speed limit signs be installed at the north and south ends of the road in question for both directions of traffic and 50 miles per hour speed limit signs be installed across the intersections at the north and south ends of the road.

12)

RESOLUTION #2020-32

WHEREAS, Richard C. Johnson, Madison County Highway Superintendent, has submitted a written report to the Madison County Board of Commissioners as directed by Resolution #2020-26 dated June 23, 2020; and

WHEREAS, State Statute requires, that prior to taking action upon vacation or abandonment of a county road, the County Board shall conduct a public hearing on same; and

WHEREAS, the County Board desires to hold a public hearing regarding the vacation or abandonment of the road described below,

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on August 18, 2020 at 9:30 A.M. in the Commissioners' room at the Courthouse in Madison, Nebraska to receive input regarding abandonment or vacation of all or part of the following described road:

The West 1/2 mile of the county road between Sections 13 and 24, Township 22 North, Range 2 West of the 6th P.M., Madison County, Nebraska, said road being 831st Road between 551st Avenue and 552nd Avenue

BE IT FURTHER RESOLVED that this resolution be published once a week for three consecutive weeks in The Norfolk Daily News and, if possible, copies of this resolution be served by certified mail to owners of land abutting on or adjacent to said road.

Motion was made by Ohl and seconded by Uhlir to approve the consent agenda with removal of award of contract to Sta-Bilt Construction Co., for armor coat surfacing for 2020. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

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

Pursuant to published legal notice in the July 9, 2020 and July 16, 2020 edition of the Norfolk Daily News. Chairman Uhlir opened a public hearing at 9:35 A.M. to receive public comments regarding the sale of County owned property located south of East Bluff Avenue between South Willow Street and South Ferguson Drive, in the City of Norfolk (Parcel ID number 590085198).

Commissioner Ohl stated that at one time, this section of land was surveyed for a county road but was never developed and this was the reason why the county owns this portion of road. County Highway Superintendent Richard Johnson stated that the county acquired the property in 1965 that is approximately 25 feet by 500 feet. He said that the drainage is there, that the City of Norfolk currently has a sewer

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at this location, and if the county would decide to sale, the property an easement would need to be in place. I would recommend giving an easement for their storm sewer then the buyers would be buying this land know that there is an easement attached.

Chairman Uhlir opened the hearing at 9:37 A.M. He asked if there was any in favor of the sale of this property. Dennis Watts, Water & Sewer Director, and Lyle Lutt, Rish Manager with the City of Norfolk stated that the purpose would be to be able to protect the 30-inch sanitary sewer. In addition, to use this area for drainage for the properties directly to the east, it appears to be some homes that currently built up 2 feet on the east side and the drainage then will drain to the west. Commissioner Schmidt asked that if the property sold to a private individual could a driveway be place over the top of the easement to impede the drainage. Mr. Watts stated that provision would need to be in place to prevent damage to the sewer and allow proper drainage for the homeowners. Mr. Schmidt asked what easements would need to be in place. Mr. Watts stated that the easement would include repairs of the sanitary drain, water and any utilities that would effected the area. Individuals would allow to install pavement but discouraging planting trees, and definitely no buildings that would take care of the sanitary easement portion of the drainage. He stated that the City of Norfolk would like to purchase to protect the homeowners. Commissioner Schmidt asked that if the city owned the property how it would be maintained. Mr. Watts stated that the Street/Park Division would maintain the property just as they do for most of the areas. The area would have a ditch mix of grass in the area and the city would not let this area go to a weed patch but would not look exactly like a lawn. He stated that if utilities work would need repair, the city would return the land back to like condition. Steve Raemakers, Granville Custom Homes Inc., advised the board that his company owns seven lots that butt up to this area. He stated that there could be a conflict if someone purchases this privately. He continued saying that the drainage has minimal fall but it does not work and recommended having a drainage easement. Commissioner Schmidt asked if this situation would be similar to a vacant or abonnement road, and would the landowners own this property to the center. Mr. Johnson stated that he did not believe so. Mr. Johnson stated that the area originated from the west lots and if it was abandoned or vacated it would then go back to those owners.

Jerry and Melissa Nemeč resides on the west side and currently he had buildings butting up to this land. He stated that they thought when he purchased the land that they owned the property up to the pin but that is not the case. Currently we have maintaining the property, added a sprinkler system but asked if this has to be removed if sold. He stated the neighbors would like this property to go back to the original direction, then maintained by residence and give the city easement rights. Mr. Nemeč stated that it would be a mess if the property put to bid. Mr. Johnson advised that law requires the county to take bids on the property and receive market value for the land but this does not allow the county to give the property away. Mr. Nemeč advised that he wished that this had worked out before the development started to avoid this problem. Mr. Johnson asked Mr. Nemeč if he was proposing to purchase this land. Mr. Nemeč stated that he was and then work with the neighbors that have been currently taking care of this land. Mr. Johnson wanted to make Mr. Nemeč aware that he would

have to go through the city planning process. Sarah Fechner stated that she owned two of the lots on the west side. She stated that when she purchased the land that this portion was included and this is why she continue to mow and take care of this area. Jane and Doug Koehler advised that if the east side purchased some lots and then the west side has a portion this would split the land. In addition, if someone purchased that land how much would we be charge us to purchase it even though we have be maintaining this land for some time.

Chairman Uhlir closed the hearing at 9:55 A.M.

Commissioner Schmidt asked if the land was put up for sale would the county have to take the highest bidder. Mr. Johnson advised that according to Nebraska State Statute 23-107.01 it states that the property shall be sold to the highest bidder. Mr. Johnson advised the landowners to visit with the County Assessor and determine the value of their land to gage what the fair market value would be. This property has less market value because it is not large enough to build on it but the board could hire an appraiser and see what it would be valued. Commissioner Ohl asked if the county could sell the property for \$1.00 and County Clerk Anne Pruss advised that if the county would receive no bids or if the bids received are substantially lower than fair market value, the board may negotiable a contact for sale if it is the best interest of the county. Mr. Johnson disagrees with the County Attorney Joe Smith stating that the county could give this property to the city. Commissioner Ohl stated that if the County Attorney likes the idea and the county is willing to take the risk by possibility being sue by one of the neighbors because he disagrees with the outcome. Steve Raemakers advised that if the city would have a drainage easement and then let the existing property owners to continue because this seems to be obvious otherwise you'd have conflicts. Dennis Watts asked that the residence maintain the area and not let trees to grown in the area to keep the drainage flow. Mr. Johnson advised the board that the county could sale the property to another political subdivision if fee simple in such manner and upon such terms and conditions as may deemed in the best interest of the county.

No further discussion.

Motion was made by Ohl and seconded by Schmidt to table the decision for the sale of county owned property (Parcel ID No. 590085198). Roll call vote: Ayes, Ohl, Schmidt, and Ohl. Nays, none. Motion carried.

Madison Public Library Director Lori Porter and Three Rivers Library System Director Tammi Theim were present the annual report of the Madison County Library Association. Lori Porter, Director of the Madison Library, delivered the Library Association's annual report. She thanked the commissioners for their support and the programs supported by the funding, which includes an Ancestry program. Ms. Porter reported that the Madison Public Library closed its doors due the COVID-19 pandemic but was able to provide curbside service to its patrons. She continued by saying that during the month of June there were over 600 books that circulated, provided craft kits, providing over 40 packets per week for the summer reading program. She stated the library is open to families and is providing a minimal amount to service of books to these families because of the pandemic. She stated that the Ancestry Program that is funding by the county had over 500 individuals utilize the program from all the libraries. Commissioner Ohl thank Ms. Porter for providing activity packets for the youth since families are left no options due to the lock down to be able to learn and grow. She stated that in August the library is sponsoring a book walk at the Arboretum and will be giving prizes out to those individuals that take the time to walk through and read the stories.

No further action was taken.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) County Clerk June, 2020 fee report
- 3) Register of Deeds June, 2020 fee report
- 4) County Treasurer 6-month report ending June 30, 2020

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- 5) Sale of surplus property report
- 6) CASA of Northeast Nebraska 2nd quarter 2020 report
- 7) Public hearing notice regarding Potential City of Norfolk Water Project on South Highway 81

The following claims were audited:

GENERAL FUND	
Total Net Payroll	162,670.20
A & H Building and Supply	Supplies, Courthouse 182.08
Advanced Correctional Healthcare	Medical Supplies, County Jail 303.94
Mark Albin	Legal Services, District Court 849.48
American Family Life Assurance Company	Insurance Premiums 1,114.74
Apex Therapy Services LLC	Professional Services, Community Based Program 325.00
Appeara	Rug Service, Supplies, Public Defender 30.49
Arkfeld Lock & Security	Supplies, County Sheriff 7.96
Blue Cross Blue Shield of Nebraska	Insurance Premiums 140,731.13
Bob Barker Company, Inc.	Supplies, County Jail 1,116.86
Bomgaars	Supplies, Courthouse 45.98
Michael Bowersox	Witness Fees, Mileage, County Court 36.68
Brady & Amy's Inc.	Fuel, Courthouse 46.04
Brady & Amy's Inc.	Fuel, County Sheriff 1,541.54
Brady & Amy's Inc.	Fuel, Noxious Weed Department 262.88
Brandl Electric	Repairs, County Jail 431.76
Emily Brodersen	Witness Fees, County Court 20.00
Century Link	Telephone Service, Probation Office 687.21
Champs, Inc.	Repairs, County Jail 976.75
City of Madison	Utilities, County Jail 4,016.95
CMBA Architects	Professional Services, Courthouse 1,172.00
Coast to Coast Solutions	Supplies, County Sheriff 875.48
Colonial Life and Accident Insurance Company	Insurance Premiums 254.15
Complete Pest Elimination, Inc.	Pest Control Services, County Jail 125.00
Consolidated Management Company	Meals, County Jail 173.55
Constellation Newenergy	Gas Service, Courthouse 319.73
Constellation Newenergy	Gas Services, County Jail 660.91
Copple, Rockey & Schlecht, PC LLO	Legal Services, County Court 1,141.98
Cubby's, Inc.	Fuel, Noxious Weed Department 405.12
Culligan of Norfolk	Supplies, Probation Office 71.00
Culligan of Norfolk	Supplies, Community Based Grant 25.00
Cuming County Clerk	Contract Services, Community Based Grant 1,693.91
DAS State Accounting	Data Processing Costs, County Clerk 41.60
DAS State Accounting	Data Processing Costs, County Treasurer 96.16
Douglas County Court	Certified Copies, Law Enforcement 2.00
Eakes Office Solutions	Supplies, Copier Contract, Clerk of District Court 52.57
Eakes Office Solutions	Supplies, Courthouse 334.80
Eakes Office Solutions	Supplies, Juvenile Accountability 33.18
Eakes Office Solutions	Supplies, County Jail 181.86
Eakes Office Solutions	Supplies, Probation Office 447.24
Egley, Fullner, Montag, Morland & Easland PC	Legal Services, County Court 2,233.75
Electronic Contracting Company	Annual Fire Alarm Maintenance, Courthouse and Jail 2,427.00
Danielle Eskens	Witness Fees, Mileage, County Court 36.68
Ewalt Law Office, PC LLO	Contracted Legal Services, County Court 12,500.00
Farmer's Pride	Fuel, County Sheriff 552.07
FedEx	Postage, County Sheriff 67.45
First Concord Benefits Group LLC	Flex Plan, Administrative Fees 2,858.24
Floor Maintenance & Paper Supply	Supplies, Zoning Department 30.73
Floor Maintenance & Paper Supply	Supplies, County Jail 375.35
Floor Maintenance & Paper Supply	Supplies, Noxious Weed Department 30.72
Barry Freudenburg	Roof Repairs, Courthouse 486.97
Martha Gascon Guaricus	Witness Fees, Mileage, County Court 120.50
Matthew Headley	Software, Public Defender 10.69
Naomi Hemphill	Cleaning Services, Public Defender 80.00
Hilliges & Assciates LLC	Professional Services, Public Defender 250.00
Jeffrey Hrouda	Legal Services, County Court 2,149.16
Jack's Uniforms & Equipment	Uniforms, Supplies, County Sheriff 215.08
Melissa Jantz	Witness Fees, Mileage, County Court 36.68
John's Disposal	Garbage Removal Services, Zoning Department 26.50
John's Disposal	Garbage Removal Services, Probation Office 140.00
John's Disposal	Garbage Removal Services, Noxious Weed Department 26.50
Addisen Johnson	Mileage, Community Based Grant 65.55

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MADISON COUNTY, NEBRASKA

Justice Works	Subscription, Public Defender	175.00
Josh Kramer	Witness Fees, Mileage, County Court	123.50
Melissa Kramer	Witness Fees, Mileage, County Court	143.50
Michelle Kroupa	Cleaning Services, Extension Office	370.00
Patricia LaCroix	Professional Services, Law Enforcement	742.50
Lakeview Title Company	Title Searches, Noxious Weed Department	200.00
Lancaster County District Court	Garnish of Wages	297.20
Lancaster County Sheriff	Witness Fees, Mileage, County Court	19.82
Love Signs, Inc.	Supplies, County Jail	165.00
Madison County Clerk	Tax Deposit, Retirement	85,414.63
Madison County Clerk of District Court	Filing Fees, District Court	1,080.00
Madison County Sheriff Inmate Fund	Supplies, Registration, Phone Service, County Jail	879.05
Madison County Sheriff	Civil Process Fees, County Court	240.53
Madison County Sheriff	Civil Process Fees, District Court	780.83
Madison National Life Insurance Company Inc.	Insurance Premiums	302.96
Mahoney Fire Sprinkler, Inc.	Quarterly Inspection Services, County Jail	375.00
Mainelli Wagner & Associates Inc.	Consulting Services, Courthouse	1,877.40
Masters Drain Cleaning	Repairs, Courthouse	75.00
Christal McDonald	Deposition, Law Enforcement	85.05
Microfilm Imaging Systems, Inc.	Equipment Rent, Clerk of District Court	12.00
Mid-American Research Chemical Corporation	Supplies, Courthouse	329.12
Midtown Health Center	Quarterly Services, General Assistance	3,996.64
MIPS	Data Processing Costs, County Clerk	683.81
MIPS	Data Processing Costs, County Treasurer	1,418.43
MIPS	Data Processing Costs, Equipment Lease, Register of Deeds	540.00
Nationwide Retirement Solutions	Deferred Comp	2,960.00
Nebraska Association of County Officials	Meeting Registration Fee, County Assessor	125.00
Nebraska Public Power District	Utilities, Probation Office	613.41
Norfolk Area Shopper	Advertising Costs, County Sheriff	233.50
Norfolk Area Shopper	Advertising Costs, Noxious Weed Department	139.50
Norfolk Daily News	Advertising Costs, County Sheriff	260.65
Norfolk Daily News	Publication Costs, County Offices	646.19
Norfolk Daily News	Publication Costs, County Court	43.86
Norfolk GM Auto Center	Repairs, County Sheriff	935.72
Norfolk GM Auto Center	Repairs, Noxious Weed Department	44.24
Norm Nykodym	Lawn Care Services, Public Defender	149.00
Mike O'Brien	Mileage, Community Based Grant	49.45
One Office Solution	Supplies, County Clerk	29.98
One Office Solution	Supplies, Public Defender	45.00
One Office Solution	Supplies, County Sheriff	329.89
One Office Solution	Supplies, County Jail	36.51
Osborne Motors Inc.	Vehicle Repairs, County Sheriff	1,406.67
Pitney Bowes Inc.	Equipment Rent, Courthouse	783.24
Rachele Pospisil	Supplies, Veterans Service Office	41.70
Precision IT	Supplies, County Clerk	78.00
Precision IT	Computer Equipment, Supplies, County Jail	167.50
Precision IT	Internet Services, Community Based Grant	59.95
Precision IT	Contract Services, County Offices	2,501.25
Precision Reporting	Deposition, Law Enforcement	89.05
PT Holdings LLC	Rent, Juvenile Accountability and Community Based Grant	2,150.00
Region IV Inc.	Quarterly Contribution	9,147.75
Reigle Implement Co., Inc.	Repairs, Courthouse	115.15
Relx, Inc. dba Lexis Nexis	Record Searches, County Attorney	598.00
Modesto Boton Rodriguez	Interpreting Services, Public Defender	200.00
RVW, Inc.	Professional Services, Courthouse	149.00
Saunders County Sheriff	Witness Fees, Mileage, County Court	18.50
Judy Schroeder	Prior Service Benefits	66.00
Short Stop	Fuel, County Sheriff	53.74
Sparklight	Internet Service, Public Defender	64.97
Stanek Fire Protection	Repairs, County Jail	189.00
Stealth Broadband	Internet Service, Zoning Department	82.61
Stealth Broadband	Internet and Telephone Service, Public Defender	326.96
Stealth Broadband	Internet Service, Noxious Weed Department	82.61
Stealth Broadband	Internet Service, Community Based Grant	234.83
Stealth Broadband	Internet Service, Courthouse	1,246.53
Summit Food Services LLC	Inmate Meals, County Jail	7,187.29
Donald Svitak	Postage, Noxious Weed Department	20.50
T & I Enterprises	Garnish of Wages	122.95
Thompson Reuters-West	Subscription, Public Defender	366.10
Tilly's	Fuel, County Sheriff	152.24

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Transunion Risk & Alternative	Record Searches, County Sheriff	50.00
U Save Pharmacy	Prescriptions, County Jail	306.34
US Bank Corporate Payment System	Fuel, Uniforms, Supplies, County Sheriff	261.63
Verizon Wireless	Telephone Service, Courthouse	58.55
Verizon Wireless	Telephone Service, Extension Office	462.94
Verizon Wireless	Telephone Service, County Sheriff	1,451.95
Verizon Wireless	Telephone Service, Law Enforcement	60.09
Verizon Wireless	Telephone Service, Noxious Weed Department	60.00
Vision Service Plan	Insurance Premiums	468.84
Waste Connections of Nebraska Inc.	Waste Disposal Service, Extension Office	29.90
Western Roofing Company	Repairs, Courthouse	164.04
Wex Bank	Fuel, Reappraisal	183.61
Wex Bank	Fuel, County Sheriff	2,391.34
Woods Aitken LLP	Professional Services, County Jail	112.00
Stephanie Zoubek	Mileage, Community Based Grant	67.28
	Total General Claims with Payroll	489,024.00

ROAD/BRIDGE FUND

Total Net Payroll		36,508.89
American Family Life Assurance Company	Insurance Premiums	674.33
Auto Zone	Parts	28.94
Barco Municipal Products Inc.	Signs	1,683.98
Bauer Built Tire	Tire Repairs	2,784.00
Blue Cross Blue Shield of Nebraska	Insurance Premiums	34,226.06
Brady and Amy's Inc.	Fuel	676.47
Bud's Sanitary Service LLC	Waste Removal Services	107.73
Choice Foods	Shop Supplies	31.60
Colonial Life and Accident Insurance Company	Insurance Premiums	70.28
Constellation Newenergy	Gas Service	153.60
Cubby's Inc.	Fuel	198.06
Dale R. Johnson Ent. Inc.	Gravel	8,583.74
Roger Ellenberger	Clay	300.00
Farmers Pride	Supplies	202.10
Fastenal Company	Parts	120.85
Filter Care of Nebraska Ltd.	Repairs	50.95
First Concord Benefits Group	Flex Plan, Administration Fees	861.12
Island Supply Welding Company	Shop Supplies	9.60
Jebro Inc.	Asphaltic Materials	7,354.15
Kelly Supply Company	Shop Supplies	12.49
Lawson Products	Shop Tools	117.68
M & M Farm Supply	Parts	13.35
Madison County Clerk	Tax Deposit, Retirement	18,769.35
Madison County Treasurer	Title Fee, Tire Tax	22.00
Madison National Life Insurance Company Inc.	Insurance Premiums	47.31
Mainelli Wagner & Associates Inc.	Consulting Services	13,538.72
Matteo Sand & Gravel Co., Inc.	Gravel	1,731.00
Mead Lumber Company	Parts	61.80
Meisinger Oil Company	Fuel	11,225.25
Menards	Shop Supplies	235.72
Nationwide Retirement Solutions	Deferred Compensation	1,005.00
Nebraska Child Support Payment Center	Garnish of Wages	287.55
Nebraska Public Power District	Utlities	151.48
NMC Exchange LLC	Parts	978.53
Pinkelman Truck & Trailer	Repair Services, Parts	8,322.74
Pioneer Telephone Company	Telephone Service	49.90
RDO Truck Centers	Repair Services, Parts	2,073.80
Reigle Implement Co., Inc.	Oil	99.45
Renner Auto Body	Repair Services	1,000.00
Rise Broadband	Internet Service	131.70
Road Builders Machinery & Supply	Parts	564.00
Sapp Bros. Norfolk	Fuel	351.00
Scheer's Ace Hardware	Shop Supplies	15.99
Stealth Broadband	Internet Service	949.36
Jesse Stueckrath	Equipment Rental	7,956.00
T-Bone North	Fuel	9,362.24
Truck Center Companies	Parts, Equipment	28,775.65
TWD Lock Safe & Key	Building Repairs	349.95
Verizon Wireless	Telephone Service	164.90
Vic's Engine Service, Inc.	Oil	180.02
Vision Service Plan	Insurance Premiums	115.82

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MADISON COUNTY, NEBRASKA

Weldon Parts Inc.	Parts	111.30
West Lumber Company	Shop Supplies	12.00
White Star Oil Company	Fuel	154.60
Zoubek Oil Company, Inc.	Fuel	<u>3,283.22</u>
	Total Road/Bridge Claims with Payroll	206,847.32

FEDERAL AID SECONDARY FUND

A & R Construction Inc.	Contract Services	565,423.21
Mainelli Wagner & Associates, Inc.	Consulting Services	<u>53,866.74</u>
	Total Federal Aid Secondary Fund	619,289.95

VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administration Fees	<u>6,263.11</u>
	Total Visitors Promotion Fund	6,263.11

VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Administration Fees	<u>7,179.96</u>
	Total Visitors Improvement Fund	7,179.96

REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND

MIPS	Data Processing Costs	<u>555.29</u>
	Total ROD Preservation & Modernization Fund	555.29

DRUG TESTING FUND

Premier Biotech	Supplies	<u>382.33</u>
	Total Drug Testing Fund	382.33

911 EMERGENCY FUND

American Broadband	Telephone Service	127.88
Century Link	Telephone Service	787.37
DAS State Accounting	State Radio Access Fees	922.00
Stealth Broadband	Connection Fees	<u>280.00</u>
	Total 911 Emergency Fund	2,117.25

LAW ENFORCEMENT OPERATING FUND

Encartele, Inc.	Inmate Telephone Cards	7,200.00
Madison County Sheriff Inmate Fund	Cable TV Service	<u>146.15</u>
	Total Law Enforcement Operating Fund	7,346.15

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

The Board adjourned at 11:13 A.M. to Tuesday, August 4, 2020 at 9:30 A.M.

ATTEST:

County Clerk Anne M. Pruss

Troy Uhlir, Chairman