

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

July 31, 2012

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 26, 2012 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Lee Klein called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Jerry McCallum, Martin Griffith, and Lee Klein, County Highway Superintendent Richard Johnson, County Clerk Nancy Scheer, Planning and Zoning Administrator John Johnson, Norfolk Daily News reporter Jerry Guenther, WJAG reporter Jim Curry, US92 reporter Eric McKay, and nine citizens from the public.

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

- 1) Approval of minutes of the July 17, 2012 meeting
- 2) Acknowledge receipt of the Continuation Certificate of the Official Bond of Robert Freudenburg as Treasurer/Secretary of Madison Rural Fire District
- 3) Approve re-appointment of Steve Abler to serve as a member of the Madison County Joint Planning Commission for a three-year term from August 1, 2012 through July 31, 2015
- 4) Acknowledge receipt of preliminary levy allocation requests for the 2012-2013 fiscal year
- 5) Authorize advertisement for Madison County Veterans' Service Officer
- 6) Approval of Taake Family Lot Split located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21-24-2
- 7) RESOLUTION #2012-43

WHEREAS, the Board of Commissioners of Madison County received a report from the County Highway Superintendent recommending that the road between Sections 11 and 12, Township 22 North, Range 1 West of the 6th P.M., Madison County, Nebraska, said road being 557th Avenue between 832nd Road and 833rd Road, be vacated or abandoned, and

WHEREAS, adjacent landowners were notified by certified mail and a duly advertised public hearing as required by law was held on July 17, 2012, and

WHEREAS, no opposition to vacation or abandonment of the road was expressed at the public hearing, and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Nebraska that the right-of-way of the following described road be abandoned and that any interest in the right-of-way Madison County has shall revert to the adjoining landowners:

The road between Sections 11 and 12, Township 22 North, Range 1 West of the 6th P.M., Madison County, Nebraska, said road being 557th Avenue between 832nd Road and 833rd Road

BE IT FURTHER RESOLVED that any necessary traffic control signs and barricades shall be installed by Madison County.

Motion was made by Griffith and seconded by McCallum to approve the consent agenda. Roll call vote: Ayes, McCallum, Griffith, and Klein. Nays, none. Motion carried.

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

Planning and Zoning Administrator John Johnson reported that the Planning Commission would like to hire an independent consultant who has not been involved in the process of the setback requirements for bulk storage and/or manufacture of fertilizer. He stated that the Planning Commission wants someone who could look at the issue from a new perspective and make recommendations to the Planning Commission.

Chairman Klein inquired if there were any public comments and no one responded.

Motion was made by McCallum and seconded by Griffith to authorize the Planning Commission to hire a consultant to review setback requirements for bulk storage and/or manufacture of fertilizer and draft an amendment to the Zoning and Subdivision Regulations. Roll call vote: Ayes, McCallum, Griffith, and Klein. Nays, none. Motion carried.

Budget committee members Richard Johnson and Nancy Scheer presented a summary of the preliminary budget for the 2012-2013 fiscal year. A spreadsheet reflecting the General Fund office functions was reviewed. Committee members explained that the report reflected the budget appropriations approved from the prior fiscal year, the budget request for the current fiscal year, and the amount and percentage of change from the prior fiscal year. County Highway Superintendent Richard Johnson reported that the proposed budget for the County Board increased significantly because there has been talk about a petition being circulated to increase the number of Commissioners from three to five. He explained that the County should be prepared if additional members are added to the County Board by allocating additional funds, including salary for six months for two additional Commissioners and also funds for mileage and meeting expense. Chairman Klein stated that the decision to increase the number of Commissioners is not a decision to be made by the County Board, but is a petition process and a vote of the public.

Budget committee members reported that the Miscellaneous General and Capital Acquisitions office functions in General Fund would be completed for review at the August 14, 2012 meeting. They stated that the Miscellaneous General Fund includes health insurance, retirement, court costs, jury fees, and many other miscellaneous expenses. In addition, they explained that the Capital Acquisitions budget would include cost for improvements to the District Courtroom to accommodate video conferencing for future hearings. County Clerk Nancy Scheer reported that the Election Commissioner budget was incomplete because Chairman Klein requested that funds be included for redistricting costs if the number of Commissioners would increase from three to five and the company she contacted had not submitted a quote.

Commissioner Griffith questioned the 59% increase in the Juvenile Diversion office budget. Budget committee members responded that the Board should discuss this budget with Juvenile Accountability Officer Sherry Peterson, but an analysis was attached to the budget proposal explaining that the increase was due to additional grant funding that was approved. The report stated that a grant for an additional five hours per week was added to one staff member's wages due to grant funds received in the amount of \$7,847 and a grant was also received to pay for a part-time bilingual Juvenile Accountability Officer in the amount of \$16,900. They stated that the report reflected that the County is required to provide a 40% match with the County Aid Grant and Enhancement Grant and these funds were already included in prior budgets so there is no additional cost; however, an in-kind match was also required for the federal grants. In addition, they reported that grant funds in the amount of \$1,160 were received to purchase a laptop and that juvenile services would also be provided for Stanton County and Antelope County. Budget committee members recommended that the Board meet with Juvenile Accountability Officer Sherry Peterson to explain the accounting process for these services. Chairman Klein stated that although the percentage is big, the \$45,000 increase is not that large of an amount. Commissioner McCallum stated that many of the office functions in the General Fund cannot be controlled by the County Board, including costs associated with law enforcement functions.

Planning, Zoning, and Weeds Administrator John Johnson reported that he is proposing that the budget request for the part-time personnel costs in the weed budget be changed from \$43,470 to \$31,177. Chairman McCallum stated that the County is not hiring any full-time employees for the Weed department. He explained that the County may experience some problems with Don Svitak completing the Responsible Charge responsibilities for federal aid projects and also complete the duties associated with weed spraying. He stated that the weed budget has been reduced the last several years; however, it was determined that the fuel for the weed department was actually being paid from the Road/Bridge budget and the fuel costs were transferred to the weed budget on July 1, 2011 to provide a better accounting of the total actual expenses in the weed department. Commissioner Griffith questioned if the gas expenses for the Responsible Charge duties would be kept separate from the weed department and Planning, Zoning, and Weeds Administrator John Johnson responded that many of the expenses associated with the Responsible Charge will be reimbursed. Commissioner McCallum stated that he has discussed options for additional assistance with Responsible Charge duties during times when Mr. Svitak must be working on a job continually. He stated that if the federal funds are eliminated the County won't need a Responsible Charge person.

Budget committee members reviewed a report comparing fund balances from June 30, 2011 to June 30, 2012. County Highway Superintendent Richard Johnson reported that there are several road overlay projects that need to be completed and the cash on hand in the Road/Bridge budget will be used for these projects. He also stated that the balance in the Inheritance Tax Fund is maintained between \$2.5 million and \$2.75 million range. He stated that \$820,000 of Inheritance Tax funds were used during the prior fiscal year to reduce the levy. In addition, he reported that the Inheritance Tax Fund is typically used for special projects, including funding for the County libraries, nursing college, and the Veterans' Heroes Park.

Commissioner McCallum questioned if any bond funds were included in the budget since interest rates are very low. County Highway Superintendent Richard Johnson responded that the County anticipated the issuance of bonds during the prior fiscal year, but no bonds were issued. He stated that the budget committee will review this matter during the budget process. Commissioner McCallum stated that he is in favor of issuing additional bonds for road/bridge projects because if the economy turns around, interest rates will increase. He stated that if the County has a job to do, it should be completed before costs increase.

Budget committee members submitted a proposed schedule, with the budget hearing tentatively scheduled for September 11, 2012. They stated that the budget proposals would need to be finalized by August 28, 2012 to proceed with publication of the budget hearing notice. In addition, they explained that at the August 14, 2012 meeting, the Board must consider the 1% increase in allowable restricted funds and all three Board members must be present and vote affirmative to increase the restricted funds authority.

No comments regarding the budget were submitted by the public in attendance at the meeting. No action was taken by the County Board.

The following reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Sale of surplus property report
- 3) Public notice from Tim Campbell dated July 13, 2012

The following claims were audited:

GENERAL FUND		
Total Net Payroll		118,390.37
Mark Albin	Legal Services, County Court	547.25
Mark Albin	Legal Services, District Court	1,678.29
American Family Life Assurance Company	Insurance Premiums	550.84
Ameritas Life Insurance Corporation	Employee Share Retirement	7,671.47
Ameritas Life Insurance Corporation	Employer Share Retirement	11,248.22
Ameritas Life Insurance Corporation	Insurance Premiums	366.80
Antelope County Court	Fees, Law Enforcement	29.25
Margaret Bendixen	Garnish of Wages	224.05
Black Hills Energy	Gas Service, Planning and Zoning	9.30
Black Hills Energy	Gas Service, Noxious Weeds	9.30
Black Hills Energy	Gas Service, Veterans' Service Office	19.23
Blue Cross Blue Shield	Insurance Premiums	122,440.10

Bomgaars Supply Inc.	Supplies, Courthouse	32.96
Bessie Bove	Prior Service Benefits	12.00
Brady & Amy's	Fuel, Noxious Weed	99.01
Brogan and Stafford, P.C.	Legal Services, County Court	464.55
Cable One	Internet Services, Probation	169.96
Carney Law P.C.	Legal Services, County Court	2,141.40
Century Link	Telephone Services, Probation	97.18
Champs, Inc.	Repairs, County Jail	467.24
Choice Foods	Supplies, Courthouse	4.99
Coast to Coast Solutions	Supplies, County Sheriff	755.18
Gail Collins	Meals, County Attorney	36.94
Colonial Life and Accident Insurance	Insurance Premiums	274.96
Complete Pest Elimination, Inc.	Services, County Jail	125.00
Connecting Point	Repairs, County Assessor	360.00
Connecting Point	Supplies, Services, Equipment, County Sheriff	1,436.00
Connecting Point	Equipment, Services, County Attorney	268.00
Connecting Point	Repairs, County Jail	90.00
Connecting Point	Services, Courthouse	67.50
Consolidated Management Company	Meals, County Sheriff	324.50
Constellation NewEnergy Gas Division	Gas Service, Planning and Zoning	3.11
Constellation NewEnergy Gas Division	Gas Service, Noxious Weed	3.10
Constellation NewEnergy Gas Division	Gas Service, Veterans' Service Office	2.07
Copple, Rockey, McKeever & Schlecht, P.C., L.L.O.	Legal Services, County Court	5,918.10
Credit Management Services Inc.	Garnish of Wages	66.52
Custom Heating and Air Conditioning	Supplies, County Jail	102.00
Dent Specialists	Repairs, County Sheriff	42.70
Douglas County Sheriff	Service Fees, District Court	26.34
Eakes Office Plus	Supplies, County Jail	168.94
Eakes Office Plus	Supplies, Probation	1,010.54
ECMC	Garnish of Wages	142.34
Egley, Fullner, Montag & Hockabout	Legal Services, District Court	1,510.20
Electrical Engineering & Equipment Company	Supplies, Courthouse	150.93
Electrical Engineering & Equipment Company	Supplies, County Jail	12.58
Elkhorn Logan Valley Public Health Department	Administrative Services, County Relief	5,296.57
Entertainment Unlimited	Repairs, Courthouse	28.00
Enviromaster	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Jail	3,469.00
First Concord Benefits Group	Deductible Buy Down, Flexible Benefit Plan	4,767.27
Floor Maintenance and Paper Supply	Supplies, County Jail	506.09
Laura Forker	Witness Fees, County Court	32.21
Frontier	Telephone Services, Public Defender	343.77
Frontier	Telephone Services, Courthouse	1,158.15
Futureware Distributing Inc.	Equipment, District Judge	432.39
Futureware Distributing Inc.	Equipment, County Sheriff	69.90
Gordy's Towing & Repair	Repairs, County Sheriff	494.87
Graham Tire	Repairs, Noxious Weed	40.75
Kristen Grant	Mileage, County Extension	39.96
Headley Law Office, P.C., L.L.O.	Legal Services, County Court	405.00
Holiday Inn Express Hotel & Suites	Lodging, County Extension	196.95
Home For Funerals	County Burial, County Relief	1,200.00
Interstate All Battery Center	Supplies, County Sheriff	75.27
Jack's Uniforms	Uniforms, Equipment, County Sheriff	347.21
Jack's Uniforms	Uniforms, County Jail	221.79
Nancy Jochum Schramm	Transcripts, District Court	2,766.45
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	1,722.75
Pam Kesting	Mileage, Meals, County Extension	266.29
Dona Kratochvil	Repairs, County Jail	87.00
Lincoln County Sheriff	Service Fees, County Court	20.93
Louderback Drug	Prescriptions, County Jail	1,074.48
Louderback Drug	Prescriptions, Juvenile Detention	23.71
Lynn Peavey Company	Supplies, County Sheriff	59.85
Madison County Clerk	Tax Deposit	39,883.46
Madison County Sheriff Inmate Fund	Supplies, County Jail	179.97
Madison County Sheriff	Fees, County Court	1,011.69
Madison County Sheriff	Fees, District Court	961.06
Madison County Sheriff	Fees, Mental Health	66.17
Madison County Treasurer	Insurance Reimbursement	36.28
Madison County Veterans Aid Fund	Veterans Aid	2,000.00
Madison National Life	Insurance Premiums	112.70
Marshall & Swift/Boeckh, L.L.C.	Subscription, County Assessor	503.20
Christal McDonald	Court Reporting, Mental Health	50.00
Kyle Melia	Postage, Public Defender	3.25
Menards	Equipment, County Jail	128.99
Midwest Health Partners	Medical Services, County Jail	433.50
Midwest Plumbing & Heating	Repairs, County Jail	89.25
National Board of Trial Advocacy	Registration, County Attorney	400.00
National Business Furniture	Furniture, County Jail	645.80

Nationwide Retirement Solutions	Deferred Compensation	955.00
Nebraska Public Power District	Utilities, Planning and Zoning	84.66
Nebraska Public Power District	Utilities, Noxious Weed	115.59
Nebraska Public Power District	Utilities, Veterans' Service Office	85.19
NMG, L.L.C.	Medical Services, County Jail	230.00
Norfolk Daily News	Publication Costs, County Extension	5.14
Norfolk Daily News	Publication Costs, Courthouse	263.72
Northeast Community College	Lease, Administrative Expense, County Extension	3,845.29
Northeast Nebraska Juvenile Services Inc.	Board of Juveniles, Juvenile Detention	10,806.25
Northeast Research & Extension Center	Telephone Services, Supplies, Postage, County Extension	731.72
Wayne Ohnesorg	Mileage, County Extension	99.90
Yolanda Olivares	Interpreting Services, Juvenile Diversion	17.00
Valorie Olson	Court Reporting, Mental Health	50.00
Valorie Olson	Transcripts, District Court	135.00
Sherry Peterson	Training, Juvenile Diversion	190.00
Phillips 66	Fuel, County Sheriff	636.39
Platte County Court	Copies, Law Enforcement	6.25
Sarah Polacek	Mileage, Meals, County Extension	403.69
Charlotte Poncelow	Prior Service Benefits	69.24
Redwood Toxicology Lab	Testing, Probation	239.40
William Rusk	Equipment, County Sheriff	50.99
Judy Schroeder	Prior Service Benefits	11.00
Shell Fleet Plus	Fuel, Planning and Zoning	307.00
Shell Fleet Plus	Fuel, Reappraisal	296.01
Shell Fleet Plus	Fuel, County Sheriff	3,703.57
Lee Sherry	Mileage, Meals, County Extension	399.98
Joseph Smith	Mileage, Law Enforcement	1,346.98
State of Nebraska AS Central Services	Data Processing Costs, County Sheriff	32.00
Michelle Sullivan	Training, Juvenile Diversion	190.00
Dale Taylor	Interpreting Services, Public Defender	427.50
Thibault, Suhr & Thibault, Inc.	Copies, Law Enforcement	85.20
Toshiba	Copier Lease, Probation	475.00
Trane US Inc.	Maintenance Agreement, Courthouse	537.50
David Unger	Equipment Rental, County Sheriff	276.00
Union Bank and Trust Co.	Copies, Law Enforcement	45.00
US Bank Corporate Payment System	Fuel, Juvenile Diversion	103.81
US Bank Corporate Payment System	Fuel, Software, Supplies, Repairs, County Sheriff	802.08
Verizon Wireless	Telephone Service, Courthouse	62.39
Verizon Wireless	Telephone Service, Reappraisal	40.01
Verizon Wireless	Telephone Service, County Extension	88.84
Verizon Wireless	Telephone Service, County Sheriff	1,593.39
James Vrbsky	Uniforms, County Sheriff	41.54
West Payment Center	Subscription, Publication, County Attorney	756.00
Western Office Plus	Repairs, Register of Deeds	53.24
Western Office Plus	Supplies, County Extension	11.95
Western Office Plus	Supplies, County Sheriff	8.99
Western Office Plus	Supplies, Veterans' Service Office	71.97

ROAD/BRIDGE FUND

Total Net Payroll		27,165.95
American Family Life Assurance Company	Insurance Premiums	251.80
Ameritas Life Insurance Corporation	Employee Share Retirement	1,625.61
Ameritas Life Insurance Corporation	Employer Share Retirement	2,438.43
Ameritas Life Insurance Corporation	Insurance Premiums	113.06
AS Central Services	Telephone Service	24.22
B's Enterprises Inc.	Signs	2,175.50
Battle Creek Municipal Light & Power	Utilities	161.38
Black Hills Energy	Utilities	88.17
Blue Cross Blue Shield of Nebraska	Insurance Premiums	29,912.29
Bomgaars	Shop Supplies	407.37
Carhart Lumber Company	Supplies	35.68
Carquest Auto of Norfolk	Parts	167.64
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Connecting Point	Services	11.25
Constellation Energy	Gas Service	38.64
Cornhusker International Trucks	Repairs	153.50
Eastern Nebraska Telephone	Telephone Service	49.61
First Concord Benefits Group	Deductible Buy Down, Flexible Benefit Plan	793.99
Frontier	Telephone Services	94.18
Green Line Equipment	Parts, Repairs	863.75
Johnson Engineering Company	Engineering Services, Bookkeeping Services	1,735.00
Kayton International Inc.	Parts	108.45
Kimball Midwest	Shop Supplies	278.72
Loup Power District	Utilities	141.00
Madison County Clerk	Tax Deposit	8,740.47

Madison National Life	Insurance Premiums	41.00
Matheson Tri-Gas Inc.	Shop Supplies	561.32
Matteo Sand & Gravel Co. Inc.	Gravel	10,356.15
Nebraska Child Support Payment Center	Garnish of Wages	218.24
Nebraska Public Power District	Utilities	157.04
Newman Traffic Signs	Signs	3,445.00
NMC Exchange LLC	Parts, Repairs	9,313.79
NMG, L.L.C.	Testing	52.00
Norfolk Iron & Metal Company	Bridge Materials	768.00
Norfolk NAPA	Parts	561.26
PrairieLand RC&D	Disposal Service	559.00
Telebeep Wireless	Radio Service, Equipment	64,403.61
The Pit Stop	Fuel	514.10
Verizon Wireless	Telephone Services	270.60
Willow Creek Sand & Gravel	Gravel	5,694.50
Zoubek Oil Company Inc.	Fuel	11,462.84

FEDERAL AID SECONDARY FUND

Elkhorn Paving Construction Co., Inc.	Contract Services	139,846.68
Johnson Engineering Company	Engineering Services	2,155.00
Mainelli Wagner & Associates Inc.	Engineering Services	98,108.98

911 EMERGENCY FUND

Century Link	Telephone Service	976.16
Champs Inc.	Equipment Maintenance	2,185.00
Eastern Nebraska Telephone	Telephone Service	127.86
Frontier	Telephone Service	160.41

DRUG COURT FUND

On Call Employee Health	Testing	70.00
Redwood Toxicology Lab	Testing	22.50

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

The Board adjourned at 9:58 A.M. to Tuesday, August 14, 2012 at 9:30 A.M.

County Clerk

Chairman