

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

BOARD OF EQUALIZATION

Madison, Nebraska

August 4, 2020

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

Advance notice of meeting was published in the Thursday, July 30, 2020 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Christian Ohl 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 Christian Ohl, Ron Schmidt, and Troy Uhlir, Deputy County Clerk Nancy Scheer, and County Assessor Jeff Hackerott. County Treasurer Donna Primrose was present until 9:12 A.M.

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

Motion made by Uhlir and seconded by Schmidt to approve the minutes of the June 23, 2020, June 30, 2020, July 2, 2020, July 7, 2020, July 10, 2020, and July 14, 2020 meetings. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Chairman Schmidt opened a public hearing at 9:01 A.M. to receive testimony regarding the following motor vehicle exemption application:

Rejoice Ministries International, 4400 Pierce Drive, Norfolk

2011 Hyundai Genesis 4 Door Sedan

County Treasurer Donna Primrose reported that an exemption application has never been submitted by Rejoice Ministries International. Richard and Mary Dungan were present and explained that Rejoice Ministries International is a 501(3)c which was organized in 1995 in the State of Texas where one of the Board members resided. He testified that the organization has ministry teams who travel around the world ministering to missionaries in the field to offer support and encouragement. He explained that this is the first time that a vehicle has been donated to Rejoice Ministries International for the specific purpose of utilization for a missionary who is coming home for a one year sabbatical. Mr. Dungan reported that a couple who has been associated with Rejoice Ministries International since 2004, is planning to come home after serving eight years in Laos in southeast Asia and recently serving eight years in Germany. He explained that an individual was aware that this couple was returning to Norfolk, so a vehicle was donated specifically for the returning missionaries to use while on furlough to develop and re-connect with their support base. He stated that the donation was an in-kind contribution, so prior to registering the vehicle, the organization's Board Chairman, who was a tax consultant, told him to apply for tax exemption.

County Treasurer Donna Primrose asked if the vehicle will also be used for personal use during the furlough. Mr. Dungan replied that the couple will have the vehicle to use for all travel because they don't have a car and they would be going to various places to re-generate their financial support base. He explained that he instructed the couple to prepare a log of their trips. Mrs. Primrose asked if there would be grocery store visits and Mr. Dungan replied that the couple would use the vehicle for all traveling which could include trips to grocery stores and gas stations. Mrs. Primrose stated that she recommends denial of the application since the vehicle will be used for combined travels.

Commissioner Uhlir asked if the application will be reviewed annually. Mrs. Primrose responded affirmative and asked if the vehicle will be used longer than one year. Mr. Dungan replied that the donor requested that the vehicle be used by the couple during the one year furlough and then be re-evaluated for use by another ministry. He stated that Rejoice Ministries International is technically qualified as a church even though they don't meet weekly. Mrs. Primrose asked if the vehicle is kept at the Dungan home and Mr. Dungan responded that the vehicle will be kept at the home where the missionaries will stay with a family member. He said that the vehicle was registered using his address of 4400 Pierce Drive since the missionaries were not home from Germany yet when the vehicle was registered.

Commissioner Schmidt explained that exemptions may only be approved for religious and charitable uses; but, if the vehicle is used to go to the grocery store or gas station it is a questionable use. Mr. Dungan stated that he doesn't have a problem with approval or denial of the application; but, he submitted the application upon the advice of the organization's Board Chairman. Mrs. Primrose explained that not much money is involved since the vehicle is a 2011 model. Mr. Dungan explained that, since the car was donated to the organization, no sales tax was paid. Commissioner Schmidt said that the County Board would like to approve the application; however, the law must be followed. Commissioner Uhlir said that he appreciates the honesty on the use of the vehicle and he has supported ministries of friends who have asked for funds. Mr. Dungan said he was following past patterns when missionaries came home in the past for 30 to 60 days and the church would provide a vehicle which was used exclusively by the missionary.

Commissioner Schmidt asked if the Board could approve the application from a precedence standpoint. Mrs. Primrose replied that if the application is denied, Mr. Dungan would be required to bring in the tax exempt plate, pay the taxes, and get a new registration. She said that if the application is approved, the County is subject to audit if someone complains. Commissioner Schmidt commented that a number of organizations are approved and he questioned if the County knows that someone doesn't take one of the approved vehicles and use it for personal functions. Mrs. Primrose responded no; however, Mr. Dungan has stated that the vehicle will be used for all travels by the couple. Commissioner Schmidt stated that if the application is denied by the Board, he will personally provide money to register the vehicle. Mr. Dungan responded that he appreciates that gesture; however, the Lord has provided for 25 years and the organization is trying to provide for the missionaries since all their support comes from people that believe in their ministry. He said that one way or the other, God will provide.

Motion was made by Schmidt and seconded by Uhlir to deny the motor vehicle exemption application submitted for Rejoice Ministries International since the vehicle won't be used exclusively for exempt purposes. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Chairman Ohl thanked the Dungans for coming to the hearing and the work that they are doing to help the ministry of the organization. He apologized for the additional work involved in going through the exemption application process. Mr. Dungan also thanked the Commissioners for their work.

County Treasurer Donna Primrose reported that exemption applications have previously been approved for the following organizations:

Behavioral Health Specialists, Inc., 900 West Norfolk Ave., Suite 200, Norfolk 2019 H & H Flatbed Trailer, 2007 Chrysler Town and Country Van (2), 2009 Chevrolet Impala, 2012 Chevrolet Cruze (2) 2018 Chevrolet Cruze (2), 2013 Dodge Grand Caravan (2), 2010 Dodge Caliber (2), 2014 Dodge Grand Caravan, 2014 Chevrolet Sonic, 2019 Dodge Grand Caravan, 2007 Dodge Caliber (2), 2013 Chevrolet Malibu (2), 2011 Chevrolet Cruze (2), 2011 Chevrolet Cruze, 2018 Chevrolet Malibu (2),

Community Concern of Norfolk, Inc. 222 North 4th Street, Norfolk 2017 Dodge Grand Caravan, 2006 Ford Econoline Van, 2015 Dodge Grand Caravan, 2019 Dodge Caravan, 2020 Ford Goshen Coash

Mid-Nebraska Lutheran Home and Newman House, 109 North 2nd Street, Newman Grove 2007 Dodge Van, 2006 Ford Van,

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2001 Chevrolet Pickup

Mosaic, 105 East Norfolk Avenue, Suite 200, Norfolk

2015 Chevrolet Malibu, 2016 Chevrolet Impala,

2019 Chevrolet Malibu, 2004 Chevrolet Astro Van, 2008 Chevrolet Express Van, 2014 Chevrolet Express, 2016 Dodge Caravan (2), 2011 Dodge Caravan, 2010 Chevrolet Express Van, 2012 Toyota Prius, 2018 Dodge Ram Promaster, 2005 Dodge Caravan, 2010 Chevrolet Express Van (3), 2011 Toyota Sienna (2), 2015 Dodge Caravan (2), 2010 Chevrolet Impala, 2010 Toyota Sienna, 2011 Chevrolet Cruze, 2019 Chevrolet Malibu, 2016 Toyota Prius, 2008 Chevrolet Express Van, 2015 Chevrolet Cruze, 2007 Chevrolet Express Van (2), 2010 Toyota Sienna

Northern Heights Baptist Church, P.O. Box 1311, Norfolk

2014 Ford Econoline Van

Orphan Grain Train, 601 West Phillip Avenue, Norfolk

2007 S&W 2-Wheel Trailer (3), 2011 ASVE

Flatbed Trailer, 2002 S&W Enclosed Trailer, 2007 Ford Freestar Van, 2006 S&W Enclosed Trailer, 1997 United Utility Trailer, 2009 Haulmark Enclosed Trailer, 2007 INMI Enclosed Trailer, 2006 Toyota Van, 1996 Ford Box Van, 1993 Ford Flatbed Truck, 1998 International Truck, 1993 ASVE Dump Truck, 2000 SPER Enclosed Trailer, 1993 Great Dane Reefer Trailer, 2006 Homemade Kitchen Trailer, 2006 S&W Trailer, 2006 Enclosed Office Trailer, 2014 Homemade Chapel Trailer, 2011 Homemade Shower Trailer, 2005 H&H Trailer, 2001 Cargo Mate Utility Trailer, 2014 Cargo Mate Utility Trailer

The Link, Inc., 1001 West Norfolk Avenue, Norfolk

2012 Ford Focus

Victory Road Assembly of God, Inc., 200 North Victory Road, Norfolk
Starcraft Bus

2012 Look Mfg. Enclosed Trailer, 2017 Ford

Wesley Center, Inc., 500 West Phillip Avenue, Norfolk

1999 Dodge Ram Wagon

No public comments were received during the hearing for these organizations.
Chairman Ohl closed the hearing at 9:10 A.M.

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

County Assessor Jeff Hackerott reported that letters were received from the following people who requested extensions of the homestead exemption filing deadline:

Paul and Janice Brader

Douglas and Carolyn Nolze

Dennis and Barbara Brandt

Carolyn Prauner

Teresita Brozek

Kenneth and Fern Salmen

Charles and Marilyn Harlan

Wayne and Nancy Schulz

Scott and Anita Long

Verna Simons

Mary Ann Luxa

Dorothy Unkel

He reported that all letters requesting extension of the filing deadline were received in the Clerk's office prior to the statutory deadline of July 20 as established in §77-3512 Nebraska Revised Statutes, except the letter submitted by Kenneth and Fern Salmen which was received on July 23, 2020. He explained that none of the applicants filed a request for extension in the prior year. In addition, he stated that all applications have valuations below the homestead exemption maximum. Mr. Hackerott reported that some of the applicants own farms; but, the only valuation considered for the homestead exemption is the house and one acre of land.

Wayne Schulz and Verna Simons were present at the meeting to offer verbal testimony. Mr. Schulz stated that his comments are included in the letter he submitted. Verna Simons explained that she doesn't have any additional comments that aren't included in her letter. Chairman Ohl thanked the applicants in attendance.

After discussion, a motion was made by Uhlir and seconded by Schmidt to approve extension of the homestead exemption filing deadline for Paul and Janice Brader, Dennis and Barbara Brandt, Teresita Brozek, Charles and Marilyn Harlan, Scott and Anita Long, Mary Ann Luxa, Douglas and Carolyn Nolze, Carolyn Prauner, Wayne and Nancy Schulz, Verna Simons, and Dorothy Unkel. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

After further discussion, a motion was made by Uhlir and seconded by Schmidt to deny the extension of the homestead exemption filing deadline for Kenneth and Fern Salmen because the letter was submitted after the statutory deadline of July 20th. Roll call vote: Ayes, Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Chairman Ohl adjourned the meeting at 9:17 A.M.

ATTEST:

Nancy Scheer
Madison County Deputy Clerk

Christian Ohl, Chairman
County Board of Equalization

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COMMISSIONERS PROCEEDINGS

Madison, Nebraska

August 4, 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 30, 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, County Highway Superintendent Richard Johnson, Zoning Administrator Heather McWhorter, and Deputy County Clerk Nancy Scheer. Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronnfeldt were present until 10:24 A.M.

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

- 1) Approval of minutes of July 21, 2020 meeting
- 2) Approval of Eckert-Werner Lot Split in Section 33-24-3, which is located approximately 3 miles west of the City of Battle Creek at 84031 543rd Avenue
- 3) Approval of amended Interlocal Agreement with Pierce County for sharing services of Planning and Zoning Administrator
- 4) Approval of contract with Vanguard Appraisals, Inc. for appraisal specifications for the revaluation of certain real property in the Meadow Grove and Newman Grove areas and authorization for the County Board Chairman to execute said agreement
- 5) Approval of contract with gWorks to create township district, school district, tax district, and fire district layers for Madison County
- 6) Acknowledge receipt of levy allocations requests for rural fire districts of Battle Creek, Madison, Meadow Grove, Newman Grove, and Norfolk, Madison County Agricultural Society, and Norfolk Sanitary District
- 7) Award of contract in the amount of \$896,325.36 to Road Guys Construction Co., Inc., for armor coat surfacing for 2020

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

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

Pursuant to published legal notice in the Thursday, July 30, 2020 edition of the Norfolk Daily News, Chairman Uhlir opened a public hearing at 9:34 A.M. to receive citizens' comments regarding an amendment to the Community Development Block Grant (CDBG) Economic Development Revolving Loan Fund program. Lowell Schroeder, Community Planner with Northeast Nebraska Economic Development District (NENEDD), appeared at the hearing to offer verbal testimony.

Mr. Schroeder explained that Madison County has a Revolving Loan Fund for economic development and during the past year the Nebraska Economic Development District has determined that there are many small amounts of money that are underutilized; so, the NENEDD was given the opportunity to re-purpose the funds to another CDBG eligible use. He reported that Madison County's Revolving Loan Fund has been inactive; but, there is an active ongoing project of Preservation Madison for improvements to the Madison Arts Center located in the City of Madison. He explained that an elevator lift is being installed and fire protection improvements around the stairwells are planned. He said that money in the Revolving Loan Fund will be re-directed to pay for these improvement projects which will provide fire safety protection for the building. Mr. Schroeder stated that the project identified was possible because the funds must be utilized within a community that is more than 51% low to moderate income. He reported that they anticipate that the project will be completed by February, 2021. He explained that the Revolving Loan Fund will be discontinued; however, NENEDD has a lot of different types of funds for business loans which have fewer federal restrictions. He said that there will be funds available for any businesses that want to start or expand since other alternatives are more flexible than the Revolving Loan Fund. Mr. Schroeder summarized that they are allowing the money in the Revolving Loan Fund to be used for a good purpose that will benefit the community of Madison and the area. He stated that if the funds are not used, they must be returned to the Nebraska Economic Development Department. He explained that he will come before the Board in September with the Construction Manager and General Administration contracts for the Preservation Madison project.

Norfolk Daily News reporter Jerry Guenther asked how much money was available in the Revolving Loan Fund and Mr. Schroeder responded that approximately \$34,125 of funds are available.

No public comments were received.

Chairman Uhlir closed the hearing at 9:37 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2020-33

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS of MADISON COUNTY, NEBRASKA, ACCEPTING THE AMENDMENT OF ITS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ECONOMIC DEVELOPMENT (ED) REVOLVING LOAN FUND (RLF) PROGRAM. THE ED RLF WILL BE DISCONTINUED, CEASING ANY BUSINESS-TYPE ACTIVITIES. THE ED RLF'S CURRENT PROGRAM GUIDELINES STILL APPLY TO EXISTING PROJECTS AND LOANS.

WHEREAS, Madison County, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for small cities community development block grant program; and,

WHEREAS, Madison County, Nebraska, has obtained its citizens' comments on community development, business, and housing needs; and has conducted public hearing(s) upon the proposed amendment and received favorable public comment respecting the amendment for which Madison County will re-purpose all Economic Development program income and future repayments toward the Public Works Community Center improvements addressing the National Objective of Low Moderate Income on Area Basis. The following project has been proposed: Community Center improvements at the Madison Arts Center located at 110 E. 4th St in Madison. The improvements will include building code items such as: fire-rated doors and walls as recommended by the project architect and area Fire Marshal; relocation and replacement of furnace and HVAC system; and replacement of flooring and carpet. The project's approximate cost

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is \$50,000. The County will re-purpose and apply all ED RLF program income estimated at \$34,125, towards this project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS of MADISON COUNTY, NEBRASKA, that the Chairman be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between Madison County and the Nebraska Department of Economic Development so as to effect acceptance of the amendment and will adhere to the CDBG reuse plan as approved by Nebraska Department of Economic Development. It is expressly understood that program income and recaptured funds will continue to be made to Madison County and reused within the corporate limits of the local government, is hereby approved and adopted.

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

Pursuant to published legal notice in the Saturday, July 25, 2020 edition of the Norfolk Daily News, a public hearing was held to receive citizens' comments regarding the conditional use permit application of John and Kristen Orłowski to build a house on less than 40 acres on Orłowski Lot Split in Section 20-22-1, which is located north of the City of Madison along 553½ Avenue.

Zoning Administration Heather McWhorter explained that the Orłowski family applied for a lot split of 4 acres and would like to build a house on property which they are purchasing from their grandparents. She explained that the property is located in an Ag-Transitional District, meets the density requirements of the district, and this will be the last house allowed on the quarter section of property. She reported that there was some opposition at the Planning Commission hearing; however, the Planning Commission voted unanimously to approve the application. She read the Statement of Finding of Facts and the permit conditions recommended by the Planning Commission.

Chairman Uhlir opened the public hearing at 9:40 A.M. Kristen Orłowski, John Orłowski Jr., and John and Jerilyn Orłowski were present at the hearing.

Kristen Orłowski spoke in favor of the conditional use permit application. She explained that their family is currently renting a home and the owners are not willing to sell it. She said that they have been looking for a home to buy for five years and can't find one in the rural area; but, her husband's grandparents offered to sell some land so they could build a house.

Chairman Uhlir asked how soon the Orłowski family plans to start building their house and Mrs. Orłowski responded that they plan to start building after the corn on the property is harvested. Chairman Uhlir asked about access to the property and if there is a driveway to the parcel. Mrs. Orłowski replied that they need driveway access; but, the ditch is shallow. Chairman Uhlir explained that the County will provide a culvert for a driveway.

Commissioner Schmidt asked where the house will be built on the property. Mrs. Orłowski replied that the lot split is on the south end of the grandparents' property, which is where the house will be located.

Jerilyn Orłowski, grandmother of the applicants, stated that they would be thrilled to have the grandchildren living close because family means so much of them. Grandfather John Orłowski said that he was also in favor of the conditional use permit application.

Commissioner Schmidt asked for clarification on an Ag-Transitional District. Zoning Administration Heather McWhorter responded that the Ag-Transitional District is a buffer between the cities and intensive agricultural. She explained that this district provides light agricultural and also allows residential parcels. She said that if an applicant wanted to have a livestock feeding operation it would need to be a small operation based upon a certain number of animals. She stated that a medium or large livestock operation is not allowed in an Ag-Transitional District, so it provides protection for residential to a certain level.

No one testified in opposition to the application.

Chairman Uhlir closed the hearing at 9:43 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2020-34

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 July 25, 2020 edition of The Norfolk Daily News, and a public hearing was held by law.

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

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned AT Ag Transitional and meets the density requirements for the Zoning district. This will be the last home allowed on the quarter section.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to John and Kristen Orłowski to build a house on less than 40 acres on ORŁOWSKI LOTSPLIT on the following described land:

Part of the NE ¼ of the SW ¼ of Section 20, Township 22 North, Range 1, West of the 6th P.M., Madison County

Legal Description: A tract of land located in the Northeast Quarter of the Southwest Quarter of Section 20, Township 22 North, Range 1 West of the 6th P.M., Madison County, Nebraska, being described as follows: Commencing at the Northeast Corner of the Southwest Quarter of said Section 20; thence S00°08'51"E on the East line of the Northeast Quarter of the Southwest Quarter and on an assumed bearing, a distance of 975.45 feet to the Point of Beginning; thence continuing S00°08'51"E on said East line, a distance of 317.08 feet; thence S88°29'24"W, a distance of 329.94 feet; thence S00°28'45"E, a distance of 32.95 feet; thence S88°31'38"W, a distance of 195.42 feet; thence N01°34'09"W, a distance of 349.82 feet; thence N88°29'24"E, a distance of 533.85 feet to the Point of Beginning and containing 4.00 acres, more or less.

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 Conditional Use Permit is permanent and may be transferred between owners.
2. This Conditional Use Permit allows a single-family home on less than 40 acres.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust and general nuisances. This does not mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska.

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4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners.
5. A zoning permit must be obtained from the Zoning Office before construction of the home begins.
6. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant.

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.

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

Pursuant to published legal notice in the Saturday, July 25, 2020 edition of the Norfolk Daily News, a public hearing was held to receive citizens' comments regarding the conditional use permit application of Patrick Hintz to build a house on less than 40 acres on Sunderman's Southeast Lot Split in Section 17-24-2, which is located north and east of the City of Battle along 843rd Avenue.

Zoning Administration Heather McWhorter explained that Mr. Hintz applied for a conditional use permit to build a house on a 5.35 acre tract in an AG-2, General Agriculture District, which allows for three houses per quarter section. She said that the density is appropriate for the district. She stated that the property is located along a minimum maintenance road; however, the applicant is working with the road foreman and County Highway Superintendent to bring the road to improved standards before construction of the house begins.

Ms. McWhorter reported that two surrounding property owners with livestock in the area attended the Planning Commission public hearing; but, they didn't testify in opposition to the application. Ms. McWhorter reported that Mr. Hintz will be required to provide a livestock waiver of distance prior to approval of the conditional use permit because they want to make sure that the conditional use permit doesn't infringe on the dairy operation located in the area, and Mr. Hintz was okay with this requirement. She stated that the Planning Commission voted unanimously in favor of approving the conditional use permit application. She said that the County Board would need to approve a change to the road classification prior to the start of construction. She read the Statement of Finding of Facts and the permit conditions recommended by the Planning Commission.

Commissioner Schmidt stated that the Board approved an application for construction of a different house on a minimum maintenance road and an address was assigned during the application process; however, after the house was built the mailbox was located on a different road. He asked if the address for this conditional use permit is clear. Ms. McWhorter replied that the conditional use permit portion is completed; however, the County Board needs to change the road from minimum maintenance status. Chairman Uhlir clarified that this applicant doesn't have two intersecting roads along the parcel; so, there should not be a problem with the address.

Chairman Uhlir opened the public hearing at 9:49 A.M.

Patrick Hintz was present at the hearing and testified that he would like to build a house in the country. He said that he grew up on a farm and would like to move back to the country. He stated that the property came up for sale and he purchased it. He reported that Dennis Kuchar has started work on the road. In addition, he submitted a livestock waiver of distance from Amen Dairy.

Commissioner Schmidt asked if the road beyond the driveway to the property will remain as minimum maintenance and County Highway Superintendent Richard Johnson responded that the road classification will be changed from minimum maintenance only to the driveway. Mr. Hintz stated that a turnaround will be large enough for a maintainer to turn around in the driveway.

Chairman Uhlir said that at the Planning Commission hearing there were concerns from dairy operators; but, that concern was addressed. Mr. Hintz explained that the dairy operators were not opposed, but had concerns. He said the owner of Henn Dairy attended the hearing to see who he was, but he visited with the dairy operators after the hearing and there weren't any problems. Ms. McWhorter reported that another person who was not associated with a dairy operation asked a question about what happens if the livestock waiver of distance is signed by a current dairy operator and then the operation is sold in the future. She explained that a livestock waiver of distance stays with the property just like a conditional use permit stays with the property, regardless of who owns the land.

Commissioner Ohl asked if County Highway Superintendent Richard Johnson had any comments on the process of improving the minimum maintenance road and the County's acceptance. Mr. Johnson replied that he wasn't aware that work had started on improving the road; but, there must be two 10 foot lanes, 3 foot shoulders, and decent slopes. He stated that once the road work is completed and approved, the County will maintain the road. Commissioner Schmidt asked what the gravel requirements would be and Mr. Johnson responded that initially two inches of gravel will be adequate.

No one testified in opposition to the application.

Chairman Uhlir closed the hearing at 9:52 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2020-35

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 July 25, 2020 edition of The Norfolk Daily News, and a public hearing was held by law.

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

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned AT Ag Transitional and meets the density requirements for the Zoning district. This will be the last home allowed on the quarter section.
3. Applicant is improving the road from minimum maintenance as part of an agreement with the county.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Patrick Hintz to build a house on less than 40 acres on SUNDERMAN'S SOUTHEAST LOTSPLIT on property described as:

Part of the SE ¼ of the SW ¼ of Section 17, Township 24 North, Range 2, West of the 6th P.M., Madison County, Nebraska

Legal Description: A track of land lying wholly in the Southeast ¼ of the Southwest ¼ of Section 17, Township 24 North, Range 2 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows: Beginning at the South ¼

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corner of said Section 17; thence South 88 degrees 47 minutes 10 seconds West, (for this legal I have assumed the West line of the southwest ¼ to bear South 01 degrees 57 minutes 15 seconds East) on the South line of the Southwest ¼, 738.07 feet; then North 01 degrees 12 minutes 50 seconds West 31.00 feet to a point on a 1410.00 foot radius curve, the center of which bears North 25 degrees 49 minutes 15 seconds West; thence in a Northeasterly direction around said curve, an arc distance of 1084.73 feet, the chord of which bears North 42 degrees 08 minutes 24 seconds East 1058.18 feet to a point on the East line of Southwest ¼; thence South 02 degrees 02 minutes 45 seconds East, on said East line of the Southwest ¼, 800.52 feet to the point of beginning and containing 5.35 acres more or less.

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 Conditional Use Permit is permanent and may be transferred between owners.
2. This Conditional Use Permit allows a single-family home on less than 40 acres.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust, and general nuisances. This does not mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska.
4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners.
5. A zoning permit must be obtained from the Zoning Office before construction of the home begins.
6. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant.
7. Road must be upgraded from minimum maintenance at owners' expense and a resolution filed by the county declaring the road as improved prior to issuance of zoning permit for house.
8. A notarized distance waiver must be filed with the Register of Deeds office prior to approval of the Conditional Use Permit

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.

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

Pursuant to published legal notice in the Saturday, July 25, 2020 edition of the Norfolk Daily News, a public hearing was held to receive citizens' comments regarding the conditional use permit application of Evan Eucker dba Eucker Pork, LLC for a conditional use permit to operate a livestock feeding operation in section 1-21-3, which is located west of the City of Madison along 827th Road.

Zoning Administration Heather McWhorter explained that Mr. Eucker is requesting a conditional use permit for 2,499 hogs on property located in an Ag Intensive District. She explained that the applicant is in the process of completing a lot split which will be submitted for approval when finished. She stated that the applicant's matrix score was 360 and that 350 points are required. She reported that the Planning Commission unanimously approved the application.

Chairman Uhlir opened the public hearing at 9:55 A.M. Evan Eucker, Don Eucker, and Al Stephens were present during the hearing.

The applicant, Evan Eucker, explained that he plans to build a hog barn and expand his hog operation which he has managed on his grandparents' farm for four years. He said that he is working full time at the Lindsay Coop; but, he wants to transition full-time to the farm. He explained that this hog barn will be a good start in transitioning full time to the farm.

Chairman Uhlir asked if a lagoon will be required and Mr. Eucker replied that a storage pit will be installed under the hog barn which will hold one year of waste. Commissioner Schmidt asked how many acres the applicant has to spread waste and Mr. Eucker responded that he has about 500 acres to spread waste. Commissioner Schmidt asked which company will own the hogs. Mr. Eucker replied that he will be feeding for Cactus Farms, which is a Texas based company; but, the hogs will come from Iowa and will be between 5 to 15 pounds. He explained that his hog barn will be a wean-to-finish operation. Commissioner Schmidt asked if 5,000 hogs will be delivered at one time with finished hogs being removed at different times. Mr. Eucker replied that occasionally hogs will be removed periodically; but, most times all finished hogs will be trucked out at the same time. He said that he will have two separate turns in a year, which is a six month turn around. Commissioner Schmidt asked for clarification on the number of hogs in the facility since the application is for 2,499 hogs. Zoning Administrator Heather McWhorter explained that the head equivalent differs for full size and small size animals.

Chairman Uhlir asked if the feed will be sourced locally and Mr. Eucker responded that the feed will come from the Lindsay Coop. Commissioner Schmidt asked how far the hog barn will be from the road and Mr. Eucker replied that the barn will be approximately 170 feet from the road which will allow turn around space for the trucks. Commissioner Schmidt asked if a culvert will be required for the new driveway and Mr. Eucker replied that his dad, Don Eucker, said that a culvert will not be required.

Al Stephens from Settje Agri Services explained that he worked with Mr. Eucker on the engineering of the site and structure. He stated that the application was submitted to Nebraska Economic Development District and he expects approval by September 1st. He stated that all plans were completed according to the livestock matrix and the barn will be a deep pit facility. Chairman Uhlir asked if waste will be pumped through an irrigation system. Mr. Eucker replied that waste will be pumped out and applied through a drag line which can go about three miles from the barn. Mr. Stephens reported that the application filed with the Nebraska Department of Economic Development includes the nutrient management plan which requires that the proper number of acres be available to utilize the nutrients. Commissioner Schmidt asked if the applicant is required to take soil samples annually and Mr. Stephens responded affirmative. Ms. McWhorter stated that the full plan submitted to the Nebraska Department of Economic Development is filed at the Zoning Department. Mr. Stephens explained that the requirements for the hog facility are stricter than commercial fertilizer.

Don Eucker stated that he is favor of the conditional use permit application.

No one testified in opposition to the application.

Chairman Uhlir closed the hearing at 10:01 A.M. He thanked Evan Eucker for undertaking this endeavor to stay on the farm. Commissioner Schmidt stated that agricultural producers have focused more on crop production than livestock production and this is a good step to have a diversified agricultural operation.

After discussion, the following resolution was introduced:

RESOLUTION #2020-36

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)

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

WHEREAS, a recommendation has been received from the Madison County Joint Planning Commission; and WHEREAS, notice of public hearing was published in the July 25, 2020 edition of The Norfolk Daily News, and a public hearing was held by law.

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 360 points, and 350 points are needed to pass.
4. The feedlot setback is 1,320 ft. from the nearest dwelling; no dwellings are located within the setback. Closest residence is approximately 2,500 feet

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants Evan Eucker dba Eucker Pork LLC a Conditional Use Permit for a Livestock Feeding Operation consisting of 2,499 on property described as:

A tract in the SE ¼ of SW ¼ of Section 1, Township 21 North, Range 3 West of the sixth P.M., Madison County, Nebraska

A tract of land located in the Southeast Quarter of the Southwest Quarter of Section 1, Township 21 North, Range 3 West of the 6th P.M., Madison County, Nebraska, being described as follows: Beginning at the Southeast corner of the Southwest Quarter of said Section 1, thence N89°59'29"W on the South line of the Southwest Quarter and on an assumed bearing, a distance of 301.00 feet; thence N00°01'03"W, parallel with the East line of said Southwest Quarter, a distance of 571.00 feet; thence S89°59'29"E parallel with the South line of said Southwest Quarter, a distance of 301.00 feet to a point on the East line of said Southwest Quarter; thence S00°01'03"E on said East line, a distance of 571.00 feet to the Point of Beginning and containing 3.94 acres, more or less.

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 Medium Animal Feeding Operation Conditional Use Permit for an operation of up to 2,499 head of swine over 55 pounds.
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. This permit is subject to the Madison County Zoning and Subdivision Regulations, the laws of Nebraska, the U.S. Government and Nebraska Department of Environmental Quality; the AFO permitted here shall be operated to comply with all these entities. The Conditional Use Permit will be invalid if a permit is not obtained from NDEQ within one year.
4. 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.
5. A zoning permit must be approved before any structures are built on the property.

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.

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

Pursuant to published legal notice in the Saturday, July 25, 2020 edition of the Norfolk Daily News, a public hearing was held to receive citizens' comments regarding the conditional use permit application of Brent Weitfeld for a conditional use permit to spread bio-solids from the City of Norfolk wastewater treatment plant on pasture ground in Section 23-23-1, which is located south of the City of Norfolk at 83660 556th Avenue. Norfolk City Emergency Management Director Bobbi Risor and Norfolk City Wastewater Superintendent Rob Huntley were present during the hearing.

Zoning Administration Heather McWhorter explained that the surrounding neighbors appeared at the Planning Commission hearing to express their concerns. She reported that after a lengthy discussion with the City of Norfolk Wastewater Superintendent Rob Huntley, the neighbors were satisfied with answers provided and were not opposed to the permit at the conclusion of the hearing. She reported that one letter from Don Svitak was submitted at the Planning Commission hearing. Ms. McWhorter read the Statement of Finding of Facts and the permit conditions recommended by the Planning Commission.

Chairman Uhlir opened the public hearing at 10:05 A.M.

Rob Huntley, City of Norfolk Wastewater Superintendent, appeared at the hearing and stated that he is also representing the applicant, Brent Weitfeld. He stated that the property is a great parcel because it is close to the wastewater facility and has sandy soil. He reported that bio-solids are also spread on other parcels, including the Baldwin property. He stated that the application complies with the Environmental Protection Agency (EPA) regulations and they complete soil sampling every year. Mr. Huntley stated that they sometimes have a hard time locating property to dispose of the waste water since there isn't much pasture ground. He stated that the owner has a great rotation on the property with five different areas that they can rotate through to dispose of the bio-solids. Mr. Huntley explained that livestock can't be on the property for three days after bio-solids are spread, which is part of the EPA rules. He said that the soil is very sandy, so this property is great due to the close proximity to the treatment facility and also great for the owner. He explained that the waste is Class B sludge and that the water is pressed out of it and then kiln dust is added to stabilize it. He stated that the waste has already gone through the waste water plant and is treated to kill any flies and pathogens. Mr. Huntley explained that the bio-solids don't have much odor due to a change in the treatment process which significantly reduced odor.

Commissioner Schmidt asked about the nutrients in the bio-solids. Mr. Huntley replied that he doesn't have the breakdown of nutrients, but he estimated that each load is worth approximately \$600 in fertilizer. He stated that the bio-solids have many organics, low phosphorus, and nitrogen, which is what the subject property needs. Commissioner Schmidt asked who is responsible for taking soil samples and Mr. Huntley replied that the City of Norfolk completes surface and sub-surface sampling annually.

County Highway Superintendent Richard Johnson asked what the haul route would be to the property. Mr. Huntley responded that South 1st Street would be used for compliance with weight restrictions. He stated that a single axle agriculture truck would be used to haul the product. He said that the trucks hauling the product don't go very fast.

Commissioner Ohl asked what the time frame and frequency is for hauling. Mr. Huntley replied that the treatment plant is only pressing half a day two times per week, so typically between 8 and 10 loads are spread per week and no product is stockpiled either at the plant or on the property where bio-solids are spread. He stated that there are many rules and the process is heavily regulated.

No one testified in opposition to the application.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Chairman Uhlir closed the hearing at 10:10 A.M.
After discussion, the following resolution was introduced:

RESOLUTION #2020-37

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 July 25, 2020 edition of The Norfolk Daily News, and a public hearing was held by law.

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

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned A2 General Agriculture.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grant a Conditional Use Permit to Brent Weitfeld to spread bio-solids on pasture ground from the City of Norfolk Wastewater Treatment Plant on property described as:

The NW ¼ of Section 23, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska.

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 Conditional Use Permit shall be for a period of five (5) years from the date of this resolution or with a change in ownership of the property.
2. There will be no storage of sludge on the property.
3. Spreading may occur year-round.
4. The City of Norfolk shall be solely responsible for the safe delivery and legal application of the stabilized wastewater solids to the property described in this permit.
5. By allowing the City of Norfolk to apply stabilized wastewater solids to the property described in this permit, the landowner assumes sole responsibility for the material applied by the city.
6. There will be no spreading of sludge within 500 feet of a neighbor's residence.
7. Sludge shall not be applied at a rate greater than the recommended agronomic rate based on crop type and soils.
8. Annual soil testing shall be done to ensure the application does not exceed the agronomic rate, and the annual soil test results shall be submitted to the Madison County Zoning Administrator annually. If excess nitrogen is detected, application at this location shall cease until reserve nitrogen levels have been reduced to allow applications of solids at an agronomic rate.
9. No sludge may be applied into standing water.

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.

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

Pursuant to published legal notice in the Saturday, July 25, 2020 edition of the Norfolk Daily News, a public hearing was held to receive citizens' comments regarding the conditional use permit application of Brent Weitfeld for a conditional use permit to spread bio-solids from the City of Norfolk wastewater treatment plant on pasture ground in Section 24-23-1, which is located south of the City of Norfolk at the intersection of 837th Road and 558th Avenue. Norfolk City Emergency Management Director Bobbi Risor and Norfolk City Wastewater Superintendent Rob Huntley were present during the hearing.

Zoning Administration Heather McWhorter explained that the same information presented at the previous hearing applies to this application. She stated that the Statement of Finding of Facts and the permit conditions recommended by the Planning Commission are the same as the prior hearing.

Chairman Uhlir opened the public hearing at 10:11 A.M.

Rob Huntley, City of Norfolk Wastewater Superintendent, appeared at the hearing and stated that he is also representing the applicant, Brent Weitfeld. He stated that this property is located one mile from the prior application. He said that this property is located on the county line and is a long narrow parcel which originally had a well on one end; however, the owner put a well on the other end. He said that the parcel is cross fenced so the City can spread on two different parts of the parcel. He reported that sludge was spread on this parcel about 20 years ago and the property is sandy soil. Mr. Huntley said that this is a great property for the bio-solids and the owner is very excited about receiving the product. He stated that there was no opposition to the application at the Planning Commission hearing and that feedlots are located both east and west of the parcel.

No one testified in opposition to the application.

Chairman Uhlir closed the hearing at 10:12 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2020-38

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 July 25, 2020 edition of The Norfolk Daily News, and a public hearing was held by law.

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned A2 General Agriculture.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grant a Conditional Use Permit to Brent Weitfeld to spread bio-solids on pasture ground from the City of Norfolk Wastewater Treatment Plant on property described as:

The E ½ of the E ½ of Section 24, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska.

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 Conditional Use Permit shall be for a period of five (5) years from the date of this resolution or with a change in ownership of the property.
2. There will be no storage of sludge on the property.
3. Spreading may occur year-round.
4. The City of Norfolk shall be solely responsible for the safe delivery and legal application of the stabilized wastewater solids to the property described in this permit.
5. By allowing the City of Norfolk to apply stabilized wastewater solids to the property described in this permit, the landowner assumes sole responsibility for the material applied by the city.
6. There will be no spreading of sludge within 500 feet of a neighbor's residence.
7. Sludge shall not be applied at a rate greater than the recommended agronomic rate based on crop type and soils.
8. Annual soil testing shall be done to ensure the application does not exceed the agronomic rate, and the annual soil test results shall be submitted to the Madison County Zoning Administrator annually. If excess nitrogen is detected, application at this location shall cease until reserve nitrogen levels have been reduced to allow applications of solids at an agronomic rate.
9. No sludge may be applied into standing water.

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.

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

Chairman Uhlir reported that most departments have submitted their budget proposals for the 2020-2021 fiscal year. He stated that he spoke with most elected and appointed officials regarding their budget requests. He stated that the budget committee members will start meeting to prepare the budget. He explained that the Board anticipates a significant valuation increase and the Board authorized a 2% increase for wages and 0% increase on the operating budget unless there was a specific need. He stated that most officials were able to comply with that request.

Chairman Uhlir explained that the Sheriff's department has some expenses that the Board was aware of one year ago; but, when it comes to law enforcement the County Board doesn't want to short the budget. He said that the Board will be as fiscally conservative as possible due to anticipated valuation increases. He stated that the Board wants to keep the levy as low as possible for the County and not increase property taxes just to keep the levy at the same amount as the prior year. He said that the Board needs to be as fiscally conservative as possible for people who had big property valuation increases, especially commercial property owners.

Norfolk Daily News reporter Jerry Guenther stated that he recalls that the County is not facing large increases in the health insurance costs. Chairman Uhlir confirmed that the medical premiums did not increase from the prior year. Commissioner Schmidt reported that he spoke with other entities who are experiencing between a 10% and 15% increase in health insurance costs.

Commissioner Ohl thanked Chairman Uhlir for meeting with officials regarding their budget proposals. Chairman Uhlir reported that he appreciated the opportunity to meet with the officials to provide him with a better understanding of the requests and listen to concerns. He explained that some offices were \$40,000 under budget and only one department required an additional funding appropriation prior to the end of the fiscal year.

Chairman Uhlir reported that \$2.5 million was bonded at 1.7% interest rate and these funds will be used for road improvements. He explained that construction and material costs are increasing at a faster rate than 1.7%. He reported that South Airport Road needs attention and an area south of Sherwood Road on 1st Street didn't get done because the sub-surface was really wet. He also stated that he would like to accept bids for Old Hadar Road soon so that the project can be completed early in 2021. He reported that East Benjamin Avenue should be finished within two weeks and that paint striping, seeding, and signs must be completed to finish the project. He explained that they are currently working on equipment needs and overlay projects for the next fiscal year.

No action was taken.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Public hearing notice from the City of Norfolk regarding the Bradford Business Park Redevelopment Plan
- 3) Public hearing notice from Stanton County regarding Residential Use Permit application of Thomas Hintz and Kevin Heppner to construct a house in Section 7-23-1, Stanton County

The following claims were audited:

GENERAL FUND		
Total Net Payroll		164,810.18
Mark Albin	Legal Services, County Court	1,047.74
Albracht Disposal Service	Garbage Disposal Service, County Jail	155.00

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

American Family Life Assurance Company	Insurance Premiums	1,200.48
Anderson Auto Group	Patrol Vehicle, County Sheriff	28,939.00
Apex Therapy Services, LLC	Professional Services, Community Based Grant	162.50
Appera	Rug Service, Supplies, Public Defender	30.49
Black Hills Energy	Gas Service, Zoning Department	10.20
Black Hills Energy	Gas Service, Noxious Weed Department	10.20
Blue Cross Blue Shield of Nebraska	Insurance Premiums	142,615.67
Bomgaars	Supplies, Courthouse	59.99
Bomgaars	Supplies, County Jail	47.98
Carhart Lumber Company	Supplies, Courthouse	20.00
Cash-Wa Distributing	Supplies, County Jail	89.80
Champs Inc.	Maintenance Services, County Jail	2,500.00
Maria Izabel Chavez	Interpreting Services, Public Defender	357.50
City of Madison	Utilities, Courthouse	186.01
City of Norfolk	Utilities, Extension Office	228.70
Colonial Life and Accident Insurance Company	Insurance Premiums	225.60
Consolidated Management Company	Inmate Meals, County Jail	194.72
Constellation Newenergy	Gas Service, Courthouse	185.62
Constellation Newenergy	Gas Service, County Jail	433.10
Copple, Rockey & Schlecht P.C., L.L.O.	Legal Services, County Court	687.98
Courtesy Ford	Repairs, County Sheriff	57.58
Covert Track Group, Inc.	Annual Subscription, County Sheriff	600.00
Custom Sports	Uniforms, County Sheriff	384.00
Custom Sports	Uniforms, County Jail	20.00
DAS State Accounting	Telephone Service, Zoning Department	27.17
DAS State Accounting	Teletype Service, County Sheriff	262.29
DAS State Accounting	Network Services, County Attorney	28.00
DAS State Accounting	Teletype Service, County Jail	441.71
DAS State Accounting	Telephone Service, Noxious Weed Department	27.16
DAS State Accounting	Telephone Service, Veterans Service Office	64.12
Eakes Office Solutions	Supplies, County Court	1,052.28
Eakes Office Solutions	Supplies, County Jail	104.83
Eakes Office Solutions	Supplies, Probation Office	503.03
Egan Supply Company	Supplies, Courthouse	308.50
Egley, Fullner, Montag, Morland & Easland, P.C.	Legal Services, County Court	5,174.45
James Egley	Mileage, Mental Health Board	17.25
Electronic Engineering & Equipment Company	Electrical Supplies, Courthouse	36.03
Electronic Engineering	Radio Equipment, County Jail	3,860.00
Elite Court Reporting Service, Inc.	Deposition, Law Enforcement	136.50
First Concord Benefits Group LLC	Flex Plan, Deductible Buy Down Costs, Administrative Fees	5,267.23
Floor Maintenance & Paper Supply	Supplies, Extension Office	84.19
Yvonne Gerrard	Cleaning Services, Probation Office	345.00
Gordy's Towing & Repair	Vehicle Repairs, County Sheriff	128.59
Johnson's Plumbing & Heating	Repairs, Zoning Department	268.88
Johnson's Plumbing & Heating	Repairs, Courthouse	6,331.00
Johnson's Plumbing & Heating	Repairs, Noxious Weed Department	268.87
Johnson's Plumbing & Heating	Repairs, Veterans' Service Office	520.37
Kiesler Police Supply	Supplies, County Sheriff	572.70
Michelle Kroupa	Cleaning Services, Extension Office	370.00
Lancaster County District Court	Garnish of Wages	297.20
Madison County Clerk	Tax Deposit, Retirement	87,775.45
Madison County Sheriff Inmate Fund	Supplies, County Jail	37.44
Madison County Sheriff	Civil Process Fees, County Court	195.75
Madison County Sheriff	Civil Process Fees, District Court	1,760.91
Madison County Sheriff	Civil Process Fees, Mental Health	56.58
Madison County Sheriff	Medical Testing, County Jail	10.00
Madison County Treasurer	Tire Fee, County Sheriff	5.00
Madison National Life Insurance Company Inc.	Insurance Premiums	314.48
Menards	Supplies, Zoning Department	17.38
Menards	Supplies, County Jail	35.96
Menards	Supplies, Noxious Weed Department	17.39
Moyer, Moyer & Lafleur	Legal Services, District Court	8,014.35
Nationwide Retirement Solutions	Deferred Comp	2,960.00
Nebraska Health and Human Services	State Institution Costs	990.00
Nebraska Law Enforcement Training Center	Registration Fees, County Jail	50.00
Nebraska Public Power District	Utilities, Zoning Department	80.60
Nebraska Public Power District	Utilities, Extension Office	692.54
Nebraska Public Power District	Utilities, Noxious Weed Department	115.23
Nebraska State Bar Association	Registration Fees, Public Defender	450.00
Norfolk Daily News	Publication Costs	388.23
Valorie Olson	Court Reporting, Mental Health	100.00
Olson's Pest Technicians	Pest Control Services, Extension Office	65.00
One Office Solution	Supplies, County Clerk	88.84
One Office Solution	Copier Contract, Supplies, County Court	783.16
One Office Solution	Supplies, Public Defender	91.54
One Office Solution	Supplies, County Sheriff	65.20
William Ouren	Autopsy, Law Enforcement	75.00
Physicians Laboratory, P.C.	Autopsy, Law Enforcement	365.00

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

Precision IT	Supplies, County Court	3.00
Precision IT	Equipment, Supplies, Software, Probation Office	1,573.61
Precision IT	Contract Services, County Offices	292.50
Ramada Inn - Kearney	Lodging, County Jail	89.00
Redwood Toxicology Lab, Inc.	Medical Testing, Probation Office	197.20
Reynoldsons	Fuel, Zoning Department	83.23
Modesto Boton Rodriguez	Interpreting Services, Public Defender	400.00
Mary Rohrich	Cleaning Services, Probation Office	145.00
RS Electric	Lighting Upgrades, Courthouse	1,695.85
Secretary of State	Supplies, County Clerk	30.00
Security Shredding	Shredding Services, County Court	70.00
Melanie Smith	Mileage, Mental Health Board	17.25
Stealth Broadband	Internet Service, Zoning Department	65.14
Stealth Broadband	Internet Service, Public Defender	133.60
Stealth Broadband	Internet Service, Probation Office	564.53
Stealth Broadband	Internet Service, Noxious Weed Department	65.13
Ryan Stover	Mileage, Mental Health Board	17.25
Summit Food Services LLC	Inmate Meals, County Jail	7,364.43
T & I Enterprises	Garnish of Wages	54.84
Thibault, Suhr & Thibault, Inc.	Deposition, Law Enforcement	154.09
Trane	Repairs, Courthouse	76.50
United States Postal Service	Supplies, Probation Office	1,631.00
UNL Print and Copy Services	Supplies, Extension Office	228.24
US Bank Corporate Payment System	Fuel, Supplies, County Sheriff	272.38
US Bank Corporate Payment System	Supplies, County Jail	605.80
US Bank Corporate Payment System	Meals, Software, County Attorney	143.63
Verizon Wireless	Telephone Service, County Attorney	65.50
Verizon Wireless	Telephone Service, Community Based Grant	218.16
Verizon Wireless	Failover Router, Courthouse	80.02
Vision Service Plan	Insurance Premiums	464.10
Whitey's Sprinklers	Repairs, Lawn Care, Courthouse	825.00
Zee Medical Service	Supplies, County Sheriff	59.70
Zee Medical Service	Supplies, County Jail	86.70
911 Custom	Supplies, County Sheriff	135.00

ROAD/BRIDGE FUND

Total Net Payroll		36,662.29
American Family Life Assurance Company	Insurance Premiums	709.36
B's Enterprises Inc.	Culverts	17,642.96
Battle Creek Light & Power	Electric Service	197.84
Bauer Built Tire	Tire Repairs	3,193.02
Black Hills Energy	Gas Service	46.66
Blue Cross Blue Shield of Nebraska	Insurance Premiums	34,226.06
Bomgaars Supply	Shop Supplies	299.73
Carhart Lumber Company	Lumber	559.92
Central Sand & Gravel	Gravel	236.51
City of Madison	Utilities	448.20
City of Newman Grove	Utilities	61.00
City of Norfolk	Sewer Fees	32.67
Colonial Life and Accident Insurance Company	Insurance Premiums	70.28
Constellation Newenergy	Gas Service	50.40
Cornhusker International Trucks Inc.	Parts, Repairs	9,384.75
Dale R. Johnson Ent. Inc.	Gravel	16,440.98
DAS State Accounting	Telephone Service	24.21
Eco Water Systems	Shop Supplies	45.95
Roger Ellenberger	Clay	1,680.00
Fastenal Company	Shop Supplies	15.30
First Concord Benefits Group	Flex Plan, Deductible Buydown Costs, Administration Fees	1,632.00
Frontier	Telephone Service	57.09
GI Trailer Inc.	Parts	32.40
Island Supply Welding Company	Shop Supplies	25.58
Kelly Supply Company	Shop Supplies	1,600.99
Ken's Trailer Sales & Repair	Parts	12.00
Kimball Midwest	Parts	90.51
Lawson Products	Shop Supplies	36.50
Loup Power District	Utilities	83.48
Madison County Clerk	Tax Deposit, Retirement	18,878.09
Madison County Sheriff	Vehicle Inspection Fee	10.00
Madison County Treasurer	Title Fee	10.00
Madison National Life Insurance Company Inc.	Insurance Premiums	47.21
Matteo Sand & Gravel Co., Inc.	Gravel	5,136.13
Menards	Shop Supplies	29.99
Nationwide Retirement Solutions	Deferred Compensation	1,005.00
Nebraska Child Support Payment Center	Garnish of Wages	287.55
Nebraska Public Power District	Utilities	259.64
NMC Exchange LLC	Parts	155.03
Norfolk NAPA	Shop Supplies, Parts	1,557.01
Pinkelman Truck & Trailer	Parts, Repairs	362.03

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Polt Brothers Equipment LLC	Parts	329.90
Powerplan	Parts	203.20
Prime Sanitation	Garbage Removal Service	58.50
RDO Truck Centers	Parts, Repairs	3,502.95
Road Builders Machinery & Supply	Parts, Repairs	11,725.54
Stealth Broadband	Internet Service	65.13
T-Bone North	Fuel, Tires, Repairs	4,133.97
Tim Koenig Trucking LLC	Trucking Services	2,937.92
Truck Center Companies	Parts	712.88
Village of Meadow Grove	Utilities	72.00
Vision Service Plan	Insurance Premiums	115.73
Adam Wright	Trucking Services	2,436.88
Yard Restoration LLC	Repairs	55.00
Zoubek Oil Company, Inc.	Fuel	5,435.39
FEDERAL AID SECONDARY FUND		
Western Engineering Co., Inc.	Asphaltic Overlay Projects	1,469,700.98
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Administration Fees	4,511.70
INHERITANCE TAX FUND		
Nathanial Ferry, P.R. of Drew Wiese Estate	Inheritance Tax Refund	62.08
911 EMERGENCY FUND		
Century Link	Telephone Service	789.55
Northland Business Systems	Maintenance Contract	1,664.20
DRUG COURT FUND		
Premier Biotech Inc.	Supplies	639.09
Redwood Toxicology Lab	Supplies	135.00
SMC Direct LLC	Supplies	419.75

Motion was made by Schmidt and seconded by Ohl 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 11:17 A.M. to Tuesday, August 18, 2020 at 9:30 A.M.

ATTEST:

Nancy Scheer
Deputy County Clerk

Troy Uhlir, Chairman
County Board of Commissioners