

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

September 17, 2019

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, September 12, 2019 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 Ron Schmidt called the meeting to order and notified the public of the copy of the Open Meetings Act posted in the meeting room. Present: Commissioners Christian Ohl, Ron Schmidt, and Troy Uhlir, and County Clerk Anne Pruss. County Highway Superintendent Richard Johnson was present from 9:40 A.M. until 11:17 A.M. Norfolk Daily News reporter Jerry Guenther and US92 reporter Cody Ronfeldt were present until 11:17 A.M.

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

- 1) Approval of minutes of September 4, 2019 meeting
- 2) Discontinue overtime payment for staff members in Zoning Department effective October 1, 2019
- 3) Authorization to advertise for bids for a patch truck for District #2 road department
- 4) Authorization to advertise for bids for repair of Bridge No. C-0084-01030 on Grandview Drive across Elkhorn River
- 5) Approval of purchase of FL16 Warren dump box in the amount of \$26,850.00 from R.D.O. Truck Center
- 6) Approval of agreement with Mainelli Wagner and Associates, Inc., for routine biannual bridge inspections
- 7) Award of contract including Alternate No. 1 for the total amount of \$1,558,118.55 to the low bidder, A & R Construction Company, Project No. C-59-864, Benjamin Avenue Paving

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

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

Pursuant to published legal notice in the Tuesday, September 3, 2019 edition of the Norfolk Daily News, Chairman Schmidt opened a public hearing at 9:37 A.M. to receive comments regarding the application of Dale Frisch for a conditional use permit to operate a swine finishing unit on property located in Section 12-21-4, which is located at 53965 826th Road, Newman Grove. The applicant, Dale Frisch, was present during the hearing.

Zoning Administrator Heather McWhorter reported that the applicant is requesting a permit for a 1,000 head swine facility in an Ag intensive zoning district. The required setback is 1,320 feet from a residence and no residences exist within the setback. The application is consistent with the Madison County Comprehensive Plan. The score for this facility on the Madison County Livestock Feeding Operation Siting Matrix was 380 points, and 350 points were needed to pass. The conditional use permit is for an operation of up to 1,000 head of swine over 55 pounds for an unlimited amount of time subject to successfully passing an annual review. She stated that information mirrors the information for Calvin Frisch, and she will not be repeating the information. She said that the application received unanimous approval from the Planning Commission.

The applicant, Dale Frisch, testified that he along with Calvin Frisch are building identical barns and will assist each other with these facilities. Mr. Frisch stated that the decision was made to go into this type of operation to diversify his operation. Commissioner Uhlir asked what they are currently doing, and Dale stated he currently farms, has a 400-head nurse on the same site and is currently employed by an electrician. Commissioner Uhlir asked if the current 400 head will move into this new facility. Mr. Frisch stated that this 400-head is being custom fed for Niewohner and will be coming to the new site but will be moved into a different barn. Mr. Frisch advised the swine will be 2 or 3 weeks old and will weigh 10 to 15 pounds each. Commissioner Schmidt asked how Mr. Frisch was going to dispose of the manure. Mr. Frisch advised that this will be knifed into the ground, and for a 1,000-head barn there will be approximately 80 acres of nitrogen. Dale stated that the two farms are 1/2 mile away from each other and that in December a house will be moved onto the property.

Calvin Frisch expressed support for the conditional use permit application.

No one spoke in opposition to the application.

Chairman Schmidt closed the hearing at 9:42 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2019-48

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 September 3, 2019 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 380 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.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Dale Frisch to operate a swine finishing unit for 1000 head as provided under Article 4, Section 402 "AG1" Intensive Agriculture District, Madison County 2003 Zoning and Subdivision Regulations on the following described land:

SE ¼ SE ¼ of Section 12, Township 21 North, Range 4 West of the 6th P.M., Madison County,

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 1000 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.

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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 of 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.

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 Ohl and seconded by Uhlir to approve the application of Dale Frisch for a Conditional Use Permit to operate a swine finishing unit on property located in Section 12-21-4. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Pursuant to published legal notice in the Tuesday, September 3, 2019 edition of the Norfolk Daily News, Chairman Schmidt opened a public hearing at 9:43 A.M. to receive comments regarding the application of Calvin Frisch for a conditional use permit to operate a swine finishing unit on property located in Section 19-21-3, which is located at 54068 825th Road, Newman Grove. The applicant, Calvin Frisch, was present during the hearing.

Zoning Administrator Heather McWhorter reported that the applicant is requesting a permit for a 1,000 head swine facility in an Ag intensive zoning district. The required setback is 1,320 feet from a residence and no residences exist within the setback. The applicant is consistent with the Madison County Comprehensive Plan. The score for this facility on the Madison County Livestock Feeding Operation Siting Matrix was 380 points, and 350 points were needed to pass. The conditional use permit for this operation of up to 1,000 head of swine over 55 pounds for an unlimited amount of time subject to successfully passing an annual review. Ms. McWhorter stated the only difference from Dale Frisch's application is that there is a house within 1200 feet of the facility that is within the 1320 setback, but there is a signed waiver. She stated that information mirrors Dale Frisch's information. She said that the application received unanimous approval from the Planning Commission.

Dale Frisch and Calvin Frisch expressed support for the conditional use permit application.

No one spoke in opposition to the application.

Chairman Schmidt closed the hearing at 9:45 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2019-49

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 September 3, 2019 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 380 points, and 350 points are needed to pass.
4. The feedlot setback is 1,320 ft. from the nearest dwelling. There is one home within the setback however a signed waiver has been provided.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Calvin Frisch to operate a swine finishing unit for 1000 head as provided under Article 4, Section 402 "AG1" Intensive Agriculture District, Madison County 2003 Zoning and Subdivision Regulations on the following described land:

NW ¼ NW ¼ of Section 19, Township 21 North, Range 3 West of the 6th P.M., Madison County

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 1000 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 of 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.

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 Ohl and seconded by Uhlir to approve the application of Calvin Frisch for a Conditional Use Permit to operate a swine finishing unit on property located in Section 19-21-3. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Motion was made by Ohl and seconded by Schmidt to remove Chairman Schmidt from the board for the application of a conditional use permit for Scott Schmidt due to a conflict of interest. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Pursuant to published legal notice in the Tuesday, September 3, 2019 edition of the Norfolk Daily News, Chairman Schmidt opened a public hearing at 9:48 A.M. to receive comments regarding the application of Scott Schmidt Poultry for a conditional use permit to operate a poultry feeding operation on property located in Section 27-22-2, which is located at 829th Road, Madison. The applicant, Scott Schmidt, was not present during the hearing.

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Zoning Administrator Heather McWhorter reported that the applicant is requesting a permit for a four-barn contract broiler facility covering approximately 5 acres. The facility will have a capacity of 190,000 broiler chickens. The facility will be totally housed under roof and will not include constructed waste storage structures. The litter from the facility will be composed in the production houses between production cycles and either spread out for continued use as litter or removed and applied as crop nutrients. The applicant has 1,369 acres available for litter application. The property is zoned Ag Intensive with a matrix score of 380 points, and 350 points were needed to pass. The application is consistent with the Madison County Comprehensive plan and is consistent with the Madison County Zoning and Subdivision Regulations. The feeding operation setback is 1,980 from the nearest dwelling. There are two homes located within the setback from the proposed facility. Mr. Schmidt has provided a signed waiver from the owners of both properties. She said that the application received unanimous approval from the Planning Commission.

Trevor Enstrom with Nutrient Advisors expressed support for the conditional use permit application. He stated that his company has been working with the Schmidt family to write the nutrient management plan and the state operating permit. Also, NDE has visited the site and determined that no permit is required, but due to Lincoln Premium poultry requirements, all growers are required to receive a state operating permit.

Willow Holoubek with Lincoln Premium Poultry expressed support for the permit application. Ms. Holoubek stated that Lincoln Premium Poultry will work with Madison County on routes to be taken by the trucks that will haul feed and take the poultry to be processed.

Ron Schmidt expressed support for the conditional use permit application. Commissioner Ohl asked if there were any other counties that have enacted any agreements or requirements on the growers. Ms. Holoubek advised that Lincoln Premium Poultry has made the logistics and live managers available to the County and Road Department, but no written agreements have been written; however, Ms. Holoubek stated that it is very clear that Lincoln Premium Poultry is willing to work with the County on routes to be taken. She continued to state that they don't allow trucks to pass each other, so if an alternative route is available to enter from one direction and leave from the other direction it would be the preferred method. Most of the transporting of these animals is done at night because the chickens need to be at the plant by 3:00 A.M. due to processing beginning at 5:00 A.M. County Clerk Anne Pruss asked if these properties are reviewed on an annual basis. Ms. Holoubek advised the Lincoln Premium Poultry has a biosecurity and environmental compliance person, and all locations are audited by a third party for biosecurity, welfare and environment to insure that each site is kept up. She stated that each site is visited on a semi-annual basis. Lincoln Premium Poultry will do a pre-audit with the growers to insure that everything is being done correctly, and this will be done on an annual basis. Commissioner Uhlir asked how often these barns will turn over, and Ms. Holoubek stated that they will turnover six times a year.

Commissioner Uhlir asked Ron Schmidt to clarify the Resolution #2019-41 road closure. Mr. Schmidt advised that an agreement prepared by Jason Lampli with Brogan Gray, P.C. is complete and has been given to Mark Fitzgerald with Fitzgerald, Vetter, Temple and Bartell Law Firm on behalf of the Klein Family. He stated that there are a few items that need to be changed and then given to the Klein and Kuchar families to sign the easement agreement.

Mr. Schmidt stated the County Highway Superintendent Dick Johnson advised that the County would like to be able to come up to the gate with the maintainer and then back around. Mr. Schmidt stated that the back-around will be built on his property and that if a semi-truck would need to use the back-around they could do so.

No one spoke in opposition to the application.

Chairman Schmidt closed the hearing at 10:04 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2019-50

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 September 3, 2019 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 380 points, and 350 points are needed to pass.
4. The feeding operation setback is 1,980 ft. from the nearest dwelling. There are two homes located approximately within the setback from the proposed facility. They have provided a signed waiver of setback agreement.
5. The property is zoned AG1 Agriculture Intensive.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grant a Conditional Use Permit to Scott Schmidt Poultry for a Poultry Feeding Operation as provided under Article 4, Section 402 "AG1" Intensive Agriculture District, Madison County 2003 Zoning and Subdivision Regulations on the following described land:

The N½ SW¼ & SW¼ SW¼ & NW¼ SE¼ of Section 27, Township 22 North, Range 2 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 is a Large Animal Feeding Operation Conditional Use Permit for an operation of up to 190,000 broiler chickens (1,520 HE).
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 of these entities.
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 obtained from the Zoning Office before construction of the barns 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 Ohl and seconded by Uhlir to approve the application of Scott Schmidt for a Conditional Use Permit to a poultry feeding operation on property located in Section 27-22-2, which is located at 829th Road, Madison. Roll call vote: Ayes, Ohl, Uhlir. Nays, none. Abstained, Schmidt. Motion carried.

Motion was made Ohl and seconded by Uhlir to reinstate Chairman Schmidt to the board. Roll call vote: Ayes, Ohl, Uhlir. Nays, none. Abstained, Schmidt. Motion carried. Motion carried.

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County Attorney Joe Smith spoke on the current litigation on prescription opiates. In the past, the County has received letters from attorneys, and no action was taken at the time. Mr. Smith suggested that one of the commissioners be appointed to assist him in looking at what the State of Nebraska will present. The commissioners were in agreement that Chairman Ron Schmidt assist Mr. Smith in this process. No action was taken.

Jerry Hernandez, Partner Specialist with the U.S. Department of Commerce and U.S. Census Bureau, presented information regarding the importance of everyone being counted for the upcoming 2020 Census Count. Mr. Hernandez stated that the Census tries to count every person at the right place at the right time and was mandated by law in the U.S. Constitution since 1790. The census is also about representation every 10 years, and the results of the census are used to reapportion boundary lines of the House of Representatives, about redistricting and changing the boundary lines as the state legislative district so it can adapt to the population shifts. The federal government is going to disperse 60 to 75 million dollars across this nation, and this is a way the government determines this. Mr. Hernandez advised that the focus in this area is due to the low response scores and that the population that is using the most of the federal funds are the low-income and immigrant populations.

Mr. Hernandez advised that they are working with local, county and state governments to establish a Complete Count committee. This committee will be in charge of promoting the U.S. Census throughout the community. He answered the question, "Why isn't the U.S. Census responsible for this," by stating it is the taxpayers' dollars that are paying our wages and we need to be good stewards of this money. He stated that the U.S. Census Bureau does not have a budget to promote or market other than some commercials. He stated that there is a fear or stigma associated with the Census, and it would be the goal of the committee to remove that fear so that higher response scores can be obtained resulting in the rewarding of federal dollars needed by our communities.

Mr. Hernandez explained that the process is to get an accurate head count but that most immigrants might be hesitant in answering the census, so it is important to explain it to them. As an example, he stated he might ask them if they currently use the roads because as they are supported by federal dollars, or if they have kids in school who receive free or reduced meals, advising them that these programs are supported by money received based on the numbers obtained from the census.

Mr. Hernandez asked Commissioner Ohl if the County could appoint a person to be on the Complete Count Committee, advising that such person should be someone from the community. Currently, the City of Norfolk, Chamber of Commerce, Norfolk Fire Department and Northeast Community College will be involved. At this time, a chairperson has not been appointed to the committee. County Clerk Anne Pruss suggested that the commissioners draft an application and have applicant's submitted applications to the County, and the commissioners could then appoint someone. It was suggested that possibly the media and the County's website could assist in promoting this appointment. Commissioner Ohl suggested that there might be some other entities in Norfolk so there may be interest from people to attend the meetings there. Commissioner Uhlir and Ohl agreed that they would be willing to assist in suggesting someone to serve.

County Highway Superintendent Dick Johnson asked the commissioners to discuss prioritizing the miles within their district with regard to how resources would be allocated. Mr. Johnson stated that he believed the fairest way to do it would be to count the number of lane miles in each district and then allocate the appropriate percentage. Mr. Johnson stated that District 2 would have the most miles percentage-wise and would likely have the most miles repaired. Commissioner Schmidt agreed and stated that most roads needing repair are in Commissioner Ohl's district and, by far, have the most damage. Mr. Ohl stated that the majority of the valuations and traffic, the majority investment, and most of the economic activity is going to be around District #2 as well as the most population; however, all of the districts are very important for the vitality of the agricultural community so the commissioners need to be certain that the resources are allocated correctly. Regarding lane miles, Mr. Johnson stated that the hard surface roads along the county line would be one-lane miles as half of the money would come from Boone County. Commissioner Uhlir asked how we would get Boone County on board with that agreement. Mr. Johnson answered that Madison County would just go with another project. Chairman Schmidt stated that when he and Mr. Johnson had discussed this with Boone County a couple of years ago, Boone County had refused. Mr. Johnson stated that in the scenario of District #2 being allocated 10 miles, District #3 being allocated 3 miles and District #1 being allocated 2 miles, the commissioners will need to decide which roads should receive priority with guidance from each of the Road Departments. Chairman Schmidt stated that District #1 is sitting pretty well with the only concern being one-half mile just in front of the courthouse. Commissioner Ohl stated that Chairman Schmidt wants to represent his constituents, but maybe even half of his constituents are in District #2. Commissioner Ohl stated he thought the County needed to play some catchup in District #2. Norfolk Daily News reporter Jerry Guenther stated that maybe in two or three years the County could come back to District #1 to look at those roads. Commissioner Uhlir advised that there are two roads in his district that should be considered, which would be 839th as it has a rough spot just west of Hwy 121, and the other road would be 543rd Road that runs north of the river which is basically gravel now.

Mr. Johnson said that he has not yet gotten anything back from FEMA regarding the site inspections and does not know what they will do. At this time, he does not think they will be doing overlays. Commissioner Ohl stated that the County had been hoping to receive a million dollars in assistance and asked Mr. Johnson if he thought this would go one way or the other. Mr. Johnson advised that if a roadway would need to be overlaid, FEMA might say that they would give money to patch the holes.

Mr. Johnson advised that he has a map showing all roads and the crossing for the Keystone XL Pipeline which will be seeing a permit approval deal. He stated that one of the roads most likely would be part of the Enola Road. He stated he does not want to put overlays on something like this because Keystone XL Pipeline has assured him that they would fix any damage done to the road, and maybe it would get to the point where it would be an overlay project.

Commissioner Schmidt stated that there are some farmers that use the County Line Road and are having to divert travel to First Street during harvest, and Commissioner Uhlir stated that 838th won't be able to be used with traffic being pushed to 839th, which is oil. Chairman Schmidt asked if there were any hauling restrictions on these roads and if so could they be removed for a short period of time. Mr. Johnson stated that the signs could be taken down for a time.

Mr. Johnson then presented information from Govspend.com which is a platform for government agencies to share their purchasing information. GovSpend.gov maintains a patented database of government purchasing records that enables users to be more efficient in performing tasks. It allows agencies to receive fair and reasonable pricing by reviewing the purchases of other agencies in your area and across the county; conducting vendor reference checks by reviewing each agency they've worked with; streamlining the process of bid specifications by accessing the work requirements released by other agencies; seeing if agencies have purchased same or similar. Basically, this organization makes comparisons nationwide with 27,000 agencies with \$12 trillion spent and consists of 14 million vendors. Commissioner Ohl asked if this a membership database that allows us to find what competitive bids are out there nationwide. Mr. Johnson advised that information is available to determine if you are getting a good deal or if there is a better deal available, and you could possibly contact other bidders or potential bidders. Commissioner Ohl stated that when applied in the correct way, it might be worth the expense. He wondered about what kind of savings could be immediately be found by doing this, and if it would be a justifiable expense. He stated that if the County would see \$3,500 or more in savings, it would be worth doing. Chairman Schmidt stated that if the County would do this it would more than likely be providing data from outside the county and that the commissioners have stated they would like to buy within the county. Commissioner Uhlir asked if there was anyone in the area using this program. Mr. Johnson stated that the representative hadn't provided that information. Commissioner Uhlir said that in theory, it sounds good. Mr. Johnson felt it would likely be the most beneficial in the \$20,000 to \$50,000 dollar range when 3 quotes are required. Commissioner Uhlir asked if Mr. Johnson could find out if there was anyone else using this product and what they are using it for. No action was taken.

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The following written report and correspondence were reviewed:

- 1) Fund balance report.
- 2) County Clerk August, 2019 fee report
- 3) Register of Deeds August, 2019 fee report
- 4) District Court August, 2019 fee report
- 5) County Sheriff August, 2019 fee report
- 6) Sale of surplus property report
- 7) Notice from City of Norfolk regarding a public hearing before the Norfolk City Board of Adjustment for a variance request of Ewin Properties L.L.C.

The following claims were audited:

| | GENERAL FUND | |
|---|---|------------|
| Total Net Payroll | | 156,761.40 |
| Advanced Correctional Healthcare | Medical Services, County Jail | 18,653.73 |
| Mark Albin | Legal Services, County Court | 1,451.22 |
| Mark Albin | Legal Services, District Court | 427.50 |
| American Family Life Assurance Company | Insurance Premiums | 1,105.28 |
| Appeara | Rug Service, Supplies, Public Defender | 29.64 |
| Bank of America Lockbox Services | Electronic Monitoring, Community Based Grant | 533.51 |
| Black Hills Energy | Gas Service, Courthouse | 46.22 |
| Black Hills Energy | Gas Service, County Jail | 79.89 |
| Blue Cross Blue Shield of Nebraska | Insurance Premiums | 5,038.76 |
| Brady & Amy's Inc. | Fuel, Reappraisal | 46.44 |
| Brady & Amy's Inc. | Fuel, County Sheriff | 1,354.92 |
| CASA of Northeast Nebraska | Wages, Rent | 9,533.44 |
| Century Link | Telephone Service, Probation Office | 639.13 |
| Champs Inc. | Repairs, County Jail | 352.00 |
| City of Madison | Utilities, Public Defender | 223.57 |
| City of Madison | Utilities, Courthouse | 2,875.54 |
| City of Madison | Utilities, County Jail | 4,191.65 |
| Colonial Life and Accident Insurance Company | Insurance Premiums | 223.21 |
| Complete Pest Control | Pest Control, County Jail | 125.00 |
| Connecting Point | Supplies, County Clerk | 78.00 |
| Connecting Point | Repairs, County Treasurer | 11.25 |
| Connecting Point | Supplies, County Sheriff | 708.00 |
| Connecting Point | Supplies, Juvenile Accountability | 199.00 |
| Connecting Point | Equipment, County Jail | 1,534.00 |
| Connecting Point | Supplies, Probation Office | 17.99 |
| Connecting Point | Internet Service, Community Based Grant | 59.95 |
| Connecting Point | Internet, Website Hosting, Contract Services | 3,213.27 |
| Consolidated Management Company | Meals, County Sheriff | 25.11 |
| Credit Bureau Services Inc. | Garnish of Wages | 36.65 |
| Cubby's | Fuel, Extension Office | 34.01 |
| Cubby's | Fuel, Noxious Weed Department | 609.29 |
| Culligan of Norfolk | Supplies, Probation Office | 70.00 |
| Culligan of Norfolk | Supplies, Community Based Grant | 23.50 |
| Custom Sports | Uniforms, County Sheriff | 233.00 |
| Custom Sports | Uniforms, County Jail | 42.00 |
| DAS State Accounting - Central Finance | Data Processing Costs, County Clerk | 41.60 |
| DAS State Accounting - Central Finance | Data Processing Costs, County Treasurer | 96.16 |
| DAS State Accounting - Central Finance | Teletype and Telephone Service, County Jail | 19.00 |
| Diamond Vogel Paints | Supplies, Courthouse | 161.80 |
| Eakes Office Solutions | Supplies, County Treasurer | 64.16 |
| Eakes Office Solutions | Supplies, County Assessor | 32.68 |
| Eakes Office Solutions | Supplies, County Court | 734.38 |
| Eakes Office Solutions | Supplies, Extension Office | 60.98 |
| Eakes Office Solutions | Supplies, County Attorney | 843.75 |
| Eakes Office Solutions | Supplies, Juvenile Accountability | 1.75 |
| Eakes Office Solutions | Supplies, County Jail | 46.20 |
| Eakes Office Solutions | Supplies, Probation Office | 1,327.81 |
| Egan Supply Company | Supplies, Courthouse | 363.96 |
| Elite Office Products | Equipment Maintenance, Extension Office | 40.47 |
| Ewalt Law Office PC LLO | Contractual Legal Services | 12,500.00 |
| Field's Hardware | Supplies, Courthouse | 9.98 |
| Field's Hardware | Supplies, County Jail | 287.64 |
| First Concord Benefits Group | Administration Fees, Flex Plan, Deductible Buy-Down Costs | 8,673.17 |
| Fitzgerald, Vetter, Temple, Bartell & Henderson | Legal Services, County Court | 923.66 |
| Fitzgerald, Vetter, Temple, Bartell & Henderson | Legal Services, District Court | 732.94 |
| Floor Maintenance & Paper Supply | Supplies, Probation Office | 17.35 |
| Pam Foltz | Mileage, Extension Office | 16.24 |
| Galls LLC | Supplies, County Sheriff | 56.90 |
| Galls LLC | Uniforms, County Jail | 636.26 |
| Yvonne Gerrard | Cleaning Services, Probation Office | 495.50 |
| Leo Gonzalez | Mileage, Extension Office | 64.96 |
| Goodlife Counseling | Professional Services, Community Based Grant | 406.25 |

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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| Gordy's Towing & Repair | Repairs, County Sheriff | 73.97 |
| GT Distributors | Supplies, County Sheriff | 1,706.64 |
| Jeff Hackerott | Mileage, Reappraisal | 57.93 |
| Chelsey Hartner | Mileage, Public Defender | 165.88 |
| Matthew Headley | Postage, Public Defender | 206.50 |
| Hilliges & Associates LLC | Professional Services, Public Defender | 250.00 |
| Megan Hoines | Mileage, Public Defender | 504.02 |
| Jack's Uniforms & Equipment | Uniforms, Supplies, County Sheriff | 1,844.16 |
| John's Disposal | Garbage Disposal Services, Zoning Department | 26.50 |
| John's Disposal | Garbage Disposal Services, Probation Office | 140.00 |
| John's Disposal | Garbage Disposal Services, Noxious Weed Department | 26.50 |
| Keenan Law PC LLO | Legal Services, District Court | 156.75 |
| Michelle Kroupa | Mileage, Extension Office | 32.34 |
| Lakeview Title Company | Record Search Fees, Noxious Weed Department | 150.00 |
| Madison County Clerk of District Court | Filing Fees, District Court | 1,933.00 |
| Madison County Clerk | Tax Deposit, Retirement | 82,996.98 |
| Madison County Court | Court Costs, County Court | 1,956.18 |
| Madison County Sheriff Inmate Fund | Uniform, County Jail | 140.49 |
| Madison County Sheriff | Civil Process Fees, County Court | 1,051.03 |
| Madison County Sheriff | Civil Process Fees, District Court | 1,127.64 |
| Madison County Sheriff | Civil Process Fees, Mental Health | 149.02 |
| Madison County Treasurer | Health Insurance Reimbursement | 138.78 |
| Madison National Life Insurance Company | Insurance Premiums | 282.76 |
| Major Refrigeration Co., Inc. | Repairs, County Jail | 203.50 |
| Benjamin McBride | Mileage, Community Based Grant | 93.10 |
| Christal McDonald | Court Reporting Services, Mental Health | 50.00 |
| Christal McDonald | Transcript, District Court | 161.25 |
| Noah McWhorter | Contract Services, Zoning Department | 665.00 |
| Menards | Supplies, Courthouse | 33.98 |
| Menards | Supplies, County Jail | 159.99 |
| Microfilm Imaging Systems Inc. | Equipment Rent, County Court | 218.00 |
| MIPS Inc. | Data Processing Costs, County Clerk | 674.08 |
| MIPS Inc. | Data Processing Costs, Supplies, County Treasurer | 2,803.83 |
| MIPS Inc. | Equipment Lease, File Conversion, Register of Deeds | 540.00 |
| Andrew Mohr | Mileage, Community Based Grant | 17.98 |
| Monument Inn & Suites | Lodging, County Assessor | 360.00 |
| Moyer & Moyer Law Firm | Legal Services, County Court | 644.20 |
| Jacob Mrsny | Contract Services, Mileage, Community Based Grant | 233.84 |
| Nationwide Retirement Solutions | Deferred Comp | 2,485.00 |
| Nebraska Child Support Payment Center | Garnish of Wages | 526.62 |
| Nebraska Department of Revenue | Garnish of Wages | 50.00 |
| Nebraska Health and Human Services | State Institution Costs | 572.00 |
| Nebraska Public Power District | Utilities, Probation Office | 658.01 |
| Norfolk Area Shopper | Advertising Costs, County Jail | 321.30 |
| Norfolk Daily News | Subscription, Public Defender | 161.00 |
| Norfolk Daily News | Advertising Costs, County Jail | 680.40 |
| Norfolk Daily News | Publication Costs | 307.32 |
| Norfolk GM Auto Center | Repairs, County Sheriff | 60.45 |
| Norfolk GM Auto Center | Repairs, Noxious Weed Department | 36.12 |
| Norfolk Public Schools | Meals, Community Based Grant | 3.10 |
| Northeast Nebraska Juvenile Services, Inc. | Boarding Juveniles, Juvenile Detention | 4,748.75 |
| Norm Nykodym | Lawn Care Services, Public Defender | 155.00 |
| Mike O'Brien | Mileage, Community Based Grant | 49.88 |
| Oasis Counseling International | Contract Services, Mileage, Community Based Grant | 892.15 |
| Olsen Mowing & Snow Removal | Lawn Care Services, Extension Office | 240.00 |
| Valorie Olson | Court Reporting Services, Mental Health | 50.00 |
| One Office Solution | Supplies, County Treasurer | 21.36 |
| One Office Solution | Equipment Maintenance, County Assessor | 158.48 |
| One Office Solution | Supplies, Clerk of District Court | 33.98 |
| One Office Solution | Equipment Maintenance, Supplies, County Court | 84.19 |
| One Office Solution | Supplies, Furniture, Public Defender | 238.74 |
| One Office Solution | Supplies, County Sheriff | 10.92 |
| One Office Solution | Equipment, Veterans Service Office | 899.00 |
| Osborne Motors Inc. | Repairs, County Sheriff | 265.36 |
| Pierce County Court | Certified Copies, Law Enforcement | 2.75 |
| Presto-X | Pest Control Services, Public Defender | 53.00 |
| Professional Choice Recovery, Inc. | Garnish of Wages | 24.14 |
| PT Holdings, LLC | Rent, Utilities, Juvenile Accountability | 2,150.00 |
| QHA Cleaning, LLC | Cleaning Services, Extension Office | 400.00 |
| Reigle Implement Co., Inc. | Repairs, Courthouse | 35.88 |
| Relx, Inc. dba Lexis Nexis | Record Searches, County Attorney | 543.00 |
| Reynoldson's | Fuel, Zoning Department | 167.64 |
| Reynoldson's | Fuel, County Sheriff | 16.71 |
| Mary Rohrich | Cleaning Services, Probation Office | 179.50 |
| Schroeder Land Surveying | Services, Equipment Rent, County Surveyor | 1,988.00 |
| Scrub's Repair | Repairs, County Sheriff | 40.20 |
| Security Shredding | Shredding Services, County Jail | 560.00 |

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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| Security Shredding | Shredding Services, Probation Office | 192.50 |
| Lee Sherry | Repairs, Extension Office | 95.00 |
| Short Stop | Fuel, County Sheriff | 429.14 |
| Kristen Sindelar | Mileage, Extension Office | 77.14 |
| Sparklight | Internet Service, Public Defender | 64.97 |
| Sparklight | Internet Service, Extension Office | 145.81 |
| Stanley Security Solutions | Repairs, County Jail | 1,610.00 |
| Stealth Broadband | Internet Service, Courthouse | 1,225.68 |
| Summit Food Services LLC | Inmate Meals, County Jail | 7,762.89 |
| Donald Svitak | Postage, Noxious Weed Department | 12.15 |
| T & I Enterprises, LLC | Garnish of Wages | 47.35 |
| Tilly's | Fuel, County Sheriff | 138.40 |
| Transunion Risk & Alternative | Record Searches, County Sheriff | 50.00 |
| US Bank Corporate Payment System | Fuel, Repairs, Supplies, Meals, Uniforms, County Sheriff | 1,065.70 |
| US Bank Corporate Payment System | Fuel, Repairs, Juvenile Accountability | 88.58 |
| V H Blackinton Co., Inc. | Repairs, County Sheriff | 12.00 |
| Verizon Wireless | Telephone Service, Courthouse | 56.07 |
| Verizon Wireless | Telephone Service, Extension Office | 460.45 |
| Verizon Wireless | Telephone Service, Community Based Grant | 374.60 |
| Verizon Wireless | Telephone Service, Noxious Weed Department | 60.40 |
| Vision Service Plan | Insurance Premiums | 441.00 |
| Waste Connections of Nebraska, Inc. | Garbage Disposal Service, Extension Office | 36.90 |
| Wex Bank | Fuel, County Sheriff | 2,958.56 |
| Stephanie Zoubek | Mileage, Community Based Grant | 144.42 |
| | ROAD/BRIDGE FUND | |
| Total Net Payroll | | 34,467.75 |
| Travis Amen | Quarterly Phone Usage | 90.00 |
| American Broadband | Telephone Service | 53.06 |
| American Family Life Assurance Company | Insurance Premiums | 689.60 |
| Appeara | Towel and Uniform Service | 459.25 |
| Asphalt & Concrete Materials | Asphaltic Materials | 605.00 |
| B's Enterprises Inc. | Culverts, Supplies | 4,539.00 |
| Bauer Built Tire | Tire Repairs | 96.50 |
| Black Hills Energy | Gas Service | 75.15 |
| Blue Cross Blue Shield of Nebraska | Insurance Premiums | 1,235.19 |
| Brady & Amy's Inc. | Fuel | 522.12 |
| Central Sand & Gravel | Gravel | 8,425.95 |
| Colonial Life and Accident Insurance Company | Insurance Premiums | 85.03 |
| Connecting Point | Internet Service | 15.00 |
| Cornhusker Cleaning Supply | Shop Supplies | 92.79 |
| Cornhusker International Trucks Inc. | Parts, Repairs | 15,015.12 |
| Crooked Arrow Cattle LLC | Gravel and Trucking Services | 600.00 |
| Cubby's Inc. | Fuel | 363.27 |
| Dale R. Johnson Ent Inc. | Gravel | 10,196.10 |
| Diamond K Trucking LLC | Gravel and Trucking Services | 2,087.60 |
| Emme Sand & Gravel | Gravel | 837.12 |
| Field's Hardware | Shop Supplies | 24.56 |
| Filter Care of Nebraska Ltd. | Shop Supplies | 69.50 |
| First Concord Benefits Group | Administration Fees, Flex Plan, Deductible Buy-Down Costs | 1,811.28 |
| GI Trailer Inc. | Parts, Repairs | 1,527.86 |
| Hemmer Land LLC | Clay | 8,650.00 |
| Hometown Auto Repair | Parts, Repairs | 1,956.41 |
| Hydraulic Equipment Service | Parts, Repairs | 420.00 |
| Island Supply Welding Company | Shop Supplies | 9.92 |
| Kapel's Automotive Inc. | Parts, Repairs | 695.97 |
| Kayton International Inc. | Parts, Repairs | 926.82 |
| Kelly Supply Company | Parts | 319.88 |
| Kimball Midwest | Shop Supplies | 119.75 |
| Lammers Trailer Repair LLC | Parts | 592.20 |
| Lawson Products | Parts | 48.99 |
| Madison County Clerk | Tax Deposit, Retirement | 17,857.43 |
| Madison National Life Insurance Company | Insurance Premiums | 53.33 |
| Matheson Tri-Gas Inc. | Shop Supplies | 600.13 |
| Matteo Sand & Gravel Co., Inc. | Gravel | 26,772.56 |
| Meisinger Oil Company | Fuel | 9,581.67 |
| Menards | Shop Supplies | 16.99 |
| Nationwide Retirement Solutions | Deferred Compensation | 955.00 |
| Nebraska Child Support Payment Center | Garnish of Wages | 93.24 |
| Nebraska Harvestore Systems | Parts | 507.60 |
| Nebraska Public Power District | Utilities | 144.49 |
| NMC Exchange LLC | Blades, Parts | 23,173.34 |
| Norfolk Auto Supply | Parts | 294.87 |
| Pinkelman Truck & Trailer | Parts, Repairs | 430.71 |
| Pioneer Telephone Company | Telephone Service | 47.49 |
| Reigle Implement Co., Inc. | Parts, Oil | 183.95 |
| Road Builders Machinery & Supply | Parts, Repairs | 15,611.21 |

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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| Sapp Bros Norfolk | Oil | 66.55 |
| Steffen Truck Equipment Inc. | Parts, Repairs | 2,601.34 |
| T-Bone North | Fuel, Repairs | 2,350.73 |
| Verizon Wireless | Telephone Service | 124.00 |
| Vision Service Plan | Insurance Premiums | 97.67 |
| White Star Oil Company | Fuel | 149.59 |
| Z & Z Sales LLC | Shop Supplies | 119.98 |
| Zee Medical | Shop Supplies | 45.15 |
| Zoubek Oil Company, Inc. | Fuel | 194.36 |
| VISITORS PROMOTION FUND | | |
| Norfolk Area Visitors Bureau | Administration Fees | 8,175.69 |
| VISITORS IMPROVEMENT FUND | | |
| Norfolk Area Visitors Bureau | Administration Fees | 7,274.60 |
| REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND | | |
| MIPS Inc. | Data Processing Costs, Register of Deeds | 532.16 |
| DRUG TESTING FUND | | |
| Faith Regional Health Services | Medical Testing | 40.00 |
| Premier Biotech | Medical Testing | 319.88 |
| LAW ENFORCEMENT OPERATING FUND | | |
| Charm-Tex | Inmate Supplies | 461.00 |
| Madison County Sheriff Inmate Fund | Cable TV Services | 146.12 |
| DRUG COURT FUND | | |
| Mathew McManigal | Supplies | 255.00 |
| Heidi Webb | Mileage, Meals | 165.59 |

Motion was made by Uhlir 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, Uhlir. Nays, none. Motion carried.

The Board adjourned at 12:45 P.M. to Tuesday, October 1, 2019, at 9:30 A.M.

ATTEST:

County Clerk Anne M. Pruss

Ronald Schmidt, Chairman
County Board of Commissioners