

Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

September 29, 2020

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

Advanced notice of meeting was published in the Thursday, September 24, 2020 edition of the Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

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, County Clerk Anne Pruss, County Sheriff Todd Volk, Road Foreman Jeff Schroeder, Norfolk Daily News reporter Jerry Guenther, and WJAG reporter Cody Ronnfeldt was present until 10:13 A.M.

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

- 1) Approval of minutes if September 29, 2020
- 2) Acknowledge receipt of Continuation Certificate for Duane J. Wessel as Chairperson of Sanitary Improvement District #10
- 3) Acknowledge receipt of Continuation Certificate for Kirk Morgan as Clerk as Sanitary Improvement District #10
- 4) Approval of Paul and Kristine Kuchar Lot Split in Section 29-23-2, located at 83651 550th Avenue, north of the City of Madison
- 5) Approval of contract with Hollman Media, LLC for website hosting and maintenance and authorization for the County board Chairman to execute said agreement
- 6) Authorization to enter into contract with TMS International, Inc. for snow removal on roads northeast of Norfolk for 2020-2021 fiscal year
- 7) Authorization to advertise for bids for wheel loader for road department and set bid opening date October 22, 2020
- 8) Authorization to advertise for bids for one belly dump trailer and one side dump trailer for road department and set bid date for October 22, 2020
- 9) Authorization to advertise for bids for culverts for 2020-2021 fiscal year
- 10) Authorization to advertise for bids for asphaltic overlay projects for 2020-2021 fiscal year and set the bid opening date for December 31, 2020
- 11) Approval of dedication of East 25 feet of lots 24, 25, 26, and 27 all in Herman Nenow's Addition to the City of Norfolk, and authorization for County Board to execute dedication (Correction of dedication approved September 15, 2020)

RESOLUTION #2020-46

On Aug. 28, 2020, the IRS issued Notice 2020-65, allowing employers to temporarily defer withholding the employee's portion of Social Security payroll taxes for pay periods starting Sept. 1 through Dec. 31, 2020, as directed by an Executive Order issued by President Donald Trump. Unless Congress passes additional legislation forgiving the repayment of this tax deferral, employees would be required to repay the taxes by doubling the employee's Social Security tax paycheck withholding to 12.4 percent during the first four months of 2021.

Madison County has decided not to stop the withholding of Social Security taxes from employees' pay at this time. This decision was made due to the administrative challenges of implementing changes to MIPs' payroll software on such short notice, coupled with feedback from employees with concerns about the significant reduction in take-home pay that would occur during the first four months of 2021.

In the event that Congress passes legislation forgiving the tax repayment or the Treasury Department issues guidance regarding the ability of employees to make individual choices regarding participation in this tax deferral, we will reassess this decision and employees will be promptly notified of changes, if any.

RESOLUTION #2020-47

WHEREAS, the Board of Commissioners of Madison County received a report from the County Highway Superintendent recommending the West 1/2 mile of the road between Sections 13 and 24, Township 22 North, Range 2 West of the 6th P.M., Madison County, Nebraska, said road being 831st Road between 551st Avenue and 552nd Avenue be vacated or abandoned provided no property was denied access by said vacation or abandonment, and

WHEREAS, adjacent landowners were notified by certified mail and a duly advertised public hearing as required by law was held on September 15, 2020, and

WHEREAS, during the public hearing opposition to the vacation or abandonment was expressed and evidence was presented showing that a tract of land would be denied access if the road was vacated or abandoned.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Nebraska that the right-of-way of said road shall not be abandoned due to the potential denial of access to a property.

BE IT FURTHER RESOLVED that parts of said road be barricaded to traffic as necessary to protect the traveling public provided that access to properties along said road are kept open.

RESOLUTION #2020-48

BE IT RESOLVED, that the withdrawal by Madison County Bank, Madison, Nebraska of the following securities, held in safekeeping by Federal Home Loan Bank, Topeka, Kansas, to secure deposits of the county in said bank, to wit:

FAMCA: T 1 3/8 09/30/20	\$350,000.00	Federal Home Loan Bank
Rate 1.375000%	Maturity 09/30/2020	of Topeka
Receipt Date: 07/19/18	Cusip 912828L65	Topeka, Kansas
Receipt No. 737688		

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FAMCA: T 1 3/8 09/30/20	\$100,000.00	Federal Home Loan Bank
Rate 1.375000%	Maturity 09/30/2020	of Topeka
Receipt Date: 03/02/2020	Cusip: 912828L65	Topeka, Kansas
Receipt No. 746372		

and the substitution of the following securities be and the same hereby are approved:

FFCB 1.69 10/21/21	\$450,000.00	Federal Home Loan Bank
Rate 1.690000%	Maturity 10/21/2021	of Topeka
Receipt Date: 09/15/2020	Cusip 3133EK2J4	Topeka, Kansas
Receipt No. 750714		

Motion made by Ohl and seconded by Uhlir to remove item number ten from the consent agenda and discuss in the regular agenda. Roll call vote: Ayes Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Motion made by Uhlir and seconded by Ohl to approve the consent agenda for the meeting with the removal of the item number ten as noted. 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 and authorize advertisement for bids for the asphaltic overlay projects for the 2020-2021 fiscal year and set the bid opening date for January 14, 2021. Roll call vote: Ayes Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

County Highway Superintendent Richard Johnson suggested that the county delay the bids for the asphaltic overlay projects for the 2020-2021 fiscal year. The December 31, 2020 deadline falls during Christmas and New Year's and most contractors take off work during this time. Mr. Johnson is concerned that the county will not receive accurate bids during these holidays. In order to get through the holidays, he said that the county should wait for two more weeks to receive bids on the overlay projects. He proposed that the bids be opened on January 14, 2021 and be approved on January 20, 2021.

Motion made by Schmidt and seconded by Uhlir to approve the opening bid date for January 14, 2021 for the asphaltic overlay projects in the 2020-2021 fiscal year. Roll call vote: Ayes Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

Chairman Troy Uhlir stated that Madison County advertised for an IT Specialist position to provide services more frequently to employees in the Courthouse and Sheriff's office. He said there is a budget in place for this position as well as three months of training from the county's former IT Specialist Dick Day. When hiring one individual as the IT Specialist for the county, they would be limited to the style of program that this individual is familiar with. This could cause an issue if this person terminated in a few years because the new employee would need to reprogram the computer systems or adjust to the previous employee's programming. CEO of Precision IT Dan Spray responded to this advertisement and stated that a team programming system would benefit the county more than one individual's way of programming. As of now, Precision IT services the Madison County Courthouse once a week on Wednesdays and is available remotely on as needed bases. Dan is proposing that their company provide an IT Specialist on site for three full days a week instead of one day a week for one year. The proposed cost for adding an additional technician would be \$35,000 annually. He said that he would work with County Clerk Anne Pruss to get a schedule of the days this IT Specialist would be onsite. Dan asked if the county would provide office space for the IT Specialist to work in that isn't in the main hallway. He is concerned with having a specialist onsite more frequently that the county employees will stop sending in their Help Desk Tickets. It is very important that the county's employees continue to send Help Desk Tickets in order to have records of the issues that are occurring. Precision IT takes these records and determines which issues are reoccurring, how many problem tickets are occurring in a day, and to discover new techniques to perform their work more efficiently. If the employee who is set to be at the courthouse is unable to come to work one day due to illness or vacation, these Help Desk Tickets are used a reference for other IT Specialists that could fill in while they are gone. Precision IT is a very team oriented tech system and they find it extremely important that all employees are able to distribute the workload and knowledge base.

Commissioner Ron Schmidt asked if the county needed particular components in order before filling the IT Specialist position. Dan Spray responded that he is content with his proposal due to Precision IT already tightly integrated with the computer systems the county has in place. However, after the one-year contract he would like to review the data to determine if there is a need for an IT Specialist three full days or if it should be less. County Clerk Anne Pruss asked if the costs of the current contract would be removed once this new contract is in place. Dan explained the current contract not only provides the one day of service onsite but also includes the patching, antivirus, and email. Therefore, the current contract will stay in place with the same cost and there will be additional costs added to cover the new contract. He said that he is able to combine these two contracts for the next fiscal year's budget but since this year's budget is already set he did not want to cause any issues with adjusting the budget this year. Up until July 1, 2021, Dan would like to go through our computer systems and find the systems that need reprogramming or if they are able to be combined them. The Commissioners have also approved a contract with Hillman Media of Kearney to help with website hosting and maintenance. Dan said that they are trying to modularized our computer systems instead of everything having its own desktop. They are making it all rules based, so for example, the sheriff's and clerks' offices would have specific components to each office. This will be an Intranet web base in order for it to be easier for employees to access to their components from any computer anywhere. This is where the server authentication comes into place. The server authenticator allows there not to be any programs downloaded to access the components. The individual will go onto a specific web page that's provided, enter in their server login information, and then they will have access to their components. It is estimated that it will take up to three or four months in order to go through all of the computer systems to really figure out what needs to occur. Dan Spray said that he is willing to work with the commissioner to coordinate a time to reevaluate the current contract that was. He believes the commissioners will be able to reallocate some of the budgeted dollars during this and be able to get more projects done that weren't originally planned.

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With the recent virus attack on the medical community, Commissioner Schmidt wanted to make sure that our computer systems are highly protected. County Clerk Anne Pruss explained that she has been working with IT Specialist Clint Bowland from Precision IT in order to make sure that our computer systems and documents are highly secure. Madison County was one of the very few counties in Nebraska that were able to go through the Secretary of State's office and have Homeland Security come to the county's offices to evaluate the computer systems. Homeland Security was able to tighten any loose ends and get the computer systems where they needed to be at no cost to Madison County. Dan Spray said that the county can be highly protected from viruses and spammers; however, it all comes down to what a user is clicking on. The best thing to do is to make sure data is backed up and to test this backup multiple times to make sure they are working properly. If a hacker is able to get into the computer system he recommended to wipe the data clean off the system and then restore the data back once the issue has been resolved. He also suggested not to pay an individual to unlock the system because it could open the door for more chances of being held at ransom. Fixing any locked down computer system can cause some downtime but it is unsure as to how long it could be before users are able to access the data again. The county has three different types of systems and if one system were to be hacked there is a good chance that the other two will not be hacked. If all three systems were to be hacked, Precision IT is able to run three separate restore jobs to get the employees back up and running again quickly as possible. Dan stated that the nice thing about having all the data in one place is that every IT Specialist can be aware of everything within the systems and are easily detected when an issue comes up. They are able to see if there is a person clicking on something that they shouldn't be and how frequently this is occurring. In order to prevent threat from happening, Precision IT can perform several types of training sessions. Often one of their IT Specialist will instruct a thirty-minute training session with multiple sections of staff. In these training sessions, they will go over different types of cyber threats, how to recognize these threats, and how to avoid them. A month to six weeks after this training session, Precision IT will send out a phishing email that will look like a safe email and watch to see who clicks on the email. After this, they will do individualized training with those people who have clicked on the email. There is a cost to do the phishing email but Dan said it is well worth doing to prevent any major threats in the future. Commissioner Christian Ohl stated that not all county employees have computer access regularly but to have the written knowledge about cyber threats will be useful when they do and even when they are using their personal computers.

Chairman Uhlir suggested that today they approve the contract with Precision IT from October 1, 2020 to June 30, 2021. During this time, he would like to combine the contracts together and renegotiate for the contract come July 2021. The county would be paying \$26,250 to cover until the new contract is approved. This will allow these specialists enough time to finish going over the programming and get an exact report of what needs done within our computer systems. County Clerk Anne Pruss stated that hiring Precision IT instead of a one individual for the IT Special position is saving Madison County approximately \$18,000 because there are no employee benefits involved.

Motion made by Ohl and seconded by Uhlir to approve a contract with Precision IT to provide IT services for the amount equivalent to the bid amount of \$35,000 for the contract dates October 1, 2020 to June 30, 2021. Roll call vote: Ayes Ohl, Schmidt, and Uhlir. Nays, none. Motion carried.

The following written report and correspondence were reviewed:

- 1) Fund balance report
- 2) County Sheriff distress warrant report
- 3) County Treasurer distress warrant report
- 4) Northeast Nebraska Economic Development District 2019-2020 Annual Report
- 5) 3rd quarter Board of Commissioners inspection of the Madison County Jail facility

The following claims were audited:

GENERAL FUND		
Payroll		165,404.99
A to Z Vac.N.Sew	Supplies	66.75
Mark Albin	Legal Services	661.49
Albracht Disposal Service	Garbage Removal	155.00
AFLAC	Insurance	1,181.05
Apex Therapy Services	Professional Services	325.00
Appera	Rug Service	34.17
Big Red Printing	Supplies	836.60
Black Hills Energy	Gas Service	30.11
Blue Cross Blue Shield	Insurance	144,239.45
Bomgaars	Supplies	277.95
Boone County Sheriff's Dept.	Civil Process Fees	33.73
Diana Camacho	Witness Fees	36.68
Center for Education & Employment Law	Publication Costs	254.95
Champs	Contract Services, Repairs	3,800.54
Maria Izabel Chavez	Interpreting	325.00
City of Norfolk	Economic Development Funding, Utilities	166,705.99
Clerk of the Supreme Court	Appeal Fees	126.00
CMBA Architects	Professional Services	4,640.00
Colonial Life	Insurance	225.60
Consolidated Management Co.	Meals	173.55
Copple, Rockey & Schlecht	Legal Services	4,454.84
Credit Bureau Services	Garnish of Wages	263.83
Cuming Co. Clerk	Contract Services	2,336.73
Cuming Co. Sheriff	Civil Process Fees	18.50
Custom Sports	Uniforms	20.00
Terry Davis	Professional Services	5,118.45
Eakes	Supplies	1,969.34

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Egan Supply Co.	Supplies	874.00
Egley, Fullner, Montag, etal	Legal Services	3,203.13
Electronic Contracting Co.	Equipment	2,516.95
First Concord	Flex Plan, Admin Fees, Deductible Buy down	4,043.17
Fitzgerald, Vetter, Temple, etal	Legal Services	6,329.75
Floor Maintenance	Supplies	441.97
Frontier Bank	Supplies	96.41
Galls	Uniforms	188.98
Tammy Goodwin	Witness Fees	33.23
Gordy's Towing & Repair	Repairs	319.28
Matthew Headley	Postage	207.00
Home for Funerals	Cremation Services	2,200.00
iPROMOTEu	Uniforms	399.78
Jack's Uniforms & Equipment	Uniforms, Supplies	648.23
John's Disposal	Garbage Services	53.00
Lakeview Title Co.	Record Searches	150.00
Lancaster Co. Dist. Court	Ganish of Wages	297.20
Madison Co. Clerk	Tax Deposit, Retirement	87,115.43
Madison Co. Sheriff	Civil Process Fees, Repairs, Supplies	2,070.83
Madison Nat'l. Life Insurance	Insurance	309.45
Mahoney Fire Sprinkler	Inspection Services	375.00
Martin Yale Industries	Equipment	1,314.50
Christal McDonald	Transcript	195.00
Medtoc Laboratories	Medical Testing	168.23
Menards	Supplies	111.89
Midtown Health Center	Clinic Funding, Admin Fees	51,647.38
MIPS	Data Processing	1,418.43
Moyer, Moyer & Lafleur	Legal Services	1,047.95
Nat'l. Public Safety Information Bureau	Directories	894.00
Nationwide Retirement Solutions	Deferred Comp	3,210.00
Nebraska Health & Human Services	State Institution Costs	1,424.63
Nebr. Law Enforcement Training Center	Tuition	144.00
NPPD	Utilities	743.60
Nebr. State Bar Association	Registration Fees	450.00
Norfolk Daily News	Publication Costs	672.78
Olson's Pest Technicians	Pest Control	65.00
One Office Solution	Supplies	914.47
PCS Mobile	Equipment, Supplies	905.97
Physicians Laboratory	Autopsy	802.00
Pitney Bowes	Equipment Rent	59.97
Precision IT	Computer Equipment	1,380.48
PT Holdings	Rent	2,150.00
Redwood Toxicology Lab	Medical Testing	1,017.20
Region 4 Behavioral Health System	Quarterly Funding	18,936.50
Allison Russman	Mileage	32.78
Safariland	Supplies	2,114.78
Scrub's Repair	Repairs	2,111.91
Sparklight	Cable TV Services	225.71
Stealth Broadband	Internet Services	2,639.38
Summit Food Service	Inmate Meals	10,998.15
Donald Svitak	Postage	4.10
The Glass Edge	Repairs	623.00
Top Quality Glove	Supplies	699.00
University of Nebr.	Software	30.00
US Bank	Software	960.38
Verizon	Phone Service	2,099.42
Vision Service Plan	Insurance	468.35
Walmart	Supplies	26.28
Wex Bank	Fuel	2,440.91
Elizabeth Wilke	Contract Services	675.00
Zee Medical Service	Supplies	74.05

ROAD/BRIDGE FUND

Payroll		35,235.31
Travis Amen	Phone Service	90.00
Asphalt & Concrete Materials	Asphalt Materials	4,127.31
AFLAC	Insurance	709.36
B's Enterprises	Culverts, Bridge Materials	75,702.90
Bauer Built Tire	Tires, Repairs	10,880.00

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Black Hills Energy	Gas Service	83.12
Blue Cross Blue Shield	Insurance	34,000.72
Bomgaars	Supplies	316.81
Choice Foods	Supplies	46.00
City of Norfolk	Utilities	32.67
Colonial Life	Insurance	70.28
Colonial Research	Supplies	183.10
Cubby's	Fuel	158.88
Dale R. Johnson Ent.	Gravel	17,084.99
Roger Ellenberger	Clay	930.00
Fastenal Co.	Parts	121.12
First Concord	Flex Plan, Admin Fees, Deductible Buy down	905.02
GI Trailer	Parts	43.87
Joe Sackville Trucking	Gravel, Hauling Services	7,322.24
Kimball Midwest	Supplies	181.18
Lafleur Seed Mills	Seeding Materials	179.00
Lawson Products	Supplies	154.74
Loup Power Dist.	Utilities	83.80
Madison Co. Clerk	Tax Deposit, Retirement	18,356.56
Madison Nat'l. Life Insurance	Insurance	48.26
Martin Marietta Materials	Road Materials	2,027.70
Matteo Sand & Gravel Co.	Gravel	2,319.88
John McKenzie	Parts	206.19
Menards	Supplies	169.59
Nationwide Retirement Solutions	Deferred Comp	1,005.00
Nebr. Child Support Payment Center	Garnish of Wages	287.55
Nebr. Harvestore Systems	Parts	750.00
NPPD	Utilities	224.33
NMC Exchange	Parts	630.74
Norfolk Iron & Metal Co.	Bridge Materials	210.52
Northeast Machine & Mfg.	Repairs	76.96
Platte Co. Highway Dept.	Construction Costs	20,288.32
Powerplan	Parts	8.30
Rise Broadband	Internet Service	134.20
T-Bone North	Fuel	8,645.58
Tim Koenig Trucking	Road, Hauling Services	6,101.36
Truck Center Co.	Repairs	2,338.83
Verizon	Phone Service	160.78
Vision Service Plan	Insurance	115.73
Zee Medical	Supplies	147.50
VISITORS PROMOTION FUND		
Norfolk Area Visitors Bureau	Admin Fees	2,239.95
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Admin Fees	713.90
REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND		
One Office Solution	Supplies	162.05
911 EMERGENCY FUND		
Century Link	Phone Service	789.37
DAS State Accounting	State Radio Access Fees	922.00
Stealth Broadband	Phone Service	280.00
LAW ENFORCEMENT OPERATING FUND		
Eakes	Supplies	85.06
Madison Co. Sheriff Inmate Fund	Supplies	230.05
Union Supply Group	Supplies	1,016.04
DRUG COURT FUND		
Egan Supply Co.	Supplies	38.28
Redwood Toxicology Lab	Medical Services	44.00

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.

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The Board adjourned at 11:49 A.M. to Wednesday, October 14, 2020 at 9:30 A.M.

ATTEST:

Anne M. Pruss
County Clerk

Troy Uhlir, Chairman
Board of Commissioners