

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

October 20, 2015

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, October 15, 2015 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.

Following a moment of Silence and the Pledge of Allegiance to the flag of the United States of America, Chairman Christian Ohl 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, Jim Prauner and Ron Schmidt, County Clerk Nancy Scheer, County Highway Superintendent Richard Johnson, and road foremen Don Eucker, Jeff Schroeder, and John Hrabanek. Norfolk Daily News reporter Jerry Guenther, US92 reporter Chris Whitney, and WJAG reporter Susan Risinger were present until 11:05 A.M.

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

- 1) Approval of minutes of the October 6, 2015 meeting
- 2) Authorization for County Board chairman to execute the Certification Statement for the Countywide Cost Allocation plan based on actual costs for the fiscal year ended 2014
- 3) RESOLUTION #2015-47

WHEREAS, the 2015-2016 fiscal year budget, adopted by the Board of Commissioners of Madison County, Nebraska, commits up to \$3,552,498.00 from the Federal Aid Secondary Fund to pay for expenditures exceeding monies available in the Road/Bridge Fund; and

WHEREAS, monies in the Road/Bridge Fund are now insufficient to meet the current expenditures approved by the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that five hundred thousand dollars (\$500,000.00) be transferred from Federal Aid Secondary Fund to Road/Bridge Fund to meet current expenditures.

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

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

Pursuant to published legal notice in the October 3, 2015 edition of the Norfolk Daily News, Chairman Ohl opened a public hearing at 9:32 A.M. regarding the conditional use permit application of Eric Siecke to use a tract of land in Section 28-23-1 for parking semi-trucks.

Zoning Administrator Heather McWhorter explained that Mr. Siecke wants to park personally owned trucks that are used for agri-business on a tract of land located on the West side of Highway 81 approximately 5 miles South of the City of Norfolk. She presented a map reflecting the location of the Country Market Antiques and Crafts business. She reported that the portion along the South end of the property is already zoned Commercial so trucks would be allowed to park at this location without any type of conditional use permit. She explained that Mr. Siecke wants to park the trucks at another location which is zoned Ag Transitional. She stated that Mr. Siecke told her that the main reason he wants to park in the area that is zoned Ag Transitional is because the traffic along the South road is much heavier than it would be to use old Highway 81. Ms. McWhorter reported that a traffic study conducted shows that about half the amount of traffic travels along old Highway 81 compared to the road located to the South of the property. She explained that the area where Mr. Siecke is requesting to park trucks is more level compared to the other area that has a small hill. In addition, she pointed out that if the conditional use permit is not approved, Mr. Siecke can park trucks in the area that is currently zoned as Commercial. She reported that the Planning Commission unanimously recommended that Mr. Siecke could park his trucks on the East part of the property which is reflected in Exhibit A. Ms. McWhorter stated that upon further review, Mr. Siecke discovered that an extensive amount of dirt work would be required in order to use that particular area. She reported that Mr. Siecke is requesting that he be allowed to park his trucks on the area reflected in Attachment B, which would allow him to park the trucks anywhere on the property, with the exception of a triangular piece of property that adjoins the neighboring property to the South owned by Eric and Megan Altwine. She explained that Mr. Siecke has agreed to flag this area and refrain from parking at this location as a courtesy to the Altwines. Ms. McWhorter reviewed the statement of finding of facts and the conditions recommended by the Planning Commission.

Commissioner Schmidt asked if Mr. Siecke is aware that he must own all the trucks/vehicles covered under the conditional use permit and Ms. McWhorter responded affirmative. Commissioner Schmidt asked if this stipulation is only for trucks or also for trailers. Mr. Siecke responded that he owns the trucks, but leases the trailers. Commissioner Schmidt asked who is responsible for the maintenance of Old Hwy. 81 and Commissioner Prauner responded that the County must maintain the road. Commissioner Schmidt asked if there was any chance in the future that Mr. Siecke would want another driveway off old Highway 81 if the conditional use permit is approved. Mr. Siecke responded that he would like another driveway just north of the driveway that goes to a house. Commissioner Schmidt asked if the County would be responsible for installing another driveway and County Highway Superintendent Richard Johnson responded that a portion of old Highway 81 has controlled access and the State usually requires the controlled access be purchased back to get a driveway. He stated that it would be Mr. Siecke's responsibility to inquire about another driveway.

Eric Siecke testified in support of his condition use permit application. He stated that too much dirt work had to be done on the East side of the pasture and there is also a hill in this area. He reported that there were false statements made at the Planning Commission meeting regarding the distance of the Altwine house from the property line. He explained that Mr. Altwine testified that his house is 300 feet from the property line; however, the distance is 485 feet. Ms. McWhorter reported that the approximate distance of the Altwine house from the property line is 464 feet. Mr. Siecke reported that he proposes to give Mr. Altwine another 200 feet in the corner so that the distance would be approximately 600 feet from where any trucks would be parked. Mr. Siecke explained that he took pictures of where he plans to park the trucks and there are trees that would block the view of the trucks parked in the pasture. He explained that if he was allowed to park the trucks in the area where there is a hill no additional dirt work would be required. He stated that he is in the process of removing eight cottonwood trees that are located directly north of the shed. He reported that he would be willing to park trucks North of the shop, unless all trucks are off the road at the same time which would make the area congested. He explained that he plans to put rock North of the Shop and he can have his cattle trailers at this location if the neighbors are worried about the smell. He said that there won't be trucks parked at this location all the time. Mr. Siecke pointed out the location on a map where he wanted another 40 foot driveway installed straight East of the Shop on the North Side of trees.

Commissioner Schmidt asked if trucks would primarily be parked North of the shop and Mr. Siecke responded affirmative. Ms. McWhorter asked if the applicant's intention was to park in the proposed area recommended by the Planning Commission and Mr. Siecke responded affirmative. Mr. Siecke explained that there are eight cottonwood trees that he plans to remove and use that area for parking trucks. Commissioner Schmidt asked if there would ever be a situation where trucks would be parked along the road and Mr. Siecke responded that he would not park trucks along the road because it is too dangerous due to all the traffic. He stated that there is a small knoll by Mr. Altwine's driveway and it wouldn't be safe to park trucks at this spot.

Chairman Ohl stated that if Mr. Siecke purchases the property, he would be allowed to park at this location. Mr. Siecke responded that he would be permitted to park trucks at this location without any permits; however, he feels that the safest location is to park the trucks in the flat area where the traffic count is lower. Commissioner Prauner asked if the current driveways were wide enough and Mr. Siecke stated affirmative, but he also wants to install another 40 foot driveway.

Chairman Ohl asked what the current operation was and Mr. Siecke responded that he owns nine trucks, but leases stock trailers and reefer units. Mr. Siecke stated that he wouldn't exceed 15 trucks and trailers on the property if he would expand in the future, but he doesn't have plans for expanding. Commissioner Schmidt inquired if a truck and trailer is considered one unit or if each item is counted separately. Mr. Siecke responded that a truck with the trailer is considered one unit. Chairman Ohl asked what the process is for cleaning, washing, and maintaining the trucks. Mr. Siecke responded that they wash the trucks and trailers at Reigle Farms one or two times each week. He explained that they broom out the trailers when they finish hauling fat cattle and there is never more than several inches of manure in the belly of the trailer. He stated that in the summer time the manure dries up so it doesn't smell. He reported that there wouldn't be any trailer washing on the property where the trucks are parked. Commissioner Schmidt stated that there would be an understanding that the trailers would not be washed on the property and Mr. Siecke confirmed that no trailer washing would occur, only truck servicing and parking. Mr. Siecke thanked Board members for being prompt when he called.

Eric Altwine testified in opposition to Mr. Siecke's application. He stated that he lives on the property South of where Mr. Siecke plans to park his trucks. He reported that he was unaware of any boundary changes after the Planning Commission meeting. Ms. McWhorter explained that following the Planning Commission meeting Mr. Siecke decided to bring a request to the Commissioners to allow parking in another area that was not recommended by the Planning Commission. Mr. Altwine stated that there would be adequate room to park trucks and trailers in the area near the shop approved by the Planning Commission. He questioned how the measurement was taken from the fence to his house. Ms. McWhorter explained that the 464 foot measurement was calculated from GIS arial mapping so it could differentiate by about 3 feet. Mr. Altwine explained that he has a measuring wheel that he used by rolling it on the ground and he measured 380 feet from the fence line to his back porch on three different occasions. He reported that trees block some of the view, but when the leaves fall off, the trees will not block any of the view. He said these are all things that were talked about at the Planning Commission meeting that are concerning to him and this is why he pushed to have the truck parking in a certain area. He stated that his horses and children are all close. He said that if Mr. Siecke is going to do the dirt work to put in a driveway, he should be able to put a little more dirt in and park the trucks North of the shop. He reported that he has extreme concerns about trucks being parked so close to his house. Mr. Altwine said that he didn't bring any pictures with him because he was unaware of the proposed change. He reported that the entire back of his house is glass and he will see everything that is parked behind his house. He stated that if he has 15 cattle trailers and semis parked North of his house, he and his family will smell it. He requested the Commissioners to really think about the visual aspect and smell.

Commissioner Prauner questioned if all the trees were deciduous or if there were any evergreens. Mr. Altwine responded that there is a handful of cedar trees and plum thickets. He stated that he agrees that all he can see now is the black trailer parked at this location and he can see it from his kitchen table where his family eats every day, but it will be different as the leaves fall off the trees. Commissioner Prauner asked if he would be happy if the trailers couldn't be seen. Mr. Altwine stated that there will also be noise. Mr. Prauner stated that normally livestock trailers are cleaned out before they are stored because it's harder to clean out after the manure is dried. He stated that the wind is predominantly South in the summer time and when it freezes the trailers shouldn't smell too bad. He said that he could understand Mr. Altwine's point about looking out the windows and seeing trailers parked. He said that maybe the County could include a condition that evergreen trees must be planted which would help Mr. Altwine's view. Mr. Altwine stated that there are many possibilities and the price of trees may be less than the price of dirt.

Commissioner Schmidt stated that Mr. Altwine mentioned noise as a concern; however, he questioned the noise from Mr. Siecke's trucks moving around on the property versus the noise from trucks on Highway 81. He stated that, in his opinion, the noise from Highway 81 would be more than any noise that Mr. Siecke's trucks would make on his property. Mr. Altwine responded that Highway 81 is about twice as far away from his house than where Mr. Siecke's trucks would be parking. Commissioner Schmidt explained that Mr. Siecke's trucks would be idled down when they are parking compared to trucks that would be making road and tire noise on the highway. He said that, in his opinion, the noise issue would not be that big of a problem. He said that he is not going to live there; but, he drives trucks and knows the difference between road noise from trucks versus trucks that are being parked. Mr. Altwine stated that he is also familiar with trucks. Commissioner Schmidt asked what Mr. Altwine's worry is with the horses and Mr. Altwine responded that if a truck comes onto the property and pulls the air brakes so that a giant puff of air comes out from underneath the truck, and his children are riding a horse, it may spook the horse. He also stated that if someone pulls the air horn, which already has happened, it may scare the horse. He stated that other concerns are friends pulling in, driving-by, or honking their horns, which has already happened, or parking their trucks on the road to talk. Commissioner Schmidt asked if planting trees was a viable option to block the view from his house to the area that Mr. Siecke plans to use for over flow parking and Mr. Altwine responded that it would definitely help.

Chairman Ohl asked if the height of the trees would be an obstacle if Mr. Altwine needs to get an internet signal. Mr. Altwine responded that they have internet and may need to consider a different option if trees are planted.

Eric Siecke submitted two pictures showing the back of the Altwine property. He said that the pictures show several evergreen trees. The pictures were submitted and accepted into the record.

Sheila Dreismeier, Eric Altwine's mother-in-law, testified in opposition to the conditional use permit. She stated that she worked at a cattle feedlot for 25 years, and the people that hauled cattle to the feedlot where she worked did not wash their trailers out once or twice each week. She stated that she doesn't know about Mr. Siecke's truckers; however, it would be a very rare occasion that the trucks were washed that often. She questioned what the meaning is of overflow trucks and Mr. Siecke responded that he currently has nine trucks and he plans to park the cattle trailers by the shop and if all nine trucks are off the road and it gets too congested by the shop, he will park the trucks out in the pasture area. Ms. Dreismeier asked how often all nine trucks are off the road. Mr. Siecke responded that all the trucks are off the road on Christmas, Thanksgiving, and holidays. He said that if all nine trucks aren't running every day, he isn't making any money. Ms. Dreismeier explained that she is a little concerned about the proposed changes without contacting anyone. She asked if the application could be tabled so they could bring their own pictures. Ms. McWhorter stated that the recommendations the Commissioners consider are from the Planning Commission; but, Mr. Siecke has the option to request something different when he comes before the Commissioners. She explained that based upon what the Commissioners decide, the resolution can be changed. Ms. Dreismeier stated that at the Planning Commission meeting, Mr. Siecke was happy having the area recommended by the Planning Commission. She stated that she didn't know why Mr. Siecke wanted to go further West towards the Altwine property since the pasture is very large. Commissioner Schmidt explained that one of Mr. Siecke's concerns is that the pasture gets marshy in the springtime. Ms. Dreismeier asked why the cattle trailers can't be parked at Reigle's feedlot on holidays since they were leased from Reigles. She stated that parking the trailers at Reigle's feedlot may help with the overflow problem. Commissioner Schmidt explained that he hauls a lot of grain to the Reigle feedlot and there are trailers at the wash out area on a regular basis getting cleaned out; however he didn't know if Mr. Siecke's trailers are washed out two or three times a week. Ms. Dreismeier explained that she doesn't have a problem with getting the trucks cleaned out, but her concern is parking the trucks closer to the Altwine's home. She stated that at the Planning Commission hearing, Mr. Siecke stated that the designated area would be plenty of ground for everything.

Chairman Ohl asked if the reason Mr. Siecke is requesting an expansion of what the Planning Commission recommended is because of the topography of the ground. Mr. Siecke responded that he would like expansion of the property because of drainage and the cost of hauling a smaller amount of dirt to make a parking lot big enough for nine trucks. Ms. Dreismeier asked if dirt work needs to be done to park the trucks on the South and Mr. Siecke responded that a lot of dirt work needs to be done and there would be water sitting on the West side of where the ground would be built up. Ms. Dreismeier asked if Mr. Siecke went through an engineering company to figure this out and Mr. Siecke responded that he can see it when he pulls onto the land and if the property was raised four feet, the water would not be able to get away to a natural drainage ditch. Ms. Dreismeier stated that she has never seen water sitting at the location that Mr. Siecke is talking about. She stated that she still believes that the area talked about at the Planning Commission meeting is plenty of room for Mr. Siecke to park his trucks and trailers without going any further West.

Chairman Ohl closed the hearing at 10:02 AM.

Zoning Administrator Heather McWhorter reported that a letter signed by Norfolk City Prevention Manager Trenton Howard reflected that there were some initial complaints because the current location to park trucks is a small agricultural area, but the lots are very small. She stated that Mr. Howard's letter stated that Mr. Siecke took immediate action on every complaint that was submitted. She explained that Mr. Howard wanted the Commissioners to be aware that when Mr. Siecke was asked to do something, he acted immediately, so he has a track record of complying with whatever the City of Norfolk asked him to do.

Chairman Ohl said that one of the comments during the hearing was that the County Board should proceed with the recommendation from the Planning Commission. He asked if Mr. Siecke could request another meeting with the Planning Commission to apply for an additional conditional use permit if the Commissioners decided to move forward with the Planning Commission recommendation. Ms. McWhorter responded that Mr. Siecke could park his trucks on the area designated as Commercial and not make any further request, or Mr. Siecke could make another request with the new area that he proposed after the Planning Commission meeting, or Mr. Siecke could request re-zoning of the property from Ag Transitional to Commercial and this process would not require a conditional use permit. She explained that Mr. Siecke could also make a request to the Board of Adjustment based on an outcome that he didn't want because of the topographical issue.

Commissioner Schmidt stated that if the Commissioners only approved what was recommended by the Planning Commission and if trucks could not be parked in the proposed area because it's too wet, could a driveway be installed from the Commercial area to the east. Mr. Siecke stated that the Country Market Antiques building would be somewhat in the way and he would need to remove some trees, and the trucks would be parked right in front of the Altwine house where they could be seen all the time. Commissioner Schmidt stated that overflow parking could be at this location or behind the trees.

Mr. Altwine stated that there are three driveways going into the Commercial property and he would rather see the trucks parked on the Commercial property than in another area straight north of his house. Mrs. Dreismeier said that the reason Mr. Altwine wants the trucks parked in the Commercial area is because the children play in the back yard a lot and they don't play in front of the house. Mr. Altwine said that he would never see the trucks parked on the Commercial property and it would be great if any overflow truck parking would be on the existing Commercial property. He said that this is an excellent idea because the wind would never blow the smell into his house, he would never see the trucks, and people would not be looking into his house. He said that it would be perfectly fine with him if the overflow parking would be on the existing Commercial property. Mrs. Dreismeier agreed 100% with Mr. Altwine's statements.

Chairman Ohl questioned what type of delay would be caused for Mr. Siecke if he wanted to pursue additional options. Ms. McWhorter responded that the delay would depend upon which option Mr. Siecke selected. She stated that Mr. Siecke would be permitted to park the trucks on the property currently zoned as Commercial; however, in her opinion, this is a safety hazard. She reported that if Mr. Siecke files a request with the Board of Adjustment, at 10 day notice is required and if Mr. Siecke wants to go back to the Planning Commission and request a different scenario than is approved by the County Commissioners, then the application would not be heard until the November meeting. In addition, she stated that if Mr. Siecke requests a zoning change, that would be considered by the Planning Commission next month.

Commissioner Prauner requested clarification on what was approved by the Planning Commission and Ms. McWhorter explained that the Planning Commission recommendation was to approve a conditional use permit for property located to the East. Ms. McWhorter stated that Mr. Siecke requested that trucks could be parked anywhere on the property, except a triangle area by the Altwine home; however, the Planning Commission only approved a portion of property to the East and at the time Mr. Siecke was agreeable to use only the designated area. She explained that the day after the Planning Commission meeting, Mr. Siecke contacted her and said that he did further checking and the parcel recommended by the Planning Commission was not as viable as he originally thought.

Commissioner Prauner said that, in his opinion, it would be helpful to have a buffer zone of at least two rows of cedar or pine trees so the trees would cover up the trucks parked in the back of the house. He stated that since the Planning Commission didn't approve the area that is being discussed at the meeting today, it should go back to the Planning Commission in case there are any other concerns. He stated that he has a hard time as a Commissioner approving something that the Planning Commission didn't recommend to the County. He stated that planting trees would be helpful to block the view from Mr. Altwine's house.

Commissioner Schmidt asked if there was any way to work out a compromise between Mr. Altwine and Mr. Siecke at the meeting, either by requiring trees to be planted so Mr. Siecke could park trucks on the North part of the property and block the view from the Mr. Altwine's backyard windows, or allow overflow parking on the commercial zoned portion of the property. Mr. Siecke responded that he won't park trucks on the Commercial zoned portion of the property because it is too dangerous for trucks to pull out on a hill onto the East/West road. He said that Mr. Altwine's children should not be on his property playing if that is a concern for Mr. Altwine. Mrs. Dreismeier responded that the concern is not about the children playing on Mr. Siecke's property, but the concern is about trucks and employees. Mr. Siecke stated that trucks would not be parked every single day.

Mr. Altwine said that there is an existing driveway located on the Commercial property that comes out onto the exact road that Mr. Siecke wants to add another driveway onto. He stated that there is no more traffic on the road 200 foot in a different direction on the exact same road where he wants to get the trucks out. He explained that there are three driveways that can be used. Ms. McWhorter reported that the traffic count on the old Highway 81 showed 233 vehicles in a 48 hour period compared to 461 vehicles on the East/West Road during the same time period. She stated that she checked with Norfolk City Prevention Manager Trenton Howard about having the Planning Commission making a recommendation and the Commissioners considering a different request and Mr. Howard clarified that the County Board can adopt different options than recommended by the Planning Commission.

Chairman Ohl inquired if the Commissioners approved the recommendation of the Planning Commission, could modifications be made at a later date if the applicant wanted to make an adjustment. Ms. McWhorter responded that she would need to check on this question.

Mr. Altwine inquired if Mr. Siecke could exit out of the old Highway 81 driveway and Mr. Siecke responded that there is not enough room for a truck to exit out of the Country Market driveway. Mr. Altwine said that if some trees were removed it may be possible and Mr. Siecke responded that a sign is also in the path. Mr. Altwine suggested parking the trailers in one area and the trucks in another area. Mr. Siecke asked why he would buy a big 10 acre pasture and not be able to use it. He said that the property is agricultural and he can't see the Altwine house from the location where he plans to park the trucks.

Commissioner Prauner stated that this is a public meeting and not a place to debate things.

Motion was made by Prauner and seconded by Ohl to return the application to the Planning Commission to review the options discussed at the hearing and consider an evergreen tree barrier between that the two properties that Mr. Altwine and Mr. Siecke could agree on.

During discussion on the motion, Commissioner Schmidt asked if the recommendation for an evergreen tree barrier between Altwine and Mr. Siecke's properties could be included in the resolution at this meeting. Ms. McWhorter stated that the Commissioners could include any conditions to the proposed resolution. Commissioner Schmidt stated that if there is an agreement that trees could be planted so that the vision from the house to the pasture is limited, it could eliminate another round of meetings. He said that he wanted the process to be done right.

Mr. Altwine stated that he would be fine with stipulations requiring trees to be planted, but there were also several other people at the Planning Commission meeting that were not in favor of the application because of the location where the trucks were to be parked and these people are totally unaware of any proposed changes to the application. He stated that after they left the Planning Commission meeting, they understood that the trucks would be parked in the designated area that was agreed upon at the meeting.

Ms. McWhorter pointed out that the Planning Commission makes a recommendation based upon what was discussed at the meeting; but, the Board of Commissioners actually approves or denies the recommendation. She stated that Mr. Altwine could have come into the Commissioners meeting requesting something different or stated that he changed his mind.

Commissioner Prauner stated that if there are legalities in the future, his opinion is that the best option is to return the application to the Planning Commission for further review. He said that he is not comfortable with the Commissioners making changes from the Planning Commission recommendations. Chairman Ohl stated that he is not opposed to what is being recommended by the Planning Commission even though it may not be ideal for Mr. Siecke and he would like the applicant to pursue his requested change. He asked if another conditional use permit could be put in place if recommended by the Planning Commission.

County Attorney Joseph Smith entered the meeting. Chairman Ohl inquired if the Commissioners decide to make a decision based upon a recommendation by the Planning Commission and potentially an adjustment to that conditional use permit is made at a later time, would there be any issues with that procedure. Ms. McWhorter explained that the original conditional use permit was to park trucks anywhere on the property and the Planning Commission approved the conditional use permit application based upon property as shown on Attachment A. She stated that the following day, Mr. Siecke found out that the property won't work as he planned, so his request was still to park in the entire area listed on his application except for a triangle shaped area reflected on Attachment B. County Attorney Joseph Smith stated that if the Commissioners have the authority to approve truck parking on the entire parcel, then the Commissioners also have the power to knock off a portion of the parcel. Chairman Ohl asked if the Commissioners decide to approve the recommendation of the Planning Commission, could the owner apply for another conditional use permit to allow truck parking in another area. County Attorney Joseph Smith responded that the applicant could submit another application to allow truck parking on the remaining portion of the property. He stated that if the Commissioners decide to do the entire area, they could also cut part of the parcel out if they wanted. He stated that what the Commissioners have before them to consider is the red rectangle marked on Attachment A. Ms. McWhorter clarified that the Commissioners could approve or deny the recommendation of the Planning Commission instead of sending it back to the Planning Commission. County Attorney Joseph Smith stated that the owner could apply for the other portion of property where he wants to park trucks because he doesn't know any other way to streamline it. Ms. McWhorter stated that, in her personal opinion, it could be handled right now at the Commissioners meeting because Mr. Siecke's original application was to park trucks on the entire property and the property identified on Attachment A is a recommendation from the Planning Commission. Commissioner Prauner stated that if the entire property is approved, then the Commissioners would be going against the Planning Commission. County Attorney Joseph Smith stated that the original application for the entire area could be approved, or an area minus the triangle slice could be approved, or just the rectangle section recommended by the Planning Commission could be approved. Ms. McWhorter said that she understands what Commissioner Prauner is stating; however, she knows that the recommendation of the Planning Commission may have been denied by the County Board.

County Attorney Joseph Smith stated that the resolution must have the legal description built into it. Commissioner Prauner stated that the Commissioners are also considering adding a condition to require the planting of evergreen trees because Mr. Altwine looks out the back of his house into the property and in the winter time the deciduous trees drop their leaves, so he inquired if the Commissioners could add this condition to the resolution. Ms. McWhorter responded that the Commissioners could add whatever conditions they want to the resolution. County Attorney Joseph Smith explained that the Commissioners could approve or deny what was recommended by the Planning Commission; however, they could not go beyond the original application because there was no public hearing or notification to the neighbors. Ms. McWhorter explained that if the original application included the area as designated on attachment A, and then the applicant wanted to include additional property as reflected on attachment B, then the application process would need to start over.

After the above discussion, Commissioner Prauner withdrew his motion and Chairman Ohl withdrew his second to the motion.

Commissioner Schmidt asked Mr. Siecke if the Commissioners approved truck parking on the East portion of property, would this be a workable solution for the current time and Mr. Siecke stated that it would be okay for the current time.

County Attorney Joseph Smith stated that in the past the Commissioners respected the Planning Commission and the recommendations that are submitted from that Board.

Mr. Altwine stated that he would be okay with approving truck parking on the property recommended by the Planning Commission so that Mr. Siecke could go forward with his plan and then go to the Planning Commission and re-apply for truck parking on additional property and add an evergreen tree barrier. Mr. Altwine stated that Mr. Siecke understands what he would like and there are some workable solutions. Commissioner Schmidt thanked both parties for talking about the issues and is encouraged by neighbors trying to work with neighbors.

After discussion, the following resolution was introduced:

RESOLUTION #2015-48

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 12, 2015 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 as AT Agriculture Transition.
3. Mr. Siecke would like to buy the property from Mr. Broders. He operates a trucking business and would like to use a portion of the Ag land for parking of his personally owned trucks.
4. The two parcels to the south, which are also owned by Mr. Broders and are considered as part of the purchase, are currently zoned as Highway Services District; truck parking is a permitted use in this area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a Conditional Use Permit to Eric Siecke for the parking of personally owned semi-trucks on the following described land:

A tract of land in the SE¼ of the SE¼ of Section 28, 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. All trucks/vehicles covered under this Conditional Use Permit shall be owned by Mr. Siecke.
2. There will be no more than 15 trucks/trailers parked on the property at any given time.
3. Truck Parking will be permitted on a tract on the East part of the property as indicated in the attached map (See attachment A).
4. This Conditional Use Permit is for a period of five years. It will be automatically renewed at the end of the 5 year period unless there are verified complaints, at which time a review of the Conditional Use Permit would be needed.
5. 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.
6. A copy of the signed permit must be recorded with the Madison 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 Prauner that the foregoing resolution be adopted. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Ohl stated that an application was submitted by Miretta Vineyards & Winery, Inc. for a Special Designated License for a wine tasting event scheduled on November 21 and 22, 2015 at Divots Conference Center.

County Clerk Nancy Scheer explained that this is the second year that Miretta Vineyards & Winery applied for a special designated license at the same location of Divots Conference Center for a wine tasting event. She reported that a report submitted by Investigator Jon Downey reflected that an investigation was conducted which reflected that 1,500 attendees are expected over the two days for the wine tasting event. The report further stated that no adverse records were located on the Nebraska Criminal Justice Information System for the event supervisor, Brandon Ryan, and applicant, Loretta McDowell. The report also reflected that research completed on the Liquor Control Commission website indicated that Miretta Vineyards had their license suspended for 10 days in 2014 for the sale of alcohol to minors on February 7, 2014. The report further stated that Miretta Vineyards pled guilty to the offense, had their license suspended for 10 days starting on July 22, 2014, and the license is now in good standing. In addition, the report stated that Divots Conference Center has had no issues with their liquor license in the past and no issues with events being held on their property.

Commissioner Schmidt asked if anyone knew what the procedure is to make sure that no alcohol is sold to minors so that nothing comes back on the Divots facility. Commissioner Prauner stated that the people selling alcohol must police themselves just like a bar. He asked if the applicant was present at the meeting. Chairman Ohl responded that Miretta Vineyards was not asked to attend the meeting since they would have been required to travel a lengthy distance from St. Paul, Nebraska for a non-controversial agenda item.

Motion was made by Schmidt and seconded by Prauner to approve the application submitted by Miretta Vineyards & Winery, Inc. for a Special Designated License for a wine tasting event scheduled on November 21 and 22, 2015 at Divots Conference Center. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none, Motion carried.

Commissioner Prauner reported that he reviewed the bids submitted for a new truck with road foreman John Hrabanek. He stated that all the bids were reasonable compared to the State bid prices of approximately \$180,000 obtained in early 2015 for a new truck with only a plow. He explained that the bids being considered include the truck with both a plow and spreader installed.

Chairman Ohl read the following bids received for a new dump truck:

Boyer Trucks	Sioux Falls, SD	2016	Western Star	\$165,630.00
Cornhusker International	Norfolk, NE	2016	International	\$159,830.00
Cornhusker International	Norfolk, NE	2016	International	\$186,137.00
I State Truck Center	Sioux City, IA	2017	Freightliner	\$164,536.00
I State Truck Center	Sioux City, IA	2016	Freightliner	\$162,536.00
RDO Truck Center	Lincoln, NE	2017	Mack	\$161,203.69
Truck Center Companies	Norfolk, NE	2016	Freightliner	\$155,553.00

Chairman Ohl read the following bids received for a used dump truck:

Prairie Truck & Auto Sales	DeForest, WI	2001	Freightliner	\$74,900.00
Prairie Truck & Auto Sales	DeForest, WI	2001	Freightliner	\$74,900.00
Prairie Truck & Auto Sales	DeForest, WI	2005	International	\$74,900.00
RDO Truck Center	Lincoln, NE	2001	International	\$28,950.00
RDO Truck Center	Lincoln, NE	2001	Freightliner	\$82,000.00

Chairman Ohl reported that he also reviewed the bids with foreman Jeff Schroeder. He stated that one of their concerns is the mileage on the used trucks and how many maintenance issues there may have been. He reported that they tried to talk to the previous owners who had the trucks to find out what issues they had with the trucks so they could determine what would be best for Road District #2 and what would serve the County best well into the future.

Commissioner Schmidt stated that he looked at the delivery dates and the dates range from December 3, 2015 compared to 180 days. Road foreman Jeff Schroeder stated that the delivery dates were based upon making a decision at the October 6, 2015 meeting, so the delivery dates will be 14 more days into the future.

Commissioner Prauner stated that the 2017 Mack priced at \$161,203.69 is the best buy compared to the 2017 Freightliner priced at \$164,536.00 since these trucks are one year newer than other bids submitted.

Motion was made by Prauner and seconded by Schmidt to accept the bid of RDO Truck Center Company of Lincoln, Nebraska for the purchase of a 2017 Mack truck in the amount of \$161,203.69.

During discussion on the motion, Commissioner Schmidt asked what size motor the truck has and Commissioner Prauner responded that the motor is 450 horsepower. Commissioner Schmidt asked if the truck has a hitch on the back to pull a pup trailer and Commissioner Prauner responded that it has a ball hitch. Commissioner Schmidt stated that he wanted to make sure that the County wouldn't incur additional expense. County Highway Superintendent Richard Johnson reminded Board members that they would need to determine how to pay for the truck. Commissioner Prauner responded that the interest rate through the truck vendors is approximately 2.4% and he isn't sure if the rate would be lower through the Nebraska Association of County Officials. Mr. Johnson stated that the decision on financing the cost wouldn't need to be made now, but he suggested that the Commissioners make a decision on the maximum amount of equipment financed. Commissioner Prauner stated that the truck will be delivered toward the latter portion of the fiscal year and the County will have a good idea of remaining funds in the budget. Commissioner Schmidt stated that if the County finances the purchase, someone needs to make sure that there isn't a penalty for making an early payment.

Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Chairman Ohl reported that Road District #2 has looked closely at the 2016 Freightliner truck from Truck Center Companies in Norfolk. Road foreman Jeff Schroeder stated that they talked about accepting this bid in the amount of \$155,553.00 since it is the lowest bid submitted and also the point of the bidding process. Chairman Ohl stated that because of the driving that District #2 does around town, it would work better to purchase a truck with an automatic transmission and a front mount PTO. Mr. Schroeder reported that the amount of change in the cost for an ultra shift transmission is an additional \$4,617.00 and the addition of a front mount PTO pump is \$300.00, making the total cost of the 2016 Freightliner \$160,470.00. Commissioner Prauner reported that the box on the Freightliner coincides with the specifications. Mr. Schroeder stated that the Freightliner truck meets all the other specifications, so the truck will include the ball.

Motion was made by Ohl and seconded by Prauner to accept the bid of Truck Center Companies of Norfolk, Nebraska for the purchase a 2016 Freightliner with the addition of an ultra shift transmission and front mount PTO for a total cost of \$160,470.00.

During discussion on the motion, Commissioner Schmidt asked if the truck has a Detroit motor and Commissioner Prauner responded affirmative. Road foreman Jeff Schroeder stated that the engine has 450 horsepower. Chairman Ohl asked if Commissioner Schmidt's experience with Detroit motors is favorable and Commissioner Schmidt responded affirmative.

Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Motion was made by Prauner and seconded by Schmidt to reject all bids submitted for the purchase of a used truck. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board discussed redemption of the Northeast Nebraska Juvenile Services (NNJS) Series 2005 Bonds and an agreement providing conveyance of NNJS property to Madison County and lease of the facility to NNJS.

County Highway Superintendent Richard Johnson reported that the resolution that was submitted to the Board members on Friday, October 16, 2015, contained language about approving a lease agreement which was not submitted by the bond attorney for review by the County Board members. He explained he called the bond attorney on October 19th, and apparently due to an oversight the lease agreement was not transmitted to the County. He reported that the real estate company added a significant amount of language to the original draft. He stated that the attorney advised that the County Board does not need to approve the portion of the resolution that included wording about the lease agreement at this time. Mr. Johnson explained that he took the draft provided by the bond attorney and removed the references to the lease agreement. He stated that the revised resolution was emailed to the Board members on October 19th. He said that NNJS needs to give 30 days notice to the bond company for early redemption of the bonds on December 1st. He explained that the County Board is out of time to approve the bond redemption unless a special meeting is held.

Commissioner Prauner asked if the County Attorney had any problems with the proposed resolution and Commissioner Schmidt responded that he spoke to County Attorney Joseph Smith and he didn't see any problems with the resolution as proposed.

Mr. Johnson stated that the resolution gives the Chairman or Vice-Chairman the ability to modify the language in the deed or easement if he feels necessary. He said that a copy of the deed was provided to the County and the attorney advised that NNJS is deeding the building to the County, not the property, which is different than he understood. He explained that NNJS is of the opinion that the operation of the facility will remain the same until 2027, which is the year when the bonds were originally set to be paid in full. He said that this clause in the deed may need to be reviewed.

Chairman Ohl asked if the impact to Madison County in terms of payment would be an increased burden. Mr. Johnson responded that a current agreement between 13 counties and NNJS provides for the operation of the facility and the cost for each County to house a juvenile in the facility.

After discussion, the following resolution was introduced:

RESOLUTION #2015-49
BOARD OF COUNTY COMMISSIONERS
MADISON COUNTY, NEBRASKA

WHEREAS, Northeast Nebraska Juvenile Services, Inc. (the "Corporation") previously issued its Detention Facility Lease Revenue Bonds, Series 1997 in the aggregate principal amount of \$2,755,000 (the "Series 1997 Bonds"), on behalf of the County of Madison, Nebraska (the "County"), and used the proceeds thereof to assist the County to finance the cost of the acquisition, construction, improvement and equipping of a juvenile detention facility (the "Project") leased and to be sold to the County and possessed and operated by the Corporation for the term of the Series 1997 Bonds; and

WHEREAS, the Corporation previously issued its Detention Facility Lease Revenue Refunding Bonds, Series 2005 in the aggregate principal amount of \$1,835,000 (the "Series 2005 Bonds") on behalf of the County with a term that coincides with the term of the Series 1997 Bonds, and the proceeds of which Series 2005 Bonds were applied to refund the Series 1997 Bonds; and

WHEREAS, the Corporation was formed for the purpose, among others, of issuing bonds on behalf of the County the proceeds of which were be applied to the construction of the Project; and

WHEREAS, the Corporation holds title to the land on which the Project is located; and

WHEREAS, the Board previously agreed that the County will accept delivery of full legal and unencumbered title to the Project, together with an easement for access, at the end of the term of the Series 2005 Bonds; and

WHEREAS, the Corporation proposes to optionally redeem and pay on December 1, 2015 all of the outstanding Series 2005 Bonds (the "Series 2005 Bond Redemption"); and

WHEREAS, in connection with the Series 2005 Bond Redemption the Corporation is expected to authorize and approve the Series 2005 Bond Redemption and to execute a Quitclaim Deed and Bill of Sale from the Corporation to the County in the form attached hereto and marked as Exhibit A (the "Deed") and a Grant of Easement from the Corporation to the County, in the form attached hereto and marked as Exhibit B (the "Easement"), each as required by the existing Lease-Purchase Agreement dated as of June 1, 1997, as supplemented by the Supplement No. 1 to Lease Purchase Agreement dated as of June 1, 2005, between the County and the Corporation; and

WHEREAS, the Board desires to approve the Series 2005 Bond Redemption and the accept the delivery of full legal and unencumbered title to the Project pursuant to the Deed, together with an easement for access pursuant to the Easement; and

WHEREAS, the Board desires to delegate to the Chairman or the Vice Chairman the responsibility of approving certain details of the Series 2005 Bond Redemption and the terms of the Lease Agreement and further that the members of the Board and the officers and employees of the County shall have the authority and be directed to do such things and sign such documents as shall be necessary to accomplish the Series 2005 Bond Redemption, the acceptance of unencumbered title to Project and access thereto and the lease of the Project;

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1. That the Board hereby approves the Series 2005 Bond Redemption and does hereby reaffirm that on the redemption date the County will accept delivery of full legal and unencumbered title to the Project, together with an easement for access.

Section 2. That the form and content of the Deed and the Easement are in all respects authorized and approved, with such changes, modifications, additions or deletions therein as shall seem to the Chairman or the Vice Chairman necessary, desirable or appropriate. The Chairman or the Vice Chairman of the Board, the County Clerk and the County Attorney are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents, certificates and opinions as may be necessary to carry out the Series 2005 Bond Redemption and the acceptance of full legal and unencumbered title to the Project, together with an easement for access.

Section 3. This resolution shall be in full force and effect on the date of its passage.

Motion was made by Schmidt and seconded by Prauner that the foregoing resolution be approved as revised to remove the references to the lease agreement. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The following written reports were reviewed:

- 1) Fund balance report
- 2) County Clerk September, 2015 fee report
- 3) Register of Deeds September, 2015 fee report
- 4) Sale of Surplus property report
- 5) Letter from Northeast Nebraska Resource Conservation & Development Council

The following claims were audited:

GENERAL FUND		
Total Net Payroll		133,872.79
Advanced Correctional Healthcare	Medical Services, County Jail	10,314.76
Ronald J. Albin	Legal Services, District Court	4,610.12
Albracht Disposal Service	Garbage Service, Courthouse	94.00
Alpha Workforce Health	Medical Services, County Jail	371.00
American Family Life Assurance Co	Insurance Premiums	788.91
Ameritas Life Insurance Corp	Insurance Premiums	342.96
Antelope County Clerk	Reimbursement of Services, Juvenile Accountability	45.00
Appeara	Mat Service, Public Defender	28.18
AS Central Services	Data Processing, County Clerk	52.00
AS Central Services	Data Processing, County Treasurer	120.20
AS Central Services	Data Processing, County Jail	32.00
Kathy J. Baker, LMHP, CPC	Evaluation Services, Juvenile Accountability	600.00
Addisen Beck	Mileage, Juvenile Accountability	96.60
BI Incorporated	Monitoring Services, Juvenile Accountability	678.18
Black Hills Energy	Gas Service, Courthouse	82.28
Black Hills Energy	Gas Service, County Jail	138.63
George Blank	Refund of Interest on Taxes	53.47
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,897.96
Brady & Amy's Inc.	Fuel, Courthouse	30.59
Brady & Amy's Inc.	Fuel, County Sheriff	983.10
Brady & Amy's Inc.	Fuel, Noxious Weed	100.02
Brogan & Stafford, PC	Legal Services, District Court	9,932.23
Cableone	Internet Service, County Sheriff	229.47
Cableone	Internet Services, Probations	218.50
Cableone	Internet Services, Courthouse	218.50
Paul Cary	Conference Speaker Fees, Juvenile Accountability	1,950.00
CBM Managed Services	Meals, County Jail	7,588.92
Century Link	Telephone Service, Probation	637.70
Checker Cab Co.	Transportation, Juvenile Accountability	90.30
Chief Law Enforcement Supply	Parts, County Sheriff	404.99
City of Madison	Utilities, Public Defender	227.80
City of Madison	Utilities, County Jail	4,036.33
City of Norfolk	Towing Fee, County Sheriff	110.00
City of Norfolk	Water, Sewer, Probation Office	40.54
Colonial Life and Accident Insurance	Insurance Premiums	400.12
Complete Pest Elimination	Pest Control, County Jail	125.00
Connecting Point	Equipment, Zoning Department	66.00
Connecting Point	Equipment, Noxious Weeds	66.00
Connecting Point	Data Processing Costs, County Sheriff	312.95
Connecting Point	Internet Services, Equipment, Juvenile Accountability	1,126.95
Connecting Point	Internet Services, Veterans Service	38.95
Connecting Point	Data Processing Services, Courthouse	2,679.75
Consolidated Management Company	Meals, County Jail	65.50
Consolidated Management Company	Meals, County Jail	232.50
Constellation Newenergy	Gas Service, Zoning Department	21.03
Constellation Newenergy	Gas Service, Noxious Weed	21.03
Copycaft Printing	Supplies, County Clerk	252.00
Courtesy Ford	Repairs, Zoning Department	16.75
Covert Track Group, Inc.	Equipment, County Sheriff	2,010.00
Culligan	Drinking Water Service, Juvenile Accountability	11.95
Cuming County Clerk	Reimbursement Services, Juvenile Accountability	1,168.55
Divots Conference Center	Reservation Fee, Juvenile Accountability	300.00
Eakes Office Plus	Supplies, County Clerk	139.83
Eakes Office Plus	Supplies, County Court	210.49
Eakes Office Plus	Supplies, District Judge	176.66
Eakes Office Plus	Supplies, County Attorney	477.03
Eakes Office Plus	Supplies, Probation Office	737.44
Ecolab	Supplies, County Jail	35.82
Egan Supply Co.	Supplies, Courthouse	223.01
Egley, Fullner, Montag and Hockabout	Legal Services, County Court	898.50
Ewalt Law Office PC, LLC	Legal Services, County Court	702.46
First Concord Benefits Group	Flex Benefit Plan, Administration Fees	5,907.47
Floor Maintenance and Paper Supply	Supplies, Courthouse	255.62
Floor Maintenance and Paper Supply	Supplies, County Jail	154.35

Galls/Quartermaster	Supplies, County Sheriff	173.66
Gene Steffy	Vehicle, County Sheriff	26,617.00
Gillette Printing	Supplies, County Sheriff	43.00
Goodlife Counseling	Services, Juvenile Accountability	180.00
Gordy's Towing & Repair	Repair Services, County Sheriff	85.11
Nancy Gross	Mileage, Register of Deeds	172.50
Chelsey Hartner	Lodging, Public Defender	164.21
Hilliges and Associates, LLC	Services, Law Enforcement	250.00
Jeffrey Hrouda	Legal Services, District Court	335.35
Joseph Hurd	Travel Expense, County Attorney	124.75
HyVee Accounts Receivable	Meals, Juvenile Accountability	43.35
Jack's Uniforms & Equipment	Uniforms, Supplies, County Sheriff	486.89
Jack's Uniforms & Equipment	Uniforms, Supplies, County Jail	18.99
Jerry's Service Center	Repairs, County Sheriff	18.00
Nancy Jochum-Schramm	Court Reporting Services, Mental Health Board	50.00
John's Disposal, Inc.	Garbage Service, Probation Office	61.00
John's Disposal, Inc.	Garbage Service, Veterans Service	21.00
Keenan Law, PC, LLC	Legal Services, District Court	2,657.50
John Krantz	Rent, Utilities, Juvenile Accountability	1,500.00
Jamie Lemus	Notary Fees, Public Defender	130.00
Lexis Nexis	Subscription, County Attorney	442.00
Louderback Drug	Medication, Juvenile Detention	135.31
Madison County Clerk	Tax Deposit	50,736.81
Madison County District Court	Fees, District Court	1,132.00
Madison County Court	Legal Fees, County Court	1,896.75
Madison County Sheriff Inmate Fund	Supplies, County Jail	118.44
Madison County Sheriff	Service Fees, County Court	379.82
Madison County Sheriff	Service Fees, District Court	335.23
Madison County Sheriff	Supplies, County Jail	147.00
Madison County Treasurer	Tire Tax and Title Fees, County Sheriff	15.00
Madison National Life Insurance Company, Inc.	Premiums	137.52
Madison Star Mail	Publication Costs, Zoning Department	41.24
James Marshall	Tutoring Services, Juvenile Accountability	180.00
Medtox Laboratories, Inc.	Medical Services, Juvenile Accountability	82.74
Microfilm Imaging Systems, Inc.	Equipment Rental, County Court	218.00
Midwest Plumbing Heating & Air Conditioning	Repairs, Courthouse	1,491.23
Midwest Plumbing Heating & Air Conditioning	Repairs, Parts, County Jail	320.08
MIPS Inc.	Data Processing Services, Register of Deeds	518.00
Andrew Mohr	Mileage, Juvenile Accountability	52.33
Moyer & Moyer	Legal Services, District Court	308.75
Moyer & Moyer	Legal Services, County Court	848.50
NACO	Membership Dues	698.00
National Enterprise Systems	Garnishments	207.06
Nationwide Retirement Solutions	Deferred Compensation	2,180.00
Nebraska Child Support Payment Center	Garnish of Wages	369.23
Nebraska Health & Human Services	Services, State Institutions	870.00
Nebraska Law Enforcement Training Center	Lodging, County Sheriff	80.00
Nebraska Public Power District	Utilities, Probation Office	602.20
Nebraska.gov	Copies, Law Enforcement	3.00
Maria Nieves Salavera	Mileage, Juvenile Accountability	253.00
Norfolk Auto Center	Repairs, County Sheriff	51.05
Norfolk Area Shopper	Publications, County Jail	259.50
Norfolk Daily News	Publication Costs	155.32
Northeast Nebraska Association of County Clerks	Dues, County Clerk	50.00
Northeast Nebraska Association of County Clerks	Dues, Register of Deeds	50.00
Norm Nykodym	Mowing Services, Public Defender	204.00
Omaha World Herald	Subscription, County Sheriff	247.00
Megan Olser	Postage, Mileage, Public Defender	115.99
Phillips 66 Company	Fuel, County Sheriff	558.08
Susan Pohlman	Tutoring Services, Juvenile Accountability	360.00
Racom Corp	Radio Repairs, County Sheriff	573.72
Ramada Inn Kearney	Lodging, Election Commissioner	83.00
Redwood Toxicology Lab	Medical Services, Probation Office	334.94
Region IV, Inc.	Quarterly Funding	9,147.75
Region 4 Behavioral Health	Quarterly Funding	13,514.75
Retirement Plans Division of Ameritas	Employee Share Retirement	9,105.12
Retirement Plans Division of Ameritas	Employer Share Retirement	13,326.13
Sani-Duct Service	Services, County Jail	400.00
Sanne Repair	Repairs, County Sheriff	500.00
Nancy Scheer	Mileage, Election Commissioner	37.95
Ronald Schmidt	Mileage, Lodging, County Board	395.54
Schroeder Land Surveying	Services, Equipment Rent, County Surveyor	1,160.00
Security Shredding Services	Services, Public Defender	35.00
Shell	Fuel, Reappraisal	58.91
Shell	Fuel, County Sheriff	2,932.81
Shopko Stores	Supplies, Zoning Department	43.97
Sioux Sales Company	Uniforms, County Jail	186.05

Sleuth	Maintenance Contract, County Sheriff	2,047.50
Joseph Smith	Travel Expense, County Attorney	239.00
Stanton County Court	Certified Copies, Law Enforcement	2.50
Stratton Delay Doele Carlson & Buettner	Legal Services, District Court	1,587.72
Stratton Delay Doele Carlson & Buettner	Legal Services, County Court	1,356.12
The Zone	Contracted Services, Juvenile Accountability	2,892.97
Thomson Reuters West	Subscription, Public Defender	285.00
Transunion Risk & Alternative	Services, County Sheriff	11.25
TWD Lock Safe & Key	Repairs, Probation	125.00
US Bank Corporate Payment System	Fuel, Supplies, Travel Expense, Juvenile Accountability	1,203.01
Van Diest Supply Company	Supplies, Noxious Weed	567.74
Verizon Wireless	Telephone Service, Juvenile Accountability	546.15
Verizon Wireless	Telephone Service, Noxious Weeds	63.57
Washington County Court	Certified Copies, Law Enforcement	3.00
Western Office Technologies	Repairs, Supplies, County Clerk	9.94
Western Office Technologies	Supplies, Register of Deeds	29.77
Western Office Technologies	Copier Maintenance, County Assessor	65.20
Western Office Technologies	Copier Maintenance, Supplies, County Court	90.72
Western Office Technologies	Supplies, Public Defender	168.96
Western Office Technologies	Supplies, County Sheriff	141.48

ROAD/BRIDGE FUND

Total Net Payroll		28,589.82
Albracht Disposal	Garbage Service	40.00
Travis Amen	Mileage	184.00
American Family Life Assurance Company	Insurance Premiums	519.87
Ameritas Life Insurance Corporation	Insurance Premiums	98.64
Appera	Towel Service	211.86
Battle Creek Farmer's Coop	Fuel	2,219.28
Beckman's Service Center Inc.	Repairs	289.00
Black Hills Energy	Gas Service	80.13
Blue Cross Blue Shield	Insurance Premiums	56.10
Brady & Amy's Inc.	Fuel	819.95
Colonial Life and Accident Insurance	Insurance Premiums	153.38
Cornhusker International Trucks Inc.	Repairs	212.85
Dale Johnson Enterprises, Inc.	Gravel	10,652.67
Diamond Vogel	Paint	2,656.50
Eastern Nebraska Trailer Repair Inc.	Repairs	1,163.28
Fastenal Company	Shop Tools	2.35
Filter Care of Nebraska LTD	Repairs	256.75
First Concord Benefits Group	Flexible Benefit Plan, Administration Fees	1,213.58
Flinn Paving Company Inc.	Asphalt Overlay	677,974.05
Husker Steel Inc	Bridge Materials	10,356.00
Island Supply Welding Company	Supplies	257.15
Jebro Inc	Asphaltic Materials	10,368.27
Kelly Supply Company	Shop Supplies	163.10
Kohlhof Truck Repair Inc.	Repairs	3,452.24
Madison County Clerk	Tax Deposit	10,601.49
Madison National Life Insurance Co Inc	Insurance Premiums	33.04
Matteo Sand & Gravel Company Inc.	Gravel	8,857.68
Medical Enterprises Inc.	Drug Screening	155.00
Meisinger Oil Company	Fuel	8,371.38
Menards	Shop Supplies	73.30
Morrissey Motor Company	Repairs	374.06
Nebraska Child Support Payment Center	Garnish of Wages	93.24
Nebraska Public Power District	Utilities	129.80
Pioneer Telephone Company	Telephone Service	37.05
Quick Serve Oil Company Inc.	Fuel	453.88
RDO Truck Centers	Repairs	10,439.78
Reigle Implement Company Inc.	Repairs	499.00
Retirement Plans Division of Ameritas	Employee Share Retirement	1,769.43
Retirement Plans Division of Ameritas	Employer Share Retirement	2,654.27
Road Builders Machinery & Supply	Repairs	3,234.59
Sapp Bros Petroleum Inc.	Grease, Oil	146.35
Seals And Service Inc.	Repairs	317.72
Telebeep Wireless	Internet Service	97.74
Verizon Wireless	Telephone Service	175.53
Weldon Parts Inc.	Repairs	726.42
White Star Oil Company	Fuel	388.49
Zee Medical	Shop Supplies	50.65
Zoubek Oil Company Inc.	Fuel	3,237.60

FEDERAL AID SECONDARY FUND

Lindner Painting Inc.	Contract Services	34,880.00
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VISITORS PROMOTION FUND		
Norfolk Area Visitors Bureau	Administrative Fees	3,136.59
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Administrative Fees	4,812.86
REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND		
MIPS, Inc.	Data Processing Fees	514.70
DRUG TESTING FUND		
Faith Regional Health Services	Medical Services	35.00
National Patent Analytical Systems	Supplies	14.58
INHERITANCE TAX FUND		
Battle Creek Public Library	Annual Funding	8,000.00
Madison Public Library	Annual Funding, Ancestry Library Subscription	9,285.10
Meadow Grove Public Library	Annual Funding	8,000.00
Newman Grove Public Library	Annual Funding	8,000.00
Tilden Public Library	Annual Funding	8,000.00
911 EMERGENCY FUND		
Eastern Nebraska Telephone Company	Telephone Service	127.86
LAW ENFORCEMENT OPERATING FUND		
Cableone	Cable TV	149.50
Champs	Services	1,144.41
Madison County Sheriff Inmate Fund	Supplies	193.07
Scranton Flooring & Supply	Floor Repairs	3,047.23
DRUG COURT FUND		
On Call Employee Health	Drug Testing	300.00
Redwood Toxicology Lab	Drug Testing	164.95
ROAD/BRIDGE BOND FUND		
Frontier Bank	Highway Allocation Pledge Bond and Interest	13,944.50

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

The Board adjourned at 11:30 A.M. to Tuesday, November 3, 2015 at 9:30 A.M.

County Clerk Nancy Scheer

Christian Ohl, Chairman
County Board of Commissioners