

# Commissioner's Record No. 26

MADISON COUNTY, NEBRASKA

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**BOARD OF EQUALIZATION**  
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Madison, Nebraska

November 13, 2019

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

Advance notice of meeting was published in the Thursday, November 7, 2019, edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Christian Ohl called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Ron Schmidt, Christian Ohl and Troy Uhlir, County Treasurer Donna Primrose, County Assessor Jeff Hackerott and County Clerk Anne Pruss.

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

Chairman Ohl opened a public hearing at 9:07 A.M. to receive testimony regarding the following motor vehicle exemption applications:

Liberty Centre Services, Inc., 900 East Norfolk Avenue, Norfolk, NE

2006 Chevy Express Van, 2008 Nissan Rogue, 2009 Chevy Impala, 2010 Ford Bus LCS, 2011 Chevy Traverse, 2012 Chevy Express Van, 2012 Chevy Malibu, 2012 Chevy Impala, 2013 Dodge Avenger, 2013 Chevy Impala, 2014 Chevy Impala (4), 2000 Chevy Silverado, , 2014 Toyota Camry, 2017 Chevy Express Van, 2018 Chevy Impala (2), 2016 Dodge Caravan, 2017 Ford Bus LCS, 2018 Chevy Malibu (2), 2017 Chevy Impala, 2009 Ford Econoline

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

County Treasurer Donna Primrose reported that all of the exemption applications are renewals with acceptable usage. No public comments were received during the hearing. Chairman Ohl closed the hearing at 9:08 A.M.

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

Motion was made by Uhlir and seconded by Schmidt to approve the minutes of the October 1, 2019, meeting. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

#3527: Eric A. Siecke, 83507 Hwy 81, Norfolk, NE

Addition to the 2018 tax rolls in the amount of \$47.98 secondary to correction of the 2018 personal property taxes added after seeing the 2018 depreciation worksheet.

#3528: Robert L. and Phillis J. Allison, 413 S. 9th St., Norfolk, NE

Addition to the 2017 tax rolls in the amount of \$1,867.50 secondary to correction to the 2017 real estate taxes after receiving letter from the State of Nebraska lowering the Homestead Exemption from 100% to 10%.

After discussion, motion was made by Uhlir and seconded by Schmidt to approve the foregoing tax list corrections as submitted. There was no discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Chairman Ohl adjourned the meeting at 9:10 A.M. to December 10, 2019, at 9:00 A.M.

ATTEST:

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County Clerk Anne M. Pruss

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Christian Ohl, Chairman  
County Board of Equalization

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## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

November 13, 2019

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

Advance notice of the meeting was published in the November 7, 2019, edition of The Norfolk Daily News. Copy of said notice was mailed to each Board member, and affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Chairman Ron Schmidt called the meeting to order and notified the public of the posted copy of the Open Meetings Act, which was followed by a moment of silence and the Pledge of Allegiance to the flag of the United States of America. Present: Commissioners Christian Ohl, Ron Schmidt and Troy Uhlir, County Clerk Anne Pruss, County Highway Superintendent Richard Johnson, Road Foreman Jeff Schroeder, Zoning Administrator Heather McWhorter, County Attorney Joe Smith, and Chief Juvenile Accountability Officer Carey Hopkins. Norfolk Daily News reporter Jerry Guenther and WJAG reporter Cody Ronnfeldt were present until 10:55 A.M.

Commissioner Uhlir read the consent agenda into this record:

- 1) Approval of minutes of October 29, 2019 meeting
- 2) Approval of interlocal agreements with the cities of Battle Creek, Madison, Meadow Grove, Newman Grove, and Tilden for the County of Madison to provide radio and dispatch equipment
- 3) Authorization to advertise for new or used dump truck, skid loader, motor grader, semi cab, and excavator for the road department
- 4) Approval of agreement with Mainelli Wagner & Associates for Richard Johnson to provide County Highway Superintendent services
- 5) Approval of letter of engagement with D. A. Davidson & Co. to purchase new or used equipment for the road department

- 6) 

RESOLUTION #2019-53  
COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2019

WHEREAS, State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520 (2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS, State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include a copy of a resolution of the governing body of the county authorizing the signing of the certification form.

BE IT RESOLVED, that the County Board Chairperson of MADISON COUNTY is hereby authorized to sign the attached County Annual Certification of Program Compliance form.

- 7) 

RESOLUTION #2019-54  
YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT FORM 2019

WHEREAS, State of Nebraska Statutes, sections 39-23-2, and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment;

WHEREAS, the State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent to the NDOT using the Year-End Certification of County Highway Superintendent form;

WHEREAS, the NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

WHEREAS, the NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

BE IT RESOLVED, that the County Board Chairperson of MADISON COUNTY is hereby authorized to sign the attached Year-end Certification of County Highway Superintendent form.

- 8) 

RESOLUTION #2019-55  
SIGNING OF A LPA-CONSULTANT PROFESSIONAL SERVICE AGREEMENT

WHEREAS Madison County and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

WHEREAS the County wishes to hire a consultant for the design or construction of LPA's project;

WHEREAS the LPA Program Agreement specifies that consultants be selected using the State's consultant selection process;

WHEREAS the consultant selection process was used to select Mainelli Wagner & Associates to provide engineering services for LPA's Federal -aid project; and

WHEREAS this resolution is to authorize the chair to sign an agreement between County and Mainelli Wagner & Associates.

BE IT RESOLVED by the Board of Commissioners of Madison County that the Chair, Ronald Schmidt, is hereby authorized to sign the attached LPA Consultant Professional Service Agreement between the County and Mainelli Wagner & Associates.

NDOT Project Number: BRO-7059(17)

NDOT control Number: 32315

NDOT Project Description: Norfolk North

Motion was made by Ohl and seconded by Uhlir to approve the consent agenda. There was no discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Motion was made by Ohl and seconded by Uhlir to approve the regular agenda. There was no discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Planning and Zoning Administrator Heather McWhorter then spoke regarding the application of Harry Dederman for a conditional use permit to construct a house on less than 40 acres on Dederman Pasture Lot Split in Section 11-24-2, which is located northwest of the City of Norfolk, north of the intersection of 550th Avenue. Ms. McWhorter stated that the land is zoned as General Ag and that there currently is no home on the quarter section. She stated that the applicant plans to move a house in from another parcel. It was clarified that there is an existing driveway in place. Ms. McWhorter stated that the application received unanimous approval from the Planning Commission.

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Pursuant to published legal notice in the Thursday, November 7, 2019, edition of the Norfolk Daily News, Chairman Schmidt opened the public hearing at 9:34 A.M. Mr. Harry Dederman spoke in favor of the application. He stated that with the building of the new house, it was found that secondary to zoning laws and density requirements, the old house would need to be moved. He then stated that the house will be placed on a piece of property he owns where the density is not in question. This is pastureland that is one shelterbelt to the south and is on a well-maintained county road with a driveway into the pasture. He stated they have made arrangements for laying the foundation as well as having the building moved. Chairman Schmidt asked Ms. McWhorter if Mr. Dederman could have signed a waiver for his old building. Ms. McWhorter stated that a waiver would not work because the issue is with density of the property and is not a setback issue.

Chairman Schmidt closed the public hearing at 9:38 A.M.

No one spoke in opposition to the permit.

After discussion, the following resolution was introduced:

### RESOLUTION #2019-56

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,

WHEREAS, notice of public hearing was published in the October 29, 2019 edition of The Norfolk Daily News, and a public hearing was held by law, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grant a Conditional Use Permit to Harry D. Dederman to build a house on less than 40 acres on DEDERMAN PASTURE LOTSPLIT on property described as:

#### **Part of the NW ¼ of the SW ¼ Section 11, Township 24 North, Range 2, West of the 6th P.M., Madison**

This Conditional Use Permit shall be subject to the following conditions in addition to those established with the Madison County Zoning and Subdivision regulations:

1. This Conditional Use Permit is permanent and may be transferred between owners
2. This Conditional Use Permit allows a single family home on less than 40 acres
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust and general nuisances. This does not mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska
4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners
5. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant
6. A zoning permit must be obtained from the Zoning office before construction begins on the residence

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.

After discussion, a motion was made by Ohl and seconded by Uhlir to approve the application of Harry Dederman for the Conditional Use Permit to construct a house on less than 40 acres as presented. There was no further discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

The board has received an application from Ms. Amber Sparks to volunteer to be a representative on the 2020 Census committee. Commissioner Uhlir stated that the Census Bureau is looking for the County to appoint someone to help with their promotional committee. The directive is to educate the public regarding the importance of the Census and how the Census numbers determine the disbursement of federal dollars at the State, County, and City levels. Commissioner Uhlir stated Ms. Sparks has volunteered to be on the committee. He also stated that the Census will be looking to fill paid positions as they move forward. Mr. Uhlir stated he would be comfortable having Ms. Sparks appointed to the committee for Madison County.

After discussion, a motion was made by Uhlir and seconded by Ohl to appoint Amber Sparks to serve as the Madison County representative on the 2020 Census Committee. There was no further discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Chairman Schmidt then presented the authorization for the County Highway Superintendent to execute driveway permits and underground utility crossing permits on behalf of Madison County for the TransCanada Keystone Pipeline LP pipeline project. County Highway Superintendent Richard Johnson stated he has approximately 35 permit applications with plans to look at each site for sight distance and drainage to determine if there is a need for culverts. This information will be written on the permits, and he will then sign the permits and give them to TransCanada. He stated that TransCanada has paid a substantial permit application fee, which he has already submitted to the board. Chairman Schmidt asked the representative from TransCanada if it has been their experience regarding permits to mostly deal with one person per County. Mr. Dan Forbes with TransCanada stated that they typically work with the County Road Superintendent or the County Engineer. It was clarified that there would be signage indicating the underground gas line, which will be the responsibility of TransCanada. It was noted that it is a federal requirement to have the pipeline warning signs with specific information regarding the product, an emergency number, and a call-before-you-dig number. These signs have to be at roadways, railways, canal crossings, rivers, and fence lines.

Mr. Johnson stated he had spoken with people from other counties, and they have been satisfied with the way TransCanada has performed. Chairman Schmidt asked if any of TransCanada's processes have changed since they did Stanton County. Mr. Latimer stated that TransCanada built and now operates the existing Keystone pipeline system in Nebraska that runs from Cedar County to Steele City in Jefferson County. He states they have learned things over those 10 years which have since been applied to their construction processes as well as making better arrangements with landowners regarding reclamation. Mr. Latimer stated that they also learn from the ongoing regular federal inspections.

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Chairman Schmidt stated that he wanted to confirm that TransCanada's expectation for their company's performance is rising and not lowering. Mr. Latimer advised that they apply everything they learn through the ongoing regular federal inspections. Mr. Latimer commented that the Road Department has been very concerned about the County's liability regarding these permits. He stated that these permits are patterned after the ones that were done in Stanton County which were TransCanada's most extensive permits and provide great protection for the County.

Chairman Schmidt asked if there have ever been any problems with settling where there has been boring under a road, such as after a frost, and if so how was this addressed. Mr. Latimer stated that had occurred in Gage County with the initial pipeline and that TransCanada addressed this in cooperation with the County with no cost to the County.

Mr. Johnson answered that he will sign and approve the permits on behalf of the County, give the Clerk copies for the files, and give TransCanada their copies of the permits. Chairman Schmidt asked that one of the commissioners be apprised when the signing and approving of permits is going to take place.

Motion was made by Uhlir and seconded by Ohl to authorize the County Highway Superintendent to execute driveway permits and underground utility crossing permits on behalf of Madison County for the TransCanada Keystone Pipeline LP pipeline project with the County Highway Superintendent informing the commissioners of necessary information. There was no further discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

The commissioners then discussed authorization for the County Board Chairman to execute a Haul Road Agreement for roads in Madison County for the TransCanada Keystone Pipeline LP pipeline project. Mr. Latimer stated they had been here in October 2015 and had signaled to the Nebraska Public Service Commission their intention of filing to the Nebraska Public Service Commission to review various routes for the pipeline with one of the routes being an alternate route through Madison County, and he came to speak in the fall of 2015. He stated that this mainline alternative route has now been extensively reviewed and approved by the Nebraska Public Service Commission. He stated that TransCanada is committed to going through all ordinances and checking the boxes with all officials at the federal, state, and local levels, and part of that is making sure there is a documented haul road agreement with the County. Mr. Dan Forbes noted on a map the mainline alternative route through the county as well as the project haul routes that will be used. It was noted that there are 131 miles of gravel road and 28 miles of oiled road, and there will be an extensive assessment process of those roads well before construction. Mr. Johnson stated there would be documentation of the condition of the roads before TransCanada begins their work, and if they feel it necessary, they will do road improvements. Per the agreement, when the project is complete, the County has 30 days to inspect and compare roads to their pre-project status to determine if there are roads in need of repair, and TransCanada would then work with the County to address those roads. It was also stated that if two years down the line there are issues such as road settling or some other unusual circumstance, TransCanada would work with the County to address that, also. Mr. Johnson stated he had run the agreement past County Attorney Joe Smith who stated it is pretty one-sided, but because it is in the County's favor, he would go along with it. Mr. Johnson stated that TransCanada has a bond of \$5 million as well as a significant amount of insurance. Mr. Johnson recommended approval of the Haul Road Agreement.

Chairman Schmidt asked if TransCanada would be hauling heavy equipment on these roads once the construction is finished. Mr. Latimer stated if some assessment work or integrity digs need to be done that would require heavy-haul equipment on county roads, TransCanada would again obtain the correct permits and could create a narrow-scope haul road agreement if needed. He stated if there were an emergency response situation that required them to get people to the site and close roads to repair the pipeline, then a brand new agreement would be made. Commissioner Uhlir inquired about roads needing to be built up in order to withstand the traffic during the project. Mr. Latimer stated that the assessments will determine roads that need surface stabilization, which would then be done at TransCanada's expense. Mr. Uhlir stated that with a wet spring, heavy truck traffic could pump water to the surface of the roads. Mr. Latimer stated that if there is infrastructure in jeopardy due to nature, TransCanada does not want to make the conditions worse and would alter their plans. Mr. Uhlir stated he is concerned about citizens living in the area being able to use the roads as there is the possibility of worsening road conditions with the combination of heavy truck traffic and a wet spring. Mr. Latimer stated that if those instances arise, they would be immediately remediated, which is addressed in the agreement.

Mr. Johnson inquired about the construction schedule. Mr. Latimer stated that the current plan is to be constructing some segments of the pipeline in Montana and South Dakota in 2020, and they are still firming up the construction schedule for Nebraska. Chairman Schmidt asked how long the timeline was for the construction across Madison County. Mr. Latimer said this really does depend on the weather, the terrain, the number of water crossings, etc. He said, in general, they make a commitment not to have ditches open longer than a few weeks. He stated that it is an assembly line type of process, but there are many factors to consider. Mr. Latimer also stated that they are very cognizant of the importance of staying out of the way when harvest is underway.

Mr. Latimer then introduced Ms. Alyssa Ledon as a project security representative who spoke about managing project security. She stated that survey crews are out at the moment, and the County Sheriff is notified when surveyors are in the area. Right now, they have an off-duty security contractor who provides security officers who are certified law enforcement officer who are outside of their jurisdiction and outside of their county. Their mission will be to protect staff, personnel, and equipment. She stated that some Madison County Sheriff personnel are also contracted with them so locals are also working with TransCanada. Ms. Ledon stated that the benefit of using law enforcement officers is that the Sheriff can deputize them to get jurisdiction in the area for County Attorney prosecutorial purposes. Ms. Ledon stated that she is also a certified law enforcement officer in the State of Nebraska. Mr. Latimer stated that TransCanada needs to plan appropriately for project safety and security, and having project representatives from Nebraska managing that makes good sense.

After discussion, a motion was made by Uhlir and seconded by Ohl to authorize the County Board Chairman to execute the Haul Road agreement for roads in Madison County for TransCanada Keystone Pipeline LP pipeline project. There was no further discussion. Roll call vote: Ayes, Ohl, Schmidt, Uhlir. Nays, none. Motion carried.

Chairman Schmidt then opened discussion regarding right-of-way acquisition on 841st Road between Sections 30 and 31, Township 24 North, Range 2 West. County Highway Superintendent Richard Johnson stated that this would consist of four tracts of land and would be a total of 45 feet of right-of-way. He stated there would also be a turnaround circle on the west end of the road. Tract one measures 0.1 acres, which is Becker's land. He stated that they would have to move back a decorative fence and gate to accommodate the turnaround. He also stated that to make the right-of-way work, they would probably end up moving three power poles. The other three tracts of land for the right-of-way would be from the Bauermeister's land on the south side. Tract one measures 0.09 acres, tract three measures 0.11 acres and tract four is a long strip that measures 1.79 acres, which includes 1.31 acres of existing right-of-way. Mr. Johnson estimated that the right-of-way is currently approximately 33 feet wide.

Mr. Johnson stated that if the County wanted to acquire these tracts, the next step would be to make offers to see if agreements could be reached. Mr. Johnson stated that the Beckers have indicated they would work with the County with their only request being that a ditch be dug along the south side of the existing road. Chairman Schmidt asked if the road would then need to be built up. Mr. Johnson stated that would be a good idea in some areas. Chairman Schmidt asked if any extra culverts would need to be put in if the road was built up. Commissioner Uhlir stated that Bauermeister's land is currently level with the road. Mr. Johnson stated he had spoken with the Beckers about giving the County an easement to drive into their yard to turn around for which they would provide a waiver regarding damages. Leon and Terry Becker were present and discussed the history of drainage problems in the area and the need for a south ditch, which would eliminate the flooding onto their property. Placement of the power poles was also discussed.

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Commissioner Uhlir stated that the road does not meet the County specifications as a road. It is narrow and does not have any ditches, and the road crews have difficulty getting down it with their equipment. He stated that the turnaround needs to be done correctly so the road crew isn't on personal property. Commissioner Uhlir suggested researching if the road is even a county road as the poles are in the right-of-way. Chairman Schmidt asked if there was any way the need for power poles could be eliminated by burying the lines. Commissioner Ohl stated that he did not think the Public Power District would be willing to cover the cost of doing such, but it could be done. Mr. Becker stated he was willing to give up ground to get these issues addressed as long as ditches are created for drainage. Road Foreman Jeff Schroeder stated that they need to have right-of-way as they cannot get their equipment in there adequately and it is not safe. Mrs. Becker stated she would like it in writing that the ditches and the turnaround will be done. Chairman Schmidt stated it was important to set a timeline. A hearing will be placed on the next meeting's agenda address 841st Road. The next meeting will be held November 25, 2019. Mr. Johnson will put together the agreements for the right-of-way in the interim.

No action was taken.

Goods and services provided by the County's funeral businesses was the next item discussed, particularly a bill to the County from Home for Funerals regarding a recent transport. County Attorney Joe Smith stated that some time ago, some of the funeral homes were complaining about not getting enough business; therefore, the funeral homes were put in a rotation. He explained that law enforcement officers call the next one on the list. Stonacek Funeral Home recently could not do a transport in a timely manner, so Home for Funerals was contacted to do the transportation. Home for Funerals has now been stuck with the transport cost, which is why they submitted a bill to the County. County Clerk Anne Pruss asked if it was correct that Stonacek Funeral Home was initially called but was unable to accommodate the pickup in a timely manner. The board inquired how the County became involved with this payment issue. Mr. Smith stated that if it came to a lawsuit, the County would not have to pay it. He stated that Home for Funerals would have to obtain the transportation costs from the family. The commissioners felt this was not the responsibility of the County. Mr. Smith stated he would speak with Home for Funerals.

No action was taken.

County Attorney Joe Smith and Juvenile Accountability Officer Carey Hopkins were present to discuss staffing requirements for grants from the State of Nebraska for Juvenile Accountability. Mr. Smith stated that there had been a meeting with the Crime Commission as there are staffing changes that need to be made in the county. Originally, the State of Nebraska asked that one of the changes is in regard to making the part-time independent contractors County employees instead. Mr. Smith stated if they are treated as wage employees, they end up being a part-time employee for the County, though they would not be eligible for benefits. These employees are currently working 2-3 hours weekly. He stated there is an increase in paperwork because this person then becomes an employee of Madison County instead on an independent contractor, but the cost of doing the paperwork can be charged to the other counties. Mr. Smith stated that to him, the bigger thing that the Crime Commission wants to do is to change the Diversion program so that charges would not be filed if Diversion is violated and that they would not want curfew checks to be part of the program. He continued to state that what they are discussing now is that these three employees work a small amount of hours for the program but it would require the County to do the paperwork.

County Clerk Anne Pruss asked why they couldn't be employees of their own county. Mr. Smith stated they cannot be because Madison County is the grant administrator. Mrs. Pruss asked if those counties would be able to share the costs if an interlocal agreement were obtained between the counties. Ms. Hopkins with Juvenile Accountability stated that because Madison County is the lead county, it was determined the grant would come through Madison County. It was discussed that two of the people are full-time employees in their own counties and would be part-time employees for Madison County. Ms. Hopkins stated that their hours are so low that it would not be a problem. The commissioners were concerned that making these individual employees would this cause them to have overtime? Commissioner Uhlir stated that if the wages are tied onto another county wages and Mr. Smith brought forward the issues that had occurred with Chris Hjorth and Jon Downey. Commissioner Uhlir concerns are that he doesn't want the county have to be responsible for overtime wages. Mr. Smith advised that if the county make these individuals employees it would set off overtime issues like additional taxes and make obligations to rush in retirement contributions to whatever this employee would have another county. Ms. Hopkins clarified that the time they put in for Juvenile Accountability is outside of their regular work hours. Commissioner Uhlir inquired that even if they become County employees, the funding is coming out of the grants. Ms. Hopkins stated that yes, their juvenile accountability pay comes through the grant. Of the three employees, two are employees of Boone County, and the third is not employed by another county.

Mr. Smith stated he would do further research to make sure there is no conflict with employing the two individuals already employed by another county. Chairman Schmidt authorized the approval for Madison County to employ the one individual, Jacob Mrsny, who has no conflict with another county.

This item was tabled until the next board meeting on November 25, 2019.

The following written report and correspondence were reviewed:

- 1) Fund balance report
- 2) County Clerk October, 2019 fee report
- 3) Clerk of District Court October, 2019 fee report
- 4) County Sheriff October, 2019 fee report
- 5) Register of Deeds October, 2019 fee report

The following claims were audited:

GENERAL FUND		
Total Net Payroll		157,817.80
Advanced Correctional Healthcare	Medical Services, County Jail	22,926.33
Mark Albin	Legal Services, County Court	1,793.19
Albracht Disposal Service	Garbage Disposal Services, Public Defender	41.00
Albracht Disposal Service	Garbage Disposal Services, County Jail	155.00
American Family Life Assurance Company	Insurance Premiums	1,105.28
Appeara	Rug Service, Supplies, Public Defender	29.64
Arkfeld Lock & Security	Repairs, Courthouse	140.00
Big Country Auto	Repairs, Reappraisal	114.00

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Big Red Printing	Supplies, Juvenile Accountability	165.78
Big Red Printing	Supplies, County Jail	484.12
Black Hills Energy	Gas Service, Courthouse	188.66
Black Hills Energy	Gas Service, County Jail	331.90
Blue Cross Blue Shield of Nebraska	Insurance Premiums	4,962.28
Bob Barker Company Inc.	Supplies, County Jail	194.49
Bomgaars	Supplies, County Sheriff	29.98
Brady & Amy's Inc.	Fuel, Reappraisal	33.17
Brady & Amy's Inc.	Fuel, County Sheriff	1,727.61
Carney Law, P.C.	Legal Services, District Court	6,335.07
Century Link	Telephone Service, Probation Office	634.90
City of Madison	Utilities, Public Defender	240.68
City of Madison	Utilities, Courthouse	2,575.37
City of Madison	Utilities, County Jail	1,422.25
Colonial Life and Accident Insurance Company	Insurance Premiums	223.20
Connecting Point	Equipment, Supplies, County Treasurer	2,014.00
Connecting Point	Supplies, County Sheriff	99.00
Constellation Newenergy	Gas Service, Zoning Department	7.68
Constellation Newenergy	Gas Service, Courthouse	101.52
Constellation Newenergy	Gas Service, County Jail	236.88
Constellation Newenergy	Gas Services, Noxious Weed Department	7.68
Copple, Rockey, McKeever & Schlecht, PC, LLO	Legal Services, District Court	1,479.50
Cubby's	Fuel, Extension Office	27.62
Cubby's	Fuel, Noxious Weed Department	85.03
Culligan of Norfolk	Repairs, Courthouse	492.00
Culligan of Norfolk	Supplies, Probation Office	70.00
Culligan of Norfolk	Supplies, Community Based Grant	52.50
Dakota County Court	Copies, Law Enforcement	13.50
DAS State Accounting - Central Finance	Telephone Service, Zoning Department	26.05
DAS State Accounting - Central Finance	Telephone Service, Noxious Weed Department	26.04
DAS State Accounting - Central Finance	Teletype Services, County Sheriff	262.29
DAS State Accounting - Central Finance	Telephone Service, County Attorney	16.80
DAS State Accounting - Central Finance	Teletype Service, County Jail	441.71
DAS State Accounting - Central Finance	Telephone Service, Veterans Service Office	65.33
Debra Davis	Training Fees, County Jail	12.95
Eakes Office Solutions	Supplies, County Treasurer	25.58
Eakes Office Solutions	Copier Contract, Zoning Department	147.15
Eakes Office Solutions	Supplies, Clerk of District Court	315.75
Eakes Office Solutions	Supplies, County Court	361.96
Eakes Office Solutions	Supplies, Courthouse	356.90
Eakes Office Solutions	Supplies, Extension Office	102.82
Eakes Office Solutions	Supplies, County Sheriff	1,028.66
Eakes Office Solutions	Supplies, County Attorney	538.37
Eakes Office Solutions	Supplies, Juvenile Accountability	233.98
Eakes Office Solutions	Supplies, County Jail	147.69
Eakes Office Solutions	Supplies, Probation Office	278.87
Egan Supply Company	Supplies, Courthouse	661.01
Egan Supply Company	Supplies, County Jail	1,216.84
Elite Office Products	Repairs, Copier Contract, Extension Office	291.45
Fastenal Company	Repairs, Courthouse	14.99
Field's Hardware	Supplies, Courthouse	84.93
First Concord Benefits Group	Administration Fees, Flex Plan, Deductible Buy-Down Costs	5,172.51
Fitzgerald, Vetter, Temple, Bartell & Henderson	Legal Services, District Court	6,581.62
Floor Maintenance & Paper Supply	Supplies, Courthouse	149.19
Barry Freudenburg	Building Repairs, Public Defender	60.00
Galls LLC	Uniforms, Supplies, County Jail	570.60
Brandon Gascoigne	Witness Fees, Mileage, County Court	36.82
General Reporting Services	Transcript, County Court	23.50
Yvonne Gerrard	Cleaning Services, Probation Office	325.00
Goodlife Counseling	Professional Services, Community Based Grant	406.25
Curt Guenther	Tutoring Services, Community Based Grant	35.00
Chelsey Hartner	Mileage, Meals, Public Defender	132.51
Holiday Inn Express	Lodging, Extension Office	106.00
Hometown Auto Repair	Repairs, Courthouse	147.95
Trent Howard	Meals, County Sheriff	54.85
Jack's Uniforms & Equipment	Uniforms, County Sheriff	276.75
John's Disposal	Garbage Disposal Service, Zoning Department	26.50
John's Disposal	Garbage Disposal Service, Probation Office	140.00
John's Disposal	Garbage Disposal Service, Noxious Weed Department	26.50
Lancaster County District Court	Garnish of Wages	282.32
Madison County Clerk	Tax Deposit, Retirement	84,374.49
Madison County Clerk of District Court	Filing Fees, District Court	1,048.00
Madison County Court	Court Costs, County Court	1,868.00
Madison County Sheriff	Civil Process Fees, County Court	835.72
Madison County Sheriff	Civil Process Fees, District Court	978.75
Madison County Sheriff	Civil Process Fees, Mental Health	136.59
Madison County Sheriff Inmate Fund	Supplies, Repairs, County Jail	745.61

# Commissioner's Record No. 26

## MADISON COUNTY, NEBRASKA

Madison National Life Insurance Company	Insurance Premiums	288.16
Christal McDonald	Court Reporting Services, Mental Health	50.00
Noah McWhorter	Contract Services, Zoning Department	280.00
Menards	Supplies, Zoning Department	43.75
Menards	Supplies, Noxious Weed Department	61.93
Microfilm Imaging Systems Inc.	Equipment Rent, County Court	218.00
Laurie Millard	Witness Fees, Mileage, County Court	36.82
MIPS Inc.	Data Processing Costs, County Clerk	674.08
MIPS Inc.	Data Processing Costs, Supplies, County Treasurer	2,765.28
MIPS Inc.	Equipment Lease, File Conversion, Register of Deeds	540.00
Andrew Mohr	Mileage, Community Based Grant	8.12
Jacob Mrsny	Contract Services, Comm. Based Grant & Juv. Accountability	188.50
Nationwide Retirement Solutions	Deferred Comp	3,485.00
Nebraska Child Support Payment Center	Garnish of Wages	563.54
Nebraska Department of Revenue	Garnish of Wages	50.00
Nebraska Health and Human Services	State Institution Costs	1,584.00
Nebraska State Fire Marshall	Annual Boiler Inspection, Courthouse	60.00
Nebraska State Fire Marshall	Annual Boiler Inspection, County Jail	60.00
Nebraska Public Power District	Utilities, Probation Office	442.90
Nebraska Sheriff's Association	Annual Membership Fees, County Sheriff	255.00
Nextlink Internet	Internet Service, Zoning Department	15.00
NIRMA	Public Officials Liability Insurance Deductible	10,000.00
Norfolk Daily News	Advertising Costs, County Treasurer	49.12
Norfolk Daily News	Publication Costs, County Clerk	138.73
Norfolk Daily News	Publication Costs, County Court	58.01
Norfolk GM Auto Center	Repairs, Noxious Weed Department	200.88
Mike O'Brien	Mileage, Community Based Grant	77.14
One Office Solution	Supplies, County Clerk	185.00
One Office Solution	Supplies, County Treasurer	26.90
One Office Solution	Supplies, Register of Deeds	181.30
One Office Solution	Copier Contract, County Assessor	85.25
One Office Solution	Supplies, Copier Contract, County Court	120.08
One Office Solution	Supplies, Public Defender	148.06
One Office Solution	Supplies, County Sheriff	47.50
One Office Solution	Repairs, Probation Office	267.00
One Office Solution	Equipment, Supplies, Veterans Service Office	280.25
Osborne Motors Inc.	Repairs, County Sheriff	142.86
William Ouren	Autopsy Administrative Fees, Law Enforcement	75.00
PCS Mobile	Supplies, County Sheriff	300.00
Michael Petersen	Tutoring Services, Community Based Grant	120.00
Pitney Bowes	Supplies, Courthouse	339.12
Platte County Detention Facility	Training Tuition, County Jail	350.00
Susan Pohlman	Tutoring Services, Comm. Based Grant & Juv. Accountability	580.00
Sarah Polacek	Mileage, Extension Office	129.92
Pollard Pumping, Inc.	Pumping Services, Noxious Weed Department	250.00
Precision IT	Computer Equipment, Probation Office	665.44
Precision IT	Internet Service, Community Based Grant	59.95
Precision IT	Contract Services, Courthouse	3,221.25
Presto-X	Pest Control Services, Courthouse	101.00
Anne Pruss	Mileage, Election Commissioner	178.64
QHA Cleaning, LLC	Cleaning Services, Extension Office	400.00
Ramada Inn	Lodging, County Jail	80.10
Relx, Inc. dba Lexis Nexis	Record Searches, County Attorney	543.00
Reynoldson's	Fuel, Zoning Department	94.31
Mary Rohrich	Cleaning Services, Probation Office	125.00
Schroeder Land Surveying	Surveying Services, Equipment Rent, County Surveyor	1,916.00
Secretary of State	Supplies, Election Commissioner	40.00
Security Shredding	Shredding Services, Public Defender	35.00
Lee Sherry	Mileage, Extension Office	53.94
Short Stop	Fuel, County Sheriff	215.61
Ronda Siecke	Mileage, County Attorney	99.76
Sparklight	Internet Service, Extension Office	145.81
Becky Starkey	Witness Fees, Mileage, County Court	69.88
Stonacek Funeral Chapel	Cremation Services, General Assistance	1,673.00
Stratton, DeLay, Doele, Carlson, Buettner & Stover	Legal Services, County Court	28.50
Stratton, DeLay, Doele, Carlson, Buettner & Stover	Legal Services, District Court	1,044.55
Summit Food Services LLC	Inmate Meals, County Jail	7,980.06
Kimberly Synovec	Witness Fees, Mileage, County Court	36.82
T & I Enterprises, LLC	Garnish of Wages	47.35
Tilly's	Fuel, County Sheriff	155.82
Top Quality Glove	Supplies, County Jail	339.10
Transunion Risk & Alternative	Record Searches, County Sheriff	50.00
University of Nebraska Lincoln	Quarterly Payroll, Extension Office	15,066.33
US Bank Corporate Payment System	Fuel, Repairs, Supplies, Meals, Uniforms, Lodging, Co. Sheriff	3,858.98
US Bank Corporate Payment System	Fuel, Juvenile Accountability	71.12
Verizon Wireless	Telephone Service, Extension Office	461.52
Verizon Wireless	Telephone Service, Comm. Based Grant & Juv. Accountability	310.97

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## MADISON COUNTY, NEBRASKA

Verizon Wireless	Telephone Service, Noxious Weed Department	60.47
Vision Service Plan	Insurance Premiums	449.37
Derek Volker	Tutoring Services, Community Based Grant	30.00
Waste Connections of Nebraska, Inc.	Garbage Disposal Service, Extension Office	36.90
Wentling Law Office	Legal Services, District Court	408.50
Wex Bank	Fuel, County Sheriff	607.52
Whitey's Sprinklers	Lawn Care Services, Courthouse	525.00
Whitey's Sprinklers	Lawn Care Services, County Jail	50.00
Winsupply of Norfolk	Supplies, Courthouse	138.60
Woodbury County Sheriff	Civil Process Fees, District Court	38.00
Stephanie Zoubek	Mileage, Community Based Grant	127.60
	<b>ROAD/BRIDGE FUND</b>	
Total Net Payroll		38,290.84
Ag Spray Equipment	Parts	413.01
American Broadband	Telephone Service	53.13
American Family Life Assurance Company	Insurance Premiums	573.95
Appera	Towel and Uniform Service	580.72
B's Enterprises Inc.	Culverts	3,267.75
Barco Municipal Products Inc.	Signs	677.03
Battle Creek Farmers Pride	Oil, Supplies	83.01
Bauer Built Tire	Tires, Repairs	2,489.44
Black Hills Energy	Gas Service	265.54
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,235.19
Brady & Amy's Inc.	Fuel	543.47
Brandl Electric	Parts, Repairs	780.94
Central Sand & Gravel	Gravel	1,672.50
City of Newman Grove	Utilities	61.00
Colonial Life and Accident Insurance Company	Insurance Premiums	85.03
Constellation Newenergy	Gas Service	147.84
Cornhusker Cleaning Supply	Shop Supplies	13.68
Cornhusker International Trucks Inc.	Parts	294.12
Cubby's Inc.	Fuel	697.14
Dale R. Johnson Ent Inc.	Gravel	13,105.83
Eastern Nebraska Trailer Repair Inc.	Parts	83.81
Emme Sand & Gravel	Gravel	20,782.31
Field's Hardware	Shop Supplies	39.95
Filter Care of Nebraska Ltd.	Shop Supplies	220.25
First Concord Benefits Group	Administration Fees, Flex Plan, Deductible Buy-Down Costs	1,241.85
Green Line Equipment	Parts, Supplies	1,779.11
Island Supply Welding Company	Shop Supplies	9.92
Kelly Supply Company	Shop Supplies	473.92
Ken's Trailer Sales & Repair	Parts	29.80
Kimball Midwest	Parts	212.47
Madison County Clerk	Tax Deposit, Retirement	20,915.81
Madison National Life Insurance Company	Insurance Premiums	51.82
Mainelli Wagner & Associates Inc.	Professional Services	8,888.66
Matheson Tri-Gas Inc.	Shop Supplies	106.07
Matteo Sand & Gravel Co., Inc.	Gravel	296.46
Meisinger Oil Company	Fuel	8,595.35
Menards	Shop Supplies	292.30
Mid-American Research Chemical	Shop Supplies	275.75
Nationwide Retirement Solutions	Deferred Compensation	1,505.00
Nebraska Child Support Payment Center	Garnish of Wages	93.24
Nebraska Powder Coasters LLC	Repairs	455.00
Nextlink Internet	Internet Service	15.00
NMC Exchange LLC	Parts	156.51
Norfolk Auto Supply	Parts	356.83
Norfolk Iron & Metal Company	Bridge Materials	570.73
Norfolk NAPA	Parts, Shop Supplies	1,146.93
Pinkelman Truck & Trailer	Parts	469.07
Pioneer Telephone Company	Telephone Service	61.32
Dump Doctor LLC	Shop Supplies	178.00
Radio.comm	Radio Equipment	299.85
RDO Truck Centers	Parts, Repairs	22,914.03
Reigle Implement Co., Inc.	Parts	413.90
Road Builders Machinery & Supply	Parts, Repairs, Equipment Rental	8,087.40
Sapp Bros. Norfolk	Oil	586.80
Steffen Truck Equipment Inc.	Parts, Repairs	5,587.44
T-Bone North	Fuel	341.75
Tim Koenig Trucking LLC	Gravel, Trucking Costs	2,216.08
Vision Service Plan	Insurance Premiums	97.67
Weldon Parts Inc.	Parts	3,227.60
Wick's Sterling Trucks Inc.	Parts	494.22

# Commissioner's Record No. 26

## MADISON COUNTY, NEBRASKA

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Mainelli Wagner & Associates, Inc.	FEDERAL AID SECONDARY FUND Professional Services	14,547.02
Norfolk Area Visitors Bureau	VISITORS IMPROVEMENT FUND Administration Fees	1,231.56
Eakes Office Solutions MIPS Inc.	REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND Supplies, Register of Deeds Data Processing Costs, Register of Deeds	267.23 532.16
Gillette Printing	DRUG TESTING FUND Supplies	184.00
American Broadband Frontier Generation Consultants LLC	911 EMERGENCY FUND Telephone Service Telephone Service Paging Subscription	127.88 164.10 89.97
Madison County Sheriff Inmate Fund	LAW ENFORCEMENT OPERATING FUND Supplies	102.92
Mathew McManigal	DRUG COURT FUND Supplies	225.00

Motion was made by Ohl and seconded by Uhlir 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 11:54 A.M. to Monday, November 25, 2019, at 2:00 P.M.

ATTEST:

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County Clerk Anne M. Pruss

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Ronald Schmidt, Chairman  
County Board of Commissioners