

Commissioner's Record No. 27

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska
2023

March 28,

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

Advanced notice of meeting was published in the Thursday, March 23, 2023 edition of the Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Following a moment of Silence and the Pledge of Allegiance to the flag of the United States of America, Chairman Troy Uhlir called the meeting to order and notified the public of the copy of the Open Meetings Act posted in the meeting room.

Present: Commissioners Ron Schmidt, Eric Stinson, and Troy Uhlir, County Clerk Anne Pruss, County Highway Superintendent Richard Johnson, County Sheriff Todd Volk, Public Defender Matthew Headley, Register of Deeds Diane Nykodym, and Road Foreman Jeff Schroeder. Media present: Norfolk Daily News reporter Jerry Guenther, WJAG reporter Cody Ronnfeldt, and NCN reporter Ryan Pattee.

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

- 1) Approval of minutes of March 14, 2023 meeting
- 2) Approval of Interlocal Agreements for projects in accordance to American Rescue Plan Act in the amount of \$500,000 per city for projects:
 - a. City of Madison
 - b. City of Tilden
- 3) Approval of Interlocal Agreement for Law Enforcement Services with Platte County for the City of Newman Grove
- 4)

RESOLUTION #2023-16

WHEREAS, the Madison County Employee Handbook adopted December 20, 2023 sets forth certain protocols for which the formation of a Grievance Board may become necessary; and

WHEREAS, Madison County intends to produce a pre-determined list of potential Grievance Board members who may be called to serve in the event that a matter or matters arise prompting the need for a Grievance Board; and

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THEREFORE, the following is the pre-designated list of potential Grievance Board members for Madison County; and

Joseph Smith
Troy Uhlir
Anne Pruss
Bill Rusk
Crystal Kruid
Libby Sovereign (Alternate)

5)

RESOLUTION #2023-17

WHEREAS, pursuant to N.R.S. 23-3106, the county board of commissioners is required to draw up and enforce standard specifications which shall apply to all personal property purchased for the use of the county government; and,

WHEREAS, items purchased for the use of the county government that are broken, obsolete, or of no significant monetary value would not necessarily need to be declared surplus before disposing of them; and,

WHEREAS, each elected county government official is responsible for the items purchased for the use of the county government by their office and must maintain an inventory of all such items:

NOW THEREFORE, LET IT BE RESOLVED by the Madison County Board of Commissioners that any elected county government official may dispose of any non-mobile personal property purchased for the use of the county government by their elected office without needing to have such property first declared as surplus and without first having to attempt to sell said property when said property is determined to be broken, obsolete, or of a monetary value equal to or less than \$500.00. Such disposal shall be noted on the official's office inventory for each item.

6)

RESOLUTION #2023-18

WHEREAS, certain county roads and city streets cannot carry heavy truck traffic without sustaining damage over time, and

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WHEREAS, Nebraska Revised Statutes provides that the county board of any county may establish limit or restrict truck traffic on county roads in order to promote public safety and protect the roads, and,

WHEREAS, the City of Norfolk has requested that certain county roads be posted to limit heavy truck traffic on city streets, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County that signs as shown on the attached shall be placed at the following locations:

37th Street and Eisenhower Avenue limiting eastbound trucks.

37th Street and Eisenhower Avenue limiting southbound trucks.

49th Street and Benjamin Avenue limiting southbound trucks.

BE IT FURTHER RESOLVED that Madison County trucks shall be allowed to use the above roads for county road maintenance purposes.

BE IT FURTHER RESOLVED that all signs necessary for support of this resolution shall be installed as soon as possible and shall be in conformance with the requirements of the Manual on Uniform Traffic Control Devices.

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

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

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Pursuant to published legal notice in the Thursday, March 16, and 23rd 2023 edition of the Norfolk Daily News, Chairman Uhlir opened a public hearing at 9:37 A.M. to receive comments regarding resurfacing to gravel of road between Sections 14 and 23, Township 23 Range 1, West of the 6th P.M. said road being 837th Road between 556th and 557th Avenue.

County Clerk Anne Pruss reported that the public hearing was published in the Norfolk Daily News on March 16 and 23, 2023 and a proof of publication was presented. In addition, she reported that certified letters were sent to the following property owners on March 1, 2023:

837th Road between 556th Avenue & 557th Avenue			
590158147	Kleensang/ Lonnie & Clare	1105 South 11th Street	Norfolk, NE 68701
590158171	Bosler/Loren	83688 557th Avenue	Norfolk, NE 68701
590159674	Victor/Loren	1286 C Avenue	Emerson, NE 68733
590159666	Wiegand/David & Dawn	609 East 6th Street	Neligh, NE 68756
590159690	Wietfeld/Brent & Kacy	133 Road V	Leigh, NE 68643

County Highway Superintendent Richard Johnson reported that this portion of road is in lousy shape and could use a lot of work in the near future. He stated that the cost of overlaying this section could cost \$350,000 to \$400,000. He advised that traffic counts were put in place for a week and showed 477 vehicles which is under 70 per day which is a fairly low volume. County Highway Superintendent Richard Johnson recommended that this portion of road be turned back to gravel.

Chairman Uhlir closed the hearing at 9:40 A.M.

No other public comments were received in favor.

Loren Bosler, Mike Clinch, and Tom Preister spoke against.

Motion was made by Stinson and seconded by Schmidt that the portion of road between Sections 14 and 23, Township 23 Range 1, West of the 6th P.M. said road being 837th Road between 556th and 557th Avenue be resurfacing to gravel when the surface is deemed unsafe as a hard surface road and notification will be sent to property owner at such time. Roll call vote: Ayes, Stinson, Schmidt, and Uhlir. Nays, none. Motion carried.

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Pursuant to published legal notice in the Thursday, March 16, and 23rd 2023 edition of the Norfolk Daily News, Chairman Uhlir opened a public hearing at 10:01 A.M. to receive comments regarding resurfacing to gravel of road between Section 26 and 27, Township 23, Range 2, West of the 6th P.M. said road being 550th Avenue between 835th and 836th Road.

County Clerk Anne Pruss reported that the public hearing was published in the Norfolk Daily News on March 16 and 23, 2023 and a proof of publication was presented. In addition, she reported that certified letters were sent to the following property owners on March 1, 2023:

550th Avenue between 835th Road & 836th Road			
590143263	Cottonwood Valley Land LLC, % Luca Fabbri CFO	4600 South Syracuse Street, Ste 1450	Denver, CO 80237
590143328	Kampschnieder/Rick & Stacy	82228 559th Avenue	Creston, NE 68631
590087355	Wragge/Nancy & Curtis	83525 550th Avenue	Norfolk, NE 68701
590143220	Schumacher, ER Al/Laurie	PO Box 83246	Lincoln, NE 68501
590143239	Funk/Paul	702 South 10th Street	Norfolk, NE 68701

County Highway Superintendent Richard Johnson reported that this portion of 550th Avenue which is 2 miles south of Alberry Cemetery then running a mile south and resurfacing to gravel. He stated that the first two miles south of Alberry Cemetery are asphalt. He advised that traffic counts were put in place for a week and showed 369 vehicles which is over 50 per day which is a fairly low volume. This portion of road is not in very good condition and is in worse condition than the previous portion of road that was discussed. He stated that the cost of overlaying this section could cost \$350,000 to \$400,000. County Highway Superintendent Richard Johnson recommended that this portion of road be turned back to gravel.

Chairman Uhlir closed the hearing at 10:01 A.M.

No other public comments were received in favor or against such project.

Motion was made by Stinson and seconded by Schmidt that the portion of road between Section 26 and 27, Township 23, Range 2, West of the 6th P.M. said road being 550th Avenue between 835th and 836th Road be resurfacing to gravel. Roll call vote: Ayes, Stinson, Schmidt, and Uhlir. Nays, none. Motion carried.

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Robert Latimer representing Summit Carbon Solutions project was present and provided updates on the project and presented information to the board. Mr. Latimer stated that he wanted to present the board with an update of the route in Madison County. He advised that this time Summit Carbon Solutions has acquired 59 percent of the mileage in Madison County. He stated that the company is still targeting a start date of construction late in 2023 and is subject to change. He advised that the company has paid \$2.1 million in temporary and permanent easements, and prepaying damages 3 years in advance but in the State of Nebraska that is \$31 million dollars. He stated that he is currently working County Highway Superintendent Richard Johnson on drawing and crossing permits and road agreements for Madison County.

Mr. Latimer stated that recently in Dakota County, Summit Carbon Solutions donated to Northeast Nebraska Department Area of Aging Senior Center in South Sioux City to their kitchen area. He stated that he would encourage the board to consider an organization within the county to get Summit Carbon Solutions to give back to these groups.

Commissioner Uhlir asked Mr. Latimer to explain if the organization has trained or has scheduled any training for Rural Fire Departments. He stated that he could see Summit Carbon Solutions scheduling training session with emergency officials and possibly visiting rural fire districts but there still is plenty of time to do so.

Commissioner Schmidt stated that a lot of the pipeline goes through his Commissioners District and there are residents that have currently sign up but there are some property owners that have stated that this will not happen. Commissioner Schmidt asked what the company would do if owners don't sign up. Mr. Latimer stated that there is a process of final offers, then the company will go through state statutes with just compensation provided to the landowners for the easements. County Attorney Joe Smith stated that if property owners don't reach an agreement there is a condemnation process through the District Courts that the individuals would have to be done. Commissioner Stinson asked Mr. Smith what a reasonable price is and who determines it. Mr. Smith said that the courts would send out three appraisers that would report back to the court. Unfortunately, the price could be lower than what the company offered.

Loren Bosler spoke in opposition of the project.

No action taken.

Public Defender Matthew Headley is asking the Board of Commissioners to do some upgrades to the 104 South Main Street, Madison location. During the bid opening the county only received one bid from d.w.b. Inc. Doug Wagner stated that the project came in at the amount of \$73,050.00 base bid an alternate #1 bid of \$16,072.00 and that the bid stated that it would only be good for 10 days. Chairman Uhlir advised that the amount of the project came in more than twice the amount budgeted.

Mr. Wagner explained to the board where the costs are coming from an explained the work contained in the specification and what would need to be done to meet the specifications. Commissioner Schmidt asked if there were any walls that were going to be removed or moved. Mr. Wagner advised that no walls would be moved, but one wall would be altered to access a security window. Mr. Schmidt asked if the lights were going to have new fixtures, which they are, along with moving the locations of the fixtures since it was in the specs. The board asked if there could be possible

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savings in the cabinets or the security doors. Mr. Wagner stated that he and his company are willing to work with the county to see where costs could be cut.

Motion was made by Uhlir and seconded by Schmidt to delay a decision until April 11, 2023 Board of Commissions meeting. Roll call vote: Ayes, Stinson, Schmidt, and Uhlir. Nays, none. Motion carried.

The following written report and correspondence were reviewed:

- 12) Fund balance report
- 13) Notice of Public Hearing from City of Norfolk regarding the Redevelopment Plan for the Kensington Building Redevelopment Project
- 14) Economic Development 4th Quarter, 2022

The following claims were audited:

GENERAL FUND

Total Net Payroll		179,600.62
Advanced Correctional Healthcare	Quarterly Reconciliation, County Jail	394.86
Mark D Albin	Legal Services, Juvenile Court	1,505.41
Anderson Auto Group	Vehicle Purchase, County Jail	45,494.00
Appearra	Towel and Mop Services, Public Defender	36.01
Appearra	Towel Services, County Jail	77.66
Arkfled Lock & Security	Lock Services, Extension Office	64.18
Arkfled Lock & Security	Lock Services, Veterans Service Office	42.78
ARL Credit Services	Garnish of Wages	188.50
Ashburn Funeral Home, Inc.	Cremation Services, General Assistance	2,200.00
Battle Creek Enterprise	Publication Costs, County Clerk	17.00
Black Hills Energy	Gas Services, Planning and Zoning	41.31
Black Hills Energy	Gas Services, Noxious Weeds	41.30
Blue Cross Blue Shield Of Nebraska	Insurance Premiums	152,376.03
Bob Barker Company, Inc.	Supplies, County Jail	406.96
Captivating Windows	Window Shades and Installation, Capital Acquisitions	9,454.62
Century Link	Telephone Services	523.65

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Champs, Inc.	Contract Services, County Jail	2,500.00
City Of Madison	Utilities, Courthouse	99.50
City Of Norfolk	Utilities, Extension Office	127.40
City Of Norfolk	Utilities, Veterans Service Office	44.48
Clerk Of The Supreme Court	Filing Fees, District Court	128.00
CMRS-FP	Postage, County Sheriff	1,000.00
Consolidated Management Company	Meals, County Jail	130.50
Constellation Newenergy Gas	Gas Services, Courthouse	1,174.63
Constellation Newenergy Gas	Gas Services, County Jail	1,775.21
Cor Therapeutic Services, LLC	Contract Services, Community Based Grant	884.00
Crowne Plaza Kearney	Lodging, Planning and Zoning	809.70
Culligan Of Norfolk	Rental Fees, Juvenile Accountability	21.00
Culligan Of Norfolk	Rental Fees, Probation Office	77.00
Custom Sports	Uniforms, County Jail	35.00
Wendy C Cutting	Transcription, County Court	138.75
DAS State Accounting	Data Processing, County Clerk	41.60
Terry A Davis M.D.	Consulting Fees, Public Defender	4,500.00
Dent Specialists Car Care	Tire Repair, County Sheriff	24.00
Eakes Office Solutions	Supplies, Courthouse	492.45
Eakes Office Solutions	Supplies, Extension Office	25.99
Eakes Office Solutions	Supplies, Probation Office	375.94
Electronic Engineering	Repairs, County Jail	1,012.28
Elite Office Products	Rental Fees, Extension Office	275.60
Elkhorn Valley Bank & Trust	Health Savings Account	15.00
Ewalt Law Office, PC, LLO	Legal Services, Juvenile Court	5,119.50
Field's Hardware	Supplies, County Jail	536.59
First Concord Benefits Group	Flex Plan and Dependent Care	1,709.40
Floor Maintenance & Paper Supply	Supplies, County Jail	67.98
Francotyp-Postalia, Inc.	Postage, Public Defender	150.00
Frontier Bank	Deposit Slips, County Treasurer	294.76
Generation Consultants, LLC	Subscription, Communications	89.97

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Yvonne Gerrard	Cleaning Services, Probation Office	272.50
Hofmann Plumbing, Inc.	Repairs, Courthouse	1,658.60
Hofmann Plumbing, Inc.	Repairs, Extension Office	57.00
Hofmann Plumbing, Inc.	Repairs, Veterans Service Office	38.00
Hollman Media	Domain Hosting, County Sheriff	50.00
Hollman Media	Website Services and Domain Hosting, County Offices	213.75
Jeffrey L Hrouda	Legal Services, Juvenile Court	617.50
Interstate All Battery Center	Supplies, County Sheriff	146.40
Jack's Uniforms & Equipment	Supplies, County Sheriff	153.44
Jack's Uniforms & Equipment	Supplies, County Jail	136.99
Lindsay Jacot	Refund of Insurance Premiums	98.79
John's Disposal, Inc.	Waste Removal, Probation Office	173.00
Michelle Kroupa	Cleaning Services, Extension Office	370.00
Landkamer Flag Sales	Supplies, Courthouse	135.00
Madison County Clerk	Tax Deposit and Retirement	93,294.86
Madison County Sheriff	Civil Process Fees, County Court	350.77
Madison County Sheriff	Telephone Services and Subscriptions, County Jail	37.66
Madison County Sheriff	Civil Process Fees, District Court	488.05
Madison County Sheriff	Civil Process Fees, Mental Health	72.94
Jennie Martinez	Meals, Planning and Zoning	47.10
Heather McWhorter	Meals, Planning and Zoning	35.64
Menards	Supplies, Planning and Zoning	48.97
Menards	Supplies, Noxious Weeds	18.93
Midwest Special Services, Inc.	Transport, Law Enforcement	1,183.24
MIPS, Inc.	Data Processing, County Treasurer	1,533.17
Moyer, Moyer, & Lafleur	Legal Services, County Court	346.05
NACEB	Annual Dues, Veterans Service Office	80.00
NACO Planning & Zoning	Conference, Planning and Zoning	400.00
Nationwide Retirement Solutions	Deferred Compensation	1,306.85
NE Clerk Of District Court Association	Registration Fees, District Court	75.00
Nebraska Child Support Payment Center	Garnish of Wages	257.08

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Nebraska Health & Human Services	State Institutional Costs	16,037.50
Nebraska Public Power District	Utilities, Planning and Zoning	101.74
Nebraska Public Power District	Utilities, Extension Office	737.68
Nebraska Public Power District	Utilities, Probation Office	651.02
Nebraska Public Power District	Utilities, Noxious Weeds	409.83
Nebraska Public Power District	Utilities, Veterans Service Office	491.78
Norfolk Daily News	Publication Costs, County Offices	163.77
Norfolk GM Auto Center	Repairs, Planning and Zoning	84.20
Norfolk GM Auto Center	Repairs, County Sheriff	67.37
Valorie R. Olson	Court Reporting, Mental Health	50.00
Valorie R. Olson	Court Reporting, District Court	78.75
Olson's Pest Technicians	Pest Control, Extension Office	41.40
Olson's Pest Technicians	Pest Control, Veterans Service	27.60
One Office Solution	Supplies, County Treasurer	22.99
One Office Solution	Supplies, Register of Deeds	156.00
One Office Solution	Supplies, Public Defender	87.99
One Office Solution	Supplies, County Attorney	239.50
One Office Solution	Supplies, Noxious Weeds	124.53
Pettitt Plumbing Heating & A/C, Inc.	Repairs, County Jail	5,590.28
Physicians Laboratory Services, Inc.	Autopsy, Law Enforcement	590.00
Polk County Clerk Of Court	Certified Copy, Law Enforcement	36.20
PrecisionIT	Supplies, District Court	80.98
PrecisionIT	Data Processing, Probation Office	119.00
PrecisionIT	Computer Consulting, County Offices	294.00
PT Holdings, LLC	Rental Fees, Juvenile Accountability	2,150.00
Redwood Toxicology Laboratory, Inc.	Drug Testing, Probation Office	415.00
Jayd Roberts	Mileage and Supplies, Extension Office	71.98
Mary L. Rohrich	Cleaning Services, Probation Office	72.50
Monica J Rotherham	Postage, District Court	17.05
Maria Nieves Salavera	Mileage, Community Based Grant	20.31
Sixta C. Sass	Interpreting Services, Public Defender	150.00

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Sherwin-Williams	Supplies, Courthouse	48.19
Christopher G. Smith	Cell Phone Reimbursement, Courthouse	150.00
Stanton County Sheriff	Civil Process Fees, County Court	37.18
Stealth Broadband	Internet Services, Probation Office	360.00
Stealth Broadband	Telephone and Internet Services, County Offices	3,534.42
Stratton. Delay, Doele, Carlson, Buettner, & Stover	Legal Services, Juvenile Court	18,684.62
Summit Food Service, LLC	Inmate Meals, County Jail	8,147.25
The Windshield Doctors, Inc.	Repairs, Noxious Weeds	110.00
US Bank Corporate Payment System	Supplies, Training, and Uniforms, County Sheriff	3,887.26
US Bank Corporate Payment System	Supplies, County Jail	1,042.99
US Bank Corporate Payment System	Subscriptions, County Attorney	238.69
Van Diest Supply Company	Chemicals, Noxious Weeds	5,535.25
Verizon Wireless	Telephone Services, County Sheriff	1,708.51
Verizon Wireless	Telephone Services, Law Enforcement	52.84
Verizon Wireless	Telephone Services, Noxious Weeds	50.82
3rd Millennium Classrooms	Subscriptions, Community Based Grant	1,200.00
	Total General Claims with Payroll	593,807.37

ROAD BRIDGE FUND

Total Net Payroll		38,295.46
Travis J. Amen	Cell Phone Reimbursement	150.00
Barco Municipal Products, Inc.	Signs	2,023.93
Black Hills Energy	Gas Services	291.41
Blue Cross Blue Shield Of Nebraska	Insurance Premiums	44,778.95
Bomgaars Supply, Inc.	Shop Supplies	561.82
Central Sand & Gravel	Gravel	20,773.73
City Of Madison	Utilities	397.69
Clearlive	Telephone Services	19.23
Constellation Newenergy Gas	Gas Services	2,820.14
Cornhusker Auto Center	Repairs	2,188.56
Dale R Johnson Ent, Inc.	Gravel	32,039.36

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Elite Door LLC	Building and Grounds Repair	393.23
First Concord Benefits Group	Deductible Buy-Down and Flex Plan	987.08
Floor Maintenance & Paper Supply	Shop Supplies	49.23
Freudenburg Tools, Inc.	Shop Tools	127.80
Hometown Auto Repair	Parts and Repairs	924.70
Jerry's Service Center	Towing and Impound	1,010.00
Kelly Supply Company	Shop Supplies	89.46
Kimball Midwest	Shop Supplies	578.17
Koch Excavating	Gravel	8,868.25
Lammers Trailer Repair, LLC	Repairs	181.23
Lawson Products	Shop Supplies	738.34
Loup Power District	Utilities	189.11
M & K Welding & Repair, LLC	Repairs	996.59
Madison County Clerk	Tax Deposit and Retirement	18,808.58
Madison County Treasurer	Vehicle Registration	10.00
Master Magnetics, Inc.	Equipment	562.21
Matheson Tri-Gas, Inc.	Shop Supplies	571.48
Menards	Supplies	178.97
Nationwide Retirement Solutions	Deferred Compensation	1,425.00
Nebraska Public Power District	Utilities	279.57
NMC Exchange, LLC	Parts and Repairs	1,187.58
Norfolk Alignment	Repairs	60.00
Norfolk Daily News	Publication Costs	608.00
PrecisionIT	Equipment	475.00
Radio.Comm	Repairs	187.00
Road Builders Machinery & Supply Company	Parts and Repairs	9,990.00
Rockmount Research & Alloys, Inc.	Shop Tools	1,020.24
Sidump'r	Parts	3,252.72
Stealth Broadband	Internet Services	884.02
T-Bone North	Fuel and Tire Repair	8,812.22
Truck Center Companies	Fuel and Parts	586.39

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Village Of Meadow Grove	Utilities	74.00
Zoubek Oil Company	Fuel	<u>7,964.49</u>
	Total Road Bridge Claims with Payroll	216,410.94

VISITORS PROMOTION FUND

Norfolk Area Visitors Bureau	Administration Fees	<u>10,506.75</u>
	Total Visitors Promotion Fund	10,506.75

VISITORS IMPROVEMENT FUND

Norfolk Area Visitors Bureau	Administration Fees	<u>8,444.73</u>
	Total Visitors Improvement Fund	8,444.73

DRUG COURT FUND

Matthew McManigal	Incentives	121.99
NMG LLC Norfolk Works	Drug Testing	330.00
Putters Jewelry	Incentives	70.00
Redwood Toxicology Laboratory, Inc.	Drug Testing	<u>19.00</u>
	Total Drug Court Fund	540.99

Total Claims with Payroll 829,710.78

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

The Board adjourned at 12:09 P.M. to Tuesday, April 11, 2023, at 9:30 A.M.

ATTEST:



County Clerk Anne M. Pruss

Troy Uhlir, Chairman
County Board of Commissioners