

Commissioner's Record No. 27

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

August 29, 2023

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 Wednesday, August 23, 2023 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was provided to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Following a moment of Silence and the Pledge of Allegiance to the flag of the United States of America, Chairman 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 Ronald Schmidt, Eric Stinson, and Troy Uhlir, County Clerk Anne Pruss, County Highway Superintendent Richard Johnson, Nebraska Extension Staff Amy Topp, and Wayne Ohnesorg. Norfolk Daily News reporters Jon Humphries, Cody Ronnefeldt and Callie Hurley, and NCN reporter Ryan Pattee were present.

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

- 1) Approval of minutes of August 15, 2023
- 2) Approval of contract with TMS International for snow removal for the roads northeast of Norfolk
- 3) Approval of interlocal agreement with University of Nebraska Extension office and Constitution and By-Laws for Nebraska Extension in Madison County and authorization for the County Board Chairman to execute said agreement
- 4) Authorization for Elkhorn Logan Valley Public Health Department to provided flu shots to County employees
- 5) Authorization for Chairman to sign Consultant Work Order for Project No. BRO-7059(17), Norfolk North with the county share to be \$5,315.74

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6)

RESOLUTION #2023-41

WHEREAS, the Board of Commissioners of Madison County desires to investigate the feasibility of vacating or abandoning a road in Madison County; and

WHEREAS, Nebraska State Statutes require that, prior to setting a date for a public hearing concerning the vacation or abandonment of a county road, the Board shall receive a report from the County Highway Superintendent documenting the use being made of the road;

NOW, THEREFORE, BE IT RESOLVED, that the County Highway Superintendent is hereby directed to make a study of the use being made of the following described road:

That part of the county road lying between the SW $\frac{1}{4}$ of Section 15 and the NW $\frac{1}{4}$ of Section 22, all in Township 24 North, Range 2 West of the 6th P.M., Madison County, Nebraska, said road being 843rd Road running from 549th Avenue approximately $\frac{1}{2}$ mile East.

BE IT FURTHER RESOLVED that the County Highway Superintendent shall file a written report of the study, including a recommendation on vacation or abandonment, with the Board of Commissioners within 30 days.

7)

RESOLUTION #2023-42

WHEREAS, many fees are set by Nebraska statutes however copy fees, finger printing fees, and work release fees are not, and

WHEREAS, various offices within the Madison County Courthouse collect copy fees along with the County Sheriff's Office collects fees for finger printing plus work release of prisoners, and

WHEREAS, the fees collected are remitted to the Madison County Treasurer, and

BE IT THEREFORE RESOLVED that the Madison County Board of Commissioners acknowledges the following fees are charged by the listed offices:

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County Assessor, County Clerk, Clerk of the District Court, County Court,
County Sheriff, and County Treasurer

County Assessor

\$ 0.25	Photocopies	(Black & White)
\$ 1.00	Photocopies	(Color)

County Clerk

\$ 0.25	Photocopies	(Black & White)
\$ 1.00	Photocopies	(Color)
\$ 25.00	Marriage License	§42-106
\$ 9.00	Certified Marriage	§42-106
\$ 3.00	Certified Voter Registration	
\$ 3.00	Fax	(1st Page)
\$ 1.00	Additional Pages	(Per Page)
\$ 0.02	Voter's Registration List	(Per Name) §32-330
\$ 5.00	Document Filing	(Per Page)
	Liquor License	§53-135.01
\$ 100.00	Class B	
\$ 250.00	Class I	
\$ 15.00	Plus Publication	
\$ 40.00	Special Designation License	(Per Day)
\$ 50.00	Public Records Request	(Per Hour + Photocopy Costs)
\$ 30.00	Plat Books	
N/C	Military Filing DD214	
N/C	Certified Military Filing DD214	

District Court

\$ 0.25	Photocopies	(Black & White)
\$ 1.00	Certified Documents	(1st Page)
\$ 0.25	Additional Pages	(Per Page)
\$ 35.00	Passport + Federal Fees	(County fee)

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\$ 130.00	Passport - Adult	(Federal Fee)
\$ 100.00	Passport - Minor	(Federal Fee)
<i>District Court (Continued)</i>		
\$ 5.00	Certificate of Authentication	
\$ 50.00	Genealogy & Naturalization Record Searches	(Per Hour + Photocopy Costs)
\$ 3.00	Fax	(1st Page)
\$ 1.00	Additional Pages	(Per Page)
<i>County Court</i>		
\$ 0.25	Photocopies	(Black & White)
\$ 1.00	Certified Documents	(1st Page)
\$ 0.25	Additional Pages	(Per Page)
\$ 3.00	Certification of Authentication	
<i>County Sheriff</i>		
\$ 250.00	Execution Advance Fees	
\$ 50.00	Civil Process Advance Fees	
\$ 15.00	Finger Prints	
\$ 10.00	Vehicle Title Inspects	
\$ 15.00	Reports	
\$ 5.00	Firearm Permits	
<i>County Treasurer</i>		
\$ 0.25	Photocopies	(Black & White)
\$ 1.00	Postage & Handling on Vehicle renewals	(Stickers Only)
\$ 4.00	Postage & Handling on Vehicle renewals	(New Plates)

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8)

RESOLUTION #2023-43

WHEREAS, Section §77-3443 Nebraska Revised Statutes provides that certain governmental entities must receive levy allocation authority from the County Board; and

WHEREAS, the Madison County Board of Commissioners has received levy allocation requests from various political subdivisions for the 2023-2024 fiscal year; and

WHEREAS the Battle Creek, Madison, Meadow Grove, Newman Grove, and Norfolk Rural Fire Districts are members of a Mutual Finance Organization, with each of the fire districts requesting that the levy rate be set at 3.5 cents per hundred dollars of valuation; and

WHEREAS, the Board of Commissioners has reviewed the submitted levy requests and determined that no parcel of property in the county will exceed the allowable levy limits as outlined in state statutes;

NOW, THEREFORE, BE IT RESOLVED, that the following levy allocations are hereby authorized for the 2023-2024 fiscal year:

SUBDIVISION	PROPERTY TAX AMOUNT	VALUATION	LEVY ALLOCATED
Battle Creek Rural Fire District All Funds			.035000
Madison Rural Fire District All Funds			.035000
Meadow Grove Rural Fire District All Funds			.035000
Newman Grove Rural Fire District All Funds			.035000
Norfolk Rural Fire District All Funds			.035000

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Madison County Agricultural Society General Fund	\$500,771.00	5,109,609,676	.009801
Norfolk Sanitary District General Fund	\$117,240.00	2,412,662,712	.004859
Railroad Safety District General Fund	\$0.00	5,109,609,676	.000000

Motion made by Schmidt and seconded by Stinson 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.

Richard Johnson, County Highway Superintendent advised that consulting firm Mainelli Wagner & Associates proposed nearly \$400,000 in liquidated damages towards Western Engineering who have been working on several asphalt projects for the county. These damages figured by Mainelli were calculated as per Western's contract for delays in day worked that they have encountered during the process. Calvin Davidson, the general manager for Western Engineering, along with several other associates from Western Engineering were present to speak to the board on this matter. Mr. Davidson mention that their calculation from the delays do not coincide with Mainelli Wagner Associates figures. He talked about project time requirements in the contract which are put in place to protect the county and them also. It is written in the contract that the completion date for all sites is October 31 and it proceeds to tell them how many days they have to complete each site. Davidson said that although the paving work was started in April and completed in July, Mainelli Wagner Associates was charging the company for liquidated damages up through August. Davidson said the work on road shoulders was still underway in August according to Mr. Davidson and Mainelli Wagner & Associates is charging them on each aspect of the project (roughly 767 days) instead of as a whole, as stated in Westerns Engineering contract with them. He also stated that the contract is for the whole project and not by projects. When asked what his rough guess for liquated damages should be Mr. Davidson roughly guessed 30 days at \$300 which totals \$9,000.00. He stated they have enjoyed working with Mainelli Wagner & Associates and the county, and has saved the county more than two million dollars on projects over the last four years and felt that the excessive damages were unreasonable.

Motion made by Schmidt and seconded by Stinson to waive the liquidated damages on the 2022 & 2023 overlay projects Roll call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

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The budget committee which consists of Troy Uhlir, Chairman of the Board of Commissioners, County Clerk Anne Pruss, and County Highway Superintendent Richard Johnson met and presented and explained the documents pertaining to the Madison County budget of fiscal year 2023-2024.

Motion made by Stinson and seconded by Schmidt to set public hearing for Tuesday, September 19, 2023 at 6:00 P.M. for to receive input regarding 2023-2024 fiscal year budget and adoption of property tax at an amount different than prior fiscal year. Roll call vote: Ayes, Schmidt, Stinson, and Uhlir. Nays, none. Motion carried.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Sheriff's fee report, July 2023
- 3) Sale of surplus property
- 4) Notice of Public Hearing for City of Norfolk pertaining to hearing comments regarding the Norfolk Downtown Area Blight and Substandard Study
- 5) Notice of Public Hearing for City of Norfolk regarding the Wyndham Hill Area Study

The following claims were audited:

GENERAL FUND		
Total Net Payroll		181,663.58
Mark D Albin	Legal Services, Juvenile Court	2,700.39
Mark D Albin	Legal Services, County Court	637.41
Allstate Benefits	Insurance Premiums	529.49
American Family Life Assurance Co.	Insurance Premiums	929.56
Anderson Auto Group	Vehicle Purchase, County Jail	50,251.00
Apex Therapy Services, LLC	Professional Services, Community Based Grant	835.00
Appearra	Towel and Mop Services, Public Defender	40.13
Appearra	Towel Services, County Jail	80.16
ARL Credit Services	Garnish of Wages	189.71
AT-Scene, LLC	Data Processing Costs, County Attorney	4,000.00
Black Hills Energy	Heating Fuels, Planning and Zoning	19.30
Black Hills Energy	Heating Fuels, Noxious Weeds	19.30

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Blue Cross Blue Shield Of Nebraska	Insurance Premiums	163,770.40
Bob Barker Company, Inc.	Uniforms, County Jail	628.91
Bomgaars	Supplies, Noxious Weeds	15.57
Brandl Electric	Repairs, County Jail	2,134.90
Brogan & Lamml, PC.	Legal Services, Juvenile Court	2,351.54
Champ, Inc.	Maintenance and Security Costs, County Jail	3,823.32
City of Madison	Utilities, Courthouse	89.00
Clear Recovery, Inc.	Garnish of Wages	271.29
Colonial Life & Accident Insurance	Insurance Premiums	243.44
Constellation Newenergy	Heating Fuels, Courthouse	162.71
Constellation Newenergy	Heating Fuels, County Jail	379.63
Culligan Of Norfolk	Contract Services, Juvenile Accountability	21.00
Custom Sports	Uniforms, County Sheriff	495.00
Diamond Pharmacy Services	Health Related Costs, County Jail	2,138.47
Eakes Office Solutions	Janitorial Supplies, Courthouse	540.30
Eakes Office Solutions	Equipment and Supplies, County Attorney	1,530.95
Eakes Office Solutions	Supplies, County Jail	23.18
Eakes Office Solutions	Supplies, Probation Office	217.32
Egley Fullner Montag Morland & Easland	Legal Services, Juvenile Court	4,672.99
Elite Office Products	Office Equipment Rental, Extension Office	577.78
First Concord Benefits Group	Administration Fees, Dependent Care, and Flex Plan	2,786.37
Fitzgerald Vetter Temple Bartell & Henderson	Legal Services, Juvenile Court	608.00
Floor Maintenance & Paper Supply	Janitorial Supplies, County Jail	17.92
Galls, LLC	Uniforms, County Jail	48.94
Generation Consultants, LLC	Code Messaging, Communications	89.97
Global Equipment Company	Supplies, County Jail	31.24
GT Distributors	Law Enforcement Supplies, County Sheriff	1,313.19
Guaranteed Lawn Care	Lawn Services, Extension Office	330.00
Guaranteed Lawn Care	Lawn Services, Veterans Service Office	220.00
Kelly Hansen	Witness Fees and Mileage, District Court	39.65
Naomi Hemphill Cleaning	Cleaning Services, Public Defender	90.00

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Hollman Media	Website Costs, County Offices	143.75
Jeffrey Hrouda	Legal Services, Juvenile Court	3,805.00
Jeffrey Hrouda	Legal Services, County Court	826.50
Jack's Uniforms & Equipment	Uniform Allowance, County Sheriff	371.79
Jack's Uniforms & Equipment	Uniform Allowance, County Jail	792.49
Lampli, Locke & Beaudette Law Office	Legal Services, County Court	1,221.00
Madison County Clerk	Tax Deposit and Retirement	96,077.18
Madison County Sheriff Inmate Fund	Supplies, County Jail	669.91
Madison County Sheriff	Civil Process Fees, County Court	290.00
Madison County Sheriff	Civil Process Fees, District Court	455.77
Madison County Sheriff	Civil Process Fees, Mental Health	283.08
Madison County Sheriff	Civil Process Fees, Public Defender	6.00
Madison National Life Insurance, Co.	Insurance Premiums	375.97
Christal K McDonald	Court Reporting, Mental Health	243.75
Medtox Laboratories	Drug Testing, County Attorney	60.20
Menards	Supplies, County Jail	32.45
Microfilm Imaging Systems, Inc.	Microfilming Costs, County Court	258.50
Modern Marketing	Law Enforcement Supplies, County Sheriff	1,393.75
Moyer, Moyer, and Lafleur	Legal Services, Juvenile Court	2,016.95
Moyer, Moyer, and Lafleur	Legal Services, County Court	2,046.40
Nationwide Retirement Solutions	Deferred Compensation	1,406.85
Nebraska Child Support Payment Center	Garnish of Wages	257.08
Nebraska Health and Human Services	Institutional Costs	131.00
Nebraska Public Power District	Utilities, Planning and Zoning	65.22
Nebraska Public Power District	Utilities, Extension Office	351.62
Nebraska Public Power District	Utilities, Noxious Weeds	96.86
Nebraska Public Power District	Utilities, Veterans Service Office	234.42
Nebraska State Bar Association	Subscription, District Judge	50.00
Norfolk Daily News	Publication Costs, County Offices	221.63
Olson's Pest Technicians	Pest Control, Extension Office	41.40
Olson's Pest Technicians	Pest Control, Veterans Service Office	27.60

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One Office Solution	Supplies, Public Defender	214.73
Physicians Laboratory, P.C.	Autopsy, Law Enforcement	4,700.00
Postmaster	Postage, County Attorney	126.00
PrecisionIT	Supplies, County Sheriff	1,160.28
PrecisionIT	Equipment, County Attorney	83.00
PrecisionIT	Security Costs, County Offices	3,648.00
Presto-X	Pest Control, Public Defender	71.19
Priority Communications & Solutions	Telephone Services, Probation Office	65.00
PT Holdings, LLC	Rental Fees, Juvenile Accountability	2,150.00
Reigle Implement	Supplies, Courthouse	40.05
Relx, Inc. dba Lexis Nexis	Subscription, County Attorney	786.00
Jayd Roberts	Mileage, Extension Office	121.83
Scrub's Repair	Repairs, County Sheriff	62.03
Seiler Instrument & MFG Co.	Subscription, County Sheriff	1,643.49
SEPS, Inc.	Contract Services, County Jail	4,838.00
Stealth Broadband	Internet and Telephone Services, Planning and Zoning	145.52
Stealth Broadband	Internet and Telephone Services, Public Defender	540.92
Stealth Broadband	Internet and Telephone Services, Extension Office	279.76
Stealth Broadband	Internet and Telephone Services, Probation Office	360.00
Stealth Broadband	Internet and Telephone Services, Noxious Weeds	145.52
Stealth Broadband	Telephone Services, Veterans Service Office	173.77
Stealth Broadband	Internet and Telephone Services, County Offices	2,238.31
Summit Food Service, LLC	Food Service, County Jail	13,407.15
Trane	Heating and Air Conditioning, Courthouse	3,030.00
US Bank Corporate Payment System	Fuel and Supplies, County Sheriff	5,199.10
US Bank Corporate Payment System	Supplies, County Jail	880.80
US Bank Corporate Payment System	Subscription, County Attorney	179.69
Verizon Wireless	Cell Phone Services, Reappraisal	40.01
Verizon Wireless	Cell Phone Services, County Sheriff	1,872.82
Verizon Wireless	Cell Phone Services, Law Enforcement	52.81
Vision Service Plan	Insurance Premiums	712.18

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Tamara Volden	Uniforms, County Sheriff	68.42
Wayne County Clerk	District Judge Costs	<u>53,223.25</u>
	Total General Claims with Payroll	648,071.76

ROAD BRIDGE FUND

Total Net Payroll		37,109.91
Allstate Benefits	Insurance Premiums	153.18
American Family Life Assurance, Co.	Insurance Premiums	390.92
B's Enterprises, Inc.	Culverts	19,044.06
Battle Creek Light & Power	Utilities	299.57
Black Hills Energy	Heating Fuels	62.00
Blue Cross Blue Shield Of Nebraska	Insurance Premiums	50,375.74
Bomgaars	Shop Supplies	364.02
Central Sand & Gravel	Gravel	31,480.26
City of Madison	Utilities	417.27
Colonial Life & Accident Insurance	Insurance Premiums	454.11
Constellation Newenergy	Heating Fuels	58.95
Dale R Johnson, Inc.	Gravel	17,061.49
Davidson First Aid Systems	Shop Supplies	49.69
Eco Water Systems	Contract Services	94.90
Fastenal Company	Shop Supplies	58.30
First Concord Benefits Group	Administration Fees and Flex Plan	728.51
Floor Maintenance and Paper Supply	Shop Supplies	143.23
Grimes Asphalt & Paving	Asphalt	430.50
Island Supply Welding Company	Shop Supplies	176.45
Kimball Midwest	Shop Supplies	193.26
Lawson Products	Shop Supplies	52.32
Loup Power District	Utilities	175.69
Madison County Clerk	Tax Deposit and Retirement	18,652.84
Madison National Life Insurance, Co.	Insurance Premiums	114.75
Madison County Treasurer	Blue Cross Blue Shield Reimbursement	60.24

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Madison County Treasurer	Registration Fee	10.00
Menards	Shop Supplies	101.51
Nationwide Retirement Solutions	Deferred Compensation	1,425.00
Nebraska Harvestore Systems	Parts	234.19
Nebraska Public Power District	Utilities	368.01
NMC Exchange, LLC	Parts	871.06
Norfolk Napa	Parts	1,065.38
Prime Sanitation	Garbage	67.50
RDO Truck Centers	Parts	471.52
Straight-Line Striping, Inc.	Pavement Marking	62,428.00
Stealth Broadband	Internet and Telephone Services	881.92
T-Bone North	Fuel	7,446.00
TMS International, LLC	Gravel	2,284.10
Truck Center, Co.	Fuel and Parts	25.88
US Bank Corporate Payment System	Safety Supplies	131.40
Verizon Wireless	Cellphone Services	168.29
Village of Meadow Grove	Utilities	74.00
Vision Service Plan	Insurance Premiums	167.43
	Total Road Bridge Claims with Payroll	<u>256,423.35</u>
FEDERAL AID SECONDARY FUND		
Western Engineering, Co., Inc.	Capital Outlay Contract	<u>360,204.71</u>
	Total Federal Aid Secondary Fund	360,204.71
VISITORS PROMOTION FUND		
Norfolk Area Visitors Bureau	Administration Fees	<u>14,236.46</u>
	Total Visitors Promotion Fund	14,236.46
VISITORS IMPROVEMENT FUND		
Norfolk Area Visitors Bureau	Administration Fees	<u>42,650.22</u>
	Total Visitors Improvement Fund	42,650.22

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DRUG TESTING FUND

Global Equipment Company	Law Enforcement Supplies	200.85
Med Glove Supply	Law Enforcement Supplies	320.00
Modern Marketing	Law Enforcement Supplies	1,102.77
	Total Drug Testing Fund	<u>1,623.62</u>

LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff Inmate Fund	Commissary	<u>20.00</u>
	Total Law Enforcement Operating Fund	20.00

DRUG COURT FUND

Matthew McManigal	Incentives	49.20
NMG, LLC dba Norfolk Works	Drug Testing	880.00
Putters	Incentives	70.00
	Total Drug Court Fund	<u>999.20</u>

Total Claims with Payroll 1,324,229.32

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

The Board adjourned at 11:47 A.M. to Tuesday, September 12, 2023 at 9:30 A.M.

ATTEST:



County Clerk Anne M. Pruss

Troy Uhlir, Chairman
County Board of Commissioners