

# BOARD OF EQUALIZATION

Madison, Nebraska

August 17, 2010

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

Advance notice of meeting was published in the Thursday, August 12, 2010 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.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, County Assessor Jeff Hackerott, and County Clerk Nancy Scheer. Chairman Lee Klein 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.

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

Motion was made by Uhlir and seconded by McCallum to approve the minutes of the August 3, 2010 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Assessor Jeff Hackerott submitted the following tax list corrections:

- #2633: Great Western Bank, P.O. Box 606, Columbus  
Addition to the tax rolls in the amount of \$719.40 for acceleration of 2010 personal property taxes due to closing of the business in June 2010
- #2634: Riverside Apts., c/o Midwest Brokerage, P.O. Box 1191, Norfolk  
Addition to the tax rolls in the amount of \$171.46 for acceleration of 2010 personal property taxes due to the sale of equipment on July 1, 2010
- #2635: Daniel and Jacalyn Pospisil, 804 West Main Street, Pierce, Nebraska 68767  
Deduction from the tax rolls in the amount of \$1,638.92 for correction to the 2009 real estate taxes due to valuation reduction ordered by the Tax Equalization and Review Commission
- #2636: Daniel and Jacalyn Pospisil, 804 West Main Street, Pierce, Nebraska 68767  
Deduction from the tax rolls in the amount of \$257.62 for correction to the 2009 real estate taxes due to valuation reduction ordered by the Tax Equalization and Review Commission
- #2637: Steven and Theresa Perry, 83658 556th Avenue, Norfolk  
Deduction from the tax rolls in the amount of \$1,638.92 for correction to the 2009 real estate taxes due to valuation reduction ordered by the Tax Equalization and Review Commission

- #2638: Steven and Theresa Perry, 83658 556th Avenue, Norfolk  
Deduction from the tax rolls in the amount of \$1,638.92 for correction to the 2009 real estate taxes due to valuation reduction ordered by the Tax Equalization and Review Commission
- #2639: Ross and Amy Nelson, 53840 825th Road, Newman Grove  
Addition to the tax rolls in the amount of \$2,051.00 for correction to the 2007 personal property taxes for property that was omitted from the 2007 personal property tax roll
- #2640: Ross and Amy Nelson, 53840 825th Road, Newman Grove  
Addition to the tax rolls in the amount of \$3,412.74 for correction to the 2008 personal property taxes for property that omitted from the 2008 personal property tax roll
- #2641: Fast Mart, 315 Omaha Avenue, Norfolk  
Deduction from the tax rolls in the amount of \$357.28 for correction to the 2008 personal property taxes for incorrect cost used for camera equipment purchased in 2007
- #2642: Fast Mart, 315 Omaha Avenue, Norfolk  
Deduction from the tax rolls in the amount of \$271.22 for correction to the 2009 personal property taxes for incorrect cost used for camera equipment purchased in 2007

After discussion, it was moved by Uhlir and seconded by McCallum to approve the tax list corrections as submitted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board of Equalization adjourned at 9:07 A.M.

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County Clerk

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Chairman

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## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

August 17, 2010

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

Advance notice of meeting was published in the Thursday, August 12, 2010 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 Jerry McCallum 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 Jerry McCallum, Rick Uhlir, and Lee Klein, and County Clerk Nancy Scheer. Planning and Zoning Administrator John Johnson was present from 9:58 A.M. to 10:16 A.M. County Highway Superintendent Richard Johnson joined the meeting at 10:09 A.M.

Chairman Jerry McCallum read the following consent agenda items into the record:

- 1) Approval of minutes of the July 26, 2010 and August 3, 2010 meetings
- 2) Acknowledge receipt of Official Bond of Brian Hinze as Secretary/Treasurer of Battle Creek Rural Fire Protection District
- 3) Response to Nebraska Department of Roads letter regarding the county's responsibility for maintenance of intersections within state highway right-of-way

Motion was made by Klein and seconded by Uhlir to approve the consent agenda. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Motion was made by Uhlir and seconded by Klein to approve the regular agenda. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Pursuant to published legal notice in the Saturday, August 7, 2010 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:01 A.M. to receive public comments regarding the conditional use permit application of Trenton Howard to obtain a Federal Firearms License for in-home gunsmithing on property located in Section 11-24-4. Planning and Zoning Administrator John Johnson read the facts and permit conditions in the proposed resolution. He stated that there was no opposition at the Planning Commission hearing.

The applicant, Trenton Howard, explained that he plans to do gunsmithing and have firearm sales and that he anticipates that most of his sales will be to law enforcement agencies. He stated that he doesn't anticipate any problems since he lives in a rural area.

No one spoke in opposition to the conditional use permit. Chairman McCallum closed the hearing at 10:05 A.M.

The following resolution was introduced:

#### RESOLUTION #2010-39

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, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the Madison County Zoning and Subdivision Resolution and Legislative Bill 186 (1978) and the following facts have been established at said hearing.

1. The application is consistent with the Madison County Comprehensive Plan and the Zoning and Subdivision Regulations.
2. The U.S. Department of Alcohol, Tobacco and Firearms require local approval prior to issuing a Federal Firearms License.
3. There was no opposition present at the hearing held before the Joint Planning Commission.

4. The business will have customers visit the home, but a regular store front will not be established.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a permanent Conditional Use Permit to Trenton Howard to operate a home-based business as a gunsmith under Section 4.02 Intensive Agriculture District, Permitted Conditional Uses, Part 7, "Home Occupations", Madison County Zoning and Subdivision Resolution, on the following described land:

Part of the Northwest ¼ of the Southwest ¼, of Section 11, Township 24 North, Range 4 West of the 6th P.M.  
Madison County, Nebraska

1. A Federal Firearms License must be obtained and retained for the duration of the Conditional Use Permit. A copy shall be submitted to the Madison County Zoning Administrator.
2. A sign limited to six square feet may be erected.
3. No "store front" type public retail sales are to be conducted from the home. Occasional customers are expected. Regular hours should be posted in accordance to directions from U.S. Alcohol, Tobacco and Firearms. Parking for at least one customer should be available.
4. This Conditional Use Permit will expire in one year if implementation is not displayed by submitting a Federal Firearms Permit to the Madison County Zoning Administrator's Office.
5. This Conditional Use Permit is good for a period of ten years and may be renewed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown on the Official Zoning Map of Madison County, previously adopted by reference, and said zoning map is hereby reincorporated as a part of the Madison County, Nebraska Zoning and Subdivision Resolution as amended.

Motion was made by Klein and seconded by Uhlir that the foregoing resolution be adopted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Pursuant to published legal notice in the August 6, 2010 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:08 A.M. to receive testimony regarding the application of Kevin and Wendy Signor dba Taylor Creek Golf Club located at 120 Taylor Creek Road for issuance of a Catering License to deliver, sell, or dispense alcoholic liquors, including beer, for consumption at a location designated on a Special Designated License.

County Clerk Nancy Scheer presented the following documents, which were accepted as exhibits for the record:

Exhibit 1: Proof of Publication of Notice of Hearing

Exhibit 2: Incident report completed by Madison County Sheriff Investigator Michael Bowersox

The applicant, Kevin Signor, explained that they already have a liquor license, but more people want them to cater weddings at other locations. He reported that a regular liquor license limits them to only five or six special designated licenses during the year; however, a catering license will allow them to apply for an unlimited number of permits. He explained that he also does some events at his race track in Stanton County.

County Clerk Nancy Scheer clarified that the \$40 per day license fee for a special designated license is waived for the holder of a catering license and the number of events allowed is unlimited.

No one appeared at the hearing to speak in opposition to or in support of the application. Chairman McCallum closed the hearing at 10:11 A.M. After discussion, the following resolution was introduced:

#### RESOLUTION #2010-40

WHEREAS, on the 27th day of July, 2010 an application was received by the Madison County Clerk from the Nebraska Liquor Control Commission for a Catering License for Kevin and Wendy Signor dba Taylor Creek Golf Club for premises located at 120 Taylor Creek Road, Madison, Nebraska, and

WHEREAS, notice of public hearing on said application was published in the Friday, August 6, 2010 edition of The Norfolk Daily News, with publication costs being fifteen dollars and ninety four cents (\$15.94), and

WHEREAS, public hearing on the application was held on Tuesday, August 17, 2010 in the office of the Madison County Commissioners in the Courthouse at Madison, Nebraska, and

WHEREAS, evidence and exhibits were received regarding the application for said catering license,

NOW, THEREFORE, BE IT RESOLVED that a recommendation of issuance of a Catering License to Kevin and Wendy Signor dba Taylor Creek Golf Club be forwarded to the Nebraska Liquor Control Commission.

Motion was made by Klein and seconded by Uhlir that the foregoing resolution be adopted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Clerk of the District Court Marjorie Schaffer and Bret Schlyer, representative from MGT of America, Inc. appeared before the Board to discuss the county's cost allocation plan. Clerk of the District Court Marjorie Schaffer explained that MGT of America, Inc. is proposing a different method of computing the reimbursement that Madison County receives for the child support work that is completed in the District Court office. She explained that Maximus has been completing the cost allocation plan for Madison County for over 20 years. She reported that when the State took over child support the income received by the county dropped. In addition, she explained that Maximus told her that the company had a federal audit between six and seven years ago of the methodology used to compute the reimbursement and the method was approved by both the federal and state government. Clerk of the District Court Marjorie Schaffer stated that she spoke to a state representative who advised that the computation method for the time allocated to her general administrative duties may be high, so they are considering reducing the rate from 75% to either 62.5% or 50%.

MGT of America representative Bret Schlyer explained that there is a justice time study process that is used in the Clerk of the District Court office that keeps track of the time of staff members spend on activities. He stated that normally a time

study keeps track of all of the time that individuals spend on activities, but the Nebraska system keeps track of only a portion of the time that can be captured by the computer system. He explained that the computer system identifies IV-D child support related time and time not related to child support and these numbers are used to calculate quarterly claims that come back to the county. Mr. Schlyer reported that Maximus takes a typical time study process where 100% of the time is identified, which would include IV-D time, non IV-D time, and administrative time and then takes the administrative time and reallocates it between the IV-D federal program and all other cases. He stated that in most situations that would work fine; however, in Nebraska because of the way the time system is set up and administered, it doesn't work. He explained that the administrative time is already imputed into the results that come directly out of the time study system. Mr. Schlyer stated that if an audit was conducted six or seven years, the federal representatives didn't look at that issue. He stated that it doesn't sound like the methodology is being modified, but the number is being negotiated. He explained that either the number is right or it's not, but changing it from 72% to 62% or 50% doesn't make it right. He stated that effectively the process used by Maximus is duplicating costs and too much money is being claimed for the IV-D program, which puts the county in a bad position because fixing it will eliminate revenues or cause the county to spend money to pay back the funds that have been paid over the last six or seven years if the state decides to proceed with resolving the issue. Mr. Schlyer explained that no decision has been made if the State intends to fix the issue. He stated that at this time there are many unknowns and he suggested that the Board should not make any decision until the State decides what it will do. He explained that he wouldn't want the county to enter into a contract with MGT of America because his proposal sounds good and then find out that the State is not going to agree with his analysis. He stated that he has been trying to get this issue resolved with the State since November 2009. He stated that it is a terrible time with the economy to be taking money away from counties. He also explained that it is probably a little embarrassing from the State side because they should have caught this problem. Mr. Schlyer reported that MGT of America has contracts with Gosper and Dawson Counties and he has told both existing Nebraska clients that if the State disagrees with his analysis then these counties can terminate the contract and return to Maximus.

Clerk of the District Court Marjorie Schaffer stated that the methodology used by Maximus was approved by the federal government. Mr. Schlyer responded that when the federal government reviews a methodology they are not reviewing every single aspect of the methodology and often times they are reviewing what is included in the write up. He explained that a methodology can be written that includes a calculation without explicitly explaining the calculation in a way that will identify that it is incorrect. He stated that his guess is that the particular calculation he questions did not get reviewed, or it was only reviewed in the abstract, or the federal government assumed something was going on because the Nebraska time system study is very different than all other time studies. He explained that in almost all other time study systems identify 100% of the activity of the people that are being tracked. He reported that the Nebraska Justice time study system is very old and special dispensation can be received from the federal government when a time study is installed if it has limitations. He stated that the way that it is administered the results are accurate; but, it is the mixing and matching of the Maximus methodology which assumes a traditional time study with the way the Nebraska time study is actually administered that is questionable.

Chairman McCallum questioned how the percentage is determined and Clerk of the District Court Marjorie Schaffer responded that Maximus currently looks at 75% of her administrative time, which is not reflected on the Justice system. She explained that this could be anything that she does which doesn't require her to use the Justice computer system. She stated that there is a lot of work that she and her staff do that doesn't require use of the computer system. In addition, she stated that there are many times when the computer system is used and credit is still not given because the case has not been designated

as IV-D. She stated that it is a terrible system and that the office has been completing IV-D work for over ten years. She stated that the current Justice system has improved from the prior system, but the old system was more accurate. She stated that the federal government knows what type of system is used in Nebraska and how time is computed, but no changes have been made yet.

Chairman McCallum questioned why the Board should consider MGT of America instead of Maximus to complete a cost allocation plan and Mr. Schlyer responded that MGT of America meets federal compliance requirements. He stated that if the federal government completes an audit, the methodology used is wrong. He stated that administration percentage should be zero because the time is all captured inside the time study system and affectively the county is recovering approximately \$10,000 more each year than should be claimed. Mr. Schlyer reported that he has worked with Maximus for 14 years, starting with David M. Griffith and Associates in 1994. He stated that David M. Griffith was a private company that started as a group of 150 people and was purchased by a public company of 5,000 people. He explained that, once that happened, the cultures of the two firms didn't work and people started leaving. In addition, he reported that in the division of Maximus that completes cost allocation plans, the number of employees has been reduced from 150 to 40. Mr. Schlyer stated that the company formerly completed 95% of all cost allocation plans across the country and now they complete approximately 35%. He reported that Maximus has two staff members working in Nebraska completing cost allocation plans using the same methods for the last 10 to 20 years to the point that the report that is given to the county has a firm name on it that hasn't existed for 10 years. He explained that the company is taking the existing work study and updating it every year and he doesn't see the understanding of what is going on with the federal program and time study operation.

Commissioner Klein inquired what Maximus charges and Clerk of the District Court Marjorie Schaffer responded that Maximus works on a contingency basis and takes 50% of what the county receives for reimbursement, with a maximum amount of \$7,250. Commissioner Klein questioned when the contract with Maximus expires and Clerk of the District Court Marjorie Schaffer responded that the contract expires in 2012. Mr. Schlyer stated that the contract probably has an opt out clause and if the county has to pay money back, the county can go back to Maximus to recover the fees paid to the company.

Clerk of the District Court Marjorie Schaffer requested additional time to obtain written documentation from Maximus and the State. Chairman McCallum stated that if the county is not complying with all requirements it may cause problems for the county. Clerk of the District Court Marjorie Schaffer stated that this is why she wants written confirmation from the State that the cost allocation plan filed on behalf of the county is acceptable. She explained that she was informed that the State would never ask the county to repay funds, but may ask the county to re-calculate. Bret Schlyer stated that several years ago there was a change made to the way that claims were processed in the ex-officio Clerk of the District Courts. He reported that they same form was used; except 100% of the time was not spent on Clerk of the District Court activities, but 100% of the salaries were claimed for the Clerk of the District Court. He explained that this was changed and the counties were required to pay the money back by setting up a credit balance against future claims that were submitted. He reported that Gosper County went through four years of not receiving any indirect revenues back from the cost allocation plans. He stated that this is likely how the situation would be resolved.

The Board directed Clerk of the District Court Marjorie Schaffer to continue investigating the matter. No further action was taken.

Noxious Weed Board members Eudell Feldmann, Bud Klug, Mike Nelson, Earl Reeves, and Orin Rinkel were present to discuss the future of the Noxious Weed Board. Chairman McCallum stated that the Noxious Weed Board members have all done a very good job for the weed district and the county. He stated that the Board of Commissioners has looked into the situation of the noxious weed department and there are some problems to discuss. He explained that NIRMA, the county's insurance company, will not insure the equipment owned by the Noxious Weed Board because the Weed District is a separate legal entity. He stated that the Weed District is not a tax exempt entity so is subject to paying sales tax. In addition, he explained that the Commissioners have looked at the expenses for the Weed District, such as Board member meeting expense, registration fees, and mileage. Chairman McCallum stated that if the Noxious Weed Board is dissolved, it must be approved by a public vote. He stated that, in his opinion, some tax dollars could be saved by dissolution of the Noxious Weed Board with savings on sales tax and insurance. He explained that if all the equipment owned by the Noxious Weed District is insured on the public market, it will cost more money. He stated that the Commissioners have talked about this matter and also discussed other ways to save tax dollars. Chairman McCallum reported that there are only 18 counties in the State of Nebraska that have Weed Boards. He asked the Weed Board members to consider that they are also taxpayers and that tax money could be saved.

Eudell Feldmann stated that during regional meetings the Weed Superintendents who operate without Weed Boards wish they had Weed Boards because there are more people to locate problems. He stated that he receives a lot of phone calls from people and he relates these matters onto the Weed Superintendent so they can be taken care of. Earl Reeves stated that there is no way that one or two people can locate all the weeds in the county. Commissioner Klein stated that the Commissioners are trying to find ways for the county to be more efficient.

Orin Rinkel questioned how much insurance is mandated. Commissioner Klein responded that the county has liability coverage. Orin Rinkel stated that liability insurance is the cheapest insurance that can be purchased. Commissioner Klein responded that it will be very expensive for a vehicle hauling chemicals. Orin Rinkel stated that over 30 years ago the Weed Board did not have to go through the County Board for approval of their budget and paying bills. He reported that one year the Weed Board didn't get the budget turned in on time, lost all their funding for the year, and had to borrow money to operate. He reported that the Weed Board carried its own insurance at that time.

Myron Nelson stated that he lives in the southwest corner of the county and noxious weeds are controlled much better than in Boone and Platte Counties. Chairman McCallum agreed and stated that the Weed Superintendent does a good job. Eudell Feldmann stated that the weed district is currently operating very well. He reported that Casey Garrod will return to Road District #2 as a full-time employee and that one person is certified and works on a part-time basis for the weed department. He stated that they are further ahead on spraying this year than they have been for years. He reported the some spraying is left to complete in Emerick and Schoolcraft Precincts and that all other roads in the county have been sprayed. In addition, he reported that when the weather cools off they will spray for leafy spurge and Canadian thistle.

Bud Klug questioned if the expenses could be paid from Road/Bridge Fund and Chairman McCallum responded that the expenses could possibly be paid as a line item in another fund. Commissioner Klein stated that the Noxious Weed Board must pay sales tax on items it purchases, but no sales tax is paid on items purchased by the county road departments. Eudell Feldmann stated that he thought the sales tax issue was resolved when the Noxious Weed Fund was dissolved and the weed department expenses were paid from Road/Bridge Fund. He stated that the Weed District wages should be less since Casey Garrod will return full-time to the road department and the weed department will have a part-time person certified to spray

weeds working for \$10 per hour.

Commissioner Uhlir explained that the Commissioners want the Weed Board members to know what is being considered. Commissioner Klein stated that the Weed Board can't be dissolved without a vote of the public. Chairman McCallum stated that the number one thing that the Board is looking at is cost savings. He asked for the input of the Noxious Weed Board regarding saving money. Eudell Feldmann responded that he didn't know how much money could be saved other than the wages of five Noxious Weed Board members. Chairman McCallum stated that if \$10,000 is saved in one year, it adds up over a period of ten years. Eudell Feldmann stated that there is no way that one weed superintendent can do all the work because most of the spring is spent spraying bridges and stop signs, which takes a lot of time. He stated that, in his opinion, the weed department is very efficient.

Orin Rinkel questioned how Commissioner Klein felt about dissolving the Weed Board. Commissioner Klein responded that he served as a Weed Board member in the past, but he looks at the dollars spent. He stated that not all the calls go directly to the Weed Board members because he also takes calls. In addition, he stated that the Commissioners are looking at all the county expenses and this is one area that they are considering. Bud Klug stated that Madison County is in a lot better shape compared to Antelope County. He stated that it costs money to keep the weeds controlled.

Chairman McCallum questioned if the Weed Board members thought the weed department could be just as efficient without the expense of the Noxious Weed Board. He explained that the weed superintendent knows what needs to be done. Orin Rinkel responded that Holt County dissolved the Weed Board and the county is a mess because nothing gets done. He stated that the weed superintendent has a hard time getting any money from the county budget. Chairman McCallum stated that he won't say this would happen in Madison County. Orin Rinkel stated that the county won't save money unless it is saved on everything and not just get rid of the Noxious Weed Board. Chairman McCallum stated that the Noxious Weed Board expense would be saved, the vehicles could be insured by NIRMA, and items purchased would be tax exempt. Orin Rinkel stated that the liability insurance coverage is cheap and wouldn't be a problem. Chairman McCallum stated that, in his opinion, the cost would be less with the county's NIRMA insurance coverage. Chairman McCallum again asked the Weed Board members, as taxpayers, if the Weed Board expense is necessary. Orin Rinkel stated that, as a taxpayer, he pays a large amount of taxes and it will increase next year because of the increase in land valuation. Earl Reeves stated that he thought the Weed Board was already operating under the Road/Bridge Fund and Chairman McCallum responded that herbicides are purchased through the Road/Bridge Fund to eliminate payment of sales tax. Chairman McCallum explained that the Clerk's Office received notification from NIRMA that the new pickup purchased by the Weed Board would not be insured because the title is issued in the name of Madison County Noxious Weed, which NIRMA defines as a separate legal entity not under the county.

Orin Rinkel stated that purchasing the new pickup can't be blamed on the Weed Board because someone had to approve it. Chairman McCallum stated that the Commissioners normally take the advice of the Noxious Weed Board as far as the needs of the weed department; otherwise, there wouldn't be a need for the separate Weed Board. Orin Rinkel responded that the Noxious Weed Board needs the blessing of the Commissioners before an expense is approved. Commissioner Klein stated that the letter from NIRMA states that some may feel that this is splitting hairs, but this is a very real situation that needs to be addressed.

August Klug stated that the equipment for the weed department is sufficient so there won't be a need for much in the next several years. He stated that the expenses will be less since the equipment is in good shape and that the main expense will be labor. Chairman McCallum stated that he is a firm believer in having good equipment because you can't have employees using junky equipment. Orin Rinkel confirmed that the weed department has good equipment and the expenses for the department will go down. Eudell Feldmann stated that the shop has been remodeled. Commissioner Klein stated if the weed department wasn't a separate entity, it wouldn't be necessary to have a separate computer system or garbage service. Orin Rinkel explained that the weed department never had new vehicles until the last few years. He stated that the only savings will be the Weed Board wages. In addition, he reported that the Weed Board turned money back this year and much more would have been returned if a new pickup was not purchased. Eudell Feldmann explained that the Weed Board worked on building up the weed budget for three years to buy a new pickup.

Chairman McCallum thanked the Weed Board members for their input.

After discussion, it was moved by Klein and seconded by Uhlir to authorize the County Clerk to prepare a resolution for consideration at the August 31, 2010 meeting to have a question regarding dissolution of the county weed district board placed upon the ballot at the General Election. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Attorney Joseph Smith met with the Board to discuss the letter received from NIRMA advising that the 2010 Dodge pickup titled in the name of Madison County Noxious Weed will not be insured by NIRMA because the Weed District is a separate legal entity. Commissioner Klein stated that since the county has been advised that the new pickup will not be insured, does that also imply that all the other vehicles titled in the name of the Weed District will not be insured. He also questioned if NIRMA will provide insurance coverage for the building or worker's compensation insurance for the employees of the weed department. County Attorney Joseph Smith stated that it may be possible to title the vehicles to Madison County so that NIRMA will insure them and execute an agreement between the Weed Board and the county for use of the vehicles. He advised that he will review the matter, contact NIRMA, and meet with the County Board Chairman to resolve this issue.

Budget committee members Richard Johnson and Nancy Scheer presented a summary of the 2010-2011 fiscal year budget. They submitted a report listing the office functions in the General Fund and explained that the first draft of this report was reviewed at the August 3, 2010 meeting; however, the Miscellaneous General and Capital Acquisitions office functions were completed since that meeting. They reported that the total General Fund budget increased 3.6% from the prior fiscal year. The committee members reviewed a report detailing each line item budgeted in the Miscellaneous General office function and answered questions regarding increases and decreases in various line items.

County Highway Superintendent Richard Johnson reviewed the Road/Bridge Fund budget and reported that the first draft provides an increase of \$31,000 for each road district from the prior year. He explained that the weed department has been set up as a function in the Road/Bridge Fund and reflects an increase of approximately \$3,000. He explained that at this time the Road/Bridge budget does not include any anticipated funds from FEMA and the Federal Highway Administration for flood damage. He reported that the repairs will be made by the county and then the Federal Highway Administration will reimburse the county 100% on the emergency work. He explained that on other projects, the Federal Highway Administration will pay 80% and the county will pay 20%.

Commissioner Klein stated that the county has a lot more repairs to make from the flood. Chairman McCallum inquired if FEMA looked at any bridges in District #1 or #2 and County Highway Superintendent Richard Johnson responded that all FEMA wanted to do the day they inspected Madison County was to make sure that the threshold could be met so that the county could be eligible for part of the disaster declaration. He reported that he and Commissioner Klein attended a kick-off meeting approximately three weeks ago and FEMA representatives stated that they would be coming to Madison County within two to three weeks. In addition, he stated that he needs to get an estimated cost of repairs now to include the information in the budget. Commissioner Klein stated that a lot of repairs must be made along the Elkhorn River and that if areas along the Elkhorn River aren't repaired, major damage will occur if additional flooding occurs. He stated that FEMA will reimburse expenses, so the county must complete the repairs, pay for the costs, submit completed reports, and then a reimbursement check for 75% of the costs will be sent to the county from FEMA, with NEMA paying 12.5% of the costs. Commissioner Klein recommended that adequate funds be included in the Road/Bridge Fund for flood damage repairs. He explained that major flood damage occurred west of the bridge located north of the Battle Creek spur. County Highway Superintendent Richard Johnson responded that the Federal Highway Administration already advised that they will not participate in the cost of repairs at this location; however, the county may be able to obtain some mitigation money for this project. Commissioner Klein stated that the repairs must still be made, even if no cost sharing funds are available. In addition, he reported that repairs must be completed to the bridge located two miles east of Tilden. Chairman McCallum reported that District #1 also has several bridges that must be repaired from flood damage. County Highway Superintendent Richard Johnson stated that a portion of the flood repairs will be paid from the Federal Aid Secondary Fund because the major repairs would qualify as lid exceptions that could offset restricted funds.

Budget committee members reviewed the anticipated expenditures from all other county funds. They explained that all these funds, with the exception of Road/Bridge Bond Fund, do not require any property tax collections to support the anticipated expenditures. They reported that the Visitor's Promotion and Visitor's Improvement Funds have not been submitted at this time; however, the Norfolk Area Chamber of Commerce has been contacted several times. They reported that property tax collections would be levied in General Fund, Federal Aid Secondary Fund, and Road/Bridge Bond Fund.

Budget committee members reviewed the LC-3 supporting schedule for calculation of restricted funds and the lid computation form. They reported that a reduction of \$675,977 is required to comply with the statutory lid requirements. They reported that they would prepare recommendations for compliance with the lid for review at the next meeting. In addition, budget committee members asked for direction from the Commissioners regarding the levy. Chairman McCallum stated that the levy may need to be raised since the county would be making major repairs due to flood damage and there are no guarantees that any federal or state assistance would be received. County Highway Superintendent Richard Johnson stated that the County Board may also consider issuing bonds for payment of flood repairs; however, this would also increase the

levy. Commissioner Klein stated that it may be the best time to purchase bonds.

After further discussion, budget committee members presented the following resolution to increase the allowable restricted funds authority by 1%:

RESOLUTION #2010-41

WHEREAS, Section 13-519 Nebraska Revised Statutes provides that a governmental unit may adopt a budget which exceeds the statutory limit of restricted funds for the fiscal year by an additional one percent upon the affirmative vote of at least 75% of the governing body; and

WHEREAS, the Board of Commissioners has received the preliminary budget reports prepared by the budget committee; and

WHEREAS, the Board of Commissioners finds that an additional 1% of restricted funds authority is necessary to provide funding for anticipated expenditures for the 2010-2011 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the restricted funds for the 2010-2011 fiscal year be increased by an additional one percent as provided by law.

Motion was made by Uhlir and seconded by Klein that the foregoing resolution be adopted. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board reviewed the following reports and correspondence:

- 1) County Clerk July fee report
- 2) Fund balance report
- 3) Register of Deeds July fee report
- 4) Clerk of the District Court July fee report
- 5) Letter from Nebraska Jail Standards Division regarding evaluation of the Madison County Jail and compliance with the minimum jail standards

The following claims were audited:

GENERAL FUND

Total Net Payroll		111,805.90
Afternooners	Meals, County Jail	1,200.12
Mark Albin	Legal Services, County Court	336.00
Albracht Disposal Service	Garbage Services, Public Defender	41.00

Albracht Disposal Service	Garbage Services, Courthouse	94.00
Albracht Disposal Service	Garbage Services, County Jail	155.00
American Family Life Assurance Company	Insurance Premiums	652.75
Ameritas Life Insurance Corporation	Employee Share Retirement	7,112.86
Ameritas Life Insurance Corporation	Employer Share Retirement	10,460.97
Ameritas Life Insurance Corporation	Insurance Premiums	369.04
Appeara	Mat Service, Public Defender	35.68
Appeara	Mat Service, Courthouse	160.14
Aramark Correctional Services	Meals, County Jail	13,262.81
Beckman's Service Center	Repairs, County Sheriff	150.20
BHS Inc.	Services, Juvenile Diversion	140.00
BI Inc.	Monitoring Services, Juvenile Diversion	1,136.52
Big Red Printing	Supplies, County Court	294.28
Black Hills Energy	Gas Service, Courthouse	53.96
Black Hills Energy	Gas Service, County Jail	77.60
John Bomar	Witness Fees, District Court	20.00
Brady & Amy's Inc.	Fuel, Courthouse	55.05
Brady & Amy's Inc.	Fuel, County Sheriff	152.83
Brandl Electric	Repairs, County Jail	181.02
Brogan & Stafford, P.C.	Legal Services, County Court	2,359.20
Cableone	Cable Services, Public Defender	125.95
Central United Life Insurance Company	Insurance Premiums	37.21
City of Madison	Utilities, Public Defender	193.24
City of Madison	Utilities, Courthouse	3,445.82
City of Madison	Utilities, County Jail	3,806.60
City of Norfolk	Snare Match Contribution, County Sheriff	3,000.00
City of Norfolk	Utilities, Veterans' Service Office	30.79
Colonial Life and Accident Insurance	Insurance Premiums	148.72
Comfort Inn Kearney	Lodging, District Court	107.92
Complete Pest Elimination Inc.	Services, County Jail	125.00
Connecting Point	Supplies, County Assessor	118.00
Connecting Point	Internet Service, District Judge	20.95
Connecting Point	Software, Public Defender	276.00
Connecting Point	Equipment, Supplies, County Sheriff	95.00
Connecting Point	Equipment, Internet Services, Probation	32.95
Connecting Point	Internet Services, Veterans' Service Office	35.95
Connecting Point	Contract Services, Internet Services, Courthouse	1,322.85
Crafts Inc.	Contract Services	20,036.61

Credit Bureau Services	Garnish of Wages	131.41
Credit Management Services, Inc.	Garnish of Wages	124.95
Creighton University Medical Center	Autopsy Costs, Law Enforcement	538.00
Dakota Business Systems	Copier Maintenance, Probation	72.00
Deluxe Business Checks & Solutions	Supplies, County Sheriff	403.03
Dental Distributors Inc.	Supplies, County Jail	705.47
Douglas County Sheriff	Service Fees, District Court	6.53
Jennie Dugan-Hinrichs	Autopsy Costs, Law Enforcement	75.00
Eakes Office Plus	Supplies, County Court	165.97
Eakes Office Plus	Supplies, County Attorney	64.80
Eakes Office Plus	Supplies, County Jail	241.04
Eakes Office Plus	Supplies, Probation	98.96
Elkhorn Logan Valley Public Health Department	Administrative Costs, County Relief	6,405.95
Enviromaster, Inc.	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Jail	3,098.00
Field's Hardware	Supplies, County Jail	414.06
First Concord Benefits Group	Deductible Buy Down, Administrative Fees, Courthouse	5,476.63
Fracotyp-Postalia, Inc.	Equipment Rental, County Sheriff	389.40
Gall's Inc.	Uniforms, County Jail	510.65
Gasrite Inc.	Fuel, County Sheriff	4,356.41
Kayla Grone	Services, Probation	200.00
Hartford Life Insurance Company	Deferred Compensation	50.00
IHC/Group Link	Insurance Premiums	465.26
Jack's Uniforms & Equipment	Uniforms, County Jail	212.03
Nancy Jochum-Schramm	Transcript, District Court	26.00
John's Disposal	Garbage Service, Probation	38.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	757.50
John Johnson	Supplies, Planning and Zoning	32.09
J.W. Jones, M.D.	Autopsy Costs, Law Enforcement	920.00
Lancaster County Sheriff	Service Fees, District Court	37.11
Louderback Drug	Prescriptions, County Jail	1,053.00
Madison County Clerk	Tax Deposit	38,327.52
Madison County Court	Court Costs, Mental Health	27.00
Madison County Court	Court Costs, County Court	3,759.00
Madison County Clerk of District Court	Court Costs, District Court	1,219.00
Madison County Sheriff	Supplies, County Jail	393.80
Madison County Sheriff	Fees, County Court	2,285.33
Madison County Sheriff	Fees, District Court	1,323.71

Madison County Sheriff	Fees, Mental Health	530.88
Madison County Treasurer	Insurance Reimbursement	25.00
Madison County Veterans Aid Fund	Veterans' Aid Costs, Veterans' Service Office	4,000.00
Madison County Veterinary Clinic	Impound Fees, County Sheriff	35.00
Madison National Life	Insurance Premiums	170.35
Maximus Inc.	Cost Allocation Plan	2,175.84
Christal McDonald	Court Reporting, Mental Health	175.00
Medtox Laboratories Inc.	Testing, Juvenile Diversion	7.00
Microfilm Imaging Systems Inc.	Equipment Rental, County Clerk	45.00
Microfilm Imaging Systems Inc.	Equipment Rental, Register of Deeds	31.50
Microfilm Imaging Systems Inc.	Equipment Rental, County Court	227.00
Microfilm Imaging Systems Inc.	Equipment Rental, County Surveyor	45.00
Midwest Plumbing & Heating	Repairs, County Jail	4,634.44
MIPS	Computer Support, County Treasurer	993.00
Morrissey Motor Company	Repairs, County Sheriff	34.73
NACO Planning and Zoning	Registrations, Planning and Zoning	140.00
Nationwide Retirement Solutions	Deferred Compensation	370.00
Nebraska Child Support Payment Center	Garnish of Wages	505.84
Nebraska Public Power District	Utilities, Probation	545.16
Norfolk Auto Center	Repairs, County Sheriff	21.76
Norfolk Cleaning Service	Services, Probation	140.00
Norfolk Community Health Care Clinic	Quarterly Funding	22,500.00
Norfolk Daily News	Publication Costs, Courthouse	432.05
Norfolk Winair Company	Repairs, Courthouse	413.38
Norfolk Winair Company	Supplies, County Jail	24.12
Norm Nykodym	Lawn Service, Public Defender	92.00
Valorie Olson	Transcript, Law Enforcement	100.40
Valorie Olson	Court Reporting, Mental Health	100.00
Gary Pentland	Witness Fees, District Court	35.00
Pierce County Court	Copies, Law Enforcement	3.00
Pioneer Telephone	Telephone Service, Courthouse	234.75
Platte County Sheriff	Service Fees, District Court	37.00
Puppy Love	Impound Fees, County Sheriff	125.00
Qualification Targets	Equipment, County Sheriff	209.65
Qwest	Telephone Services, County Jail	17.66
Qwest	Telephone Services, Probation	324.27
Ramada Inn Kearney	Lodging, Planning and Zoning	70.00
Reigle Implement Company Inc.	Supplies, Courthouse	9.70

Reynoldson's Inc.	Car Washes, County Sheriff	12.00
Marjorie Schaffer	Mileage, Meals, District Court	190.68
Schroeder Land Surveying	Services, County Surveyor	1,394.00
Shopko	Supplies, Planning and Zoning	14.48
Joseph Smith	Mileage, Law Enforcement	248.50
Stratton, DeLay & Doele, P.C.	Legal Services, County Court	512.00
T.O. Haas Tire	Repairs, Planning and Zoning	17.53
J.A. Thomsen, M.D.	Autopsy Costs, Law Enforcement	900.00
Tilden Citizen/Meadow Grove News	Publication Costs, Planning and Zoning	15.00
Tilly's	Fuel, County Sheriff	43.30
Trane US Inc.	Maintenance Agreement, Courthouse	435.75
U.S. Cellular	Telephone Service, Law Enforcement	110.56
U Save Pharmacy	Prescription, County Jail	3.30
David Uher	Legal Services, County Court	1,315.00
United Bank of Iowa	Equipment Rental, Probation	422.40
U.S. Bank Corporate Payment System	Copies, Law Enforcement	50.00
U.S. Bank Corporate Payment System	Lodging, Meals, Postage, Repairs, Juvenile Diversion	530.69
Verizon Wireless	Telephone Services, Planning and Zoning	301.20
Voigt Locksmith	Supplies, County Sheriff	6.30
Walmart Community	Supplies, Assessor	6.18
Melissa Wentling	Postage, Public Defender	44.00
West Payment Center	Subscription, County Attorney	120.76
Western Office Plus	Supplies, County Clerk	32.00
Western Office Plus	Supplies, Copier Maintenance, County Treasurer	301.42
Western Office Plus	Supplies, County Assessor	71.65
Western Office Plus	Supplies, County Court	172.39
Western Office Plus	Supplies, County Sheriff	41.45
Western Office Plus	Copier Maintenance, County Attorney	97.27
Western Office Plus	Supplies, Veterans' Service Office	39.98
Zippy Lube	Repairs, County Sheriff	109.75

#### ROAD/BRIDGE FUND

Total Net Payroll		28,298.22
Advance Auto Parts	Parts, District #2	71.08
Advance Auto Parts	Repairs, Noxious Weed	31.99
Albracht Disposal	Garbage Service, District #1	40.00
American Council of Engineering Companies	Registrations, District #1, #2, #3	90.00

American Family Life Assurance Company	Insurance Premiums	297.25
Ameritas Life Insurance Corporation	Employee Share Retirement	1,656.47
Ameritas Life Insurance Corporation	Employer Share Retirement	2,484.44
Ameritas Life Insurance Corporation	Insurance Premiums	92.20
Appeara	Towel Services, District #1, #2	211.99
AS Central Services	Telephone Services, Noxious Weed	43.12
B & A's Welding	Parts, District #2	411.90
B's Enterprises Inc.	Signs, Parts, Supplies, District #1, #2, #3	11,104.00
Bankfirst	Repairs, District #1, #3	262.04
Battle Creek Farmers Coop	Fuel, District #2	7,655.70
Bauer Built Inc.	Repairs, District #1, #2, #3	500.38
Black Hills Energy	Gas Service, District #1	48.12
Bomgaars	Repairs, Noxious Weed	16.43
Brady & Amy's	Fuel, District #1	977.40
Brody Chemical	Chemicals, District #2	1,340.79
Cableone	Internet Services, Noxious Weed	77.27
Carquest Auto of Norfolk	Parts, District #2	12.62
Central Sand & Gravel	Gravel, District #1	186.57
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation NewEnergy	Gas Service, District #1	20.59
Copycraft Printing	Supplies, District #3	23.85
Eakes Office Plus	Supplies, District #3	10.97
Eastern Nebraska Trailer Repair	Repairs, District #2	583.32
Eudell Feldman	Mileage, Registration, Noxious Weed	52.00
Filter Care of Nebraska	Services, District #1, #2	32.95
First Concord Benefits Group, L.L.C.	Deductible Buy Down, Admin Fees, District #1, #2, #3	1,445.46
Graham Tire Company	Repairs, District #2	253.90
Heartland Fire Protection Company	Shop Supplies, Noxious Weed	95.60
Howard Construction	Services, District #2	6,525.00
IHC/Group Link	Insurance Premiums	15.22
Industrial Tools & Machinery Company	Shop Supplies, District #2	76.76
Jebro Inc.	Asphaltic Materials, District #3	3,882.58
Jim Hawk Truck Trailers Inc.	Parts, District #1	330.00
John's Disposal, Inc.	Garbage Service, Noxious Weed	26.00
Kimball Midwest	Shop Supplies, District #1	60.15
August Klug	Mileage, Registration, Noxious Weed	22.00
Light and Siren	Parts, District #3	233.66
Linweld Inc.	Supplies, District #2, #3	168.48

Luedeke Oil Company Inc.	Repairs, District #1, #3	1,570.00
Madison County Clerk	Tax Deposit	9,161.79
Madison County Treasurer	Title Fee, Tire Tax, District #1	14.00
Madison County Treasurer	Title Fee, Tire Tax, Noxious Weed	15.00
Madison National Life	Insurance Premiums	37.81
Matteo Sand & Gravel Company Inc.	Gravel, District #1, #2, #3	27,914.58
Meier Auto Salvage Inc.	Parts, District #2	230.00
Meisinger Oil Company Inc.	Fuel, District #1	9,782.85
Menards	Shop Supplies, District #3	17.86
Mid-Iowa Solid Waste Equipment Company	Parts, District #2	79.41
Nebraska Child Support Payment Center	Garnish of Wages	245.70
Nebraska Harvestore Systems Inc.	Parts, District #2	85.00
Nebraska Public Power District	Utilities, Noxious Weed	58.08
Myron Nelson	Mileage, Noxious Weed	39.50
NMC Exchange LLC	Repairs, District #1, #2, #3	37,487.33
Norfolk Auto Supply Inc.	Parts, District #3	128.45
Norfolk Daily News	Publication Costs, Noxious Weed	7.20
Norfolk Implement Inc.	Parts, District #1	867.48
Northeast Nebraska Association of County Officials	Registrations, Noxious Weed	102.00
Pioneer Telephone	Telephone Services, District #1, #3	57.65
Pollock Redi Mix	Concrete, District #3	1,045.50
Postmaster	Postage, Noxious Weed	50.00
Quick Serve Oil Company Inc.	Fuel, District #3	472.20
Red Bud Hardware Inc.	Shop Supplies, District #3	148.89
Earl Reeves	Mileage, Registration, Noxious Weed	77.00
Orin Rinkel	Mileage, Registration, Noxious Weed	30.00
Scheer's Ace Hardware	Tools, District #2	271.44
Stanley Petroleum Maintenance Inc.	Repairs, District #2	184.33
Tire Associates	Repairs, District #1	58.92
Transamerica Life Insurance Company	Insurance Premiums	49.28
Truck Center of Norfolk	Parts, District #1, #3	378.63
Verizon Wireless	Telephone Services, District #2	74.25
White Star Oil Company	Fuel, District #1	305.77
Zippy Lube	Repairs, District #3	44.79

FEDERAL AID SECONDARY FUND

B's Enterprises Inc.	Signs	278.00
Johnson Engineering Company	Engineering Services	18,680.00
Mainelli, Wagner & Associates, Inc.	Engineering Services	39,598.29
Mid State Engineering & Testing Inc.	Testing	219.00

INHERITANCE TAX FUND

Greg Anderson	Reimbursement	2.62
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Postage, Supplies, Subscriptions	334.18
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DRUG COURT FUND

A Small Affair	Supplies	18.00
On Call Employee Health	Testing	70.00
Putters	Supplies	39.90
Redwood Toxicology Lab	Testing	106.75

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

The Board adjourned at 12:09 P.M. to Tuesday, August 31, 2010 at 9:30 A.M.

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County Clerk

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Chairman