

# COMMISSIONERS PROCEEDINGS

Madison, Nebraska

July 7, 2009

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, July 2, 2009 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 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 Uhler, and Lee Klein, and County Clerk Nancy Scheer. County Highway Superintendent Richard Johnson joined the meeting at 9:38 A.M.

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

1) Approval of minutes of the June 23, 2009 meeting

2)

## RESOLUTION #2009-35

BE IT RESOLVED, that the following securities held in safekeeping by U.S. Bancorp, St. Paul, Minnesota, to secure deposits of this county in U.S. Bank, Norfolk, Nebraska, be and the same hereby are approved:

FNMA FNCL 254725

Dated: 06/08/2009

\$1,130,000.00

U.S. Bancorp

St. Paul, Minnesota

Cusip 31371K4J7

3)

## RESOLUTION #2009-36

BE IT RESOLVED, that the following securities held in safekeeping by Midwest Independent Bancshares, Inc., Jefferson City, Missouri, to secure deposits of this county in Midwest Bank, Pierce, Nebraska, be and the same hereby are approved:

DOUGLAS CNTY NE SAN & IMPT DIST

Maturity Date: 02/15/2020

\$100,000.00

Receipt Date: 5/29/2009

Midwest Independent Bancshares, Inc.

Jefferson City, Missouri

Cusip 259282AD3

Receipt Number: JC47235

4)

RESOLUTION #2009-37

WHEREAS, Check No. 09040279, dated April 14, 2009, and drawn on the General Fund in the amount of twenty dollars (\$20.00), was made payable to Diane Collins, 117 East 1st Street, Grand Island, Nebraska 68803, and  
WHEREAS, said check was not tendered, but remains in the possession of the Madison County Clerk,  
NOW, THEREFORE, BE IT RESOLVED that Check No. 09040279, dated April 14, 2009, and drawn on the General Fund in the amount of twenty dollars (\$20.00), is hereby cancelled.

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

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

The Board reviewed the following reports:

- 1) Fund balance report
- 2) Clerk of the District Court June fee report

Kathryn Liebers, District No. 7 Chief Probation Officer, was present to address concerns outlined in a letter received from Pierce County concerning the budget proposal and year-end report for the District No. 7 Probation Office located in Norfolk. Chairman McCallum requested Ms. Liebers to explain costs and the reasons for the budget increases.

Ms. Liebers explained that Madison County was not the main office for the district until the Supreme Court designated a change effective July 1, 2007 and prior to that time, Wayne County was designated as the main office. She reported that per state statute, all the counties in the district provide for the cost of the district operating expenses based on the counties' caseload. She stated that, under state statutes, if the counties do not provide office space, all the counties are responsible for the support of the main office. She stated that when the main office was located in Wayne County, the Probation Office was located in a rental property in downtown Wayne, and at that time all the counties in the district were responsible for payment of the office space in Wayne based proportionately on their client caseload. Ms. Liebers reported that in 2005 the probation districts were reconfigured, and District No. 7 is now comprised of the counties of Madison, Stanton, Pierce, Cuming, Wayne, Antelope and Knox. She stated that historically, all the counties in the district paid proportionately based on their caseload to support the main office, in addition to costs from their own county.

Ms. Liebers explained that, prior to relocation of the main office to Norfolk, the Probation Office was not located in a county owned building; therefore, Madison County was responsible for all the rental costs. She reported that in the 2005-2006 fiscal year the rent for Madison County was \$16,800 and the rental costs increased when additional space was rented. She explained that when the re-districting occurred due to the Supreme Court decision to designate Madison County as the main office for District 7, then all the other counties became responsible for paying a portion of the rent because the Probation Office was not located in a county owned building. She further explained that after the main office was relocated to Madison County, the Probation Office ran out of space to function. Ms. Liebers stated that she had talked about the space issue with the Madison County Commissioners for two years and Board members visited the Norfolk Office and saw that the office had minimal functionality and the location of the office behind a bar and next to a gun store was less than desirable for the clientele that were served. She reported that prior to moving the location on north Riverside Boulevard, the office was located across the street from a school, which also was not an ideal location.

Ms. Liebers reported that the Madison County Commissioners saw the need of the Probation Office and also determined that the most reasonable solution was to proceed with taking bids for rental property due to the lack of available property at the time. She reported that the cost of rental property averaged between \$4.95 per square foot and \$42.50 per square foot. She stated that several of the buildings that the Commissioners researched would have required extensive remodeling or renovation to make into reasonable office space, with the costs ranging between \$300,000 and \$500,000. She stated that there were also asbestos concerns due to the age of the buildings. She explained that the Probation Office relocated to the new office space on June 17, 2009 and rent was not charged between June 17, 2009 and July 1, 2009 because the building was incomplete. Ms. Liebers stated that she has received a comment regarding a large budget increase. She explained that the budget increased 300% from the 2006-2007 fiscal; however, when the amount of office space triples, the rent also increases. She also explained that adding additional office space, due to the lack of functionality and staff confidentiality, also impacted the budget. In addition, she reported that there was no space for additional programming to serve clients and much of the office equipment was outdated, inoperable, or broken, including an obsolete telephone system. She stated that the office had simply gotten by on very little money, doing a fabulous job, but not as good as could be done with adequate space and appropriate equipment. Ms. Liebers submitted a report reflecting the following county cost per day for each of the counties in District 7:

Antelope County:	\$18.80 per day or 45 cents per probationer per day
Cuming County:	\$42.32 per day or 53 cents per probationer per day
Knox County:	\$18.80 per day or 36 cents per probationer per day
Madison County:	\$272.73 per day or 44 cents per probationer per day
Pierce County:	\$42.43 per day or 33 cents per probationer per day
Stanton County:	\$32.91 per day or 29 cents per probationer per day
Wayne County:	\$42.32 per day or 34 cents per probationer per day

She explained that these calculations do not include the cost of keeping people working, paying taxes, or having people benefit from education and being a part of the community and the expenses that some of the individuals cost the counties or the state because family members need to seek government assistance because they can't provide for their families.

Ms. Liebers stated that it is important to note that a probation officer supervising 50 high-risk to re-offend clients saves taxpayers \$1,070,180 per year, which is based on figures provided by the 2002 Corrections Yearbook, which reflects that the cost to hold one offender in jail for one year averages \$21,403.60. She stated that the cost to house an inmate in the Madison County Jail is approximately \$52 per day per offender and the cost to house a juvenile in the Northeast Nebraska Juvenile Detention Center is \$145 per day per offender in the secure area and \$125 per day for the staff secure area. She reported that the Probation Office does not change everyone's life, but they work really hard at helping individuals who are ready to make a change and they hold accountability individuals who are not ready to make a change.

Chairman McCallum stated that before any final decisions were made regarding office space for the Probation Office, an intense search was completed on the options for the best, most efficient option for all counties involved. He stated that there were no buildings in Norfolk that were suitable without an extensive amount of remodeling or a high rental fee. Commissioner Uhlir reported that he and Kathryn Liebers looked at many different buildings before the Board made a decision. Commissioner Klein stated that the county didn't make a decision without advertising and other counties in the district knew what the County Board decided.

Kathryn Liebers clarified that when Madison County made the decision to seek proposals for rental property to be built to meet the needs of the Probation Office, she mailed a letter to each county in District No. 7 with an estimate of the potential budget impact for the additional office space. She reported that the proposed budget for the 2009-2010 fiscal year is \$6,124 less than projected in the fall of 2008. She explained that the budget includes 13 months of rent in an effort to pay the rent in advance, so the budget should decrease \$7,000 next fiscal year due to the rental payments.

Chairman McCallum stated that the rental contract is for a 15-year term. Kathryn Liebers reported that the new office space is set up for extreme functionality and there is extra space for future growth. She explained that if the State Legislature decides in the future that probation functions should be separated, the building could accommodate the change with only minor modifications.

Commissioner Uhlir stated that, in his opinion, the Madison County Board made the right decision. Chairman McCallum stated that he is also happy with the Board's decision. Commissioner Klein stated that all Madison County Commissioners agree that the right decision was made and the Board is simply trying to address the concerns expressed in the letter received from Pierce County. He recommended that Kathryn Liebers mail a copy of the county cost per day to all counties in District 7, along with a copy of the letter mailed when the Madison County Board was considering new office space. Kathryn Liebers responded that she sent a copy of the letter in the budget proposal. She also reported that she has spoken to the Knox County Commissioners and she is on the agendas for the remaining counties in the district. She expressed appreciation for the support offered by all the counties. She stated that the Probation Office offers a vital and necessary function and they are much cheaper than a jail facility. She invited the Board members to stop into the new office for a tour.

The Board took no action.

The following claims were audited:

GENERAL FUND

Total Net Payroll		109,349.97
Mark Albin	Legal Services, District Court	472.53
Ronald Albin	Legal Services, County Court	3,424.75
American Family Life Assurance Company	Insurance Premiums	520.39
Ameritas Life Insurance Corporation	Employee Share Retirement	6,874.77
Ameritas Life Insurance Corporation	Employer Share Retirement	10,103.24
Ameritas Life Insurance Corporation	Insurance Premiums	356.66
Aramark Correctional Services	Supplies, Meals, County Jail	289.42
AS Central Services	Telephone Services, Planning and Zoning	40.66
AS Central Services	Telephone Services, County Sheriff	262.29
AS Central Services	Telephone Services, County Jail	441.71
AS Central Services	Telephone Services, Veterans' Service Office	40.66
Black Hills Energy	Gas Service, Planning and Zoning	17.11
Black Hills Energy	Gas Service, Veterans' Service Office	18.24
Black Hills Stage Lines, Inc.	Transportation Costs, County Relief	188.00
Blue Cross Blue Shield of Nebraska	Insurance Premiums	105,009.73
Bessie Bove	Prior Service Benefits	12.00
Brandl Electric	Services, Courthouse	163.50
Brogan & Stafford, P.C.	Legal Services, County Court	1,140.49
Joanie Brugger	Mileage, Victim Witness	128.15
Buck's Specialty	Uniforms, County Jail	76.76
Cableone	Internet Services, Planning and Zoning	59.00
Capital One Bank	Supplies, County Attorney	45.75
Capital One Bank	Supplies, Juvenile Diversion	82.35
Carney Law, P.C.	Legal Services, District Court	2,153.04
Central United Life Insurance Company	Insurance Premiums	37.20
Champs Inc.	Contract Services, County Jail	2,166.00
City of Madison	Utilities, Courthouse	47.93
City of Madison	Utilities, County Jail	271.58
City of Norfolk	Parking, Veterans' Service Office	45.00
Clerk of the Supreme Court	Court Costs, County Court	122.00
Colonial Life and Accident Insurance	Insurance Premiums	154.67
Connecting Point	Equipment, Supplies, County Sheriff	107.93
Connecting Point	Supplies, Juvenile Diversion	149.00

Constellation Energy	Gas Service, Planning and Zoning	31.90
Constellation Energy	Gas Service, Veterans' Service Office	1.28
Copple, Rockey & McKeever, P.C., L.L.O.	Legal Services, District Court	1,437.89
Courtesy Ford	Repairs, Reappraisal	87.72
Credit Bureau Services	Garnish of Wages	126.99
Credit Management Services Inc.	Garnish of Wages	120.01
Crown Point Apartments	Rent, County Relief	135.00
DDSS Inc.	Services, County Attorney	40.00
DDSS Inc.	Contract Services, Courthouse	1,224.60
Dell Computers	Supplies, District Court	256.96
Douglas County Treasurer	Forensic Services, Law Enforcement	313.35
Dugan Business Forms	Supplies, County Assessor	61.69
Eakes Office Plus	Supplies, County Sheriff	114.00
Eakes Office Plus	Supplies, County Jail	354.60
Electrical Engineering & Equipment	Supplies, Courthouse	7.81
Enviromaster Inc.	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Relief	824.84
Field's Hardware	Supplies, Courthouse	154.62
Field's Hardware	Supplies, County Jail	102.32
Field's Hardware	Supplies, District Court	13.56
First Concord Benefits Group	Flexible Benefit Plan	2,148.31
Fitzgerald, Vetter & Temple	Legal Services, District Court	1,047.85
Floor Maintenance & Paper Supply Company	Supplies, County Jail	1,045.01
Frontier	Telephone Services, Courthouse	1,367.10
Dan Fullner	Mileage, Mental Health	22.00
Futureware Distributing, Inc.	Equipment, District Court	43.97
Gordy's Towing & Repair	Repairs, County Sheriff	66.02
Vickie Green	Mileage, Planning and Zoning	17.60
Group Link, Inc.	Insurance Premiums	274.92
Hartford Life Insurance Company	Deferred Compensation	175.00
Jeffrey Hrouda	Legal Services, County Court	516.03
Hy-Vee West Pharmacy	Prescriptions, County Relief	45.48
Jeni's Custom Crafts	Repairs, County Sheriff	12.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	693.00
Lancaster County Court	Copies, Law Enforcement	5.50
Louderback Drug	Prescriptions, County Jail	934.26
Madison County Clerk	Tax Deposit	36,517.60

Madison County Sheriff Inmate Fund	Supplies, County Jail	44.80
Madison County Sheriff	Service Fees, Mental Health	55.72
Madison County Sheriff	Court Costs, District Court	897.29
Madison County Sheriff	Court Costs, County Court	356.94
Madison County Veterinary Clinic	Services, County Sheriff	315.00
Madison Star Mail	Publication Costs, Planning and Zoning	11.78
Christal McDonald	Court Reporting, Mental Health	100.00
Medtox Diagnostics, Inc.	Supplies, Juvenile Diversion	375.37
Menards	Supplies, County Sheriff	16.47
Microfilm Imaging Systems	Equipment Rental, Maintenance, Register of Deeds	7,690.00
Microfilm Imaging Systems	Equipment Rental, County Surveyor	330.00
Mid City Furniture and Appliance	Equipment, County Attorney	74.95
Midwest Office Automations	Copier Maintenance, Probation	405.45
Midwest Plumbing & Heating	Repairs, County Jail	186.86
Moyer & Moyer	Legal Services, County Court	625.00
National Insurance	Insurance Premiums	125.31
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Public Power District	Utilities, Veterans' Service Office	30.61
Norfolk Daily News	Publication Costs, Courthouse	155.70
Northeast Medical Imaging	Medical Services, County Relief	1,092.45
Northeast Nebraska Area Agency on Aging	Annual Funding	12,824.00
Northeast Nebraska Economic Development District	Dues, Courthouse	875.00
Oasis Counseling International	Services, Juvenile Diversion	71.17
Rita Olberding	Postage, Transcript, District Judge	64.00
Pathology Medical Services	Medical Services, County Relief	37.51
Sherry Peterson	Mileage, Telephone Service, Juvenile Diversion	312.79
Platte County Court	Copies, Law Enforcement	2.00
Postmaster	Box Rent, Courthouse	56.00
Postmaster	Box Rent, District Judge	110.00
PrairieLand RC&D	Dues, Courthouse	300.00
Qwest	Telephone Services, Probation	97.85
Region IV, Inc.	Services, Courthouse	9,147.75
Region 4 Behavioral Health System	Quarterly Funding	14,108.00
Reynoldson's Inc.	Fuel, County Sheriff	317.95
Security Shredding	Services, Probation	105.00
Share Corporation	Supplies, Courthouse	134.44
Shopko	Supplies, Planning and Zoning	38.91

Shoppers Express	Fuel, County Relief	20.00
Michelle Sullivan	Mileage, Juvenile Diversion	184.80
U.S. Cellular	Telephone Services, Law Enforcement	126.16
Voigt Locksmith	Supplies, County Sheriff	2.50
West Payment Center	Publication, County Jail	38.85
Western Office Plus	Supplies, District Judge	41.58
Western Office Plus	Supplies, County Sheriff	11.95
Western Office Plus	Supplies, Juvenile Diversion	182.57
Western Roofing	Repairs, County Jail	255.42
Zodiac Properties, L.L.C.	Rent, Probation	7,876.67

#### ROAD/BRIDGE FUND

Total Net Payroll		25,771.11
American Family Life Assurance Company	Insurance Premiums	236.80
Ameritas Life Insurance Corporation	Employee Share Retirement	1,517.32
Ameritas Life Insurance Corporation	Employer Share Retirement	2,276.08
Ameritas Life Insurance Corporation	Insurance Premiums	99.68
AS Central Services	Data Processing Costs, District #2	23.54
Battle Creek Farmers Cooperative	Fuel, District #2, #3	8,832.63
Battle Creek Municipal Light & Power	Utilities, District #3	149.35
Binswanger Glass	Repairs, District #1	143.50
Black Hills Energy	Gas Service, District #1, #2, #3	89.06
Blue Cross Blue Shield of Nebraska	Insurance Premiums, District #1, #2, #3	29,409.92
Bomgaars Supply Inc.	Supplies, District #1, #2, #3	291.44
Brandl Electric	Services, District #1	1,646.04
Caterpillar Financial Services Corporation	Equipment Lease, District #2	1,913.64
City of Madison	Utilities, District #1	386.33
City of Newman Grove	Utilities, District #1	50.00
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation Energy	Gas Service, District #2	94.42
Cornhusker International Trucks Inc.	Parts, District #3	29.96
Dinkel Implement Co.	Repairs, District #2	1,402.70
Eastern Nebraska Telephone	Telephone Services, District #3	89.59
Electrical Engineering & Equipment	Supplies, District #2	1.42
Fields Hardware	Supplies, District #1	115.39

Filter Care of Nebraska	Services, District #1, #2	73.30
First Concord Benefits Group	Flexible Benefit Plan	497.14
Flinn Paving Company Inc.	Contract Services, District #1, #3	123,439.84
Frontier	Telephone Services, District #1, #3	232.72
Geotechnical Services Inc.	Testing, District #1	966.25
Group Link, Inc.	Insurance Premiums	12.42
Jebro Inc.	Asphaltic Materials, District #2	5,815.68
Johnson Engineering Company	Engineering Services, District #1, #2, #3	1,250.00
K & C Grain, Inc.	Gravel, District #2	1,582.81
Kayton International Inc.	Parts, District #3	36.33
Kelly Supply Company	Repairs, District #3	480.89
Kimball Midwest	Supplies, District #3	172.70
Ervin Klentz	Prior Service Benefits, District #2	13.00
Kolterman Farm Equipment, Inc.	Repairs, District #2	202.43
Linweld Inc.	Supplies, District #1, #2, #3	203.88
Madison County Clerk	Tax Deposit	7,895.33
Matteo Sand & Gravel Co. Inc.	Gravel, District #1, #2, #3	2,565.53
Menards	Supplies, District #1, #2	84.55
NAPA Auto Parts of Norfolk	Supplies, District #1, #2, #3	543.25
National Insurance	Insurance Premiums	33.64
Nebraska Harvestore Systems	Parts, District #1, #3	606.34
Nebraska Public Power District	Utilities, District #3	105.29
NMC Exchange LLC	Repairs, District #1, #2, #3	5,039.79
Northern Materials LLC	Gravel, District #3	16,805.60
Prime Sanitation	Garbage Service, District #2	53.75
Rose Equipment Inc.	Equipment, District #2	1,335.26
Telebeep Wireless	Internet Services, District #2	141.96
Transamerica Life Assurance Company	Insurance Premiums	44.57
U.S. Cellular	Telephone Service, District #1, #2, #3	241.31
United Rentals Inc.	Material, District #1, #2	767.86
Weiland Well Company	Services, District #2	67.84

FEDERAL AID SECONDARY FUND

Midwest Service and Sales Co.	Bridge Materials	39,473.93
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies, Subscription	185.28
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NOXIOUS WEED FUND

Total Net Payroll		2,877.18
American Family Life Assurance Company	Insurance Premiums	36.65
Ameritas Life Insurance Corporation	Employee Share Retirement	129.17
Ameritas Life Insurance Corporation	Employer Share Retirement	193.76
Ameritas Life Insurance Corporation	Insurance Premiums	14.64
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,269.34
Eudell Feldman	Mileage, Training	184.35
First Concord Benefits Group	Flexible Benefit Plan	38.46
August Klug	Training	10.00
Madison County Clerk	Tax Deposit	880.10
National Insurance	Insurance Premiums	3.25
Myron Nelson	Mileage, Training	122.20
Earl Reeves	Mileage, Training	96.35
Orin Rinkel	Mileage, Training	32.00

911 EMERGENCY FUND

Eastern Nebraska Telephone	Telephone Service	127.86
Frontier	Telephone Service	160.41
Qwest	Telephone Service	1,096.72

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 10:33 A.M. to Tuesday, July 21, 2009 at 9:30 A.M.

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County Clerk

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Chairman