

## BOARD OF EQUALIZATION

Madison, Nebraska

January 20, 2010

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

Advance notice of meeting was published in the Thursday, January 14, 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 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.

Present: Commissioners Rick Uhlir and Lee Klein, County Treasurer Donna Primrose, Deputy County Assessor Judy Bickley, and County Clerk Nancy Scheer. Absent: Commissioner Jerry McCallum.

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

Motion made by Uhlir and seconded by Klein to approve the minutes of the January 5, 2010 meeting. Roll call vote: Ayes, Uhlir and Klein. Absent, McCallum. Nays, none. Motion carried.

Chairman Klein opened a public hearing at 9:01 to receive testimony regarding the following motor vehicle exemption applications:

Christ is King Community Church, 715 West Madison Avenue, Norfolk	1999 Dodge Sport Van
Community Concern of Norfolk, Inc., P.O. Box 302, Norfolk	2003 Ford Van
Countryside Home, 703 North Main Street, Madison	1999 Ford Econoline Wagon
Liberty Centre Services, Inc., 900 East Norfolk Avenue, Norfolk	2009 Chevrolet Impala (2)
The Link, Inc., P.O. Box 2007, Norfolk	2005 Dodge Grand Caravan
Wesley Center, Inc., 409 1/2 Phillip Avenue, Norfolk	2003 Dodge Sport Van

County Treasurer Donna Primrose reported that all applications were renewals. No one appeared during the hearing to offer verbal testimony. Chairman Klein closed the hearing at 9:02 A.M.

After discussion, motion was made by Uhlir and seconded by Klein to approve the motor vehicle exemption application as submitted. Roll call vote: Ayes, Uhlir and Klein. Absent, McCallum. Nays, none. Motion carried.

Deputy County Assessor Judy Bickley submitted the following tax list corrections:

- #2559: Secretary of Veterans Affairs, 125 South State Street, P.O. Box 11500, Salt Lake City, Utah 84147  
Deduction from the tax rolls in the amount of \$1,646.78 for correction to the 2009 real estate taxes due to removal of the property from the tax roll since the property is owned by an exempt federal agency
- #2560: The Link, Inc., P.O. Box 2007, Norfolk  
Deduction from the tax rolls in the amount of \$1,368.82 for correction to the 2008 real estate taxes due to removal from the 2008 tax rolls since the property is owned by an exempt organization
- #2561: The Link, Inc. P.O. Box 2007, Norfolk  
Deduction from the tax rolls in the amount of \$27.12 for correction to the 2008 real estate taxes due to removal from the 2008 tax rolls since the property is owned by an exempt organization
- #2562: The Mary Louise Foundation, Inc., 83752 U.S. Hwy 81, Norfolk  
Addition to the tax rolls in the amount of \$64.20 for correction to the 2008 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty
- #2563: The Mary Louise Foundation, Inc., 83752 U.S. Hwy 81, Norfolk  
Addition to the tax rolls in the amount of \$64.20 for correction to the 2008 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty
- #2564: New Life Christian Ministries, Inc., 8501 Bruceville Rd., Apt. 206, Elk Grove, California 95759  
Addition to the tax rolls in the amount of \$22.00 for correction to the 2009 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty
- #2565: German Congregational Zion Church of Norfolk, c/o Loren Kment, 84487 440th Avenue, Norfolk  
Addition to the tax rolls in the amount of \$20.00 for correction to the 2009 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty
- #2566: Catalina Rivera, c/o Inglesia Filadelfia, P.O. Box 93, Madison  
Addition to the tax rolls in the amount of \$83.82 for correction to the 2009 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty
- #2567: Greater Norfolk Economic Development, 405 Madison Avenue, Norfolk  
Addition to the tax rolls in the amount of \$500.00 for correction to the 2009 real estate taxes due to late filing of a permissive exemption form which resulted in a 10% late filing penalty

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

The Board of Equalization adjourned at 9:05 A.M.

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County Clerk

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Chairman

## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

January 20, 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, January 14, 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. Vice-Chairman Rick Uhlir 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 Rick Uhlir and Lee Klein, and County Clerk Nancy Scheer. Absent: Commissioner Jerry McCallum. County Highway Superintendent Richard Johnson joined the meeting at 9:38 A.M.

Vice-Chairman Rick Uhlir read the following consent agenda items into the record:

- 1) Approval of minutes of the January 5, 2010 meeting
- 2) Set February 17, 2010 as a hearing date for the one and six year road plan
- 3) Authorization to advertise for bids for asphaltic materials and set the bid date for February 17, 2010
- 4) Approve appointment of Lucille Gesell to serve on the Advisory Board of Northeast Nebraska Area Agency on Aging to serve a three-year term
- 5) Retain Spencer Fane Britt & Browne, LLP to verify compliance with the Fair Labor Standards Act
- 6) Authorization for County Board Chairman to execute the program income report for CDBG Grant #99-ED-008 for the period ending December 31, 2009

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

County Clerk Nancy Scheer reported that, due to the winter weather conditions, the representative from Nationwide Insurance Company called to re-schedule the appointment with the County Board. Motion was made by Klein and seconded by Uhlir to approve the regular agenda with removal of Agenda Item #12. Roll call vote: Ayes, Uhlir and Klein. Absent, McCallum. Nays, none. Motion carried.

Mark and Ross Gronau appeared before the County Board regarding the purchase of property located in Section 28-24-3. Mark Gronau explained that he is interested in purchasing a 4.15 acre parcel of property located in the NW 1/4 Section 28-24-3 which adjoins other property that he owns. He submitted pictures of the property showing that the parcel he is interested in purchasing is an extension of property that he currently owns.

County Clerk Nancy Scheer presented a copy of the deed record that was recorded on January 12, 1906 and reflects that the property was purchased from Julia and William Dittrich for the sum of \$56.00. She also presented a map received from the County Assessor's Office reflecting the location of the property.

County Attorney Joseph Smith was present and submitted a copy of Section 23-107.01 Nebraska Revised Statutes regarding the sale of real estate owned by the county. He explained that the statutes provide that the County Board has the power to sell real estate at a fair market value regardless of the value of the property and that prior to the sale of any property a public hearing must be held to provide an opportunity for anyone to speak for or against the sale of the property and to raise any issues regarding the fair market value of the property as determined by the County Board. He further explained that within two months of the public hearing date the County Board should set a sale date to receive bids for the property.

Commissioner Klein stated that, if the sale of this parcel of property is advertised, there would be buyers who are interested in a place to hunt. Mark Gronau stated that the land might need to be surveyed to establish the boundary lines. He agreed that if the county advertised this parcel for sale, it would likely be cost prohibitive to purchase the property.

County Highway Superintendent Richard Johnson stated that a survey of the property might not be required since the county has a legal description that could be used for selling the property. He stated that one reason to have a survey completed is to make sure that road right-of-way would not be sold. He recommended that if the property is sold, the county should issue a quitclaim deed instead of a warranty deed.

Ross Gronau stated that he is not crazy about having the county put the property up for sale and then have someone else come in and grab it up. Commissioner Klein stated that if the Gronau family is interested in purchasing the property the county could proceed with the statutory requirements to conduct a public hearing, establish a fair market value, and set a sale date. He stated that the property would be an ideal parcel for hunting and may sell for much more than the market value if offered at a public sale. In addition, he stated that the county share of taxes on a 4.15 acre parcel of property would be rather insignificant.

Mark Gronau agreed that if the county offered the property for sale it would bring an exuberant amount of money. County Attorney Joseph Smith stated that Mark and Ross Gronau don't need to make an immediate decision because the County Board could always set the matter for hearing at a future date.

Ross Gronau questioned if there was a 100-year statute of limitation regarding land owned by the county and not used that wouldn't be subject to the process described by the County Attorney. Commissioner Klein responded that the County Board must comply with the statutory guidelines presented by the County Attorney.

The Board took no action.

The Board reviewed the following reports and correspondence:

- County Clerk December fee report
- County Treasurer fund balance report
- Register of Deeds December fee report
- Clerk of District Court December fee report
- County Sheriff October, November and December fee reports
- 4th Quarter Veterans' Aid Fund financial report
- 4th Quarter report of CASA of Northeast Nebraska
- Minutes of the December 15, 2009 meeting of PrairieLand RC&D and January newsletter
- Letter of thanks from the Norfolk Daily News

County Highway Superintendent Richard Johnson reported that he reviewed and signed the interrogatories for the Blaser vs. Madison County lawsuit. No action was taken.

The following claims were audited:

		GENERAL FUND	
Total Net Payroll			111,020.40
Joseph Abler	Postage, Public Defender		44.79
AGACL	Dues, County Attorney		100.00
American College of Forensic Examiners	Dues, County Attorney		171.00
American Family Life Assurance Company	Insurance Premiums		558.95
Ameritas Life Insurance Corporation	Employee Share Retirement		7,154.84
Ameritas Life Insurance Corporation	Employer Share Retirement		10,511.72
Ameritas Life Insurance Corporation	Insurance Premiums		351.36
Antelope County Court	Supplies, County Court		207.52
APAPanningBooks.com	Subscriptions, Planning and Zoning		52.90
Aramark Correctional Services	Supplies, Meals, County Jail		14,550.16
AS Central Services	Telephone Services, Veterans' Service Office		38.13
A T & T	Telephone Services, Public Defender		164.44
Automated Systems Inc.	Computer Support, Reappraisal		1,380.00
Avon Garden Apartments	Rent, County Relief		200.00
Barnes Mini Mart	Supplies, County Sheriff		37.77
BHS Inc.	Services, Juvenile Diversion		120.00
BI Inc.	Monitoring Services, Juvenile Diversion		1,423.23
Big Red Printing	Supplies, County Assessor		33.96
Big Red Printing	Supplies, County Court		310.44

Big Red Printing	Supplies, District Court	82.15
Black Hills Energy	Gas Service, Courthouse	785.33
Black Hills Energy	Gas Service, County Jail	846.06
Bessie Bove	Prior Service Benefits	12.00
Brogan & Gray, P.C., L.L.O.	Legal Services, County Court	2,928.20
Brogan & Stafford, P.C.	Legal Services, County Court	981.65
Cableone	Internet Services, Public Defender	99.00
Carney Law, P.C.	Legal Services, County Court	5,626.75
Central Restaurant Products	Supplies, County Jail	809.44
Central United Life Insurance Company	Insurance Premiums	37.21
City of Madison	Utilities, Public Defender	160.24
City of Madison	Utilities, Courthouse	1,219.27
City of Madison	Utilities, County Jail	3,669.96
Colfax County Court	Copies, Law Enforcement	4.00
Colonial Life and Accident Insurance	Insurance Premiums	154.67
Complete Pest Elimination Inc.	Services, County Jail	125.00
Connecting Point	Supplies, Register of Deeds	59.98
Connecting Point	Equipment, District Court	90.00
Connecting Point	Equipment, Services, County Sheriff	398.25
Connecting Point	Internet Services, Veterans' Service Office	35.95
Connecting Point	Contract Services, Internet Services, Courthouse	1,322.85
Constellation Energy	Gas Service, Courthouse	1,754.92
Constellation Energy	Gas Service, County Jail	4,094.80
Copple, Rockey & McKeever P.C., L.L.O.	Legal Services, County Court	857.22
Credit Management Services Inc.	Garnish of Wages	309.45
Creighton University Medical Center	Forensic Services, Law Enforcement	71.40
Custom Heating-Air Conditioning	Services, County Jail	147.50
Dakota Business Systems	Copier Maintenance, Probation	72.00
DDSS Inc.	Software Services, County Sheriff	2,322.64
Department of Revenue	Data Processing Costs, County Assessor	6,248.98
Richard Drummond	Uniforms, County Sheriff	78.05
Eakes Office Plus	Supplies, County Court	106.98
Eakes Office Plus	Supplies, County Attorney	113.92
Eakes Office Plus	Supplies, Contract Services, County Jail	574.14
Eakes Office Plus	Supplies, Probation	237.94
Electrical Engineering & Equipment	Supplies, Courthouse	10.25
Elite Office Products	Copier Maintenance, County Court	89.86
Enviromaster, Inc.	Supplies, County Jail	42.00

Faith Regional Health Services	Medical Services, County Jail	4,461.50
Field's Hardware	Supplies, Courthouse	32.98
Field's Hardware	Supplies, County Jail	593.30
First Concord Benefits Group	Flex Plan, Deductible Buy Down, Admin Fees	15,760.92
Frontier Bank	Supplies, County Sheriff	28.15
Gall's Inc.	Supplies, County Sheriff	18.87
Gasrite Inc.	Fuel, County Sheriff	3,212.65
Global Financial Services	Equipment Rental, Register of Deeds	930.00
Gordy's Towing & Repair	Repairs, County Sheriff	72.43
Kayla Grone	Services, Probation	100.00
Group Link Inc.	Insurance Premiums	304.50
Hartford Life Insurance Company	Deferred Compensation	175.00
Jerry's Standard Inc.	Supplies, County Sheriff	46.22
Jewell, Collins, DeLay, Flood & Doele	Legal Services, County Court	1,129.55
John's Disposal	Garbage Services, Probation	38.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	5,150.50
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, District Court	1,269.00
John Johnson	Publication, Planning and Zoning	57.87
J.W. Jones, M.D.	Autopsy Costs, Law Enforcement	920.00
Keenan Law, P.C., L.L.O.	Legal Services, County Court	1,811.70
Seth Lauver	Insurance Reimbursement	15.15
Louderback Drug	Prescriptions, County Jail	4,585.95
Madison Ampride, Inc.	Fuel, Courthouse	158.33
Madison Ampride, Inc.	Fuel, County Sheriff	213.89
Madison County Clerk	Tax Deposit	38,710.58
Madison County Clerk of District Court	Fees, District Court	852.00
Madison County Court	Fees, County Court	1,138.00
Madison County Sheriff	Fees, Mental Health	125.26
Madison County Sheriff	Fees, District Court	979.66
Madison County Sheriff	Fees, County Court	1,184.38
Madison County Treasurer	Insurance Premiums	25.00
Madison National Life	Insurance Premiums	127.39
Matthew Bender & Co.	Publications, County Jail	96.71
Christal McDonald	Court Reporting, Mental Health	50.00
Menards	Supplies, Probation	95.09
Microfilm Imaging Systems	Equipment Rental, County Clerk	45.00
Microfilm Imaging Systems	Supplies, Register of Deeds	31.50
Microfilm Imaging Systems	Equipment Rental, County Court	227.00

Microfilm Imaging Systems	Equipment Rental, County Surveyor	45.00
Midwest Office Automations	Copier Maintenance, Probation	657.86
Morrissey Motor Company	Repairs, Reappraisal	34.45
Morrissey Motor Company	Repairs, County Sheriff	54.45
NACO	Registrations, County Board	240.00
Nebraska Association of County Clerks	Dues, County Clerk	75.00
Nebraska Association of Register of Deeds	Dues, Register of Deeds	75.00
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Department of Revenue	Sales Tax	92.68
Nebraska Health & Human Services	State Institution Costs	405.00
Nebraska Public Power District	Utilities, Probation	656.67
New Victorian Suites	Lodging, County Sheriff	59.00
Norfolk Cleaning Service	Services, Probation	140.00
Norfolk Daily News	Publication Costs, Courthouse	142.96
Northeast District Assessor's Association	Dues, County Assessor	25.00
Northeast Nebraska Juvenile Services, Inc.	Annual Assessment Fee, Juvenile Detention	47,968.20
Pioneer Telephone	Telephone Services, Courthouse	222.79
Platte County Sheriff	Copies, District Court	6.00
Quill Corporation	Supplies, County Court	402.99
Qwest	Telephone Services, County Jail	17.66
Qwest	Telephone Services, Probation	412.26
RAD Inc.	Supplies, County Sheriff	222.06
Region IV, Inc.	Quarterly Contribution	9,147.75
Region 4 Behavioral Health System	Quarterly Contribution	14,108.00
Reigle Implement Company Inc.	Repairs, County Sheriff	462.10
Reynoldson's Inc.	Fuel, County Sheriff	552.01
RS Electric	Repairs, Courthouse	142.44
Tim Schmitz	Uniforms, County Sheriff	40.60
Schroeder Land Surveying	Services, County Surveyor	1,286.00
SEPS Inc.	Equipment, County Jail	158.11
Shoppers Express	Fuel, County Relief	30.00
Sioux Sales Company	Uniforms, County Sheriff	205.35
Stratton Law, P.C.	Legal Services, County Court	4,319.66
Michelle Sullivan	Mileage, Juvenile Diversion	118.80
Dale Taylor	Interpreting Services, Public Defender	416.30
U.S. Cellular	Telephone Service, Law Enforcement	126.42
David Uher	Legal Services, County Court	1,114.25
Richard Uhlir	Mileage, County Board	136.40

United Bank of Iowa	Copier Maintenance, Probation	422.40
U.S. Bank Corporate Payment System	Postage, Meals, Law Enforcement	19.62
U.S. Bank Corporate Payment System	Supplies, County Sheriff	7.90
Verizon Wireless	Telephone Services, Planning and Zoning	56.98
WalMart Community	Supplies, Reappraisal	25.36
West Payment Center	Subscription, County Attorney	115.00
West Payment Center	Subscription, Law Library	30.00
Western Office Plus	Supplies, Register of Deeds	11.94
Western Office Plus	Supplies, County Assessor	838.15
Western Office Plus	Supplies, District Court	17.95
Western Office Plus	Supplies, County Court	172.65
Western Office Plus	Supplies, District Judge	71.76
Western Office Plus	Supplies, Public Defender	29.79
Western Office Plus	Copier Maintenance, County Attorney	834.53
White Star Oil Company	Fuel, County Sheriff	6.31
Jim Widhalm	Services, Veterans' Service Office	67.00
Zodiac Properties, L.L.C.	Rent, Probation	7,876.67

#### ROAD/BRIDGE FUND

Total Net Payroll		27,434.21
Advance Auto Parts	Parts, District #2	320.06
American Family Life Assurance Company	Insurance Premiums	318.90
Ameritas Life Insurance Corporation	Employee Share Retirement	1,639.16
Ameritas Life Insurance Corporation	Employer Share Retirement	2,458.46
Ameritas Life Insurance Corporation	Insurance Premiums	114.32
B & D Truck Parts Inc.	Parts, District #1	930.00
B's Enterprises Inc.	Blades, Parts, District #2	1,348.00
Battle Creek Farmers Coop	Fuel, District #1, #3	2,297.73
Bauer Built	Repairs, District #2, #3	2,878.64
Black Hills Energy	Gas Service, District #1	297.34
Brody Chemical	Chemicals, District #2	1,309.96
Central Valley Ag	Fuel, District #1	27.65
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation NewEnergy	Gas Service, District #1	1,373.83
D & M Machinery	Parts, District #3	59.28
Field's Hardware	Shop Supplies, District #1	57.13
First Concord Benefits Group, L.L.C.	Deductible Buy Down, Admin Fees, District #1, #2, #3	1,276.52

Group Link, Inc.	Insurance Premiums	12.42
Kimball Midwest	Parts, District #3	92.44
Linweld Inc.	Supplies, District #1, #3	324.93
Luedeke Oil Company Inc.	Fuel, District #2	1,150.00
M & M Farm Supply	Supplies, District #1	145.95
Madison Ampride Inc.	Fuel, District #1	803.66
Madison County Clerk	Tax Deposit	8,870.39
Madison National Life	Insurance Premiums	37.03
Meisinger Oil Company Inc.	Fuel, Supplies, District #1, #3	15,316.90
Menards	Supplies, District #3	30.95
Nebraska Public Power District	Utilities, District #2	246.24
Nebraska Truck & Equipment Company Inc.	Parts, District #3	52.20
NMC Exchange LLC	Parts, District #1, #2, #3	8,507.57
Norfolk Auto Center	Repairs, District #3	338.55
Norfolk Auto Supply	Parts, District #2, #3	374.25
Northeast Glass	Parts, District #3	160.00
Northeast Machine & Manufacturing Inc.	Parts, District #3	99.00
Pioneer Telephone	Telephone Services, District #1, #3	46.78
Powerplan	Parts, District #2	45.10
Prime Sanitation	Garbage Service, District #2	53.75
Quick Serve Oil Company Inc.	Fuel, District #3	248.53
Red Bud Hardware Inc.	Supplies, District #3	207.52
Rutjens Construction	Equipment Rental, District #3	2,750.00
Scheer's Ace Hardware	Supplies, District #2	103.30
Sonlite Express Inc.	Salt, District #1	1,275.50
The Grove	Fuel, District #1	75.00
Transamerica Life Insurance Company	Insurance Premiums	49.28
Truck Center of Norfolk	Repairs, Warranty, District #1, #2, #3	102,497.79
University of Nebraska Lincoln	Registrations, District #2, #3	460.00
Verizon Wireless	Telephone Services, District #2	54.83
Weldon Industries Inc.	Parts, District #2	131.96
White Star Oil Company	Fuel, District #1	173.01
Matt Winkelbauer	Equipment Rental, District #2	1,867.50

#### VISITORS IMPROVEMENT FUND

Great American Comedy Festival	Grant	10,000.00
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies	360.83
T-Netix	Telephone Service	5,260.00

DRUG COURT FUND

On-Call Employee Health	Drug Testing	70.00
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NOXIOUS WEED FUND

Total Net Payroll		1,810.01
Ameritas Life Insurance Corporation	Employee Share Retirement	113.26
Ameritas Life Insurance Corporation	Employer Share Retirement	169.90
AS Central Finance	Telephone Service	.96
Cableone	Internet Services	49.00
Eudell Feldmann	Mileage	25.00
First Concord Benefits Group	Administrative Fees, Flexible Benefit Plan	53.00
HSBC Business Solutions	Supplies	21.09
John's Disposal	Garbage Service	26.00
August Klug	Mileage	6.00
Madison County Clerk	Tax Deposit	540.39
Nebraska Child Support Payment Center	Garnish of Wages	245.70
Nebraska Public Power District	Utilities	69.98
Myron Nelson	Mileage	39.00
Norfolk Daily News	Publication Costs	7.20
Earl Reeves	Mileage	20.50
Orin Rinkel	Mileage	10.00
C.J. Rudnick	Meals	52.91
Western Office Plus	Supplies	2.49

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

The Board adjourned at 10:37 A.M. to Tuesday, February 2, 2010 at 9:30 A.M.

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County Clerk

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Chairman