

BOARD OF EQUALIZATION

Madison, Nebraska

February 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, February 11, 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 Jerry McCallum, Rick Uhlir and Lee Klein, County Assessor Jeff Hackerott, County Treasurer Donna Primrose, and County Clerk Nancy Scheer.

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 February 2, 2010 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman Klein opened a public hearing at 9:02 to receive testimony regarding the following motor vehicle exemption applications:

Behavioral Health Specialists, Inc., 900 Norfolk Avenue, Norfolk	2009 Dodge Caliber, 2009 Chevrolet Impala
Community Bible Church, 401 East Park Avenue, Norfolk	1995 Chevrolet Van, 1992 Ford Eldorado
Goldenrod Hills Community Action, P.O. Box 280, Wisner	1999 Plymouth Voyager, 1997 Chevrolet Lumina
Heartland Independent Baptist Church, P.O. Box 2235, Norfolk	1995 Dodge Ram Wagon
Missionary Benedictine Sisters, 300 North 18th Street, Norfolk	2010 Ford Fusion, 2008 Ford Escape, 2002 Chevrolet
Impala, 2001 Dodge Caravan (2), 2001 Chevrolet Impala, 1997 Ford Windstar, 1996 Dodge Grand Caravan, 1994 Saturn, 1989 Chevrolet Truck	

Norfolk Catholic Schools, 204 South 5th Street, Norfolk
Chevrolet Astro, 2005 Chevrolet Astro, 2002 Dodge Grand Caravan (2), 1994 GMC Safari Van, 2006 International Bus, 1991 International Bus, 1994 Trailer
Orphan Grain Train, Inc. 601 Phillip Avenue, Norfolk
2005 Chevrolet Truck, 1980 Homemade Trailer, 2003
2008 Carry On Trailer, 2008 Hammar Truck,
1999 Excel Fifth Wheel Trailer, 1992 Strick Van Trailer, 1976 Great Dane Semi-Trailer, 1989 Corn Trailer, 1998 Cargomate Utility Trailer, 1996 Star Trailer, 1984 Alpine Trailer, 2002 Cargomate Trailer (2), 2003 Cargomate Trailer, 1982 Play-mor Travel Trailer, 1989 Kit Trailer, 1983 Merrit Trailer, 2003 Chevrolet Pickup, 2006 S & W Gooseneck Trailers (2), 2005 H & H Trailer, 1973 Polar Tank Trailer, 1986 Reefer Utility Trailer, 1989 Ford Truck, 1987 Ford Cutaway Van, 1990 Ford Pickup, 1993 Ford Pickup, 1993 Winnebago Motor Home, 2005 Dodge Pickup, 1999 D & K Gooseneck Trailer, 1999 Ford Taurus, 2007 S&W Trailer (6), 1988 Ford Van, 1993 Great Dane Semi Trailer, 1979 STE Tank Trailer, 1979 United Box Trailer
Our Savior Lutheran Church, 2500 Norfolk Avenue, Norfolk
1997 Ford Bus

County Treasurer Donna Primrose reported that the applications were all renewals. No one appeared at the hearing to offer verbal testimony. Chairman Klein closed the hearing at 9:03 A.M.

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

County Assessor Jeff Hackerott submitted the following tax list corrections:

#2584: David and Cindy Pieke, 83110 Hwy 45, Newman Grove
Deduction from the tax rolls in the amount of \$2,069.02 for correction to the 2009 real personal property taxes due to a clerical error

After discussion, it was moved by Uhlir and seconded by McCallum to approve tax list correction #2584. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board of Equalization adjourned at 9:04 A.M.

County Clerk

Chairman

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

February 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, February 11, 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. County Highway Superintendent Richard Johnson joined the meeting at 9:55 A.M. and Planning and Zoning Administrator John Johnson joined the meeting at 10:00 A.M. County Attorney Joseph Smith was present from 9:55 A.M. to 10:03 A.M. and County Treasurer Donna Primrose was present from 9:55 A.M. to 10:05 A.M.

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

- 1) Approval of minutes of the February 2, 2010 meeting
- 2) Acknowledge receipt of the continuation certificate for the Official Bond of Crystal Elznic as Treasurer for the Village of Meadow Grove
- 3)

RESOLUTION #2010-8

BE IT RESOLVED, that the withdrawal by BankFirst, Norfolk, Nebraska of the following securities, held in safekeeping by Union Bank and Trust Company, Lincoln, Nebraska, to secure deposits of the county in said bank, to wit:

FEDERAL HOME LOAN BANK	\$750,000.00	Union Bank & Trust Company
Dated 02/10/2009	Maturity 02/10/2010	Lincoln, Nebraska
Rate 1.020%	Cusip 3133XT3J3	Receipt No. 5536

and the substitution of the following securities be and the same hereby are approved:

O'NEILL NE UTIL SYS	\$250,000.00	Union Bank & Trust Company
Dated 03/19/2009	Maturity 11/15/2020	Lincoln, Nebraska
Rate 4.000%	Cusip 67088ACD1	Receipt No. 5549

FEDERAL NATIONAL MORTGAGE ASSOC

Maturity 11/10/2014

Dated 01/25/2010

Rate 3.125%

\$500,000.00

Cusip 31398AZY1

Union Bank & Trust Company

Lincoln, Nebraska

Receipt No. 5672

- 4) Approval of Interlocal Agreement with Stanton County to provide Responsible Charge (RC) person for Federal Aid Projects
- 5) Approval of Interlocal Agreement with Stanton County, City of Norfolk, and Madison County Railroad Transportation Safety District for construction of Northeast Industrial Highway
- 6) Approval of agreement with Stanton County and Nucor Steel-Nebraska for construction of the Nucor plant entrance road

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, February 6, 2010 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:10 A.M. to consider an amendment to the 2003 Madison County Zoning Regulations to allow for an existing Single-Family Residence to be a conforming use in the "I" Industrial Zoning District.

Planning and Zoning Administrator John Johnson explained that the proposed amendment is specifically referencing property near the location of the new King Steel building. He reported that this area is zoned industrial and also includes some of the airport property and also property owned by the Ablers. He stated that this proposed amendment was drafted at the request of Donna Wolff who is trying to sell her house. He explained that caretakers and watchman houses are allowed in a Light Industrial District. He reported that a mobile home is currently located at King Steel for the manager and it would make sense to allow the houses that are currently located in the Industrial District to be conforming. Mr. Johnson read the proposed wording to amend the Zoning Regulations. He explained that any existing houses would be conforming because if the property is ever sold for an industrial use, it could be used by a caretaker or watchman. He further explained that if there are more than two houses on a parcel, unless one of the houses is split off, the owner would need to pick which house would be conforming. He reported that this proposal addresses two houses, including the Wolff property and one other house located by the airport. Mr. Johnson explained that this proposed amendment is the easiest way to keep the houses conforming and maintain the zoning for industrial use. He reported that the Planning Commission approved the amendment. He explained that the only discussion that was held at the Planning Commission meeting was a request by a gentleman who would like a similar change made inside the City of Norfolk because his property is located in an industrial area which restricts him from adding onto his residence.

Donna Wolff testified in favor of the proposed amendment. She explained that she and her spouse are currently trying to sell their house and approximately 20 people have looked at it. She stated that two people have approached banks to try to obtain loans; however, since the property is zoned industrial, the prospective buyers are having trouble getting a loan. She reported that, with the amendment to the current zoning, the banks would approve a loan on the property. Mrs. Wolff explained that a mechanic has looked at the property to locate a shop there and another person who looked at the property was considering construction of a Morton building.

Planning and Zoning Administrator John Johnson clarified that the property is currently non-conforming, which means that if the house was destroyed by a tornado, or if a fire destroyed more than 50% of the house, it could not be re-built. He stated that by making the property conforming, an insurance company would not be required to measure what percentage of the house was destroyed. Donna Wolff stated that this is one of the main reasons that the bank won't approve a loan for the property.

Brad Wolff testified that he concurred with all the testimony presented by his spouse, Donna Wolff.

No one testified at the hearing in opposition to the proposed amendment. Chairman McCallum closed the hearing at 10:14 A.M. After discussion, the following resolution was introduced:

RESOLUTION #2010-9

A RESOLUTION AMENDING CERTAIN LANGUAGE IN THE MADISON COUNTY ZONING AND SUBDIVISION RESOLUTIONS UNDER THE AUTHORITY GRANTED BY SECTIONS 23-114.01 THROUGH 223-114.05 AND 23-165 OF THE REVISED STATUTES OF NEBRASKA, 1943.

WHEREAS, having received a recommendation for approval from the Madison County Joint Planning Commission and proper notice been given and public hearing held as provided by law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby amends the Madison County Zoning and Subdivision Resolution by amending the following language into the Zoning Regulations, specifically Article 4, Section 408; "I" - Industrial District. New additional language is shown in *italics* and passages removed are shown as ~~stricken~~ as described in detail below.

Exemptions.

1. *Single family dwellings in existence on or before prior to July 1, 2003, in any Industrial District are considered a conforming use. No more than one single family dwelling per parcel will be accepted as a conforming use. No new single family dwellings except those noted in Section 408; Permitted Uses Part 2.q. will be built after July 1, 2003. Existing dwellings may be included in a lot split of no less than three acres or a subdivision lot of no less than three acres.*

A duly advertised hearing was held by the Madison County Joint Planning Commission on January 28, 2010; and the Madison County Board of Commissioners on February 17, 2010 after a recommendation for approval by the said Joint Planning Commission.

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that this Resolution shall take effect and be in force no sooner than the 17th day of February, 2010.

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.

Pursuant to published legal notice on the Friday, February 5, 2010 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:24 A.M. to receive citizens' comments on the road construction program for 2010 and the six-year road improvement plan. Two members of the media were in attendance during the hearing.

County Highway Superintendent Richard Johnson reported that state law requires the county to file a one and six year road improvement plan with the Board of Classifications and Standards by March 1st of each year. He explained that the one and six year plan serves as a planning tool for the upcoming year and also a long range plan for the county. He presented a map and explained the various road districts in the county.

Mr. Johnson reported that plans for Road District #1 include improvements on 2½ miles of roads and 7 structures in the one-year plan and improvements on 7½ miles of road and replacement of 4 drainage structures in the six-year plan. He clarified that improvements to structures include replacement of deficient bridges that are 20 feet or longer. He explained that deficient bridges are often replaced with several culverts or box culverts and that both are cheaper than bridges. Mr. Johnson explained that District #1 has done a good job of replacing bridges; however, there are many timber bridges in this area which cross Shell Creek, Union Creek, and Taylor Creek. He reported that the 2½ miles of gravel roads will be re-graded and re-graveled to bring them up to standards and improvements will be made to one mile of asphalt road. He explained that the six-year plan includes an asphalt overlay to 6 miles of the Lindsay Road. Chairman McCallum stated that he has built almost 40 bridges since he has served as Commissioner, but there are still many to be re-built and many more that are under 20 feet in length that are not even listed on the road plan.

Mr. Johnson reported that plans for Road District #2 include improvements to one structure and 2 miles of gravel road surfacing and 8 miles of hard surfaced road in the one year plan. He explained that Road District #2 has a significant number of asphalt roads and most of them are in need of improvements. He stated that the big projects in the one year plan include the Victory Road project, which will be completed in conjunction with the City of Norfolk. He reported that the Victory Road project would start as soon as the snow is gone. Mr. Johnson stated that the other major projects in the one year plan include the first phase of Northeast Industrial Highway and the Ethanol plant road, which will tie Victory Road into Highway 35. He reported that the agreements are in the process of being signed for Northeast Industrial Highway and should be signed by March 1st. In addition, he stated that a conference call will be held later in the day to discuss environmental issues associated with the project. Mr. Johnson explained that the six year plan for District #2 includes improvements to two structures and completion of Northeast Industrial Highway and overlay of 12½ miles of asphalt roads.

Jim Curry, representative from WJAG, asked if the bridge on Eisenhower Avenue was the responsibility of the county. Commissioner Uhlir responded that the bridge would stay closed. County Highway Superintendent Richard Johnson reported that ultimately the bridge would be removed because several of the steel stringers are very bad. He stated that when the weather improves, he would inspect the bridge to determine an estimate for repairing the bridge.

Mr. Johnson reported that plans for Road District #3 include improvements to 4 structures and 5½ miles of gravel roads in the one year plan and improvements to 4 structures, 5½ miles of gravel roads, and 12 miles of hard surfaced roads. He explained the District #3 doesn't have as many deficient timber bridges as District #1; however, the county is trying to continue making improvements on the county bridges. Commissioner Klein requested that the road map be updated to include a symbol for roads that have been closed by the county and reverted to the property owners. He stated that if citizens obtain a copy of the map which doesn't reflect closed roads it could cause problems. County Highway Superintendent Richard Johnson responded that the maps presented at the meeting are provided by the state; however, he advised that he could update the maps.

Chairman McCallum stated that the county has done a good job during the past eight years of completing projects. He explained that this is very important because if projects listed on the road plan are not completed, the county could lose some federal money. Commissioner Klein stated that he wished the county had more money to spend on road and bridge improvements. County Highway Superintendent Richard Johnson stated that it is not unlikely that some of the proposed projects may get delayed due to the amount of funds spent on snow removal this year. Commissioner Klein reported that he was hopeful that the county would get some FEMA funds; however, since Washington D.C. and New York had harsh winter storms, receipt of FEMA funds was unlikely.

Chairman McCallum stated that the public must realize that if the county wants to keep good infrastructure, it will take money. He also stated that replacing deficient bridges with culverts saves money, eliminates a rating problem, reduces future maintenance, and increases the longevity. County Highway Superintendent Richard Johnson explained that when the county is planning a structure improvement, culverts are usually considered first, then box culverts, and lastly bridges. He stated that the county also saves money by using county employees to install culverts.

No public comments were received during the hearing. Chairman McCallum closed the public hearing at 10:35 A.M. After discussion, the following resolution was introduced:

RESOLUTION #2010-10

WHEREAS, pursuant to published legal notice, public hearing on the one year and six year Road Improvement Programs for Madison County was held, and

WHEREAS, Richard C. Johnson, Madison County Highway Superintendent has presented the one year and six year Road Programs, and

WHEREAS, said Road Programs, as presented, have been given due consideration,

NOW, THEREFORE, BE IT RESOLVED, that the one year Road Program and the six year Road Program, as presented, are hereby accepted.

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.

Pursuant to published legal notice to bidders in the February 4, 2010 and February 11, 2010 editions of The Norfolk Daily News, sealed bids for supplying asphaltic materials to the county were received. A sales representative and two members of the media were present during the bid opening. Bids received from the following companies were opened and read aloud by County Highway Superintendent Richard Johnson:

Jebro, Inc., Sioux City, Iowa
Monarch Oil Company, Omaha, Nebraska
Murphy Oil USA, Inc., Superior, Wisconsin

After discussion, it was moved by Klein and seconded by Uhlir to accept the bid submitted by Jebro, Inc. for providing asphalt products for the 2010 construction season. Roll call vote: Ayes, McCallum, Klein, and Uhlir. Nays, none. Motion carried.

Chad Christensen, representative from Nationwide Solutions, appeared before the Board to request adoption of a deferred compensation plan offered by Nationwide. Chairman McCallum inquired what decision was made by the County Board at the previous meeting. County Clerk Nancy Scheer responded that the Board authorized Nationwide to present a deferred compensation plan to county employees with no stipulations to require current participants with Hartford to roll over their funds. Chairman McCallum stated that the Board also agreed that the Nationwide representative present educational sessions on non-productive time. Chad Christensen responded that he could introduce the product to employees during staff meetings and then interested employees could meet with him during break time. He stated that he would like to get the information out to everyone at least one time. Chairman McCallum suggested that Mr. Christensen could meet with courthouse staff between 4:30 P.M. and 5:00 P.M. since this half hour of time won't disrupt the entire workday. County Clerk Nancy Scheer suggested that Mr. Christensen could meet with courthouse employees between 11:30 A.M. and 1:30 P.M. when employees are on lunch break or between 8:00 A.M. and 8:30 A.M. before the offices are open to the public.

Chad Christensen stated that adoption of the plan consists of signing numerous documents and he offered to explain all the paperwork to the Board. He explained that the county would receive a copy of all the signed documents. He reported that typically in all the counties he works with, the County Clerk signs the plan documents since they are readily accessible to authorize distributions, plan enrollments, and work with the payroll deductions. He stated that the county must decide on unforeseen financial emergency withdrawals.

Chad Christensen explained that if someone would have a house fire or other financial emergency and they don't have the money available to resolve the financial issue, the employee could take an early withdrawal from the deferred compensation plan, if the IRS guidelines are met. He stated that there is an option that the county could hold the right to sign off on these situations or the county could pass on this option to Nationwide. He encouraged the county to pass this option on to Nationwide to ensure that the plan requirements are met.

After discussion, the following resolution was introduced:

THE NATIONAL ASSOCIATION OF COUNTIES (NACo) DEFERRED COMPENSATION PROGRAM
SPECIMEN COPY OF ORDER/RESOLUTION #2010-11
IN THE MATTER OF ESTABLISHING A COMPENSATION PLAN FOR THE COUNTY OF MADISON

WHEREAS, the County has considered the establishment of a Deferred Compensation Plan to be made available to all eligible County employees, elected officials, and independent contractors pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and

WHEREAS, certain tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans; and

WHEREAS, such benefits will act as incentives to County employees to voluntarily set aside and invest portions of the current income to meet their future financial requirements and supplement their County retirement and Social Security (if applicable); and

WHEREAS, National Association of Counties has established a master deferred compensation program for its member Counties, permitting its member Counties and their employees to enjoy the advantages of this program;

WHEREAS, by adoption of the NACo Program, all regulatory, operational, administrative and fiduciary responsibilities are hereby assumed by NACo on behalf of County; and

WHEREAS, NACo, as Plan Administrator, agrees to hold harmless and indemnify the County, its appointed and elected officers and participating employees from any loss resulting from NACo or its Agent's failure to perform its duties and services pursuant to the NACo Program;

NOW, THEREFORE, THE COUNTY GOVERNING BODY DOES HEREBY RESOLVE AS FOLLOWS:

The County governing body, meeting in regular session, this 17th day of February, 2010, hereby adopts the National Association of Counties Deferred Compensation Program and hereby establishes the County of Madison Deferred Compensation Plan for the voluntary participation of all eligible County employees, elected officials and independent contractors.

The County Clerk is hereby authorized to execute for the County, individual participation agreements with each said employee requesting same, and to act as the "Administrator" of the Plan representing the County, and to execute such agreements and contracts as are necessary to implement the Program. It is implicitly understood that other than the incidental expenses of collecting and disbursing the employee's deferrals and other minor administrative matters, that there is to be no cost to the County for the Program.

IT IS HEREBY FURTHER ORDERED, that a true copy of this Court Order/Resolution be spread upon the Court's record of this date.

Motion was made by Klein and seconded by Uhlir that the foregoing resolution be adopted and that the County Clerk be authorized to execute the resolution and sign all plan documents for Nationwide Deferred Compensation Program. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Treasurer Donna Primrose and County Attorney Joseph Smith were present to discuss a request by Donna Primrose to adjust the County Treasurer's salary for the next elective term of office. County Attorney Joseph Smith stated that at the request of Donna Primrose, he put this item on the County Board agenda. He explained that he would summarize the issue so it would be easier on everyone. He reported that he attended the previous County Board meeting and was asked by the Board whether or not the salary of an elected official could be adjusted after the statutory timeframe. He explained that he wrote a letter to the County Board members and his analysis is that the Board may be able to adjust the salary if it was purely a ministerial type error, such as a typing error. Mr. Smith stated that the County Board had two meetings that addressed the salaries for elected officials and he read the minutes of both of these meetings. He explained that the first meeting had to do with giving \$1,500 to everybody and then there were different things given to different officials and one of them may have been another \$250 for Donna Primrose to equalize with other officials. He stated that this issue was discussed at one meeting and the Board responded that they would consider it. He explained that the next meeting is when the Board had a resolution and he recalled that the resolution was read by Klein.

Commissioner Klein explained that his intention was to put everyone at the same amount and then at the last minute, because of the fact that the County Treasurer doesn't get extra money for additional duties, like the County Assessor gets extra compensation for appraisal duties, and the Clerk gets extra money for being the Election Commissioner, somehow a little extra money was given to the Assessor and Clerk. He stated that the Board's intention was to keep the Assessor, Clerk, and Treasurer at the same amount. He stated that it is as much his fault as anybody's that he didn't make sure of that, but the intention was that the salaries be equal.

County Attorney Joseph Smith stated he believes that may have been the intention, but he believes that the only way the Board could change that is if the Board members said one thing on the record when the resolution was made and when it was typed up it was different than what was said. He stated that if it was purely a secretarial error, that is different. He explained that, as an example, if the Board is paying John Deere's bill and it is \$2,000 and a check is issued for \$2.00, then the Board could go back and change it. He stated that if the resolution was read accurately and recorded, then he didn't believe there was any chance or propriety in changing it. He stated that there were only two meetings and obviously, because there are only three Board members, there couldn't have been any other discussion between the meetings. He stated that the decision is up to the Board members, but he has looked at both Board minutes. In addition, he stated that he has been advised by the Clerk that she types the minutes off the tapes and it has been suggested to him that he actually listen to the tapes himself, but he doesn't know if the tapes are even available.

Commissioner Klein stated that he remembers one of the discussions because he asked the question about the amount the Treasurer gets, meaning that the Treasurer doesn't get one of the extra amounts. He stated that he didn't communicate what he wanted to communicate correctly. He stated that his thought process was that what he was doing would have everyone end up with the same salary. County Attorney Joseph Smith stated that it is nobody's fault. He explained that what happens is that the Board says that they want to do A, B, and C and by law, then everyone gets to discuss A, B, and C and vote on A, B, and C. But, if the Board said something that it didn't mean, then arguably there was no discussion on it because it wasn't said and there couldn't have been any consensus earlier because that would have been illegal to discuss at any other meetings. He stated that it is presumed that all discussion was held during the two meetings. He stated that if it is a ministerial error, then Donna Primrose is right, and, in his opinion, the Board could adjust the salary for a typing type error that is not recorded correctly. Mr. Smith stated that on the other hand, if the resolution and minutes reflect what was actually done on the record, then that is another issue. He stated that he has talked to Donna Primrose, to some of the Board members individually, and to Nancy Scheer, so he is well aware of the history. He stated that he wasn't at the meeting when the salary resolution was adopted because he left the meeting angry.

Commissioner Uhlir questioned if Joseph Smith was telling the Board that the salary could not be changed. County Attorney Joseph Smith reiterated that the salary could not change unless it was purely a ministerial error and the resolution does not reflect what was done at the meeting. Commissioner Uhlir stated that he just assumed that everyone was getting paid the same and he didn't know anything about it until Donna Primrose called him. County Attorney Joseph Smith stated that at the meeting prior to the adoption of the resolution, the issue of equal pay was raised. Commissioner Uhlir stated that they all said the pay would be the same.

Chairman McCallum stated that what actually happened was that \$5,000 was not discussed at any of the negotiating meetings prior to January 5th. He stated that the Board members came into the January 5th meeting and the County Sheriff decided that he would be happy with \$5,000 for the administration fees for the County Jail and the Board gave the Sheriff the \$5,000. He stated that he remembers that at the meeting Commissioner Klein said to make the County Assessor and County Clerk the same \$5,000 amount for additional duties. He stated that the County Treasurer's salary should have been brought up \$250 and it wasn't.

County Treasurer Donna Primrose stated that she wasn't present for that part of the meeting. Chairman McCallum explained that when they came to the meeting, the County Clerk made up a schedule for him of what the salaries would be with a flat \$1,500 increase. He stated that the Clerk, Treasurer, and Assessor pay was all the same when they came to the meeting until Commissioner Klein suggested that the Board give an extra \$250 to the Clerk and Assessor. Commissioner Klein explained that he stated that the additional compensation for the Assessor and Clerk would be even with the Sheriff. He further stated that this \$250 fell through the crack. Chairman McCallum stated that he can't understand why, when there is an honest oversight, like this matter was, that it can't be changed. He stated that this seems ridiculous, but that is exactly what happened because they came into the meeting with all three of these offices getting the same amount of money. Commissioner Klein stated that part of this issue is that all three officials were getting an additional \$4,750 and then the Sheriff's additional compensation was set at \$5,000 and the Board agreed to make all the additional compensation even. Chairman McCallum explained that the Board innocently neglected adjusting the Treasurer's wages.

County Treasurer Donna Primrose questioned why it couldn't be considered a clerical error. County Attorney Joseph Smith responded that a clerical error would be if the Board said the right thing and the Clerk recorded it wrong. He explained that as an example, if the Board said \$200 and the Clerk wrote down \$2, then that is a clerical, ministerial error that could be changed. In addition, he explained that if the Board meant to say \$200, but says \$2 and everyone votes on \$2, then it is not a clerical error, because that is what was discussed and voted on.

County Treasurer Donna Primrose stated that the amounts were not read that day. Chairman McCallum agreed that they weren't read. County Attorney Joseph Smith stated that he did look at the minutes and they did seem practical. Commissioner Klein stated that if there is fault, it is a fault of his and not of the County Clerk. He stated that he feels bad and his intention was not that. County Attorney Joseph Smith stated that there was a lot to keep track of. Chairman McCallum stated that when they came to the meeting, they were discussing the 2010 figures and then Commissioner Klein came up with the additional compensation amounts. County Treasurer Donna Primrose stated that this was decided before she, the Assessor, and the Register of Deeds came to the meeting. Chairman McCallum stated that Donna Primrose was at that portion of the meeting and Donna Primrose disagreed. Commissioner Klein explained that the County Sheriff requested \$5,000 and he said that his proposal was to make all additional duties \$5,000. Donna Primrose stated that there was discussion held before she got to the meeting because County Sheriff Vern Hjorth and County Attorney Joseph Smith were not present. Chairman McCallum stated that there was no discussion to change any of the figures, except the extra duties to \$5,000. County Treasurer Donna Primrose stated that she couldn't say because she was not present. County Attorney Joseph Smith left the meeting to attend a hearing, but stated that if he was needed, he would return.

Commissioner Klein apologized, stating that he didn't think it was a clerical error, but it wasn't intentional. He stated that the intention was to keep them equal, but the Board didn't say it. He stated that the Board must follow the law, which ties the Board's hands. He assured Donna Primrose that it was not an intentional thing. Chairman McCallum stated that it was the Board's fault because the members did not go over the figures. County Treasurer Donna Primrose questioned if she just takes it then. Chairman McCallum reiterated that there is nothing that the Board could do. County Treasurer Donna Primrose stated twice that it hurts badly. Commissioner Klein apologized again and stated that the error was his. Chairman McCallum stated that the Board is up against the statute. County Treasurer Donna Primrose thanked the Board for its time.

No action was taken by the Board.

The Board reviewed the following reports and correspondence:

- County Clerk January fee report

- Fund balance report

- Register of Deeds January fee report

- Clerk of the District Court January fee report

- PrairieLand RC&D 2009 Annual Report and February newsletter

- Letter from the City of Battle Creek regarding flood control measures

The Board discussed a letter received from the City of Battle Creek regarding flood control measures. Chairman McCallum reported that he received a phone call from a lady who lives in a home located along the river and she stated that the proposed flood control measures would flood her house and ruin her property. Commissioner Klein stated that all three Commissioners received a letter from the same person; however, the reality is that this person lives by the river and the creek dumps into the river upstream from the subject property and this won't change. He stated that many changes have been made through the years and one change was installation of a dike by the State to protect a bridge. He reported that the flood gate on the dike didn't work two years ago so the town did not flood. Commissioner Klein explained that this dike holds the water back from reaching town. Commissioner Klein stated that no matter what the City of Battle Creek does, there will be people affected. He stated that the City of Battle must make the decision and it is not a county issue.

Chairman McCallum stated that the citizen requested the county to overrule the Battle Creek City Council decision and Commissioner Klein responded that the County Board couldn't do that. Commissioner Klein stated that the Natural Resources District should be involved in this matter. He reported that Doug Rakowsky is also upset because the last mile of creek crosses his property. Commissioner Uhlir stated that the entire area is prone to flooding. Commissioner Klein stated that farming practices have changed and the creek has been straightened so many miles south of Battle Creek that the water comes into the city faster than it ever did and then the state installed a dike all along the creek on the west side to make sure that the water didn't head toward the Elkhorn River and go straight across Highway 275. He stated that by installing this dike, the water was blocked, so it stays in the City of Battle Creek longer. He reported that the bridge is not big enough to accommodate the water flow.

Commissioner Uhlir stated that installing a larger bridge would allow the water to flow faster. He stated that the water needs to be controlled before it gets to town. He stated that the City of Battle Creek sits in a bowl and once the water leaves the Elkhorn River, it flows down hill. He also stated that over the years, the river has probably silted in. Commissioner Klein stated that if you get in a plane and review the area, the Elkhorn River has been in many locations and it keeps moving. He reported that the Bradford property located east of Battle Creek had a pivot that went all the way around and now the river is 50 feet from the well.

Commissioner Uhlir reported that he lived in the Niobrara area where the same thing happened and when the Niobrara River kept silting in, the water level kept rising until all the homes in town were full of water. He explained that the citizens eventually moved the town. Commissioner Klein stated that the Natural Resources District is the governing body for the project and if construction of a dam is proposed the county would need to be consulted.

No action was taken by the Board.

Motion was made by Uhlir and seconded by Klein to table a claim payable to Bryan LGH Heart Institute, in the amount of \$70.00, and a claim payable to Inpatient Physician Associate, in the amount of \$820.00, for emergency protective custody services. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The following claims were audited:

GENERAL FUND

Total Net Payroll		111,958.91
Joseph Abler	Postage, Supplies, Public Defender	16.77
Mark Albin	Legal Services, County Court	2,827.80
Albracht Disposal Service	Garbage Service, Public Defender	41.00
Albracht Disposal Service	Garbage Service, County Jail	155.00
American Correctional Association	Dues, County Jail	35.00
American Family Life Assurance Company	Insurance Premiums	546.05
American Jail Association	Dues, County Jail	48.00
Ameritas Life Insurance Corporation	Employee Share Retirement	7,202.24
Ameritas Life Insurance Corporation	Employer Share Retirement	10,582.82
Ameritas Life Insurance Corporation	Insurance Premiums	351.36
Appearra	Mat Service, Public Defender	69.64
Appearra	Mat Service, Courthouse	441.95
Aramark Correctional Services	Meals, County Jail	12,924.66
AS Central Services	Telephone Services, County Sheriff	294.29
AS Central Services	Telephone Services, County Jail	441.71
A T & T	Telephone Services, Public Defender	165.85
Auto Zone	Supplies, County Sheriff	9.99
Beckman's Service Center	Repairs, County Sheriff	33.70
BI Inc.	Monitoring Services, Juvenile Diversion	848.50
Black Hills Energy	Gas Service, Courthouse	548.07
Black Hills Energy	Gas Service, County Jail	666.20
Black Hills Energy	Gas Service, Veterans' Service Office	66.35
Brogan & Gray, P.C., L.L.O.	Legal Services, County Court	389.00
Cableone	Internet Services, Public Defender	99.00
Cableone	Internet Services, Planning and Zoning	59.00
Carney Law, P.C.	Legal Services, District Court	857.50
Carney Law, P.C.	Legal Services, County Court	11,399.43
Central United Life Insurance Company	Insurance Premiums	37.21
City of Madison	Utilities, Public Defender	305.84
City of Madison	Utilities, Courthouse	1,102.65
City of Madison	Utilities, County Jail	3,710.07
City of Norfolk	Utilities, Veterans' Service Office	30.27
Colfax County Court	Copies, Law Enforcement	2.00

Colfax County Sheriff	Service Fees, District Court	41.32
Columbus Otolaryngology Clinic	Medical Services, County Jail	541.00
Colonial Life and Accident Insurance	Insurance Premiums	154.67
Complete Pest Elimination Inc.	Services, County Jail	125.00
Connecting Point	Equipment, County Clerk	122.00
Connecting Point	Equipment, County Sheriff	936.00
Connecting Point	Software, Equipment, County Attorney	2,974.00
Connecting Point	Equipment, Software, Juvenile Diversion	686.99
Connecting Point	Equipment, County Jail	797.00
Connecting Point	Internet Services, Supplies, Probation	301.70
Connecting Point	Internet Services, Veterans' Service Office	35.95
Connecting Point	Equipment, Software, Victim Witness	319.00
Connecting Point	Contract Services, Internet Services, Courthouse	1,322.85
Constellation Energy	Gas Service, Courthouse	1,376.33
Constellation Energy	Gas Service, County Jail	3,211.44
Constellation Energy	Utilities, Veterans' Service Office	207.64
Cornhusker Imports	Repairs, County Sheriff	409.31
Credit Management Services Inc.	Garnish of Wages	126.09
Creighton University Medical Center	Autopsy Costs, Law Enforcement	997.72
Dakota Business Systems	Copier Maintenance, Probation	72.00
Dell Marketing L.P.	Supplies, District Court	104.99
Dell Marketing L.P.	Supplies, County Court	499.94
Deluxe Business Checks & Solutions	Supplies, County Sheriff	143.05
Eakes Office Plus	Supplies, County Clerk	34.59
Eakes Office Plus	Supplies, County Treasurer	36.86
Eakes Office Plus	Supplies, County Sheriff	40.56
Eakes Office Plus	Supplies, County Attorney	227.36
Eakes Office Plus	Supplies, County Jail	28.97
Eakes Office Plus	Supplies, Probation	890.88
Egley, Fullner, Montag and Hockabout	Legal Services, District Court	875.55
Egley, Fullner, Montag and Hockabout	Legal Services, County Court	1,719.18
Electrical Engineering & Equipment	Supplies, Courthouse	676.63
Electronic Systems Inc.	Repairs, County Jail	400.00
Elite Court Reporting Service, Inc.	Transcript, Law Enforcement	113.40
Endgame	Car Washes, County Sheriff	200.00
Enviromaster, Inc.	Supplies, County Jail	42.00

Environmental Systems Research Institute	Subscription, Planning and Zoning	400.00
Faith Regional Health Services	Medical Services, County Jail	1,048.00
Field's Hardware	Supplies, Courthouse	25.68
Field's Hardware	Supplies, County Jail	253.28
First Concord Benefits Group	Flex Plan, Deductible Buy Down, Admin Fees	3,741.67
Donella Follette	Jury Fees, District Court	75.00
Frontier	Telephone Service, Public Defender	306.86
Gage County Sheriff	Service Fees, District Court	22.24
Gall's Inc.	Supplies, Uniforms, County Sheriff	38.46
Gall's Inc.	Uniforms, County Jail	79.78
Gasrite Inc.	Fuel, County Sheriff	4,315.31
Maria Goede	Interpreting Services, Law Enforcement	120.00
Gordy's Towing & Repair	Repairs, County Sheriff	241.96
Kayla Grone	Services, Probation	100.00
Group Link, Inc.	Insurance Premiums	304.50
Joanne Harmeier	Interpreting Services, Law Enforcement	60.00
Hartford Life Insurance Company	Deferred Compensation	175.00
Matthew Headley	Equipment, Public Defender	42.76
Hilliges and Associates, L.L.C.	Investigative Services, Law Enforcement	250.00
Holiday Inn Lincoln-Downtown	Lodging, County Treasurer	99.00
Holiday Inn Lincoln-Downtown	Lodging, County Assessor	99.00
Holiday Inn Lincoln-Downtown	Lodging, Veterans' Service Officer	99.00
Jeffrey Hrouda	Legal Services, County Court	6,479.35
Iowa Prison Industries	Supplies, County Sheriff	277.20
Jack's Uniforms & Equipment	Uniforms, Equipment, County Sheriff	318.53
Jerry's Standard Inc.	Supplies, County Sheriff	22.67
Jewell, Collins, DeLay, & Flood	Legal Services, County Court	8,086.18
John's Disposal	Garbage Services, Probation	38.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	196.50
Lowell Kimble	Rent, County Relief	250.00
Gary Knight	Jury Fees, District Court	50.00
Rick Kruse	Witness Fees, District Court	20.00
KS Machine & Tool	Repairs, County Jail	48.00
James Kube	Supplies, District Judge	50.00
Louderback Drug	Prescriptions, County Jail	4,038.82
Madison Ampride, Inc.	Fuel, Courthouse	120.37

Madison Ampride, Inc.	Fuel, County Sheriff	35.69
Madison County Clerk	Tax Deposit	38,914.79
Madison County Clerk of District Court	Fees, District Court	1,178.00
Madison County Court	Fees, County Court	1,526.00
Madison County Sheriff	Registrations, Supplies, County Jail	160.44
Madison County Sheriff	Fees, Mental Health	6.00
Madison County Sheriff	Fees, District Court	1,420.22
Madison County Sheriff	Fees, County Court	1,029.36
Madison County Treasurer	Insurance Reimbursement	25.00
Madison National Life	Insurance Premiums	127.39
Veronica Martinez	Interpreting Services, Juvenile Diversion	165.00
Menards	Supplies, County Jail	39.76
Microfilm Imaging Systems	Equipment Rental, County Clerk	45.00
Microfilm Imaging Systems	Equipment Rental, County Court	227.00
Microfilm Imaging Systems	Equipment Rental, County Surveyor	45.00
Midwest Plumbing & Heating	Repairs, County Jail	994.31
MIPS Inc.	Software Support, County Treasurer	881.75
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Health & Human Services	State Institution Costs	888.00
Nebraska Public Health Environmental Lab	Copies, Law Enforcement	13.85
Nebraska Public Power District	Utilities, Probation	722.29
Norfolk Cleaning Service	Services, Probation	140.00
Norfolk Community Health Care Clinic	Quarterly Funding	22,500.00
Norfolk Daily News	Publication Costs, Courthouse	30.35
Norfolk Printing Company	Supplies, County Sheriff	117.00
Norfolk Winair Company	Supplies, Courthouse	199.31
NPZA	Registrations, Planning and Zoning	858.50
Rita Olberding	Postage, District Judge	88.00
Valorie Olson	Court Reporting, Mental Health	50.00
Our Savior Lutheran Church	Polling Place Rental, Election Commissioner	150.00
Outdoors Unlimited	Repairs, County Sheriff	24.50
Pengad, Inc.	Supplies, District Court	80.90
Marvin Pfeifer	Snow Removal, Public Defender	245.00
Pioneer Telephone	Telephone Services, Courthouse	192.74
Platte County Sheriff	Service Fees, District Court	18.50
Kathy Plisek	Jury Fees, District Court	50.00

Puppy Love	Impound Fees, County Sheriff	50.00
Qwest	Telephone Services, County Jail	17.66
Qwest	Telephone Services, Probation	306.62
Redfield & Company Inc.	Supplies, County Clerk	130.00
Renner Auto Body	Repairs, County Sheriff	500.00
Reynoldson's Inc.	Fuel, County Sheriff	91.47
Safeguard Business Systems	Supplies, County Court	234.01
Schroeder Land Surveying	Services, County Surveyor	1,160.00
Security Shredding	Services, Probation	192.50
Shell Fleet Plus	Fuel, Reappraisal	126.46
Shell Fleet Plus	Fuel, County Sheriff	183.48
Short Stop	Fuel, County Sheriff	93.22
Sioux Sales Company	Uniforms, County Jail	33.85
Joseph Smith	Mileage, Law Enforcement	171.05
Stanton County Sheriff	Service Fees, District Court	18.50
Stratton Law, P.C.	Legal Services, District Court	4,508.15
Terry Svik	Jury Fees, District Court	50.00
T.O. Haas Tire	Repairs, County Sheriff	17.33
Daniel Titus	Jury Fees, District Court	50.00
U.S. Cellular	Telephone Services, Law Enforcement	131.97
United Bank of Iowa	Copier Maintenance, Probation	422.40
United States Postal Service	Postage, Probation	1,498.60
U.S. Bank Corporate Payment System	Dues, Supplies, County Sheriff	134.34
Verizon Wireless	Telephone Services, Planning and Zoning	57.34
WalMart Community	Supplies, Reappraisal	19.50
West Payment Center	Subscription, County Attorney	115.00
Western Office Plus	Supplies, County Clerk	82.07
Western Office Plus	Supplies, County Treasurer	217.74
Western Office Plus	Supplies, Register of Deeds	77.99
Western Office Plus	Supplies, County Assessor	10.02
Western Office Plus	Supplies, District Court	89.53
Western Office Plus	Supplies, County Court	965.28
Western Office Plus	Supplies, Public Defender	112.26
Western Office Plus	Supplies, County Sheriff	152.88
Western Office Plus	Supplies, County Attorney	497.36
Western Office Plus	Supplies, Veterans' Service Office	39.87

White Star Oil Company	Supplies, County Sheriff	116.45
Zee Medical Service	Supplies, County Sheriff	35.90
Maria Izabel Zepeda	Interpreting Services, Public Defender	87.50
Zippy Lube	Repairs, County Sheriff	137.92
Zodiac Properties, L.L.C.	Rent, Probation	7,876.67
Norma Zuniga	Witness Fees, District Court	35.00

ROAD/BRIDGE FUND

Total Net Payroll		27,106.69
Advance Auto Parts	Parts, District #2	361.94
Ag Specialties Welding & Repair	Supplies, District #2	96.80
American Family Life Assurance Company	Insurance Premiums	318.90
Ameritas Life Insurance Corporation	Employee Share Retirement	1,618.31
Ameritas Life Insurance Corporation	Employer Share Retirement	2,427.20
Ameritas Life Insurance Corporation	Insurance Premiums	114.32
Appearra	Towel Service, District #1, #2	339.78
B's Enterprises Inc.	Blades, District #2	1,300.00
Battle Creek Farmers Coop	Fuel, District #1, #2, #3	29,821.92
Bauer Built	Repairs, District #2, #3	1,011.50
Black Hills Energy	Gas Service, District #1	286.14
Central Sand & Gravel	Gravel, District #1	396.76
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation NewEnergy	Gas Service, District #1	1,070.43
D & M Machinery	Supplies, District #3	64.72
D.W. Kohlhof Truck Repair	Repairs, District #1	3,854.45
Eakes Office Plus	Supplies, District #3	111.92
Fastenal Company	Parts, District #3	53.77
Field's Hardware	Shop Supplies, District #1	50.64
Filter Care of Nebraska	Services, District #1, #2	143.80
First Concord Benefits Group, L.L.C.	Administrative Fees, Flex Plan, District #1, #2, #3	619.60
Floor Maintenance and Paper Supply	Supplies, District #3	130.66
Graham Tire Company	Parts, District #3	49.80
Group Link, Inc.	Insurance Premiums	12.42
Hegemann Sunflower Sales & Service	Parts, District #1	5.68
Henkel Oil Company	Supplies, District #2	62.40

Holiday Inn Lincoln-Downtown	Lodging, District #1, #2, #3	99.00
Kenz & Leslie Distributing Company Inc.	Fuel, District #2	434.70
Kimball Midwest	Parts, District #1, #3	989.63
Laker Chemical Inc.	Asphaltic Materials, District #1	985.00
Light & Siren	Parts, District #2	137.43
Linweld Inc.	Supplies, District #1, #2	191.48
Luedeke Oil Company Inc.	Fuel, District #1	430.00
M & M Farm Supply	Supplies, District #1	153.91
Madison Ampride Inc.	Fuel, District #1	347.89
Madison County Clerk	Tax Deposit	8,720.18
Madison National Life	Insurance Premiums	37.03
Matteo Sand & Gravel Company Inc.	Gravel, District #1	7,379.72
Mead Lumber & Rental	Supplies, District #2	31.82
Meisinger Oil Company Inc.	Fuel, Supplies, District #1, #2, #3	11,699.18
Menards	Supplies, District #3	15.88
NMC Exchange LLC	Equipment, Parts, District #1, #2, #3	15,916.78
Norfolk Auto Supply	Parts, District #3	241.94
Northeast Machine L.L.C.	Parts, District #3	804.00
Pioneer Telephone	Telephone Services, District #1, #3	51.22
Powerplan	Repairs, District #2	396.88
Prime Sanitation	Garbage Service, District #2	53.75
Quick Serve Oil Company Inc.	Fuel, District #3	340.02
Radio.comm	Services, District #3	120.00
Red Bud Hardware Inc.	Parts, District #3	200.23
Reigle Implement Company Inc.	Parts, Tools, District #1, #3	230.50
Scheer's Ace Hardware	Parts, District #2	562.81
Stanley Petroleum Maintenance Inc.	Supplies, District #1	1.50
The Grove	Fuel, District #1	54.00
Transamerica Life Insurance Company	Insurance Premiums	49.28
Truck Center of Norfolk	Parts, District #2	165.16
Verizon Wireless	Telephone Services, District #2	54.83
Vic's Engine Service Inc.	Parts, District #3	61.24
Weldon Industries Inc.	Parts, District #2	46.54
White Star Oil Company	Fuel, District #1	61.51

FEDERAL AID SECONDARY FUND

Mainelli Wagner & Associates, Inc.	Services	4,689.30
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DRUG TESTING FUND

American Express	Supplies	42.00
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LAW ENFORCEMENT OPERATING FUND

Eakes Office Plus	Supplies	414.00
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DRUG COURT FUND

Norfolk Community Health Care Clinic	Dental Services	99.00
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NOXIOUS WEED FUND

Total Net Payroll		1,958.40
Ameritas Life Insurance Corporation	Employee Share Retirement	120.46
Ameritas Life Insurance Corporation	Employer Share Retirement	180.68
AS Central Services	Telephone Services	85.95
Bomgaars	Supplies	29.99
Cableone	Internet Services	49.00
Eudell Feldmann	Mileage	44.50
First Concord Benefits Group	Administrative Fees, Flexible Benefit Plan	53.00
John's Disposal	Garbage Service	56.00
August Klug	Mileage	6.00
Madison County Clerk	Tax Deposit	567.78
Nebraska Child Support Payment Center	Garnish of Wages	245.70
Nebraska Public Power District	Utilities	86.64
Myron Nelson	Mileage	39.00
Earl Reeves	Mileage	36.50
Orin Rinkel	Mileage	10.00
C.J. Rudnick	Meals	47.85

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, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board adjourned at 10:50 A.M. to Tuesday, March 2, 2010 at 9:30 A.M.

County Clerk

Chairman