

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

June 23, 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, June 18, 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 Uhlir, and Lee Klein, and County Clerk Nancy Scheer. County Highway Superintendent Richard Johnson joined the meeting at 9:47 A.M. Planning and Zoning Administrator John Johnson was present from 10:35 A.M. to 11:27 A.M.

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

- 1) Approval of minutes of the June 9, 2009 meeting
- 2)

RESOLUTION #2009-31

WHEREAS, Check No. 09050472, dated May 27 2009, and drawn on the General Fund in the amount of eighty six dollars and seventy nine cents (\$86.79), was made payable to Judy Broberg, 53395 838th Road, Tilden, Nebraska 68781, 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. 09050472, dated May 27, 2009, and drawn on the General Fund in the amount of eighty six dollars and seventy nine cents (\$86.79), 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 Uhlir and seconded by Klein to approve the regular agenda. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board reviewed the following reports:

- 1) County Clerk may fee report
- 2) County Treasurer fund balance report
- 3) Minutes of the June 5, 2009 meeting of the Veterans' Service Committee
- 4) Minutes of the May 19, 2009 meeting of PrairieLand RC&D and June newsletter

The Board reviewed a letter that was received from the Norfolk Airport Authority requesting the appointment of two members to serve on the Airport Joint Zoning Board to fill two vacated positions. County Clerk Nancy Scheer read the following correspondence received from Norfolk City Attorney Clint Schukei regarding the Joint Airport Zoning Board:

"I talked to both Clerks to learn about the history of the creation of the Joint Airport Zoning Board. Nebraska Statute 3-304 provides for the formation of a Joint Airport Zoning Board by the combined action of the County and the City passing either a resolution or an ordinance to create the Joint Board. It should be noted that the Nebraska Statutes do not require the creation of a Joint Board but only authorizes the creation. So in effect I went looking for the respective City and County action that created the Joint Board. Nancy and Beth both were very cooperative in trying to respond to my request. However, despite their respective searches neither of them have been able to find any evidence that the Joint Airport Zoning Board was ever created by resolution and/or ordinance of the County and City. I believe that both Nancy and Beth would not absolutely say that the Joint Board was never created but no evidence of its creation has been found thus far and one never really knows when to quit looking for something that you can't find. Therefore, if there was a desire to have a Joint Board it would be my opinion that the Joint Board be properly created so that we can point to the evidence of its formation and existence. I am wondering whether the Joint Board is really needed or whether the legitimate zoning needs can be accomplished and issues addressed by simple cooperation between the Airport Authority and the respective County and City zoning officials. I know that Mr. Johnson and Mr. Cordes routinely cooperate on a number of issues. I also see the issues of Airport Zoning being very similar to the Wellhead Protection Zoning issues that the County and City cooperated on over the past year or so. I would like to suggest that consideration be given to having a discussion involving John and Scott with the Airport Authority Board at an upcoming Airport Authority meeting. Both John and Scott could perhaps come to the Board and discuss their involvement with Airport Zoning. Then a determination could be made as to whether what is in place presently addresses the legitimate concerns regarding those unique Airport Zoning issues or whether some modification needs to be had to properly serve the interests of both the public and the Airport Authority. At the end of the day modification might involve (1) the proper creation of a Joint Board or (2) maybe some changes to the City and/or the County zoning regulations or (3) simply a renewed framework for communication between the zoning officials and the Airport Authority to assure all those having an interest in Airport Zoning that as a community we are doing as well in this area as we can or (4) some other outcome. I don't want this communication to result in any response from Airport Authority members that would be violative of the Public Meeting Law so please don't use this forum to address the merits of this issue."

County Highway Superintendent Richard Johnson stated that the Norfolk City zoning ordinance has an airport overlay area and the county regulations also include height restrictions if constructing a tower in the area near the airport. In addition, he reported that the Federal Aviation Administration, Norfolk Airport Authority, and Airport Zoning Board have jurisdiction to protect the airport.

After discussion, it was moved by Uhlir and seconded by Klein to table the request by Norfolk Airport Authority to appoint two members to serve on the Airport Joint Zoning Board and direct Planning and Zoning Administrator John Johnson to communicate with Norfolk City Prevention Manager Scott Cordes regarding this matter and report back to the County Board. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The County Board reviewed a letter that was received from American Legion Post #75 Commander Ronald Buckendahl requesting the appointment of a member to serve on the Veterans' Service Committee. After discussion, it was moved by Klein and seconded by Uhlir to appoint Kenneth Bierman to serve a five-year term on the Veterans' Service Committee from July 1, 2009 to July 1, 2014. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board reviewed two proposals submitted by the firm of Morrow, Davies & Toelle, P.C. for providing auditing services to the county. County Clerk Nancy Scheer explained that one proposal is for the fiscal year ending June 30, 2009 and the second proposal is for the fiscal years ending June 30, 2009 and June 30, 2010. She stated that there is a small price break if the county selects the two-year proposal.

After discussion, it was moved by Klein and seconded by Uhlir to accept the two-year proposal submitted by Morrow, Davies & Toelle, P.C. to provide auditing services to Madison County for the fiscal years ending June 30, 2009 and June 30, 2010. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Clerk Nancy Scheer presented the budget balances for the General Fund office functions and reported that the Juvenile Detention office function in General Fund was the only budget that exceeded the budget allocation for the fiscal year. She reported that the County Jail budget has adequate funds to transfer to the Juvenile Detention Office and she recommended that a resolution be adopted authorizing this transfer. She also reported that all three road districts used the entire budget appropriation by paying for a portion of projects that were in the process of being completed by Flinn Paving Company. In addition, she recommended that additional funds be transferred to the Road/Bridge Fund and General Fund to pay for current expenditures and also to provide for adequate cash reserve for payment of future expenses.

After discussion, the following resolutions were introduced:

RESOLUTION #2009-32

WHEREAS, due to unforeseen circumstances, proposed expenditures exceed budget authority allocated for the Juvenile Detention office function in the General Fund Budget, and

WHEREAS, budget authority in the County Jail budget, also an office function of the General Fund Budget, is adequate to allow for a transfer to meet current fiscal year expenditures,

NOW, THEREFORE, BE IT RESOLVED, that an additional fourteen thousand three hundred fifteen dollars (\$14,315.00) of budget authority is hereby allocated to the Juvenile Detention office function from the County Jail office function.

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

RESOLUTION #2009-33

WHEREAS, the 2008-2009 fiscal year budget, adopted by the Board of Commissioners of Madison County, Nebraska, commits up to \$2,780,728 from the General Fund to pay for expenditures exceeding monies available in the Road/Bridge Fund and to provide for adequate cash reserve in said fund; and

WHEREAS, the 2008-2009 fiscal year budget, adopted by the Board of Commissioners of Madison County, Nebraska, commits up to \$368,828 from the Inheritance Tax Fund to provide for adequate cash reserve in General Fund; and

WHEREAS, \$900,000 has previously been transferred during the current fiscal year from General Fund to the Road/Bridge Fund; and

WHEREAS, monies in the Road/Bridge Fund are now insufficient to meet the current expenditures approved by the Board of Commissioners; and

WHEREAS, it is necessary to provide for cash balances in General Fund and Road/Bridge Fund to provide funding until adoption of the 2009-2010 fiscal year budget; and

WHEREAS, unused budget authority in General Fund is adequate to provide for an additional interfund transfer to Road/Bridge Fund;

WHEREAS, unused budget authority in Inheritance Tax Fund is adequate to provide for an interfund transfer to General Fund;

NOW, THEREFORE, BE IT RESOLVED, that one million eight hundred eighty thousand seven hundred twenty-eight dollars (\$1,880,728.00) be transferred from the General Fund to the Road Bridge Fund and three hundred sixty-eight thousand eight hundred twenty-eight dollars (\$368,828.00) be transferred from Inheritance Tax Fund to the General Fund provide for cash balance in said funds.

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

Planning and Zoning Administrator John Johnson requested the Board to recess into executive session to prevent needless injury to his reputation during an evaluation of his job performance.

Motion was made by Uhlir and seconded by Klein to recess into executive session for evaluation of the job performance of Planning and Zoning Administrator John Johnson. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried. The Board recessed into executive session at 10:44 A.M. with Planning and Zoning Administrator John Johnson present.

Chairman McCallum recessed from executive session at 11:15 A.M.

After discussion, it was moved by Klein and seconded by Uhlir to approve an annual salary of \$45,500 for Planning and Zoning Administrator John Johnson effective October 2009. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Kathy Bretschneider, Battle Creek librarian, stated that the librarians were in attendance to present their annual reports. She reported that the Madison County Library Association is requesting an increase in county funding for the 2009-2010 fiscal year, with a total funding request of \$37,500, which is an increase of \$500 per library for the upcoming year. She submitted written reports to each Board member and explained that the funding proposal includes a list of how county funds will be used and a list of how the funds will not be used. She explained that the funds would be used in accordance with state law.

Mardell Kohl, Meadow Grove Librarian, reported that the circulation has improved during the last year, and in her opinion it is due in part to the economy. She explained that people are not buying books and movies, but are checking them out from the library. She reported that the county funds were used to purchase two new computers for the patrons. In addition, she stated that county funds are used for costs associated with story hour and to pay for internet service. She explained that the funding from the Village of Meadow Grove has been cut the last several years; therefore, the library really depends upon the county funds.

Nicole Lawless, Madison librarian, reported that she started as the director of the Madison Library in August 2008 and since she has started approximately \$1,000 has been spent on updating the DVD collection, purchase of additional accu-cut dies, purchase of a hand scanner to be used for inventory purposes, purchase of a new TV and DVD player, replacement of a fax machine, and replacement of a computer. She reported that she purchased the scanner on E-Bay for \$100 and the cost for a new machine is between \$1,500 and \$1,700. She explained that without the county funding the library would have been unable to replace the computer. She reported that the circulation has increased and the number of patrons using on-line internet services has increased.

Kathy Strong, Newman Grove librarian, reported that she is taking a library certification class. She stated that the library updated all the computers last year and many patrons use the internet services provided by the library. She stated that the summer reading program has almost 50 children enrolled. In addition, she reported that most of the funding is used to pay for books, magazines, and newspapers.

Dixie Kucera, Tilden librarian, reported that an E-Bay auction was conducted to raise funds for the library. She stated that the auction was not worth the time and effort and they probably wouldn't do another auction unless volunteers do all the work. She presented a brochure of current events scheduled in the library and stated that an art exhibit is currently displayed in the library through July 15th. She stated that the seventh annual quilt show would be on display in the Lied Auditorium during Prairie Days. Mrs. Kucera reported that the Model Railroad Association would also have an exhibit in the library and that a speaker would present train songs and tales of westward rails. In addition, she stated that a military marker for a previously unmarked Civil War veteran would be dedicated at the Tilden City Cemetery and the Vietnam War Moving Wall would be on display. She expressed appreciation for the funding provided by the county.

Kathy Bretschneider, Battle Creek librarian, stated that the support of the county allows the Battle Creek library to experiment with new technology because the City of Battle Creek also provides excellent funding. She reported that the Nebraska Library Commission is currently experimenting with 13 libraries, both big and small, going to a web-based catalog and circulation. She stated that this approach eliminates the need for a local computer server. She showed Board members a mono-mouse device, which plugs into a home television and when pulled across printed pages sends that picture to the television screen. Mrs. Bretschneider reported that the City of Battle Creek has decided not to build a new library, but has instead decided to purchase the former Methodist Church building, which is a good sized building that has a new roof, new furnaces, and meeting room that is almost new. She reported that over 150 children and adults are participating in the summer programs. In addition, she reported that county funds pay for the Learning Express Library database on the library website which offers free test practices for various careers, including firefighters, EMTs, nursing, teachers GRE, ACT, real estate licenses, and much more.

Board members thanked the librarians for their report and stated that the funding request would be considered during the budget process. No further action was taken.

Pursuant to published legal notice in the Saturday, June 13, 2009 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:35 A.M. to receive citizens comments regarding the conditional use permit application of Scott Nelson to construct a residence on less than 40 acres on property located in Section 25-21-4. Planning and Zoning Administrator John Johnson read the Finding of Facts and the proposed stipulations for the conditional use permit.

The applicant, Scott Nelson, was present and testified that he plans to construct a new home on the subject property which is located approximately two miles north and two miles east of Newman Grove.

No one appeared at the hearing to express opposition to the conditional use permit. Chairman McCallum closed the hearing 10:39 A.M.

After discussion, the following resolution was introduced:

RESOLUTION #2009-34

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED IN THE COUNTY OF MADISON, NEBRASKA UNDER AUTHORITY GRANTED BY THE MADISON COUNTY ZONING AND SUBDIVISION RESOLUTION AND LEGISLATIVE BILL 186 (1978)

WHEREAS, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the 2003 Madison County Zoning and Subdivision Resolution and Legislative Bill 186 (1978).

WHEREAS, the Madison County Joint Planning Commission held a Public Hearing on this application and made a recommendation to the Madison County Board of Commissioners to approve this application based on the below:

Finding of Facts

1. The application is consistent with the Madison County Comprehensive Plan.
2. The application is consistent with the Madison County Zoning and Subdivision Regulations.
3. Mr. Nelson is purchasing this property from his grandparents.
4. Mr. Nelson testified he is familiar with both the positives and negatives of living in the country.
5. Mr. Nelson grew up in this area.
6. Mr. Nelson operates a hog confinement approximately 1½ away.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby grants a permanent Conditional Use Permit to Scott Nelson for a single family dwelling on less than forty acres Section 402, "AG-1" Intensive Agriculture District, 2003 Madison County Zoning and Subdivision Resolution, on the following described land:

Part of the Northeast ¼ of the Northeast ¼ of Section 25, Township 21 North and Range 4 West of the 6th P.M., Madison County, Nebraska.

1. This Conditional Use Permit allows a single family home on less than 40 acres.
2. This Conditional Use Permit shall be permanent and will be transferred between owners.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust and general nuisances. This does not, however, mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska.

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

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

County Highway Superintendent Richard Johnson reported that no contract, certificates of insurance, or contract bond have been received from B's Enterprises for Project No. C-59-770, Madison Northeast. After discussion, it was moved by Klein and seconded by Uhlir to authorize the County Clerk to hold the check for payment to B's Enterprises for Project No. C-59-770, Madison Northeast, until the signed contract, contract bond, and certificates of insurance are received. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The following claims were audited:

GENERAL FUND

Total Net Payroll		109,704.16
A J Guns	Equipment, County Sheriff	831.20
Adamson Industries Corp	Equipment, County Sheriff	184.90
Albracht Disposal Service	Garbage Service, Public Defender	41.00
Albracht Disposal Service	Garbage Service, County Jail	155.00
Alltel	Telephone Services, County Extension	92.31
Alltel	Telephone Services, County Sheriff	1,235.53
American Express	Lodging, County Sheriff	156.60
American Express	Training, County Jail	500.00
American Family Life Assurance Company	Insurance Premiums	558.06
American Technologies Network Corp	Equipment, County Sheriff	3,744.00
Ameritas Life Insurance Corporation	Employee Share Retirement	6,878.19
Ameritas Life Insurance Corporation	Employer Share Retirement	10,108.35
Ameritas Life Insurance Corporation	Insurance Premiums	313.34
Antelope County Attorney	Service Fees, District Court	12.96
Appera	Mat Service, Public Defender	34.00
Appera	Mat Service, Courthouse	176.78
Aspen Publishers	Subscription, County Attorney	2,448.90
Larry Bartee	Mileage, Planning and Zoning	108.44
Allan Belina	Mileage, Planning and Zoning	78.37
BHS	Services, Juvenile Diversion	466.29
BI Inc.	Monitoring Services, Juvenile Diversion	1,706.72

Big Red Printing	Supplies, County Treasurer	2,263.18
Big Red Printing	Supplies, District Court	1,314.34
Big Red Printing	Supplies, County Court	277.95
Big Red Printing	Supplies, County Extension	248.05
Black Hills Energy	Gas Service, Courthouse	100.68
Black Hills Energy	Gas Service, County Jail	140.27
Karla Boldt	Supplies, Veterans' Service Office	58.00
Bomgaars Supply Inc.	Supplies, Courthouse	31.72
Bomgaars Supply Inc.	Supplies, County Sheriff	111.92
BTS Inc.	Equipment, Courthouse	1,007.00
Cableone	Internet Services, Public Defender	99.00
Carney Law P.C.	Legal Services, District Court	1,317.66
Carney Law P.C.	Legal Services, County Court	3,932.60
Central United Life Insurance Company	Insurance Premiums	37.21
City of Madison	Utilities, County Jail	3,144.08
CMRS-FP	Postage, County Sheriff	500.00
Gail Collins	Mileage, County Attorney	126.50
Colonial Life and Accident Insurance	Insurance Premiums	99.79
Comfort Inn Kearney	Lodging, District Court	125.92
Complete Pest Elimination Inc.	Services, County Jail	125.00
Compumaster	Registration, Planning and Zoning	199.00
Connecting Point	Repairs, Equipment, County Clerk	494.00
Connecting Point	Equipment, County Treasurer	398.00
Connecting Point	Equipment, Supplies, County Sheriff	821.20
Connecting Point	Equipment, County Jail	923.00
Connecting Point	Equipment, Probation	154.00
Constellation Energy	Gas Service, Courthouse	378.97
Constellation Energy	Gas Service, County Jail	884.27
Copple, Rockey & McKeever, L.L.O.	Legal Services, District Court	2,005.01
Copple, Rockey & McKeever, L.L.O.	Legal Services, County Court	3,235.30
Copycraft Printing	Supplies, Probation	201.00
Courtesy Ford	Repairs, Reappraisal	87.72
Credit Bureau Services	Garnish of Wages	126.99
Credit Management Services Inc.	Garnish of Wages	120.01
Creighton University Medical Center	Lab Fees, Law Enforcement	237.00
Culligan	Drinking Water Service, County Jail	173.55
DDSS Inc.	Computer Software, Repairs, County Attorney	970.00

DDSS Inc.	Computer Support, Software, Courthouse	903.60
Douglas County	Rent, County Relief	477.68
Dugan Business Forms	Supplies, Reappraisal	45.47
Eakes Office Plus	Supplies, County Clerk	187.23
Eakes Office Plus	Supplies, County Treasurer	2,589.74
Eakes Office Plus	Supplies, County Court	5,351.44
Eakes Office Plus	Supplies, County Attorney	1,287.36
Eakes Office Plus	Supplies, Juvenile Diversion	292.33
Eakes Office Plus	Supplies, County Jail	152.88
Eakes Office Plus	Supplies, Probation	456.24
Electrical Engineering & Equipment	Supplies, Courthouse	258.63
Endgame Operating Group LLC	Car Washes, County Sheriff	400.00
Entertainment Unlimited	Services, County Sheriff	924.83
Enviromaster Inc.	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Jail	1,254.00
First Concord Benefits Group	Flexible Benefit Plan	1,772.60
Fleet Services	Fuel, County Sheriff	621.81
Floor Maintenance and Paper Supply	Supplies, Courthouse	103.51
LeAnn Frauendorfer	Mileage, County Extension	48.40
Carla Frisch	Mileage, County Extension	36.25
Frontier	Telephone Services, Juvenile Diversion	20.91
Daniel Fullner	Mileage, Mental Health	22.00
Tina Funk	Witness Fees, County Court	48.60
Futureware Distributing, Inc.	Equipment, District Court	885.00
Gall's Inc.	Uniforms, County Jail	527.43
Gasrite Inc.	Fuel, County Sheriff	3,030.17
Gillette Printing	Supplies, County Extension	464.00
Global Financial Services	Equipment Rental, Register of Deeds	930.00
Richard Grant	Mileage, Planning and Zoning	237.56
Nancy Gross	Mileage, Register of Deeds	264.00
Hall County Sheriff	Services Fees, District Court	19.16
Hartford Life Insurance Company	Deferred Compensation	175.00
Jean Hartner	Uniforms, County Jail	96.28
Matthew Headley	Registration, Public Defender	70.00
Darel Heppner	Meal, Veterans' Service Office	16.50
Severo Hernandez	Witness Fees, County Court	20.00
Jeffrey Hrouda	Legal Services, County Court	936.03

HSBC Business Solutions	Supplies, Equipment, Planning and Zoning	595.29
HSBC Business Solutions	Software, Courthouse	972.13
Audrey Huntley	Mileage, County Extension	3.30
ID Wholesaler South	Equipment, Supplies, County Sheriff	1,226.00
Jack's Uniforms	Equipment, County Sheriff	85.78
Jewell, Collins, DeLay & Flood	Legal Services, District Court	685.90
Johnson Engineering Company	Services, Courthouse	425.00
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, District Court	3,963.50
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	540.75
Johnson's Inc.	Repairs, Veterans' Service Office	98.92
Keenan Law, P.C., L.L.O.	Legal Services, District Court	481.75
Pam Kesting	Mileage, County Extension	107.80
Ryan Kimes	Mileage, County Extension	8.25
Kay Knapp	Mileage, County Extension	8.25
Knox County Treasurer	Mileage, County Clerk	99.00
Larry Kohl	Meals, Mileage, Veterans' Service Office	45.60
Kralik's Sew & Vac Center	Supplies, Courthouse	201.43
Dona Kratochvil	Services, County Jail	84.00
Lancaster County Court	Copies, Law Enforcement	17.50
Louderback Drug	Prescriptions, County Jail	562.49
Love Signs	Sign, Probation	275.00
Madison County Clerk	Tax Deposit	36,707.36
Madison County Court	Fees, County Court	611.00
Madison County Sheriff	Supplies, County Jail	96.69
Madison County Sheriff	Fees, Mental Health	112.58
Madison County Sheriff	Fees, District Court	781.28
Madison County Sheriff	Fees, County Court	855.76
Madison Star Mail	Supplies, Register of Deeds	609.00
Marathon Press	Supplies, Public Defender	171.00
Christal McDonald	Court Reporting, Mental Health	62.50
Mead Lumber & Rental	Supplies, Courthouse	576.84
Medtox Diagnostics Inc.	Drug Testing, Juvenile Diversion	375.29
Menards	Supplies, Planning and Zoning	35.39
Menards	Supplies, County Sheriff	20.46
Menards	Supplies, County Jail	34.76
Menards	Supplies, Probation	96.41
Michael Foods Inc.	Supplies, Courthouse	2,112.00

Microfilm Imaging Systems Inc.	Supplies, Register of Deeds	460.32
Microfilm Imaging Systems, Inc.	Equipment Maintenance, County Court	227.00
Microfilm Imaging Systems, Inc.	Supplies, County Surveyor	45.00
Mid City Furniture and Appliance	Equipment, County Attorney	736.00
Mid Nebraska Communications of Columbus	Equipment, County Sheriff	1,445.57
Midwest Office Automations	Copier Maintenance, Probation	161.36
Midwest Plumbing & Heating	Repairs, County Jail	2,059.92
MIPS	Supplies, County Treasurer	750.79
Modern Drapery & Sewing Center	Equipment, County Extension	1,450.00
Moyer & Moyer	Legal Services, District Court	1,156.21
MPH Industries, Inc.	Shipping, County Sheriff	24.00
Evelyn Muegge	Mileage, County Extension	8.80
NACEB Treasurer	Dues, County Extension	100.00
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Health & Human Services	State Institutions Costs	621.00
Nebraska Public Power District	Utilities, Planning and Zoning	88.62
Sarah Nelson	Mileage, Meals, County Extension	196.61
NMG LLC	Medical Services, County Jail	1,335.00
Norfolk Daily News	Publication Costs, County Extension	5.14
Norfolk Daily News	Publication Costs, Courthouse	310.39
Norfolk Printing Company	Supplies, Reappraisal	450.00
Norfolk Printing Company	Supplies, Mental Health	248.60
Northeast Community College	Lease, Operating Fees, County Extension	3,679.35
Northeast Nebraska Juvenile Services Inc.	Board of Juveniles, Juvenile Detention	27,142.50
Northeast Research and Extension Center	Telephone Services, Equipment, County Extension	2,180.24
Northern Battery	Supplies, County Treasurer	72.10
Northland Customs & Classics	Supplies, County Jail	67.60
Oasis Counseling International	Services, Juvenile Diversion	313.27
Rita Olberding	Postage, Equipment, District Judge	397.98
Mel Olmer	Meals, Mileage, Veterans' Service Office	34.10
Valorie Olson	Court Reporting, Mental Health	50.00
OMB's Express Police Supply	Supplies, County Sheriff	1,708.38
Sherry Peterson	Mileage, Postage, Juvenile Diversion	195.82
Pfeifer Auto Body	Repairs, County Sheriff	64.37
Pinnacle Operations Center	Copies, County Sheriff	39.00
Pioneer Telephone	Telephone Services, Courthouse	255.70
Platte County Court	Copies, Law Enforcement	1.75

Power Station	Equipment, Courthouse	2,357.13
Puppy Love	Impound Fees, County Sheriff	50.00
Quality Inn & Suites	Lodging, Register of Deeds	131.90
Quality Inn & Suites	Lodging, County Clerk	197.85
Quartermaster Inc.	Supplies, County Sheriff	74.86
Quill	Supplies, County Extension	1,196.88
Quill	Supplies, County Court	544.00
Qwest	Telephone Service, District Judge	122.03
Qwest	Telephone Service, County Jail	17.66
Qwest	Telephone Service, Probation	473.71
Terry Radenslaben	Mileage, County Extension	128.70
Reserve Account	Postage, Courthouse	44,000.00
Dr. Jeffrey Rub	Mileage, County Extension	13.20
Marjorie Schaffer	Mileage, Meal, District Court	176.05
Schroeder Land Surveying	Services, County Surveyor	1,520.00
SDPA	Registration, Planning and Zoning	272.00
Shell Fleet Plus	Fuel, Planning and Zoning	145.31
Shell Fleet Plus	Fuel, Reappraisal	77.63
Lee Sherry	Mileage, Meals, Postage, County Extension	408.58
Short Stop	Fuel, County Sheriff	70.03
Mike Smith	Meals, Veterans' Service Office	30.65
Dale Taylor	Interpreting Services, Public Defender	483.75
The Farner Company	Supplies, Probation	46.12
Treat America Food Services	Meals, County Sheriff	47.33
Tyler Graphic Services	Supplies, Election Commissioner	174.90
David Unger	Uniforms, County Sheriff	317.93
Dave Unkel	Mileage, County Extension	39.60
US Bank Corporate Payment System	Supplies, Meals, Equipment, County Sheriff	508.76
Voigt Locksmith Inc.	Supplies, Probation	20.00
WalMart Community	Supplies, Reappraisal	136.20
Leroy Warneke	Meals, Mileage, Veterans' Service Office	36.10
West Payment Center	Subscription, County Sheriff	255.96
West Payment Center	Publication, Law Library	175.50
Western Office Plus	Supplies, Equipment, County Treasurer	3,475.09
Western Office Plus	Supplies, Copier Maintenance, Register of Deeds	739.54
Western Office Plus	Supplies, Equipment, District Court	4,762.59
Western Office Plus	Supplies, County Court	2,455.82

Western Office Plus	Supplies, Furniture, District Judge	4,515.52
Western Office Plus	Supplies, Public Defender	375.39
Western Office Plus	Supplies, Courthouse	626.20
Western Office Plus	Supplies, Equipment, County Extension	1,290.01
Western Office Plus	Supplies, County Sheriff	60.95
Western Office Plus	Supplies, County Attorney	17.50
Western Office Plus	Supplies, Equipment, Veterans' Service Office	1,158.30
Western Office Plus	Furniture, District Court	3,443.05
White Star Oil Company	Repairs, County Sheriff	41.95
Pam Wright	Mileage, County Extension	4.40

ROAD/BRIDGE FUND

Total Net Payroll		25,360.45
Alltel	Telephone Services, District #2	66.51
American Family Life Assurance Company	Insurance Premiums	265.40
Ameritas Life Insurance Corporation	Employee Share Retirement	1,492.35
Ameritas Life Insurance Corporation	Employer Share Retirement	2,238.62
Ameritas Life Insurance Corporation	Insurance Premiums	81.92
Appearra	Towel Service, District #1, #2	151.26
B's Enterprises Inc.	Blades, Culverts, District #1	20,321.20
Battle Creek Farmers Coop	Fuel, District #2	20,865.79
Bauer Built Inc.	Repairs, District #3	898.00
Black Hills Energy	Gas Service, District #1, #3	65.98
Carquest Auto of Norfolk	Parts, District #2, #3	37.41
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation Energy	Gas Service, District #1, #3	103.35
DWB Inc.	Building, District #1	30,000.00
Eisenmann Supplies, Inc.	Supplies, District #1	28.42
Ennis Paint Inc.	Paint, District #1, #2, #3	22,136.57
First Concord Benefits Group	Flexible Benefit Plan	458.04
Flinn Paving Company Inc.	Paving, District #1, #2, #3	259,807.44
Floor Maintenance & Paper Supply	Supplies, District #3	84.90
Husker Steel Inc.	Bridge Materials, District #1	2,655.00
John Deere Credit	Equipment Lease, District #2	5,354.15
Johnson Engineering Company	Engineering Services, District #1, #2, #3	795.00
Kayton International Inc.	Repairs, District #2	16.10

Kolterman Farm Equipment Inc.	Equipment, District #2	5,950.00
Linweld Inc.	Supplies, District #1, #3	119.09
Loup Power District	Services, District #1	74.17
Madison County Clerk	Tax Deposit	7,811.17
Mainelli Wagner & Associates, Inc.	Engineering Services, District #1, #2, #3	1,462.35
Matteo Sand & Gravel Company Inc.	Gravel, District #1, #3	12,042.65
Meisinger Oil Company Inc.	Fuel, District #1, #2	16,236.80
Menards	Supplies, District #2	58.24
Mid Iowa Solid Waste Equipment Co. Inc.	Repairs, District #2	552.79
NAPA Auto Parts of Norfolk	Repairs, District #1, #2, #3	293.87
Nebraska Public Power District	Utilities, District #2	84.02
NMC Exchange LLC	Repairs, District #1, #2, #3	7,606.05
Norfolk Implement Inc.	Parts, District #1, #3	337.78
Norfolk Office Equipment	Supplies, District #3	51.75
Pioneer Telephone	Telephone Service, District #1, #3	53.73
Powerplan	Repairs, District #2	2,500.00
Quick Serve Oil Company Inc.	Fuel, District #3	749.79
Red Bud Inc.	Supplies, District #3	22.48
Rich N Stitch	Supplies, District #2	139.54
Swarco Reflex Inc.	Supplies, District #1, #2, #3	4,901.60
Transamerica Life Insurance Company	Insurance Premiums	44.58
Truck Center of Norfolk	Repairs, District #3	3,239.63
White Star Oil Company	Fuel, District #1	51.34

FEDERAL AID SECONDARY FUND

B's Enterprises Inc.	Culverts	38,324.85
Mainelli Wagner & Associates Inc.	Engineering Services	25,658.87

VISITORS PROMOTION FUND

Freak'n Wild Bull Riding	Grant	1,500.00
Norfolk Area Chamber of Commerce	Administrative Expense	12,113.41

VISITORS IMPROVEMENT FUND

Norfolk Area Chamber of Commerce	Mileage, Advertising	1,149.95
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies	137.46
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DRUG COURT FUND

Redwood Toxicology Laboratory	Drug Tests	292.00
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NOXIOUS WEED FUND

Total Net Payroll		2,774.30
Advance Auto Parts	Supplies	6.49
American Family Life Assurance Company	Insurance Premiums	36.65
Ameritas Life Insurance Corporation	Employee Share Retirement	124.67
Ameritas Life Insurance Corporation	Employer Share Retirement	187.02
B & B Cycle	Repairs	38.67
Battle Creek Shirt Company	Uniforms	407.80
Bomgaars	Repairs, Supplies	63.71
Cableone	Internet Services	49.00
Carquest	Supplies	1.86
Compass Tools Inc.	Shipping	15.00
DAS Communications	Telephone Services	50.93
First Concord Benefits Group	Flexible Benefit Plan	19.23
Graham Tire	Services, Repairs	184.52
John's Disposal	Garbage Service	26.00
Light & Siren	Supplies	61.90
Madison County Clerk	Tax Deposit	854.83
Mead Lumber	Repairs	943.00
Nebraska Labor Law Poster Service	Supplies	47.25
Nebraska Public Power District	Utilities	1.14

Norfolk Daily News	Publication Costs	15.43
Schaben Industries	Repairs	881.08
Target Bank	Supplies	3.99
Van Diest Supply Company	Chemicals	5,490.30
Western Office Plus	Supplies	532.04

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 11:34 A.M. to Tuesday, July 7, 2009 at 9:30 A.M.

County Clerk

Chairman

BOARD OF EQUALIZATION MEETING

Madison, Nebraska

June 23, 2009

The Board of Equalization of Madison County, Nebraska met at 1:00 P.M. to conduct hearings on property valuation protests.

Advance notice of meeting was published in the Thursday, June 18, 2009 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgement 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 Open Meeting Act information posted in the meeting room.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, County Assessor Jeff Hackerott, and County Clerk Nancy Scheer. County Treasurer Donna Primrose was present from 1:00 P.M. to 1:04 P.M.

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

Motion made by McCallum and seconded by Uhlir to approve the minutes of the meeting held on June 9, 2009. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman Klein opened a public hearing at 1:01 P.M. to consider the following motor vehicle exemption applications presented by County Treasurer Donna Primrose:

Improved Living, Inc., P.O. Box 116, Norfolk	1998 Ford Maxi Wagon
Northeast Baptist Association, 714 South 8th Street, Norfolk	1996 Fleetwood Bounder Motor Home
Norfolk Rescue Mission, 111 North 9th Street, Norfolk	2000 Chevrolet Silverado Pickup
Wesley Center, Inc., 406 Phillip Avenue, Norfolk	1999 Dodge Van

County Treasurer Donna Primrose reported that all the organizations have previously been granted exemptions. No one appeared at the hearing to offer verbal testimony. Chairman Uhlir closed the hearing at 1:03 P.M.

After discussion, it was moved by McCallum and seconded by Uhlir 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 presented the following tax list corrections:

- #2507: John's Disposal, Inc., P.O. Box 1552, Norfolk
Deduction from the tax rolls in the amount of \$590.16 for correction to the 2008 personal property taxes due to clerical error
- #2508: David and Jodi Fowlkes, 82637 Hwy 45, Newman Grove
Addition to the tax rolls in the amount of \$1,846.36 due to correction to the 2008 personal property taxes for agricultural equipment not reported on 2008 depreciation worksheet
- #2509: William Calhoon, 3207 South 12th Street, Lot A6, Norfolk
Addition to the tax rolls in the amount of \$632.02 due to acceleration of 2009 real estate taxes due to the sale of a mobile home

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

County Assessor Jeff Hackerott presented the following documents that were accepted by the Board as part of the official record for all property valuation protest hearings conducted in 2009:

- 1) Rules and Regulations of the Tax Equalization and Review Commission (TERC)

- 2) Copy of certification of assessment filed with the Madison County Clerk
- 3) Written statement of the basic procedures used to send valuation notices
- 4) Copy of Notice of Valuation change
- 5) Generalized overview of the procedure used in Madison County Assessor's Office to determine value of real property
- 6) Nebraska Assessor's Reference Manual
 - A) Article 15 of Nebraska Statutes, Chapter 77
 - B) Real Property Appraisal Regulations: 44-001 through 44-005
 - C) County Officials Regulations: 49-001 through 49-010
 - D) Real Property Regulations: 40-001, 003, 004, 008, 010, 011, 012 and 013
- 7) I.A.A.O. Textbooks: Property Appraisal and Assessment Administration, Property Assessment Valuation, and Mass Appraisal of Real Property
- 8) Tax Equalization and Review Commission General Orders #4 through #8
- 9) Madison County Sales File Record (Residential, Commercial, and Agricultural)
- 10) Copy: Madison County Measures of Central Tendency as required under Nebraska Revised Statute Section 77-1315(4) (2000 Cum. Supp., as amended by Nebraska Laws L.B. 170 Section 6)
- 11) Copy: Property Valuation Protest Form 422
- 12) Nebraska Agricultural Land Valuation Manual
- 13) Map of Madison County Agricultural Market Areas for 2009
- 14) Copy of Confidential intra-office spreadsheet of adjustments made by location
- 15) Copy of Ag land values spreadsheet – 3 year comparison
- 16) Copy of Ag land values spreadsheet – values by market area
- 17) Soil Survey of Madison County published by US Dept. of Agriculture / Soil Conservation Service
- 18) 2009 Reports and Opinions of the Property Tax Administrator
- 19) Copy of Nebraska Administrative Code, Chapter 1 TERC Enabling Authority

Hearings were conducted on property valuation protests as follows:

Protest #2009-1: Marilyn Mitchell, Trustee, 1811 Koenigstein Avenue, Norfolk
 Leahys Subdivision Lots 11, 12, and W1/2 Lot 13 and Vac Alley and Pt 19th Street

Chairman Klein opened a hearing at 1:10 A.M. No one appeared at the hearing to offer verbal testimony. The written protest form was reviewed. County Assessor Jeff Hackerott reported that he reviewed the appraisal submitted by the owner that was completed by Appraisal Consulting Services. He reported that the independent appraisal reflects the sales comparison approach to determine a valuation and it is difficult to use this method for higher end properties. Chairman Klein closed the hearing at 1:14 P.M. Motion was made by Uhlir and seconded by McCallum to set the 2009 property valuation at \$500,000. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-2: Leslie and Verlyn Falter, 402 Valley Road, Norfolk
Raaschs Crestview Heights Third Addition Lot 2

Chairman Klein opened a hearing at 1:20 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form and attached letter were reviewed. County Assessor Jeff Hackerott reviewed the assessment record and reported that comparable properties are valued between \$91 and \$117 per square foot and the subject property is valued at \$104.78 per square foot. Chairman Klein closed the hearing at 1:25 P.M. Motion was made by McCallum and seconded by Uhlir to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-3: Norfolk Country Club, 1700 Riverside Boulevard, Norfolk
Pt E1/2 SW1/4 and Pt W1/2 SE1/4 15-24-1 40.6 Ac
Tax Lots SW1/4 Se1/4 15-24-1 Tax Lot 1 .36Ac
Tax Lots NE1/4 SW1/4 15-24-1 Tax Lot 1 .36 Ac
Tax Lots NE1/4 SE1/4 15-24-1 Pt Tax Lot 1 30.1 Ac
Tax Lots NW1/4 SE1/4 15-24-1 Tax Lot 1 33.5 Ac
Tax Lots SW1/4 SE1/4 15-24-1 Pt Tax Lot 9 and All Tax Lot 10 10.67 Ac
Tax Lots SE1/4 SE1/4 15-24-1 Pt Tax Lot 1 2.16 Ac more or less
Pt SE1/4 NW1/4 15-24-1 10.54 Ac
Pt SW1/4 NE1/4 and Pt SE1/4 NE1/4 15-24-1 29.39 Ac
Pt SW1/4 NE1/4 and Pt E1/2 NW1/4 15-24-1 22 Ac

Chairman Klein opened a hearing at 1:30 P.M. Carol Zoubek, General Manager of the Norfolk Country Club, was present. She reported that she compared the Norfolk Country Club with Fremont Country Club, Elks Country Club in Columbus, and Eldorado Hills Golf Club. She reported that the pool needs repairs and the irrigation needs to be replaced. In addition, she reported that the business is a non-profit corporation and they are operating at a loss. County Assessor Jeff Hackerott questioned the number of members and Ms. Zoubek responded that the Norfolk Country Club has 170 golf members and 340 total members. She reported that the annual family membership dues are \$2,500 and single membership dues are \$1,700. In addition, she stated that the annual social membership fee is \$450, which includes the use of the pool, clubhouse, tennis court, and other amenities. Chairman Klein closed the hearing at 1:38 P.M. Motion was made by Mccallum and seconded by Uhlir to table a decision on the property valuation protest. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Protest #2009-4: Jared and Tina Meikle, 1100 Westbrook Drive, Norfolk
Walters East Knolls Ninth Addition Lot 14, Block 10

Chairman Klein opened a hearing at 1:40 P.M. Tina Meikle was present and testified that the property was purchased in April 2008 and was appraised for \$209,000. She explained that they submitted plans to the bank for \$230,000 and when the home construction was completed, the property was not valued at that amount. County Assessor Jeff Hackerott reported that he reviewed the property with Jared Meikle on June 22, 2009. He stated that the house is assessed at \$105.22 per square foot and a comparable property sold for \$114.78 per square foot. In addition, he reported that there were no homes in the neighborhood with finished basements at the time the appraisal was completed by Blaser Appraisal. Chairman Klein closed the hearing at 1:44 P.M. Motion was made by McCallum and seconded by Uhlir to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-5: RiverRoad Apartments LLC, PO Box 1714, Norfolk
S L D's Replat Lot 1

Chairman Klein opened a hearing at 1:53 P.M. Robert Stech, a partner with River Road Apts., explained the method that he used to calculate the valuation for the subject property. He reported that the apartment complex is 18 years old and that the property is owner managed. He questioned what cap rate the County Assessor was using to calculate the valuation and County Assessor Jeff Hackerott responded that he used a 12% cap rate, which included taxes. The profit and loss statements were reviewed. Chairman Klein closed the hearing at 1:58 P.M. Motion was made by McCallum and seconded by Uhlir to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-6: The Apartment Co., PO Box 1714, Norfolk
Custer Addition Lot 2

Chairman Klein opened a hearing at 1:53 P.M. Robert Stech, a partner with The Apartment Company, explained the method that he used to calculate the valuation for the subject property. He reported that the property is owner managed and the properties are well maintained. Chairman Klein closed the hearing at 2:00 P.M. Motion was made by Uhlir and seconded by McCallum to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-7: Meldean Ziehmer, 606 Blue Stem Circle, Norfolk
Meadow Ridge-Phase 2 3rd Addition Lot 9 Block 2

Chairman Klein opened a hearing at 2:10 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form was reviewed. County Assessor Jeff Hackerott reviewed the assessment record and reported that the valuation change was a 2% increase from the prior year. He explained that the property was purchased in September 2006 for \$119,700 and is currently valued at 86% of the purchase price. Chairman Klein closed the hearing at 2:13 P.M. Motion was made by Uhlir and seconded by McCallum to set the 2009 property valuation at \$110,124. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-8: Sarah Wantoch, 309 S 12th Street, Norfolk
Davis Subdivision Lots 4 and 5

Chairman Klein opened a hearing at 2:28 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form and appraisal were reviewed. County Assessor Jeff Hackerott reviewed the assessment record and reported that the property was purchased in September 2006 for \$101,500. Chairman Klein closed the hearing at 2:30 P.M. Motion was made by Uhlir and seconded by McCallum to set the 2009 property valuation at \$105,000. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-9: Ardell Boe Trust, c/o Robert Boe, PO Box 10, Madison
Pt SE1/4 Less HWY 35-22-3 155.10 Ac

Chairman Klein opened a hearing at 2:23 P.M. Robert Boe appeared at the hearing and testified that the Madison Fire Department burned the buildings on this property in March 2009, except for one building that was too close to fuel tanks. He reported that he plans to remove trees and move the bins off this property. County Assessor Jeff Hackerott reported that the buildings were still intact on January 1, 2009, which is the assessment date. In addition, he reported that he inspected the property on June 17, 2009 and a detached garage and two bins are still on the property. Chairman Klein closed the hearing at 2:27 P.M. Motion was made by McCallum and seconded by Uhlir to set the 2009 property valuation at \$330,559. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-10: Jeff Beller, 2908 Dover Drive, Norfolk
Lulows Addition Lots 6,7,8,9,10,11 and E 11.1 FT Lots 13 and 14

Chairman Klein opened a hearing at 2:33 P.M. Jeff Beller was present hearing and testified that the property closing date was February 27, 2009. He reported that the complex has 24 apartment units. He submitted pictures of the property that reflected the condition of the property. He reported that cement work must be completed, the windows at the entrances leak, showers need to be repairs, and siding needs to be replaced. Mr. Beller explained that the carpet in the hallways and on the steps is from the former Holiday Inn and needs to be replaced. He also reported that the garages should be replaced because the bottom portion sits in water which ponds due to the elevation of the adjacent business. County Assessor Jeff Hackerott questioned how many units were rented and the rental price. Mr. Beller responded that the apartment complex has 15 two-bedroom units that rent for \$435 per month and 9 one-bedroom units that rent for \$400 monthly. He reported that nine apartments are currently not rented and that he pays gas and electricity for the hallway, garages and utility room. Chairman Klein closed the hearing at 2:39 P.M. Motion was made by McCallum and seconded by Uhlir to set the 2009 property valuation at \$540,000. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-11: Darrell and Elizabeth Sivits, 1150 West 78th Street, Kearney
ILL - Owens Second Addition Blocks 1 through 7 MH Lot 39 (1996 Patriot 16 x 76)

Chairman Klein opened a hearing at 2:50 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form was reviewed. County Assessor Jeff Hackerott confirmed that the purchase price and date were accurate on the protest form. He stated that he completed an exterior inspection in June 2009 and confirmed that the mobile home was deteriorated before it was purchased. Chairman Klein closed the hearing at 2:53 P.M. Motion was made by McCallum and seconded by Uhlir to set the 2009 property valuation at \$23,086. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-12 James Ebeling, 1503 Longhorn Drive, Norfolk
Homewood Acres Third Addition Lot 2, Block 4

Chairman Klein opened a hearing at 3:00 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form and letter were reviewed. County Assessor Jeff Hackerott reported that the sales between July 1, 2006 and June 30, 2008 are being used to establish the property valuations for 2009. He reported that a comparable property located at 1500 Longhorn Drive sold in April 2006 for \$180,000 and sold again in May 2009 for \$207,500. Chairman Klein closed the hearing at 3:03 P.M. Motion was made by McCallum and seconded by Uhlir to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

Protest #2009-13: Terry and Leanne Hochstein, 703 North Birch Street, Norfolk
Walters' Wedgewood 12th Addition Lot 3, Block 1

Chairman Klein opened a hearing at 3:14 P.M. No one appeared at the hearing to offer verbal testimony. The written protest form was reviewed. County Assessor Jeff Hackerott explained that the valuation discrepancy between 2005 and 2006 noted in the protest letter was due to the property being replatted, with the plat being signed in October 2005. He reported that the owners purchased property from the City of Norfolk that was being used as a drainage easement. He also reported that there are no comparable property sales because of the size of the attached garage. Chairman Klein closed the hearing at 3:20 P.M. Motion was made by McCallum and seconded by Uhlir to make no change to the 2009 property valuation. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays none. Motion carried.

The Board of Equalization recessed at 3:23 P.M. to Tuesday, July 7, 2009 at 12:30 P.M.

County Clerk

Chairman