

## BOARD OF EQUALIZATION

Madison, Nebraska

July 10, 2014

The Board of Equalization of Madison County, Nebraska met at 9:00 A.M., in continuation of the June 17, 2014 meeting, to conduct hearings on property valuation protests.

Advance notice of meeting was published in the Saturday, July 5, 2014 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 Christian Ohl 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 and Christian Ohl, County Assessor Jeff Hackerott, and County Clerk Nancy Scheer. Absent, Commissioner Lee Klein.

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

Hearings were conducted on property valuation protests as follows:

Protest #2014-65: Jeffrey House, 400 North Victory Road, Norfolk  
N 140 FT S 200 FT W 360 FT SW1/4 NW1/4 SW1/4 24-24-1 1.05 AC

Chairman Ohl opened a hearing at 9:00 A.M. No one appeared at the hearing to offer verbal testimony. The protest form was read. County Assessor Jeff Hackerott reported that he reviewed the property with Jeffrey House on July 9, 2014. He stated that there are two houses on the property, with one being rented and the other one being lived in by Mr. House. He reported that the house which is occupied by Mr. House has settling issues and that the attic is finished, but is not heated or cooled. He stated that the house has the original kitchen cabinets and woodwork, but few updates have been made to the house. In addition, he reported that the rental house is newer than the house that is occupied by Jeffrey House; but, it also needs updates. Chairman Ohl closed the hearing at 9:03 A.M. Motion was made by McCallum and seconded by Ohl to consider the recent purchase price and set the 2014 property valuation at \$125,000. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-66: Larry Hofmann, 3006 South 49th Street, Norfolk  
W1/2 NE1/4 LESS 1 AC 24-23-2 79 AC

Protest #2014-67: Larry Hofmann, 3006 South 49th Street, Norfolk  
PT NW1/4 24-23-2 155 AC

County Clerk Nancy Scheer reported that Larry Hofmann's spouse, Gloria Hofmann, telephoned to request a re-scheduled hearing due to a funeral that he will attend. She stated that the hearing was re-scheduled to July 15, 2014.

Protest #2014-68: James Siedschlag, 1601 Eisenhower Avenue, Norfolk  
PT NW1/4 NE1/4 16-24-1 10.03 AC

Chairman Ohl opened a hearing at 9:07 A.M. James Siedschlag appeared at the hearing and testified that the valuation increased 25.7% in 2013 and increased again in 2014 by 30.5%. He reported that the property is located in a floodplain and that he isn't taking any hay off it this year, but the last time hay was taken off the property it was not very high quality. County Assessor Jeff Hackerott confirmed that the property is all hay ground and is not in the CRP program. He stated that he is unsure if the property is located in a floodplain, but it is very low land and it didn't have any standing water on it when he completed his inspection. He reported that the property is valued as agricultural land based upon the soil classification and is not being developed as a potential home site. Mr. Siedschlag inquired if the County would give him the blessing to build on the property and County Assessor Jeff Hackerott responded that he does not have the authority to do that, but he currently does not have the property valued as a potential home site. Mr. Siedschlag stated that the property is an unusable piece of ground since there aren't many properties that have a dam on it. He submitted a list of comparable properties that were submitted as an attachment to the protest form. He stated that he was told that the property was located in a flood plain and the County Assessor advised Mr. Siedschlag to consult on the flood plain status with the City of Norfolk since the property is within the City's zoning jurisdiction. He again asked for the Board's blessing to build on the property and Commissioner McCallum responded that the County can't stop the owner from building on the parcel since the proper permits must be obtained from the City of Norfolk. Chairman Ohl closed the hearing at 9:15 A.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-69: Don and Ann Bell, 37001 370th Street, Monroe  
SE1/4 7-22-3 160 AC

Chairman Ohl opened a hearing at 9:22 A.M. Don and Ann Bell appeared at the hearing. Don Bell testified that he submitted a letter with the protest form and questioned if the Board members understood what the problem is on this property. Ann Bell submitted two sets of pictures as evidence to support the written letter. Commissioner McCallum stated that property is not valued based upon whether the land floods, but the value is based upon an average of the last three years of comparable sales and the soil types on the property. He stated that the State of Nebraska has a copy of every sale and if the valuation is appealed to the Tax Equalization and Review Commission, market sales are the first thing that will be considered. Mr. Bell questioned if that process was right and Commissioner McCallum responded that the State Legislature established this valuation process and any changes must be made by the Legislature. County Assessor Jeff Hackerott stated that another option for the owners is to take the wet areas out of crop production and convert them to grass. Mr. Bell responded that he is renting the property for cash rent and the tenants can't farm around grassy spots all over the farm. He explained that when heavy rains come in the spring, the crop comes up and then floods out. Ann Bell pointed out the flooding on the parcel in pictures taken on June 5, 2014 and more pictures taken on July 2, 2014. Don Bell reported that there are two branches of Battle Creek that goes through this property and when the creek branches get east of their property, they combine into one. He stated that the north branch comes into the northwest corner and comes out the east end so it goes through the entire parcel.

In addition, he explained that the south branch was moved years ago and goes right along the south side of the road and then it cuts across in the corner of the property. He reported that this was man-made years ago and when the water comes up it goes over the south road instead of staying in the creek and then cornstalks, water, and muck gather. He stated that he has asked the County to do something and the County said that there is nothing that can be done. He explained that if the creek was on his side of the road, he would do something with it, but he can't get the County to help him. Commissioner McCallum responded that once the County starts correcting a problem for Mr. Bell, it creates problems for someone else. He stated that the only time the County would do anything in the right-of-way is if the road is being damaged and is unsafe. He stated that the County won't raise the road to correct flooding. County Assessor Jeff Hackerott reported that he has removed the channel located on the north part of the property and the south part is listed as a grass ditch against the road. He explained that the southeast corner has an area assessed as grass. In addition, he explained that the County has measured out the acres that are affected by the water channels and the other portion is valued as cropland. He reiterated that if Mr. Bell has a definable area that is continually a problem each year and the owners' intentions are to lower the tax burden, then the owners could consider taking the wet areas out of production and convert the acres to grass. Mr. Bell responded that the County can't compare his property to another farm that doesn't have any water channels running across it. Chairman Ohl closed the hearing at 9:30 A.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for no change to the 2014 property valuation since the property is classified correctly. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-70: Robert Uecker, 84378 541st Avenue, Meadow Grove  
Lake View Terrace Lot 10 & N 25 Ft Lot 11 (10-23-1)

Chairman Ohl opened a hearing at 9:35 A.M. No one appeared at the hearing to offer verbal testimony. The letter attached to the protest form was read. County Assessor Jeff Hackerott reported that he inspected the property with Robert Uecker on July 9, 2014. He reviewed the County assessment record with the Board members. He summarized that the owner has not made many improvements, except install some laminate flooring and painting the inside of the house. Chairman Ohl closed the hearing at 9:39 A.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for a reduction to the valuation based upon a physical inspection and set the 2014 property valuation at \$134,510. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-71: Kevin and Debra Becker, 1001 Wildwood Street, Norfolk  
Walters' East Knolls Fifth Addition Lot 13, Blk 8

Chairman Ohl opened a hearing at 9:41 A.M. No one appeared at the hearing to offer verbal testimony. The protest form was read. County Assessor Jeff Hackerott reported that he inspected the property with Kevin Becker on July 9, 2014. He reviewed the County assessment record with Board members. He explained that the house is a typical ranch style house in the subdivision and that no changes have been made since the house was completed in 2005. He confirmed that the basement is unfinished and that the house had hail damage along with many other homes in the neighborhood. Chairman Ohl closed the hearing at 9:43 A.M. Motion was made by McCallum and seconded by Ohl to table a decision on the property valuation protest. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-72: Rodney and Arlene Zohner, 54613 836½ Road, Battle Creek  
PT W1/2 NE1/4 & SE1/4 NW1/4 35-23-3 104.7 AC

Chairman Ohl opened a hearing at 9:49 A.M. Rodney and Arlene Zohner appeared at the hearing. Arlene Zohner testified that they were unable to obtain the 2014 property valuations on the computer when they mailed their protest form to the County. She reported that they compared the valuation of their property with Parcel No. 590043850, owned by Laura Rutjens Trust, which was valued in 2013 at \$2,952 per acre and that property is 160 acres of irrigated ground and is a square quarter. She explained that the second parcel used as a comparable is Parcel No. 590144340, which is located one-half mile from the subject parcel, and was valued at \$3,823 per acre in 2013. She testified that the valuation of their property is \$3,949 per acre and appears to be overvalued. Rodney Zohner testified that on a full quarter section of land, 15% is dryland for the corners. He stated that on their property, the pivot is not in the center because it is only 104 acres. He reported that he rents adjacent land owned by Gene Zohner and the pivot will make a full circle on that parcel, but about 30% of his parcel is not irrigated. County Assessor Jeff Hackerott showed a map reflecting the irrigated and dryland acres. Arlene Zohner stated that Madison County has a problem with taxes. She submitted a spreadsheet listing eight different counties in the State of Nebraska showing the percentage of change in taxes between the urban and rural counties from 2005 to 2013. She explained that the percent of change in taxes for the urban compared to the rural is almost unbelievable. She stated that she knows properties in towns have not increased, but Madison County is the worst of any other county in Nebraska. She said that this is a different issue from the valuation protest, but she wanted to share the information. She explained that she simply selected numbers and didn't look at the owners' names, but the percentage of change for one rural property in Madison County was 774%. Arlene Zohner stated that she realizes that the State of Nebraska wants to say that they are so well funded, but they are doing it on the backs of counties and schools who must find a way to pay for programs. She said that she is up in the air about all the things that the federal government says must be provided and the State doesn't help in any way. She stated that they get everyone hooked on having one special person sit with one special child. She requested the Board to do what they could with the protest for their land and they would be satisfied with the requested value of \$413,489. Rodney Zohner stated that they think the valuation of this property is not fair compared to the property that is located right across the creek. Commissioner McCallum stated that the valuation is based upon the soil type on the property and what the sale prices are in the area. Chairman Ohl closed the hearing at 10:02 A.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-73: Alvin Willems, 8389 Kentland Avenue, West Hills, CA 91304  
PT SW1/4 NE1/4 & PT N1/2 S1/2 10-23-1 172.85 AC

Chairman Ohl opened a hearing at 10:27 A.M. No one appeared at the hearing to offer verbal testimony. The written protest form and attached letter were reviewed. County Assessor Jeff Hackerott reported that the parcel is all grass and trees and there is a small farmhouse and out buildings on the parcel. He stated that the assessment record does not reflect any cropland or CRP acres. He stated that he doesn't have any information from the NRCS declaring the property as wetlands; but, if there is a wetland designation, a portion of the property may be eligible for the wetland reserve program. Chairman Ohl closed the hearing at 10:29 A.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-74: Brad and Brian Easland, 3208 Golfview Drive, Norfolk  
PT SE1/4 7-24-4 149.95 AC

Chairman Ohl opened a hearing at 10:11 A.M. Brad Easland appeared at the hearing and testified that he has been trying to straighten out the property valuation on this property for a while. He stated that he has been trying to get the sheet that shows how the valuation in the amount of \$233,148 was calculated; however, no one has ever given it to him. He stated that the County contacted him several days ago and wanted an aerial map from the FSA office, so he called and requested that it be faxed. He stated that he worked with Norman Small and the valuation was recalculated several months ago at \$139,273. He reported that shortly after that calculation was made, he received a letter that the valuation was being raised to \$233,148 and he has been trying to get explanation, but no one has given him one. He presented an aerial map showing the location of his property, the Verschuur property, and the Johnson land. He stated that the Verschuur land is very similar and is not farm ground. He showed the location of an old pivot. Commissioner McCallum explained that the assessment record would still list farm ground, unless he reported that it should be reclassified. Mr. Easland responded that the parcel could be farm ground, but it is now grass. Commissioner McCallum explained that the County probably has the property classified as farm ground. Mr. Easland explained that this is what he was trying to get straightened out because the County has changed the classification to all grass as listed on the inventory sheet that he submitted. He stated that as an example, inventory sheet shows 22 acres of inavale loamy fine sand valued at \$1,625 per acre and he agrees that this is correct. He reported that if you look at the Verschuur land, which is right beside the subject parcel, it is also recreational, grass, trees with inavale loamy fine sand, which is exactly the same classification of his property, but it has a valuation of \$813 per acre. He explained that if you double the \$813 per acre, it is \$1,625 per acre which is what each acre of inavale loamy fine sand is valued on his property. He stated that he doesn't know why these soil classifications would be different when the properties border each other. Mr. Easland reported that another soil type of ovina fine sandy loam is valued at \$1,725 per acre and the Verschuur property also has some of this soil type, but the Verschuur land with this soil type is reduced by 50%. He also reported that another neighboring parcel owned by Johnson has the inavale loamy fine sand is valued at \$1,625 per acre. He stated that he filed this protest because no one could tell him how the \$233,148 valuation was arrived at, particularly when he just had Norman Small working on this and the value was reduced to \$139,273, which is what the County's records show. County Assessor Jeff Hackerott explained that this property valuation is still being worked on by his office. He stated that they were waiting on the FSA certification on the CRP acres and he has now received this due to Mr. Easland's phone call. He reported that the FSA information reflects 61.9 acres of CRP and 3.66 acres of left standing grass, 1.97 acres of non-crop grass, and another 4.7 acre field of left standing grass. He explained that he needs to recalculate the valuation based on the information received from the FSA office. He stated that the valuation of \$233,148 was based on the center portion of the parcel listed as cropland and this needs to be corrected. In addition, he explained that years ago a pivot irrigated this property. Chairman Ohl closed the hearing at 10:22 A.M. Motion was made by McCallum and seconded by Ohl to table the property valuation protest until the soil classifications could be corrected and the valuation re-calculated. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-75: Gerhold, Inc., P.O. Box 743, Columbus  
PT S1/2 NE1/4 32-24-1 48.44 AC

Protest #2014-76: Gerhold, Inc., P.O. Box 743, Columbus  
NE1/4 SW1/4 & NW1/4 SE1/4 32-24-1 80 AC

Chairman Ohl opened a hearing at 10:30 A.M. Stuart Gerhold appeared at the hearing and testified that these parcels are an old gravel pit area, so the value of the land has already been taken, and what is left has been disturbed. He stated that the property has been in the family for a number of years and part of the property is a lake. He stated that he is aware that the County can't go out and check every parcel to know if it conforms to the soil classifications that were completed many years ago. He explained that they have tried to grow alfalfa and corn on it, but it takes years to build up the soil and it is sand with a little topsoil on the top. He stated that what he would like to see done is to get the soil reclassified. Mr. Gerhold explained that he has gravel pits in Butler and Platte counties and he has shown the same information to the officials there and they have varied the soil classifications from what the soil surveys show. He requested the valuation rates for the various soil classifications in Madison County so he could decide where he thought the value should be. He reported that an old shop is located on the 48.44 acre parcel and they are being charged for both a commercial site and a farm site. He stated that this is a little excessive because when the gravel company used it as a shop it was used as commercial; however, it is not commercial or a farm site. He explained that there is no commercial business, so he would like it changed. Commissioner McCallum stated that the County can't change the zoning because it is within the jurisdiction of the City of Norfolk. Stuart Gerhold stated that he is trying to get the assessment listing changed because it seems like duplication. He stated that if this property is considered crop ground, he would like it considered the poorest grade, and he would also like the grass to be considered the poorest type. County Assessor Jeff Hackerott reported that the assessment record reflects Class 2 and Class 3 soil types. Commissioner McCallum questioned if there was a soil type for ground that has not been treated normally, such as a gravel pit and County Assessor Jeff Hackerott responded that there is not a soil type for former gravel pits. He explained that he discussed this with Mr. Gerhold earlier in the office and he suggested that the FSA office re-test the soil to determine the current soil types. Commissioner McCallum recommended that Mr. Gerhold and the County Assessor determine what soil classification would be legal with the Tax Equalization and Review Commission (TERC). Stuart Gerhold reported that 90% of the property is fine sand. Commissioner McCallum stated that he didn't think the Board could change much now, but it is the owner's responsibility to change the status on the building and get the soil test taken and prove to the Assessor what soil types are located on the property. He stated that if someone owns ground along the river and part of the parcel is destroyed by flooding, the County requests pictures to determine how many acres were destroyed, so there is no guess work. In addition, he explained that it would solidify the owner's appeal.

Stuart Gerhold explained that if he appeals the valuation to the TERC he would show them the same documentation he gave to Butler County. He reported that the property in Madison County is comparable to properties in the other counties where gravel was pumped; therefore, the properties should all be classified the same. Commissioner McCallum responded that Mr. Gerhold is talking about different sites in different counties and that TERC would want soil tests from the actual site that is being appealed. Stuart Gerhold stated that TERC compares throughout the State to make sure that the valuation is set equally, and Madison County's value is not equitable. He submitted copies of the information presented to Butler County. He stated that it seems that the County could change the commercial or farm classification at this Board and he didn't know why the Board is trying to get out of that. Commissioner McCallum responded that he is not trying to get out of it, but the Board can't go against the zoning. Stuart Gerhold stated that it is not going against any zoning, when the County currently is using two different types. County Assessor Jeff Hackerott responded that the Board of Equalization can technically make any decision; however, he cautioned the Board to make the decision based upon some type of rationale. Stuart Gerhold stated that it looks like the Board is trying to put off this change for another year. He explained that they have paid for both the commercial and agricultural site for many years and he is tired of having to pay for both classifications. He stated that this isn't right and the Board knows it, so it should be changed. Commissioner McCallum stated that this Board can't go against the zoning. Stuart Gerhold stated that it wouldn't be a decision against the County because the Board works for the County. Commissioner McCallum agreed that he was elected by the County, so he needs to follow the rules. Stuart Gerhold stated that the Commissioners needs to do what is right. Chairman Ohl closed the hearing at 10:46 A.M. Motion was made by McCallum and seconded by Ohl to table a decision on the property valuation protest until further information can be reviewed by the County Assessor. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-77: Amy Trowbridge, 404 East O'Neill Street, Battle Creek  
Preece & Brechler's Addition Lot 5 & E1/2 Lot 6

Chairman Ohl opened a hearing at 10:51 A.M. Amy Trowbridge and Judy Smith appeared at the hearing. Amy Trowbridge testified that the property was purchased in 2001 and was appraised in October, 2013 for \$127,000. County Assessor Jeff Hackerott reported that he inspected the property on July 9, 2014 with Amy Trowbridge. He reviewed the County assessment listing with the Board and stated that no major renovations have been made to the house. He said that a complete copy of the appraisal was not submitted. Chairman Ohl closed the hearing at 10:55 A.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for a reduction to the valuation based upon a physical inspection and set the 2014 property valuation at \$127,865. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-78: Wade, Jane, Christopher, and Kay Jessen, 508 North 29th Street, Norfolk  
SE1/4 5-24-3 160 AC

Chairman Ohl opened a hearing at 11:36 A.M. No one appeared at the hearing to offer verbal testimony. The written protest form was read. County Assessor Jeff Hackerott reported that he inspected the property on July 9, 2014 with Wade Jessen. He reviewed the County assessment listing with the Board explaining that the parcel has CRP, crop ground, and grass, and trees are starting the encroach into the grass. He stated that the house is in the middle of a renovation with drywall partly done, plastic over the insulation, and light fixtures hanging from wires in the ceiling; but, people are living in the house. He said that a complete copy of the appraisal was not submitted. Chairman Ohl closed the hearing at 11:42 A.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for a reduction to the valuation based upon a physical inspection and set the 2014 property valuation at \$499,154. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-79: Cleone Timmerman, 1603 East Sycamore Avenue, Norfolk  
Walters' East Knolls Fifth Addition Lot 2, Blk 6

Chairman Ohl opened a hearing at 11:02 A.M. Leland and Cleone Timmerman appeared at the hearing. Cleone Timmerman testified that several homes in their neighborhood had increased valuations of 20%; however, when they received their proposed valuation, the increase was 39.2% increase. She stated that they didn't understand why, so she went to the preliminary meeting to meet with the appraisal firm who revalued the neighborhood. She explained that the appraiser said that the valuation was based upon the square footage of a sale that was in Sunrise Addition, which is not in their subdivision. She said that there was no further explanation of why that house was chosen because the only thing that they have in common with that house is that both homes are 10 years old. Cleone Timmerman reported that they purchased their home for \$166,000 and a neighbor's home was purchased for \$160,000. She explained that their house is appraised at \$188,000 and the neighbor's house is appraised at \$178,000. She reported that the proposed valuation increase would have changed the valuation to \$262,152 and the neighbor's proposed valuation was \$241,000. She explained that after they went to the preliminary meeting with the appraisal firm, they received a letter reducing the proposed valuation by \$6,000 and the neighbor's valuation was decreased by \$20,000. She stated that the home is right down the street from their property and it is very similar to their house in square footage and they don't understand why their valuation was only decreased by \$6,000 and the neighbor's home was decreased by \$20,000. Mrs. Timmerman reported that they are expecting that their valuation to be decreased by \$20,000 because that only seems logical unless they can get an explanation of the difference. She reported that they also know of another family in the neighborhood that also attended the preliminary meeting with the appraiser and the valuation of their house was decreased by \$20,000. She stated that they can't understand why their house was compared to a house located at 1411 Sunrise and they have no idea if there was personal property included in the sale of that house, or if the house has hardwood floors or granite, nor could the appraiser offer any explanation of why that house was chosen as a comparison. She stated that the sale was calculated at \$126 per square foot, which was used to calculate the valuation on their home. Mrs. Timmerman reported that their daughter lives in the Papillion and their house is also 10 years old, a two-story house located on a golf course, hardwood floors, birch cabinets, with a larger yard, and was valued at \$239,000 when it was built and now it is valued at \$243,000. She explained that each year her daughter's valuation has changed; but, during these 10 years the valuation has increased only \$3,000. She stated that by comparison, during the last 10 years the valuation of their home has increased almost \$100,000. Cleone Timmerman reported that there are many young families and retired people in their neighborhood and they have all remarked that the homes in this area are all plain homes built by Walters. She stated that some of the newer houses are much more elaborate and have many more amenities, so they just don't understand how the County can choose to raise the valuation so much when there is no way they could sell their home for \$300,000. She reported that they know of one home specifically in their subdivision where the valuation was not increased at all, and in fact, it was decreased by \$2,000. She stated that the owners have not changed one single thing in the house, so they can't understand how their valuation would increase 40% when the valuation of another home is decreasing.

Commissioner McCallum asked for the address of this comparable and Cleone Timmerman responded that it is their son's house and it is 1½ story, so it is more valuable than their house. Leland Timmerman stated that the basement of their son's home is finished more elaborately than their house. Cleone Timmerman stated that they received information regarding comparable sales and there weren't any sales of 1½ story houses. She stated that if there aren't any comparable property sales throughout the City of Norfolk, there may be areas where owners don't see valuation increases because there aren't comparable sales. County Assessor Jeff Hackerott stated that there is now a current sale of a 1½ story house in this subdivision. Cleone Timmerman responded that they bought their son's house for \$307,000 so he could buy a different house, but the house is still on the market for sale and they have lowered the price once because they haven't had any offers. She explained that because of issues with the purchase of the other house, the sale needed to be completed this way. Leland Timmerman reported that they helped their children get the house they wanted to buy. Cleone Timmerman reported that this is not a reportable sale and County Assessor Jeff Hackerott responded that since it is a sale between family members, it will be thrown out. He explained that the houses in the Sunrise Subdivision are considered one neighborhood. He reported that the homes in Sunrise Subdivision are generally not as well built as the houses built by Walters. He explained that the house in Sunrise Subdivision that sold for \$126 per square foot was only one sale out of all the sales to establish valuations. He stated that clarification should have been made that the house in Sunrise Subdivision was comparable in square footage and age and sold for approximately the same as what the Timmerman house is valued at. He reported that the lowest sale was \$99 per square foot and the highest sale is over \$150 per square foot. He explained that there is an economy of scale involved, because it is cheaper per square foot to build a 3,000 square foot house than a 1,000 square foot house, assuming that the quality and amenities are the same. Mr. Hackerott stated that typically the larger the house is, the smaller the square foot price is, unless huge amounts of quality are built into the house or unless the house is so large that construction methods must be taken into account to support an enormous house. He said that the sale between Mr. and Mrs. Timmerman and their son is not a typical market sale. He reported that the valuation of more than house in the subdivision went down in valuation and that is something that he sees all the time when completing a revaluation of a neighborhood. He explained that they have not been able to get inside some of the houses for a number of years, so when an entire interior and exterior inspection is completed, there are many items clarified on the assessment record. Cleone Timmerman reported that they know the house that their son and family have lived in for 10 years. County Assessor Jeff Hackerott stated that when their son's house sells, the County will have a comparable price for a 1½ story house. He explained that the model comparables being used in this neighborhood are a one floor house and they can't predict what the second floor contributes to the value. He reported that typically a second floor limits the marketability of a house to people who don't want to have stairs. Cleone Timmerman stated that the 2014 valuation for their house is a 36% increase and she questioned why the County reduced their proposed valuation by \$6,000 and the value of the house down the street was reduced by \$20,000. County Assessor Jeff Hackerott responded that he would need to complete some research before he could provide an answer. He explained that house sales in the entire neighborhood are being used. Mr. Timmerman stated that flooring costs so much and a piece of sheetrock costs the same whether it is in a house that sells for \$99 per square foot or \$150 per square foot. County Assessor Jeff Hackerott responded that this is the market. Leland Timmerman clarified that he is talking about the value because the materials costs the same. County Assessor Jeff Hackerott responded that the valuations will range the same as the sale prices. He explained that he could probably hand pick a house that is valued at \$99 per square foot, but the sales range between \$99 per square foot and \$151 per square foot. Leland Timmerman reported that amenities inside a house make a big difference like whether there is tile flooring, walnut cabinets, or granite countertops. Cleone Timmerman stated that the newer houses have many upgrades compared to their home. County Assessor Jeff Hackerott stated that the market reflects a huge variation in amenities in the house and the marketability. He reported that he completed an interior review of the subject property with Mr. and Mrs. Timmerman on July 9, 2014. Chairman Ohl closed the hearing at 11:34 A.M. Motion was made by McCallum and seconded by Ohl to table a decision on the property valuation protest. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-80: Michael and Laurana Kay Francavilla, 1006 Verges Avenue, Norfolk  
Verges Suburban Lots Lot 3, Blk 1

Chairman Ohl opened a hearing at 11:43 A.M. No one appeared at the hearing to offer verbal testimony. The written protest form was read. County Assessor Jeff Hackerott reported that he inspected the property on July 9, 2014 with Michael Francavilla. He reviewed the County assessment listing and reported that there is a two-car detached garage with a single car driveway, so it is difficult to get in and out of the garage. He explained that there are possible functional issues with the room layout. Chairman Ohl closed the hearing at 11:47 A.M. Motion was made by McCallum and seconded by Ohl to consider the recent purchase price of the property and set the 2014 property valuation at \$117,500. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-81: Matt Sharp, 418 Ridgeway Drive, Norfolk  
Raaschs Crestview Heights Third Addition Lot 8

Chairman Ohl opened a hearing at 11:48 A.M. No one appeared at the hearing to offer verbal testimony. The written protest form was read. County Assessor Jeff Hackerott reported that he inspected the property on July 9, 2014. He reviewed the County assessment listing and reported that the house is a split level that is very typical for houses built in 1976. He stated that the basement is partially finished and a non-conforming bedroom and family room are in the finished part of the basement. He reported that the home has recent hail damage that the owner said would be repaired when contractors can get to the job. Chairman Ohl closed the hearing at 11:51 A.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's for no change to the 2014 property valuation. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-82: William Arnold, 550 Garfield Avenue #303, Cocoa Beach, FL 32931-4070  
Haases Suburban Lots NE1/4 Lot 4, Blk 6

Chairman Ohl opened a hearing at 11:53 A.M. No one appeared at the hearing to offer verbal testimony. County Assessor Jeff Hackerott reported that he discussed the valuation of this property with William Arnold. He explained that the owners live in Florida and the house is not rented, but has been vacant for five years. He stated that the Mr. Arnold has agreed to have his sister let him in the house to complete an interior inspection of the property. Chairman Ohl closed the hearing at 11:54 A.M. Motion was made by McCallum and seconded by Ohl to table the property valuation protest until an inspection is completed by the County Assessor. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-83: Carin Branson, 6738 Tazewell Pike, Knoxville, TN 37918  
PT SW1/4 & PT S1/2 SE1/4 24-24-2 134.72 AC

Chairman Ohl opened a hearing at 12:28 P.M. No one appeared at the hearing to offer verbal testimony. The protest form and attached letter was read. County Assessor Jeff Hackerott reported that the subject property is broken into stair steps with two short 80 acre parcels touching at the corners. He confirmed that an irrigation system is located on the parcel north of the subject property, but there is no irrigation on this property, which is accurately reflected on the assessment record. He stated that the County listing reflects grass, trees, two home sites, and dry cropland. He explained that the drastic valuation increase is due to the market activity over the last three years. He reported that the property is valued at \$3,777 per acre and the owner requested a valuation of \$3,136 per acre. Chairman Ohl closed the hearing at 12:32 P.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-84: Trenton Howard, 84430 538th Avenue, Meadow Grove  
PT W1/2 SW1/4 11-24-4 78.75 AC

Chairman Ohl opened a hearing at 11:59 A.M. Trenton Howard appeared at the hearing and testified that he has improved the property quite a bit since purchasing it. He stated that a 20 foot wall of sand from an old sand pit operation was pushed over onto his property, but all the sand has eroded into his parcel and it is completely worthless to grow crops on. He reported that they put a pivot on the property which has helped, but it isn't the best. He stated that he averaged about 100-bushel corn last year which was during a good crop year. He explained that the valuation averages \$4,439 per acre for sand that was pumped out of a pit, especially when the ground will only yield of 100 bushels of corn. Mr. Howard explained that for three years in a row, he has attempted to tile the property on the south 20 acres where there is standing water and he has been unable to spray it yet this year. He stated that the 20 acres on the south end are good soil if he can get it tiled; however, he needs to find old tile before he will be allowed to put in new tile. He stated that he had the equipment to dig trenches, but he didn't think he was going to find any tile. He reported that the Kuchar property to the southeast is tiled and Martinson tiled his farm. He explained that the soil is good and heavy, but it's a lake. County Assessor Jeff Hackerott reported that he inspected the property on July 7, 2014 and the property is one parcel of ground that is split into two pieces by a county road. He stated that the property is all crop ground, except areas in grass and trees on the north portion. He said that Mr. Howard is in a tough spot because he has an irrigated piece of ground where the pivot runs over a wet spot. Mr. Hackerott stated that when he looked at the 2012 imagery, the wet spot could be detected, but in other years it can't be detected. Trent Howard reported that a few years ago, the wet area was meadow, but as the taxes went up, the area was converted because meadow hay does not bring enough money to pay for the taxes. He stated that the north pivot was substantially shorted because of the sand that was placed on his parcel and when he had the property surveyed, the pins are actually in the ditch. County Assessor Jeff Hackerott responded that he can't do anything about changing the acres on the assessment record until the survey is recorded. Trent Howard explained that his Dad owns the property on the other side, so filing the survey would affect the acres on his Dad's land. He reiterated that the sand from the old sand pit operation that comes onto his parcel is completely worthless. County Assessor Jeff Hackerott reported that his staff member double checked the number of acres prior to the hearing and the irrigated acres are based off the 2011 certification. Chairman Ohl closed the hearing at 12:10 P.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation to make no change to the 2014 property valuation. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-85: Della Strand, 54130 826th Road, Lindsay  
W1/2 NW1/4 35-22-3 80 AC

Chairman Ohl opened a hearing at 12:10 P.M. Della Strand appeared at the hearing and questioned why there was such a huge increase in the valuation this year on all agricultural properties. She reported that there are two irrigated farms located close to this parcel and the valuations are very similar to her dryland property. County Assessor Jeff Hackerott explained that the 2014 valuation increase was huge because he is required to use three years of sales to establish the value and during these three years the agricultural land sales were the highest ever recorded in Madison County and statewide. He stated that the oldest year of market sales were dropped off and the newest year of sales were added. He stated that this is the first time that all three years of market sales have been heavily influenced by recent market trends. He reported that if a quarter section of ground increased less than \$200,000, the soils on the parcel were probably very poor. In addition, he explained that if the soil types are very good, the valuation on a quarter of ground could easily have increased more than \$250,000. He reported that the valuation increase seen by Ms. Strand is very typical for this year. Della Strand questioned who sets the valuations and County Assessor Jeff Hackerott responded that the market establishes the values and he sets the values based upon the market sales. He explained that the Nebraska Department of Revenue measures the sales and determines if the County is in compliance. He stated that the Department of Revenue takes a six mile stretch all the way around the County to measure if each individual county is in alignment with the neighboring county. In addition, he explained that if he doesn't set the values within the range of 69% to 75% of market sales, then the State Department of Revenue will set the valuations and the valuations will be moved to the midpoint. Della Strand reported that she called the Assessor's Office to get the valuation for the irrigated farm located south of the subject property, and it was valued at \$759,874 for 160 acres and her 80 acre parcel is valued at \$392,133. County Assessor Jeff Hackerott stated that Ms. Strand is saying that the valuation for her land is more per acre than an irrigated quarter of land. He stated that the Strand property has better soil. Della Strand responded that water is such a big issue and she doesn't have irrigation potential. County Assessor Jeff Hackerott explained that the County can no longer take into account irrigation potential when setting valuations because there is no irrigation potential if there isn't an existing well. He reported that the comparable property is owned by Hittner and the soil types on Ms. Strand's property are much better. He reviewed the number of acres of the various soil classifications and explained that the property is assessed as dryland. Chairman Ohl closed the hearing at 12:21 P.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-86: Della Strand, 54130 826th Road, Lindsay  
SE1/4 17-21-3 160 AC

Chairman Ohl opened a hearing at 12:21 P.M. Della Strand appeared at the hearing and testified that the valuation is too high. County Assessor Jeff Hackerott reported that the parcel is all dry cropland. He reviewed the number of acres of the various soil types on the property. Chairman Ohl closed the hearing at 12:25 P.M. Motion was made by McCallum and seconded by Ohl to make no change to the 2014 property valuation since the land is classified correctly and the valuation appears to be equitable with similar properties . Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-87: CNW, LLC, P.O. Box 1482, Norfolk  
PT W1/2 E1/2 3-23-1 51.12 AC

Chairman Ohl opened a hearing at 12:33 P.M. No one appeared at the hearing to offer verbal testimony. County Assessor Jeff Hackerott reported that the property is a portion of Medelman's Lake, with the lake running through the center of the parcel. He stated that there is some dirt on the south and north. He reported that it appears that someone is actively mining on this property. He explained that the County does not have the parcel valued as acreage site or potential home site, but is valued as grassland and waste where the lake water is located. Chairman Ohl closed the hearing at 12:35 P.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for no change to the 2014 property valuation. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-88: CNW, LLC, P.O. Box 1482, Norfolk  
PT E1/2 E1/2 3-23-1 67.08 AC

Chairman Ohl opened a hearing at 12:37 P.M. No one appeared at the hearing to offer verbal testimony. County Assessor Jeff Hackerott reported that the property is part of an active mining operation and borders South 1st Street. He explained that the mining operation is located on the east side of the property and they are working their way south. He stated that a berm has been placed along the east to protect South 1st Street and that a portion of Medelman's Lake is on this parcel. Chairman Ohl closed the hearing at 12:39 P.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for no change to the 2014 property valuation. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

Protest #2014-89: Elkhorn Development, LLC, P.O. Box 168, Norfolk  
PT W1/2 NE1/4 29-24-1 47.60 AC

Chairman Ohl opened a hearing at 12:40 P.M. No one appeared at the hearing to offer verbal testimony. County Assessor Jeff Hackerott reported that the assessment record reflects that the parcel is all grass. He explained that the property is located south of Highway 275 next to Greenline Equipment. He reported that this parcel is potential development ground and it is low so it will require some fill dirt. He explained that the highest and best use of this property is future development should the City of Norfolk continue to grow in this direction. Chairman Ohl closed the hearing at 12:42 P.M. Motion was made by McCallum and seconded by Ohl to accept the County Assessor's recommendation for no change to the 2014 property valuation. Roll call vote: Ayes, McCallum and Ohl. Absent, Klein. Nays, none. Motion carried.

The Board of Equalization recessed at 12:45 P.M. to Tuesday, July 15, 2014.

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County Clerk Nancy Scheer

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Board of Equalization Chairman Christian Ohl