

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

July 24, 2018

The Board of County Commissioners of Madison County, Nebraska met in regular session at 9:30 A.M.

Advance notice of meeting was published in the Thursday, July 19, 2018 edition of The Norfolk Daily News and posted on the Madison County website. A copy of said notice was provided to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed.

Following a moment of Silence and the Pledge of Allegiance to the flag of the United States of America, Chairman Jim Prauner called the meeting to order and notified the public of the copy of the Open Meetings Act posted in the meeting room.

Present: Commissioners Christian Ohl, Jim Prauner, and Ron Schmidt, and County Clerk Nancy Scheer. County Highway Superintendent Richard Johnson was present until 11:15 A.M. Commissioner-Elect Troy Uhlir was present until 10:18 A.M. County Weed Superintendent Don Svitak was present from 9:40 A.M. to 10:02 A.M. Norfolk Daily News editor Kent Warneke and WJAG reporter Cody Ronnfeldt were present until 10:09 A.M.

Commissioner Schmidt read the following consent agenda items into the record:

- 1) Approval of minutes of the July 10, 2018 meeting
- 2) Acknowledge receipt of the Official Bond of Brian Hinze as Treasurer/Secretary of Battle Creek Rural Fire Protection District
- 3) Authorization for County Board Chairman to execute the program income report for Economic Development Revolving Loan Funds for the period ending June 30, 2018
- 4) Approval of Michael L. Nahrstedt's Lot Split in Section 1-21-2, which is located approximately 1½ miles west of the City of Madison on Highway 32
- 5) Authorization to advertise for bids for a Courthouse lighting project
- 6) Approval of Change Order No. 1 for Project No. C-59-817, Madison North Paving (Agrex Road), resulting in a net increase of \$5,368.00
- 7) Authorization of County Highway Superintendent to execute a change order on behalf of Madison County for Project No. C-59-889, North Main Street Paving, in an amount not to exceed a cost of \$15,000.00
- 8) Approval of interlocal agreement with the City of Norfolk to provide for County payment of construction costs on South 37th Street
- 9) Authorization for County Board Chairman to execute quit claim deeds to the City of Norfolk for Tax Lot 3 in the SW¼ SW¼ Section 23-24-1 and Tax Lot 10 in the SE¼ SE¼ Section 22-24-1

10) **RESOLUTION #2018-42**

BE IT RESOLVED, that the withdrawal by Madison County Bank, Madison, Nebraska of the following securities, held in safekeeping by Federal Home Loan Bank, Topeka, Kansas, to secure deposits of the county in said bank, to wit:

1.03 07/25/18	\$350,000.00	Federal Home Loan Bank
Rate 1.030000%	Maturity 07/25/2018	of Topeka
Receipt Date: 03/31/2016	Cusip 3132X0EN7	Topeka, Kansas
Receipt No. 723294		

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

FAMCA: T 1 3/8 09/30/20	\$350,000.00	Federal Home Loan Bank
Rate 1.375000%	Maturity 09/30/2020	of Topeka
Receipt Date: 07/19/18	Cusip 912828L65	Topeka, Kansas
Receipt No. 737688		

Motion made by Ohl and seconded by Schmidt to approve the consent agenda for the meeting. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Motion made by Ohl and seconded by Schmidt to approve the regular agenda for the meeting. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Battle Creek Public Library Director Kathleen Bretschneider, Madison Public Library Director Lori Porter, Meadow Grove Public Library Director Mardell Kohl, Newman Grove Public Library Director Kathy Strong, and Tilden Public Library Director Cindy Simeon were in attendance to present the annual report of the Madison County Library Association.

Tilden Public Library Director Cindy Simeon submitted a document which included a written report from each library director and a funding request for the 2018-2019 fiscal year. She explained that the libraries are asking for the same funding amount as 2017, which is \$42,500.00 plus an additional \$1,380.00 for reimbursement of the Ancestry.com Library Edition database.

Chairman Prauner asked if more people are using the libraries. Tilden Public Library Director Cindy Simeon replied that new families are moving into the area, so they are getting more patrons. She stated that they also have some patrons passing away and moving into nursing homes; but, circulation is maintaining at the same level. She reported that they have Overdrive for e-books and 123 people registered to use that program; but, this has not taken away from circulation of print books.

Commissioner Schmidt asked if the change for submitting claims is working. Tilden Public Library Director Cindy Simeon responded that the process was new to all the librarians; but, the process is working okay. She explained that she submitted her funding request all in one claim, but other librarians are submitting requests quarterly or monthly. She said that she is trying to make copies of invoices as expenses are incurred. She explained that the librarians have adjusted to the new procedures. Commissioner Schmidt stated that he realizes that the funding procedures were changed; however, it was a necessary change required by the State Auditor for accountability. He thanked all librarians for working with the County on this change. Meadow Grove Public Library Director Mardell Kohl stated that the change was probably more work for the Clerk's office to audit the claims. Ms. Simeon stated that the librarians appreciate all the funding support. She thanked the Commissioners for recognizing the libraries as an important part of the communities.

Commissioner Ohl asked about program highlights or changes that are new and effective for the libraries in terms of services or events. Madison Public Library Director Lori Porter replied that she is trying to get children and adults more involved, so they are starting some new programs. She explained that she plans to start computer programs and also have a training class on the Ancestry.com website so more people utilize the software. Tilden Public Library Director Cindy Simeon reported that they have more organizations in the community who have entertainment events, so they are starting to offer more community minded activities. She stated that they offered computer class on excel and a program on spam instead of entertainment programs.

Commissioner Schmidt expressed appreciation that librarians are willing to change with the current time because the demands from the public are changing quickly. He said that the libraries are a great part of any culture and society.

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Meadow Grove Library Director Mardell Kohl reported that Overdrive, which allows patrons to check out books onto their Kindles or iPads, was used a total of 1,269 times from July 1, 2017 through the end of June, 2018 in the Meadow Grove library. Commissioner Ohl asked if books and audios can be selected from a nationwide pool. Ms. Simeon responded that Overdrive is a virtual library for every library in Nebraska, except Lincoln and Omaha because they have their own program. Commissioner Ohl stated that he has the program on his phone and it's a very good feature that he enjoys using.

Meadow Grove Library Director Mardell Kohl stated that her pet peeve is children playing with their tablets all summer long; so, she contacted the Humane Society who donated two guinea pigs to their library. She stated that the children love those two animals and are spending time holding, petting, and even reading to the guinea pigs. She said that this proves that their library is willing to do anything.

Newman Grove Public Library Director Kathy Strong reported that she plans to start an after school Lego club to promote imagination and hand/eye coordination. She stated that she focuses on programs for children because it's hard to get adults involved in library events. She reported that she promotes a Girls Night Out at the library for girls between 3rd and 6th grade and they play games, do crafts, and activities. She stated that she would really like to get an oven in the library to promote additional classes.

Chairman Prauner announced that Battle Creek Public Library Director Kathleen Bretschneider will be retiring at the end of the year. Chairman Prauner expressed appreciation for the service that the libraries provide for the communities.

No action was taken.

Noxious Weed Superintendent Don Svitak and Nebraska Department of Agriculture representative Dave Boschult met with the Board to review the 2017 noxious weed program. Mr. Boschult reported that the county weed program is evaluated on four different areas, which are inspections, office evaluation, county reports, and continuing education. He explained that to evaluate the inspections he drives around the county one or two days and randomly inspects four or five sections of land. He stated that if he finds anything significant, he reduces the score; however, he didn't find anything in the areas he inspected. He explained that Mr. Svitak does a good job of completing paperwork; so, the office evaluation received a 1,000 points. He reported that the evaluation on county reports received a score of 978 out of 1,000 possible points. He stated that the Department of Agriculture appreciates the County Board allowing Mr. Svitak to attend meetings and Mr. Svitak attended the number of meetings required. He explained that the total score was 3,377 points out of a possible 3,400 points. He said that he appreciates the fact that he doesn't need to wonder what Mr. Svitak is doing because he is a self-motivator and does a good job.

Commissioner Schmidt stated that they previously discussed inspection for noxious weeds along the Elkhorn River and what the County should do to be effective on this problem. He said that they discussed flying the river or taking an Argo to complete an inspection. He asked what the Nebraska Department of Agriculture's recommendation would be so the County can be effective. Mr. Boschult replied that several years ago the Nebraska Game and Parks Commission went down the river in an air boat, which was a great way to inspect the river. He said that this was completed at no cost to the county involved.

Noxious Weed Superintendent Don Svitak explained that he talked to the Nebraska Game and Parks Commission about using an air boat, but it requires a lot of paperwork. Commissioner Schmidt asked how necessary it would be for the county to inspect the river. Mr. Boschult stated that there are some invasive weeds upstream and there are various ways to inspect. He reported that Antelope County had several staff members inspect the river during the summer months by using GPS and kayaks. He stated that Antelope County obtained a grant from the Northeast Nebraska Weed Management area to spray yellow flag iris. He said that there are so many turns in the river and sloughs where they can't get to the yellow flag iris or spray without killing everything else. Mr. Boschult said that many years ago settlers brought yellow flag iris to the prairie as an ornamental flower, but it has a huge seed pod and eventually spread into the river system. He said that the yellow flag iris is very aggressive and will grow on the edge of the water collecting dirt and then eventually it moves out and stops the flow of water in the river. Commissioner Ohl stated that the danger of yellow flag iris is that it can overtake the natural plants in the area and become a noxious weed. He stated that Mr. Svitak manages his budget and he expressed appreciation for his efficient work. He said that the report is very encouraging.

Chairman Prauner asked if Mr. Boschult covers northeast Nebraska. Mr. Boschult replied that he covers an area from Brown County east to the river and south to Washington County. He stated that this includes the major rivers of Loup, Elkhorn, Niobrara, and Platte. Chairman Prauner asked if there are problems with the small streams and creeks. Mr. Boschult responded that most small creeks don't have noxious weed problems because most flow into the big rivers.

Noxious Weed Superintendent Don Svitak reported that 15 day notices were mailed to some landowners regarding noxious weeds. He presented a picture of a leafy spurge hawk moth which is currently in the caterpillar stage. He stated that in the picture the hawk moths were concentrated in a small area. He explained that the leafy spurge hawk moths burrow in the ground and return each year.

Chairman Prauner expressed appreciation for the report.

County Highway Superintendent Richard Johnson reported that the Agrex Road is complete and a change order was approved for concrete that the County placed in the driveways several years ago. He explained that during the project he decided that the concrete had to be removed and re-poured. He reported that one more payment application will be submitted at the next meeting. He said that 7.5% is being withheld, which is standard and he asked for the Board's opinion on liquidated damages. He explained that the contract completion date was June 30th; however, the road opened on July 18th. Mr. Johnson said that the contractor was delayed 20 or more days due to rain. He explained that if the contractor had the 20 days he couldn't work due to rain, he would have completed the project on time.

Commissioner Schmidt stated that he is willing to give the contractor these extra days without liquidated damages. He said that this road has such heavy loads and he didn't want the contractor to proceed with completion of the project on sub-standard grade. He said that it appears that the contractor did as good a job as possible and they will have an excellent road for years to come. Commissioner Ohl asked if the penalties take into account rain days. Mr. Johnson replied that the contract could be based upon working days which takes into account the weather; so, if the contractor can't work because of rain, a day is not lost. He said that the contract could also be completed on calendar days, which is how this contract was completed. He explained that there was such unusual weather this year, and in his opinion, if the contractor was trying to make the effort to work on the project, he doesn't recommend a penalty. Commissioner Schmidt stated that the contractor was self-motivated and completed the project as quickly as possible. Mr. Johnson stated that he will tell the contractor that the County won't assess liquidated damages.

No action was taken.

The following written reports and correspondence were reviewed:

- 1) Fund balance report
- 2) Register of Deeds June fee report
- 3) County Treasurer 6-month report ending June 30, 2018
- 4) Sale of surplus property report
- 5) Notice of public hearing with Norfolk Planning Commission regarding zoning change for James McKenzie on property located at 2402 East Norfolk Avenue

Motion was made by Schmidt and seconded by Ohl to table a claim payable to Engineering Specialists of Omaha, Nebraska, in the amount of \$8,800.00, for investigation services for a court case. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

The following claims were audited:

GENERAL FUND	
Total Net Payroll	151,934.89
Account Control Technology, Inc.	Garnishment of Wages 179.34
Advanced Correctional Healthcare	Medical Contract Services, County Jail 34,680.82
Mark D Albin	Legal Services, County Court 2,868.47
Mark D Albin	Legal Services, District Court 277.50
Alpha Workforce Health	Medical Services, County Jail 309.00
American Family Life Assurance Co.	Insurance Premiums 1,191.04
Apex Therapy	Professional Services, Community Based Grant 162.50
Appeara	Rug Service, Supplies, Public Defender 28.84
Battle Creek Enterprise	Publication Costs, County Clerk 756.00
BI Incorporated	Monitoring Services, Community Based Grant 121.50
Blue Cross Blue Shield of Nebraska	Insurance Premiums 4,471.38
Bob Barker Company Inc	Uniforms, County Jail 63.86
Bomgaars Supply	Supplies, Courthouse 45.97
Brady & Amy's	Towing Services, County Sheriff 150.00
Brady & Amy's	Fuel, Noxious Weeds 389.45
Brandl Electric	Repairs, County Jail 412.56
Brogan & Stafford	Legal Services, County Court 3,055.86
Brogan Gray PC LLO	Legal Services, County Court 860.03
Cableone	Fax Services, Public Defender 64.97
Cableone	Internet Service, Probation Office 263.99
CBM Managed Services	Inmate Meals, County Jail 11,338.45
Century Link	Telephone Services, County Jail 17.66
Century Link	Telephone Services, Probation Office 641.69
City of Crofton	Utilities, Community Based Grant 75.00
City of Madison	Utilities, Public Defender 201.71
City of Madison	Utilities, County Jail 3,685.16
Colfax County Court	Certified Copies, Law Enforcement 6.00
Colonial Life and Accident Insurance	Insurance Premiums 246.53
Complete Pest Elimination Inc	Pest Control, County Jail 125.00
Connecting Point	Repairs, County Treasurer 39.00
Connecting Point	Data Processing, Supplies, Probation Office 57.94
Connecting Point	Contract Services, Web Filter, Courthouse 135.00
Consolidated Management Company	Meals, County Jail 165.31
Cubby's	Fuel, Noxious Weeds 817.78
Custom Sports	Uniform, County Jail 130.00
CVSOAN	Registration Fees, Veteran Office 100.00
Das State Accounting	Data Processing, County Clerk 41.60
Das State Accounting	Data Processing, County Treasurer 96.16
Das State Accounting	Data Processing, County Jail 32.00
Dayco Properties LLC	Building Payment 5,695.04
Doerr & Klein PC	Legal Services, District Court 1,945.42
Eakes Office Solutions	Supplies, Zoning Department 28.74
Eakes Office Solutions	Supplies, District Judge 50.11
Eakes Office Solutions	Supplies, County Sheriff 22.99
Eakes Office Solutions	Supplies, County Attorney 853.29
Eakes Office Solutions	Supplies, County Jail 540.77
Earl May Seed & Nursery	Ground Supplies, Courthouse 70.97
Egley, Fullner, Montag and Hockabout	Legal Services, District Court 3,354.05
El Paso County Sheriff's Office	Civil Process Fee, District Court 46.95
Election Systems & Software	Ballots Printing, Election Commissioner 4,730.70
Elite Court Reporting Service Inc	Certified Copies, County Attorney 255.35
First Concord Benefits Group	Flex Plan 2,236.29
Floor Maintenance & Paper Supply	Supplies, Courthouse 222.66
Floor Maintenance & Paper Supply	Supplies, County Jail 594.59
Frontier	Telephone Services, Courthouse 1,096.60
Joyce Hasselbalch	Transcript, County Court 72.00
Hilliges and Associates LLC	Professional Services, County Attorney 250.00
Nancy Jochum-Schram	Court Reporting, District Court 588.75
John's Disposal Inc	Garbage Service, Zoning Department 25.50
John's Disposal Inc	Garbage Service, Noxious Weeds 25.50
Sharon E Joseph Law Office	Legal Services, County Court 248.85
Elizabeth Krantz	Rent, Utilities, Juvenile Accountability 1,750.00
L-Tron Corporation	Equipment, County Sheriff 1,042.50
Madison County Clerk	Tax Deposit, Retirement 81,633.79
Madison County Court	Court Costs, County Court 3,170.00
Madison County Sheriff	Supplies, County Jail 25.99
Madison County Sheriff	Civil Process Fees, County Court 1,452.93
Madison County Sheriff	Civil Process Fees, District Court 598.72
Madison County Sheriff	Civil Process Fees, Mental Health 6.00
Madison County Treasurer	Tire Tax, Title Fee, County Sheriff 25.00
Madison National Life Ins.	Insurance Premiums 241.59
Major Refrigeration Co	Repairs, County Jail 287.25
Benjamin McBride	Contract Services, Mileage, Community Based Grant 59.99
Medtox Laboratories Inc	Medical Testing, Juvenile Accountability 225.04

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Menards	Supplies, Zoning Department	28.70
Menards	Supplies, Noxious Weed	28.69
Andrew Mohr	Mileage, Community Based Grant	45.24
Morland, Easland and Lohrberg	Legal Services, District Court	3,942.92
Moyer & Moyer	Legal Services, District Court	1,711.25
National Enterprise Systems Inc.	Garnishment of Wages	101.90
Nationwide Retirement Solutions	Deferred Compensation	3,270.00
Nebraska Child Support Payment Center	Garnishment of Wages	726.62
Nebraska Health and Human Services	State Institutions Costs	930.00
Nebraska Public Power District	Utilities, Zoning Department	104.00
Nebraska Public Power District	Utilities, Probation Office	642.83
Nebraska Public Power District	Utilities, Noxious Weeds	138.29
Nebraska Public Power District	Utilities, Veteran Service Office	80.98
Maria Nievas Salavera	Mileage, Community Based Grant	52.32
Norfolk Daily News	Publication Costs	266.40
Northeast NE Juvenile Services Inc	Boarding Juveniles, Juvenile Accountability	3,733.75
Norm Nykodym	Lawn Care Services, Public Defender	154.00
Mike O'Brien	Mileage, Community Based Grant	105.19
Valorie Olson	Court Reporting, District Court	465.00
One Office Solution	Copies Maintenance, Supplies, County Court	85.12
One Office Solution	Supplies, Public Defender	164.36
One Office Solution	Supplies, County Sheriff	111.23
One Office Solution	Supplies, County Jail	196.13
William Ouren	Autopsy Fees, Law Enforcement	150.00
Michael Petersen	Contract Services, Community Based Grant	250.00
Physicians Laboratory PC	Autopsy Fees, County Attorney	1,400.00
Pitney Bowes Inc.	Equipment Lease, Courthouse	704.10
Redwood Toxicology Lab	Medical Testing, Probation Office	660.60
Region IV Inc	Quarterly Services	9,147.75
Reigle Implement Co Inc	Repairs, Courthouse	104.30
Safe Medical Technology	Equipment, Supplies, County Jail	3,047.00
Seward County Court	Certified Copies, Law Enforcement	2.75
Shell	Fuel, Reappraisal	63.23
Shell	Fuel, County Sheriff	2,878.86
Short Stop	Fuel, County Sheriff	68.98
James Smutny	Repairs, County Treasurer	25.00
Statnon County Court	Certified Copies, Law Enforcement	32.25
Thompson Reuters-West	Subscription Costs, Public Defender	298.82
Tilly's	Fuel, County Sheriff	107.84
Transunion Risk & Alternative	Record Searches, County Sheriff	25.00
US Bank Corporate Payment System	Fuel, Supplies, County Sheriff	1,064.28
US Bank Corporate Payment System	Books, Community Based Grant	195.47
Verizon Wireless	Telephone Services	55.26
Verizon Wireless	Telephone Service, County Assessor	40.01
Verizon Wireless	Telephone Services, Law Enforcement	58.86
Verizon Wireless	Telephone Service, Noxious Weeds	59.77
Vision Service Plan	Insurance Premiums	357.81
Western Roofing Co	Repairs, Courthouse	321.34
Wex Bank	Fuel, County Sheriff	439.13
Zee Medical Service	Supplies, Courthouse	47.35
Zee Medical Service	Supplies, County Sheriff	31.00
Zee Medical Service	Supplies, County Jail	105.05

ROAD/BRIDGE FUND

Total Net Payroll		31,040.25
Advance Auto Parts	Parts	16.99
American Family Life Assurance Co.	Insurance Premiums	601.67
B's Enterprises Inc.	Culverts	17,887.80
Barco Municipal Products Inc	Traffic Signs	716.36
Bauer Built Tire	Repairs	4,693.50
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,082.42
Bomgaars Supply	Supplies	314.44
Central Sand & Gravel	Gravel	956.43
City of Norfolk	Utilities	25.11
Colonial Life and Accident Ins.	Insurance Premiums	115.53
Dale R. Johnson Ent. Inc.	Gravel	5,518.81
Eastern Nebraska Trailer Repair Inc	Parts	53.62
Electrical Engineering & Equipment Co	Parts	51.29
First Concord Benefits Group	Flex Plan	596.91
Frontier	Telephone Service	199.46
Kelly Supply Company	Parts	177.39
Kimball Midwest	Supplies	332.08
Kohlhof Truck Repair Inc	Parts, Repairs	1,395.11
Lawson Products	Supplies	52.34
Loup Power District	Utilities	119.00
Madison County Clerk	Tax Deposit, Retirement	15,679.76

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Madison National Life Insurance Co Inc.	Insurance Premiums	50.32
Marx Repair	Tools	163.20
Matteo Sand & Gravel Co Inc	Gravel	8,011.20
Menards	Supplies	223.33
Nationwide Retirement Solutions	Deferred Compensation	505.00
Nebraska Child Support Payment Center	Garnish of Wages	243.24
Nebraska Public Power District	Utilities	240.49
NMC Exchange, LLC	Parts	70.20
Norfolk Daily News	Publication Costs	106.70
O'Reilly Auto Parts	Parts	47.57
Pinkelman Truck & Trailer	Parts, Repairs	511.67
Reigle Implement Co Inc	Tools	49.99
Ridder Repair Inc	Parts, Repairs	2,096.37
Rise Broadband	Internet Services	127.53
Road Builders Machinery & Supply	Parts, Repairs	3,594.11
T-Bone North	Fuel	7,328.37
Verizon Wireless	Telephone Service	212.18
Vision Service Plan	Insurance Premiums	63.98
Wakefield and Associates, Inc.	Garnish of Wages	170.24
Weldon Parts Inc	Parts	883.78
West Lumber Company	Supplies	6.00
Zoubek Oil Company Inc	Fuel	4,421.96

FEDERAL AID SECONDARY FUND

Elkhorn Paving Construction Co., Inc.	Contract Services	107,415.25
Nebraska Department of Transportation	Bond	1,000.00

VISITORS PROMOTION FUND

Norfolk Area Visitor Bureau	Administration Fees	7,299.12
-----------------------------	---------------------	----------

VISITORS IMPROVEMENT FUND

Norfolk Area Visitor Bureau	Administration Fees	6,236.19
-----------------------------	---------------------	----------

CDBG#2 FUND

Northeast Nebraska Economic Development District	Administration Fees	1,275.00
--	---------------------	----------

LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff Inmate Fund	Cable Services	146.34
Stanek Fire Protection	Repairs	189.00

DRUG COURT FUND

Redwood Toxicology Lab	Drug Testing	23.45
------------------------	--------------	-------

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

The Board adjourned at 11:24 A.M. to Tuesday, August 7, 2018 at 9:30 A.M.

Nancy Scheer
Madison County Clerk

James Prauner
Chairman County Board of Commissioners

BOARD OF EQUALIZATION

Madison, Nebraska

July 24, 2018

The Board of Equalization of Madison County, Nebraska met at 1:00 P.M.

Advance notice of meeting was published in the Thursday, July 19, 2018 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 Ron Schmidt 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 Christian Ohl, Jim Prauner, and Ron Schmidt, County Assessor Jeff Hackerott, and County Clerk Nancy Scheer.

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

County Assessor Jeff Hackerott submitted the following tax list corrections:

- #3407: Serendipity, 311 West Norfolk Avenue, Norfolk
Addition to the tax rolls in the amount of \$9.28 for acceleration of the 2018 personal property taxes due to closing of the business in August, 2018
- #3408: Deets Furniture of Madison, Inc., 2010 South 13th Street, Norfolk
Deduction from the tax rolls in the amount of \$902.94 for correction to the 2017 personal property taxes after reviewing the 2017 depreciation worksheet
- #3409: Main Street Books, Chad and Bonnell Jochum, 2218 West Norfolk Avenue, Norfolk
Addition to the tax rolls in the amount of \$104.66 for acceleration of the 2018 personal property taxes due to closing of the business on March 30, 2018

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Motion was made by Prauner and seconded by Ohl to approve the foregoing tax list corrections. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board considered the following property valuation protests which were tabled at the June 26, 2018 meeting:

Protest #2018-8: SirHal Management, LLC, P.O. Box 193, Norfolk
Common wealth Part First Addition Lot 6, Blk A

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$701,906. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board considered the following property valuation protests which were tabled at the July 10, 2018 meeting:

Protest #2018-13: Glen and Jan Einspahr, 1108 North 36th Street, Norfolk
Tax Lots NE 1/4 SW 1/4 22-24-1 PT Tax Lot 2 (Tract 1-per Survey)

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$171,974. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-29: Craig Riser, 408 Emerald Drive, Norfolk
Green Acres Subdivision Lot 20, Blk 2

County Assessor Jeff Hackerott reported that he reviewed the property with the owner after the protest hearing. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$134,639. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-32: Amy Zobrist, P.O. Box 39, Tilden
Custer Addition Lot 2

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$2,490,075. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-33: Amy Zobrist, P.O. Box 39, Tilden
S L D's Replat Lot 1

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$1,322,404. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-36: Douglas Ketter, 3104 Golf View Drive, Norfolk
Western Town Lot Companys First Addition Lot 14, Blk 8

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$92,668. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board considered the following property valuation protests which were tabled at the July 12, 2018 meeting:

Protest #2018-50: Gregory Wees, 600 Blue Stem Circle, Norfolk
Meadow Ridge - Phase 1 3rd Addition Lot 1, BLK 2

County Assessor Jeff Hackerott reported that the owner has a purchase offer pending on the subject property which is lower than the County's valuation; therefore, he recommended an adjustment. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$178,376. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-54: Duane Wessel, 2400 Sheridan Drive, Norfolk
Tara Heights Addition Lots 1 & 2, BLK 2 (19-24-1)

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$1,229,674. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-57: Savage and Browning/N S P LLC, 8676 West 96th Street, Suite 100, Overland Park, Kansas
Sunset Plaza Subdivision First Platting Lots 6a & 6b & Pt Vac Market Lane

County Assessor Jeff Hackerott reported that he reviewed the information submitted by Mr. Browning at the protest hearing and recommended an adjusted valuation. He stated that Mr. Browning used a 25% vacancy, but the mall vacancies are actually higher. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$10,080,846. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-58: Savage and Browning/Dial-Sunset Mall LLC, 8676 West 96th Street, Suite 100, Overland Park, Kansas
Sunset Plaza Subdivision First Platting Lot 7

County Assessor Jeff Hackerott reported that he reviewed the information submitted by Mr. Browning at the protest hearing. Motion was made by Prauner and seconded by Ohl to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Protest #2018-61: Savage & Browning/ MFP Mid-America Shopping Center LLC, 8676 West 96th St., Ste. 100, Overland Park, Kansas
Commonwealth Park Fifth Addition Lot 2-R

County Assessor Jeff Hackerott reported that he reviewed the information submitted by Mr. Browning at the protest hearing. He stated that the building formerly leased by Hastings Book store is not currently vacant as reflected in Mr. Browning's analysis. He verified that a small portion of the building in the back is not being used by the current tenant. He stated that the owner purchased the building for \$1.7 million in 1995 and Hastings Book store moved out of the building in June, 2016. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$2,250,000. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board considered the following property valuation protests which were tabled at the July 17, 2018 meeting:

Protest #2018-65: Patrick McKee, P.O. Box 180792, Coronado California
PT SE1/4 SE1/4 20-24-1 4.40 AC

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$2,045,906. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-72: William and Leata Blank, P.O. Box 548, Madison
W1/2 NW1/4 32-24-3 80 AC

County Assessor Jeff Hackerott reported that the information regarding CRP acres was received and analyzed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$438,737. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-73: William and Leata Blank, P.O. Box 548, Madison
E1/2 NW1/4 LESS RR 32-24-3 79.88 AC

County Assessor Jeff Hackerott reported that the information regarding CRP acres was received and analyzed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$345,542. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-79: Paul Medelman, 702 West Benjamin Avenue, Norfolk
Country Club Plaza Lot Subdivision Lot 1

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property; however, no information was submitted by the owner. Motion was made by Prauner and seconded by Ohl to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-80: Paul Medelman 702 West Benjamin Avenue, Norfolk
Country Club Estates 3rd Addition Lot 3

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property; however, no information was submitted by the owner. Motion was made by Ohl and seconded by Prauner to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-81: Paul Medelman, 702 West Benjamin Avenue, Norfolk
Tax Lots SW1/4 SE1/4 15-24-1 PT TAX LOT 8 & VAC Alley (Parcel 2)

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the past three years for the subject property; however, no information was submitted by the owner. Motion was made by Ohl and seconded by Prauner to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-83: Lori Miller, 84454 560th Avenue, Norfolk
Peterson's Replat (Lots 2 & 3 Hille's) Lot 1 Less Hwy

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$159,606. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-84: Lori Miller, 84454 560th Avenue, Norfolk
Koenigsteins First Addition S1/2 S1/2 Lot 9, Blk 8

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$72,034. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-85: Lori Miller, 84454 560th Avenue, Norfolk
Koenigsteins First Addition S1/2 S1/2 LOT 10, BLK 8

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$92,084. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-100: Douglas Sunderman, 55549 834th Road, Norfolk
NW1/4 LESS PT TO STATE 18-23-2 152.84 AC

County Assessor Jeff Hackerott reported that the information regarding CRP acres was received and analyzed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$792,141. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Protest #2018-124: Lori Miller, 84454 560th Avenue, Norfolk
Pasewalks Sixth Addition S 36 FT LOT 12 & N 28 FT Lot 13, BLK 1

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Schmidt and seconded by Ohl to set the 2018 property valuation at \$129,311. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-125: Lori Miller, 84454 560th Avenue, Norfolk
Pasewalks Sixth Addition Lot 11 & N 14 FT Lot 12, BLK 1

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$129,311. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-126: Lori Miller, 84454 560th Avenue, Norfolk
Pasewalks Sixth Addition S 22 FT Lot 13 & All Lot 14, BLK 1

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$129,311. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board considered the following property valuation protests which were tabled at the July 20, 2018 meeting:

Protest #2018-112: Kathleen A. Aschoff, 1103 East 6th Street North, Madison
NE1/4 11-21-2 160 AC

County Assessor Jeff Hackerott reported that the information regarding CRP acres was received and analyzed. He explained that the owners also have certified irrigated acres over the CRP which would substantially increase the valuation. He said that he doesn't want to penalize the property owners for providing the information requested since the intent on both sides was that the value would decrease. He explained that this is a unique situation with irrigated acres certified to the Lower Elkhorn Natural Resources District, but the owner can't irrigate due to placing the acres in the CRP program. He recommended that the changes to the assessment record be made for next year's valuation. Motion was made by Prauner and seconded by Ohl to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-113: Gerald Aschoff, 1103 East 6th Street North, Madison
PT SW1/4 & W 50 AC SE1/4 33-22-1 95.5 AC

County Assessor Jeff Hackerott reported that the information regarding CRP acres was received and analyzed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$806,346. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-114: Aterra 35 2305 Krenzien Dr Norfolk LLC, 1001 Grand Ave, West Des Moines, Iowa
Rickert's Second Addition Lot 2-R

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for three years for the subject property; however, no information was submitted. Motion was made by Prauner and seconded by Ohl to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-137: Steve & Theresa Perry, 83658 556th Avenue, Norfolk
Peterson's Replat (Lots 2 & 3 Hille's) Lots 12 & 13

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$348,512. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-138: Steve & Theresa Perry, 83658 556th Avenue, Norfolk
Peterson's Replat (Lots 2 & 3 Hille's) Lot 10 (Lot Boundary Change - Pt Tract Two) & All Lot 11

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$305,697. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-139: Sean T. Mullen, 12829 West Dodge Road, Suite 200, Omaha
Haases Suburban Lots S 248 FT W1/2 LOT 2 & S 248 FT Lot 3 & E 46.2 FT S1/2 Lot 4, BLK 6

County Assessor Jeff Hackerott reported that the owner was asked to submit income and expense statements for the subject property which were received and reviewed. Motion was made by Ohl and seconded by Prauner to set the 2018 property valuation at \$1,844,322. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-143: Flanagan I Bilton, 500 North Dearborn Street, Chicago, Illinois
Westside Plaza Addition E 405 Ft Lot 1

County Assessor Jeff Hackerott reported that he reviewed the information submitted by the protestor for the subject property. Motion was made by Prauner and seconded by Ohl to set the 2018 property valuation at \$1,791,419. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Protest #2018-145: John D. & Amber R. Amick, 54853 840th Road Battle Creek
PT SW1/4 & W1/2 SE1/4 25-24-2 208.27 AC

County Assessor Jeff Hackerott reported that he reviewed the information submitted by Mr. Amick at the protest hearing. He explained that the dry cropland acres were changed from 42.4 acres to 94.8 acres which resulted in an increase in the 2018 valuation. Motion was made by Prauner and seconded by Schmidt to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

Commissioner's Record No. 25

MADISON COUNTY, NEBRASKA

Protest #2018-146: Leueen Whipking, 2300 Valli Hi Road, Norfolk
Krenzien Development 2nd Addition Lot 1

County Assessor Jeff Hackerott reported that he considered the information presented at the protest hearing and confirmed that the assessment listing is correct. He stated that the valuation appears equitable with similar properties. Motion was made by Prauner and seconded by Ohl to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmdit. Nays, none. Motion carried.

Protest #2018-147: Leueen Whipking, 2300 Valli Hi Road, Norfolk
Krenzien Development 2nd Addition Lot 2

County Assessor Jeff Hackerott reported that he considered the information presented at the protest hearing and confirmed that the assessment listing is correct. He stated that the valuation appears equitable with similar properties. Motion was made by Ohl and seconded by Prauner to make no change to the 2018 property valuation. Roll call vote: Ayes, Ohl, Prauner, and Schmdit. Nays, none. Motion carried.

Protest #2018-148: Leueen Whipking, 2300 Valli Hi Road, Norfolk
Haase's Acres Lot 3, Blk 3 (16-24-1)

County Assessor Jeff Hackerott reported that he completed an exterior inspection of the property with Mrs. Whipking on July 23, 2018; however, he didn't complete an interior inspection. He explained that Mrs. Whipking said that there weren't any changes inside the house, so she didn't allow him to go inside. He reported that some of the exterior work of detailed molding is completed with fiberboard, not wood. He confirmed that there was hail damage to the exterior. Motion was made by Ohl and seconded by Prauner to set the 2018 building valuation at \$247,729, with the total property valuation set at \$270,014. Roll call vote: Ayes, Ohl, Prauner, and Schmidt. Nays, none. Motion carried.

The Board of Equalization adjourned at 2:15 P.M.

Nancy Scheer
Madison County Clerk

Ron Schmidt, Chairman
County Board of Equalization