

## BOARD OF EQUALIZATION

Madison, Nebraska

October 14, 2009

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

Advance notice of meeting was published in the Thursday, October 8, 2009 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman Lee Klein called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, and County Clerk Nancy Scheer. County Assessor Jeff Hackerott and County Treasurer Donna Primrose were present until 9:20 A.M.

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

Motion made by McCallum and seconded by Uhlir to approve the minutes of the September 29, 2009 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Jared Faltys and Russ Wilcox appeared before the Board on behalf of Greater Norfolk Economic Development Foundation to request approval of tax-exempt status for an economic development campus. Mr. Wilcox explained that this process started as a dream of finding a way to bring entities in the area that are involved with economic development and corresponding activities together under one roof. He stated that the goal is to provide a campus for entities, including Elkhorn Valley Economic Development Council, Madison County Visitors Bureau, Northeast Nebraska Travel Council, Norfolk Area Chamber of Commerce, Women Empowering Business, Score, Vehicle Parking District, Norfolk Area Recruiters, and Builder's Exchange, in one location. In addition, he explained that the plan includes incubator space for small start-up businesses.

Jared Faltys explained that the campus would be called Greater Norfolk Economic Development Center. He reported that the initial project was an initiative directed by the Norfolk Area Chamber of Commerce. He stated that the campaign goal is \$2.5 million and that will be fine tuned once they know which partners will be part of the project and how much space each partner will require. He explained that an architect completed a preliminary space needs analysis. Mr. Faltys reported that the proposal is that the Greater Norfolk Economic Development Foundation, which is a 501(c)3 will own the building and the Norfolk Area Chamber of Commerce will be a partner. He stated that the Foundation is Board driven and the Chamber of Commerce Chairperson is always the President of the Greater Norfolk Economic Development Foundation. In addition, he reported that the Foundation Vice-President is always the Chamber of Commerce President, which is currently Dennis Houston. Mr. Faltys reported that there are also other At-Large Board members. He reported that the proposed project includes a building with 11,458 square feet and there is an option on a piece of property located at the corner of 7th Street and Norfolk Avenue. He explained that the building at this location would be torn down and a new structure would be constructed. Mr. Faltys stated that he is currently going out to other agencies to explain the project and to date the Elkhorn Valley Economic Development Council has approved this project to move forward, so they are committed to be a partner. He reported that the focus has changed to having the Greater Norfolk Economic Development Foundation own the building because of a few of the proposed partners. He stated that they don't want to make this building a profit center for the Norfolk Chamber of Commerce; however, real estate taxes become a part of the equation. He estimated that real estate taxes would be \$40,000 annually based on a building cost of \$2.1 million. He stated that to pay for the real estate taxes each partner would need to be charged rent. He explained that it doesn't make sense to charge Elkhorn Valley Economic Development Council and all the proposed partners rent to pay real estate taxes. Mr. Faltys stated that to avoid all this, it would be a nice message to these entities, that the building would be exempt from real estate taxes. He explained that if the building is tax exempt, the only expenses that would be charged would be operating and maintenance costs plus a small amount of reserve in case the heating or air conditioning unit requires replacement. He estimated that the cost to partners would be \$5 per square foot using the operating and maintenance approach. As an example, he explained that the annual fees for NENEDD would be \$26,634 without payment of real estate taxes and \$52,735 including payment of taxes.

Commissioner Klein stated that if one of the partners is a for profit business, then taxes would need to be paid on this portion of the building. Russ Wilcox stated that the goal would be to include partners who would be tax exempt. Jared Faltys stated that the only space that would be questionable from a tax standpoint would be the incubator space. He explained that the incubator space would be designed for new businesses coming to town that may need space until they could locate a permanent building. He reported that there is an incubator program in place whereby businesses relocate to the community and then must go through certain steps to graduate. Mr. Faltys explained that the neat thing about the Greater Norfolk Economic Development Foundation owning the building is that incubator office space would be available at this location, in addition to the Vishay building owned by the Foundation, which has an incubator manufacturing area, making two nice incubator spaces available for the area.

Russ Wilcox stated that so much of what makes it difficult to start-up is the need for office equipment, personnel to manage the office, and marketing support and if the business can be put into a mechanism that shares some of the start-up expenses, it increases their success dramatically. He stated that from an economic development perspective, this project would allow some things to be completed that haven't been possible in the past.

Commissioner McCallum agreed that sometimes Madison County and the City of Norfolk are not prepared for potential businesses to move into the area. Mr. Wilcox stated that it would be beneficial to have all the partners together in one structure. Jared Faltys stated that the request before the Board of Commissioners is crucial because some additional decisions could be made based on the tax-exempt request.

County Assessor Jeff Hackerott reported that each space in the building must be considered on an individual basis depending upon which tenant occupies the space. Chairman McCallum reported that he spoke with Russ Wilcox and explained that the County Assessor would be in control of which portions of the building would qualify under state law to be tax exempt.

Chairman Klein questioned if the land was taxable until the building was completed and the tax exemption was approved. County Assessor Jeff Hackerott questioned if a time frame was established for the purchase of the property and Mr. Faltys responded that the option to purchase the property expires on November 30, 2009. County Assessor Jeff Hackerott explained that the property was purchased immediately, it would still be taxable for 2009 and then on January 1, 2010, the Foundation could apply for tax-exempt status. He further stated that construction would need to start within a reasonable amount of time to grant tax exemption for the parcel of land. Russ Wilcox questioned what the reasonable amount of time would be and County Assessor Jeff Hackerott responded that the time frame is open for interpretation as long as construction is moving forward. Russ Wilcox explained that there is a fund raising effort that the organization wants to make some headway with before they proceed with the project.

The Commissioners agreed that the project is a good idea; however, tax-exempt status could not be granted until the project was completed and a Form 451 tax exemption application was completed. No further action was taken.

Chairman Klein opened a public hearing at 9:17.M. to consider the following motor vehicle exemption applications:  
 Community Concern of Norfolk, Inc. P.O. Box 302, Norfolk 2001 Ford Econoline Van  
 Liberty Centre Services, Inc., 900 East Norfolk Avenue, Norfolk 2002 Ford Windstar Van, 2006 Chevrolet Express Van, 2006 Ford Taurus (3), 2006 Ford Econoline Wagon, 2008 Nissan Rogue, 2007 Ford Taurus, 2008 Chevrolet Impala, 1998 Ford Econoline Van, 2003 Ford Bus, 2003 Ford Taurus (3), 2004 Chevrolet Sport Van, 2005 Ford Taurus (4)  
 United Methodist Church, P.O. Box 1283, Norfolk 2007 Honda Accord 4 Door Sedan

County Treasurer Donna Primrose reported that exemption applications have previously been approved for all these organizations. No one appeared at the hearing to offer verbal testimony. Chairman Klein closed the hearing at 9:18 A.M.

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

County Clerk Nancy Scheer presented the following property tax levies for the 2009-2010 fiscal year:

<u>MADISON COUNTY</u>			
<u>FUND</u>		<u>LEVY</u>	<u>TOTAL</u>
General		0.342567	
Road/Bridge		None	
Federal Aid Secondary		0.046408	
Visitor's Promotion		None	
Visitor's Improvement		None	
Drug Law Enforcement		None	
Drug Testing		None	
CDBG #2		None	
Inheritance Tax		None	
Law Enforcement Operating		None	
Drug Court		None	
Road/Bridge Bond		0.010000	
Noxious Weed		None	
911 Emergency Services		None	0.398975

<u>CITIES AND VILLAGES</u>			
<u>CITY OR VILLAGE</u>	<u>FUND</u>	<u>LEVY</u>	<u>TOTAL</u>
City of Battle Creek	General Fund	0.450000	
	Bond Fund	0.111401	0.561401
City of Madison	General Fund	0.450000	0.450000
Village of Meadow Grove	General Fund	0.499990	0.499990
City of Newman Grove	General Fund	0.450000	0.450000
City of Norfolk	General Fund	0.134548	
	Bond Fund	0.062039	0.196587
City of Tilden	General Fund	0.463996	
	Sewer Refunding Bond	0.140787	
	Fire Apparatus Bond Fund	0.053295	
	GO/VP Bond Fund	0.239790	0.897868

<u>RURAL FIRE PROTECTION DISTRICTS</u>			
<u>NAME OF DISTRICT</u>	<u>FUND</u>	<u>LEVY</u>	<u>TOTAL</u>
Battle Creek Rural Fire	General Fund	0.014128	
	Sinking Fund	0.006019	
	Bond Fund	0.019853	0.040000
Creston Rural Fire	General Fund	0.012674	
	Sinking Fund	0.010222	0.022896
Lindsay Rural Fire	General Fund	0.023603	0.023603
Madison Rural Fire	General Fund	0.040000	0.040000
Meadow Grove Rural Fire	General Fund	0.014188	
	Sinking Fund	0.009140	
	Bond Fund	0.016672	0.040000
Newman Grove Rural Fire	General Fund	0.040000	0.040000
Norfolk Rural Fire	General Fund	0.019871	
	Sinking Fund	0.020129	0.040000
Tilden Rural Fire	General Fund	0.010836	
	Sinking Fund	0.013239	0.024075

MISCELLANEOUS

<u>NAME OF SUBDIVISION</u>	<u>FUND</u>	<u>LEVY</u>	<u>TOTAL</u>
Educational Service Unit #7	General Fund	0.015000	0.015000
Educational Service Unit #8	General Fund	0.014939	0.014939
Lower Elkhorn Natural Resources District	General Fund	0.034111	0.034111
Lower Platte North Natural Resources Dist.	General Fund	0.042670	0.042670
Madison County Agricultural Society	General Fund Building Fund	0.006332 0.008058	0.014390
Norfolk Airport Authority	General Fund	0.022816	0.022816
Norfolk Parking District #1	Vehicle Parking	0.350000	0.350000
Northeast Community College	General Fund	0.093540	0.093540
Railroad Transportation Safety District	General Fund	0.003856	0.003856
Norfolk Sanitary District	General Fund	0.008687	0.008687
Sanitary & Improvement District #3	General Fund	0.308641	0.308641
Sanitary & Improvement District #5	General Fund Bond Fund	0.111797 0.030926	0.142723
Sanitary & Improvement District #9	General Fund	0.013908	0.013908
Sanitary & Improvement District #10	General Fund	0.097010	0.097010
Sanitary & Improvement District #13	General Fund Construction Fund	0.172643 0.207429	0.380072

SCHOOL DISTRICTS

<u>SCHOOL DISTRICT</u>	<u>GENERAL FUND</u>	<u>SPECIAL BUILDING FUND</u>	<u>QUALIFIED CAPITAL PURPOSE UNDERTAKING FUND</u>	<u>NON AFFILIATED BOND FUND</u>	<u>NON AFFILIATED BOND 2005</u>	<u>AFFILIATED BOND FUND</u>	<u>TOTAL</u>
59-0001	1.019284		0.038072			0.074728	1.132084
59-0002	1.056030	0.015007	0.045170	0.059242	0.084782	0.045950	1.306181
59-0005	1.010618	0.034693		0.065630		0.122220	1.233161
59-0013	0.888308	0.015077		0.014060		0.055731	0.973176
59-0080	1.164883						1.164883
70-0002						0.087105	0.087105
71-0067	0.450525	0.019768				0.029088	0.499381

Motion was made by McCallum and seconded by Uhlir to adopt the property tax levies for the 2009-2010 fiscal year as presented. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board of Equalization adjourned at 9:22 A.M.

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County Clerk

\_\_\_\_\_  
Chairman

## COMMISSIONERS PROCEEDINGS

Madison, Nebraska

October 14, 2009

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

Advance notice of meeting was published in the Thursday, October 8, 2009 edition of The Norfolk Daily News. A copy of said notice was mailed to each Board member. An affidavit of acknowledgment of receipt of notice of meeting as published was executed. Chairman McCallum called the meeting to order and notified the public of the location of the information regarding the Open Meeting Act posted in the meeting room.

Present: Commissioners Jerry McCallum, Rick Uhlir, and Lee Klein, and County Clerk Nancy Scheer. County Highway Superintendent Richard Johnson joined the meeting at 9:35 A.M.

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

1) Approval of minutes of the September 29, 2009 meeting

2) RESOLUTION #2009-58

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes, and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Lower Elkhorn Natural Resources District with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes Madison County, and

WHEREAS, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Madison County in the form of a resolution and further requesting approval of the plan at the Federal Level.

NOW, THEREFORE, the governing body of Madison County does herewith adopt the Lower Elkhorn Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.

3) RESOLUTION #2009-59

BE IT RESOLVED, that the following securities held in safekeeping by Midwest Independent Bank, Jefferson City, Missouri, to secure deposits of this county in Midwest Bank, Pierce, Nebraska, be and the same hereby are approved:

PERENNIAL PUB PWR DIST NE ELEC SYS REV	Midwest Independent Bank
Receipt Date: 09/11/2009	Jefferson City, Missouri
Receipt Number: JC48705	Maturity Date: 1/1/2019
\$325,000.00	Cusip 71366VEJ5

SARPY CNTY NEB SAN & IMPT DIST	Midwest Independent Bank
Receipt Date: 9/11/2009	Jefferson City, Missouri
Receipt Number: JC48963	Maturity Date: 11/15/2029
\$500,000.00	Cusip 80378CAS8

4) RESOLUTION #2009-60

BE IT RESOLVED, that the withdrawal by the 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:

FNMA	\$250,000.00	Federal Home Loan Bank
Rate 5.000%	Maturity 04/17/2023	Topeka, Kansas
Cusip 3136F9GX5		

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

FHLB AGENCY	\$250,000.00	Federal Home Loan Bank
Rate 5.000%	Maturity 12/11/2015	Topeka, Kansas
Cusip 3133XDTC5		

5) Authorization for the Board Chairman to execute the Certification Statement for the cost allocation plan for the fiscal year ended June 30, 2008

6) Approval of agreement with the Nebraska Department of Roads for surveying services on Project No. RD-81-3(1044)

7) Appointment of Steve Abler to serve a 3-year term on the Joint Planning Commission, with said term to expire on August 1, 2012

8) Acceptance of the Recovery Zone Facility Bond Allocations from Stanton County and Pierce County

9) Approval of notification to the Nebraska Department of Economic Development of intent to use Recovery Zone Facility Bonds

10) Approval of notification to the Nebraska Department of Economic Development of intent to sub-allocate Recovery Zone Economic Development Bonds

11) Authorization to advertise for bids for Project No. C-59-782

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

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

The Board reviewed the following report and correspondence:

- 1) County Clerk September fee report
- 2) Fund balance report
- 3) Register of Deeds September fee report
- 4) Clerk of District Court September fee report
- 5) County Sheriff August and September fee report
- 6) 3rd Quarter report for CASA of Northeast Nebraska

Pursuant to published legal notice in the Friday, October 2, 2009 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:00 A.M. regarding the county's intention to acquire a permanent easement for drainage in part of the SE¼ of the SE¼ of Section 11, Township 24 North, Range 1 West.

County Highway Superintendent Richard Johnson reported that the public hearing is being conducted pursuant to Sections 25-2501 through 25-2506 Nebraska Revised Statutes in relation to the Victory Road Reconstruction project. He explained that the statutes provide that if a government entity plans to acquire land for a public purpose that a public hearing must be conducted. Mr. Johnson reported that the state statutes exempt road projects and the original proposal was to purchase three-fourths of an acre, which could have been considered a road project; however, the county plans to acquire a ponding drainage easement on a 24-acre parcel owned by the Winter family. He explained that he has an agreement worked out with the owners of the property, but he thought it would be best to conduct a public hearing.

No public comments were received. Chairman McCallum closed the public hearing at 10:04 A.M.

County Highway Superintendent Richard Johnson reported that the state statutes don't require any action by the County Board; therefore, no action was taken.

Pursuant to published legal notice in the Friday, October 2, 2009 edition of The Norfolk Daily News, Chairman McCallum opened a public hearing at 10:15 A.M. to receive comments regarding the feasibility of lowering the speed limit on Eisenhower Avenue between 25th Street and U.S. Hwy 81 from 55 miles per hour to 45 miles per hour.

County Highway Superintendent Richard Johnson reported that he received telephone calls from Norfolk City Zoning Administrator/Prevention Manager Scott Cordes and Dean Holan, who is constructing a house on Eisenhower Avenue, expressing concerns about Mr. Holan's driveway. He explained that he completed a site distance study for Mr. Holan's driveway in the fall of 2008 and determined that the driveway was not in the correct location and needed to be moved approximately 200 feet east in order to meet the site distance requirements for 55 mph. He stated that Scott Cordes advised that the Norfolk City Mayor and some of the neighbors on Eisenhower Avenue would like the speed limit reduced and he also inquired if that would help Mr. Holan with his driveway issue. Mr. Johnson reported that he told Mr. Cordes that, in his opinion, the speed limit couldn't be reduced because the statutory speed limit for an asphalt road is 55 mph and the only way to reduce the rate was to complete a speed study. He explained that when he met with Mr. Holan he watched ten to twelve vehicles driving along Eisenhower Avenue and noticed that many of them were not driving at 55 mph so he decided that a speed study would be warranted. Mr. Johnson reported that he completed the study and submitted it to the Board of Commissioners, along with a proposed resolution to set the speed limit at 45 mph, for consideration at the September 15, 2009 meeting. He explained that at this meeting Commissioner Klein requested that a public hearing be conducted.

Chairman McCallum inquired what the speed study reflected and County Highway Superintendent Richard Johnson responded that 85% of drivers were traveling 50 to 51 mph. He explained that the Manual on Uniform Traffic Control Devices allows the Governing Board to lower the speed limit another 5 mph, while also considering land use, accident history, and geometrics of the road. He reported that with the eight-fifth percentile speed and the number of residences along Eisenhower Avenue it would be reasonable to lower the speed limit to 45 mph.

Jerry Ries reported that he is aware of Dean Holan's situation because he sold the lot to Mr. Holan to construct a house. He explained that a hearing was held before the Norfolk Planning & Zoning Commission to obtain a special use permit for construction of a large building on the lot owned by Dean Holan. He stated that when the special use permit was approved there was an agreement that Mr. Holan would construct a house by a certain time. Mr. Ries reported the Mr. Holan did not comply with the deadline to complete the house and subsequently the City of Norfolk granted an extension until December 31, 2008. He reported that the house is currently not completed and Mr. Holan does not have an occupancy permit for the house. In addition, he stated that Mr. Holan must move the driveway even if the speed limit is lowered to 45 mph. Mr. Ries reported that the Rosbergs have requested that the speed limit be lowered and he fully understands their reasons because he lost a son who was hit by a car. He stated that he is very much in favor of lowering the speed limit on Eisenhower Avenue; however, he is not in favor of lowering the speed limit at the current time to accommodate a driveway situation for Dean Holan. He explained that if Mr. Holan had all of his other issues resolved with the City of Norfolk and the only thing that was left was the driveway issue, then he would be in favor of lowering the speed limit. Commissioner Uhlir questioned if Mr. Holan has an existing driveway and Mr. Ries responded that Mr. Holan has a way to get to his property from Eisenhower Avenue.

County Highway Superintendent Richard Johnson reported that the current access used by Mr. Holan was not an existing driveway, but was put in by Mr. Holan. He clarified that with the 45 mph speed limit, Mr. Holan would be required to move the existing access approximately 100 feet east of the current location. He stated that relocating the driveway from the 55 mph location to the 45 mph location moves it so that it is not directly over a drainage culvert under the road. Mr. Ries stated that it would be very expensive for Mr. Holan to put in a driveway at the required location if the speed limit stays at 55 mph because of the slope of the right-of-way and he doesn't want Mr. Holan to go to that expense. He reported that Mr. Holan has not treated some of the neighbors very well nor has he treated the City of Norfolk very well by not living up to the commitments he made. He reported that he wants to see the speed limit lowered because of the kids that live in the neighborhood. Mr. Ries stated that Susie Lutz lives next to him and she has one young boy and the Rosbergs live across the road and have four children. He explained that there is more interaction across the road and he is very concerned about that. He also stated that maybe 45 mph is too high when there are a large number of children in the area. He explained that he can't see lowering the speed limit to satisfy Dean Holan until the county has word from the City of Norfolk that Mr. Holan has met every requirement, other than the driveway, at which time he would be entirely in favor of the proposed speed limit reduction.

Chairman McCallum questioned if the County Board should make a decision without regard to safety and Mr. Ries responded that when he built his house he approached the county about lowering the speed limit and he was told that the speed limit could not be changed. Mr. Ries stated that his concern at that time was also safety and he doesn't know what happened to safety during these 10 years. He reported that cars were speeding on Eisenhower Avenue at that time, but he was told that state statutes wouldn't allow the speed limit to be lowered on a county road. He reiterated that he has taken a position that he is in favor of lowering the speed limit, but he is not in favor of lowering the speed limit to accommodate Dean Holan. He explained that Mr. Holan has already been in court and is getting fined over issues with the City of Norfolk and all the county would do is enable Mr. Holan.

Chairman McCallum stated that he would sure hate to see a child get run over because the county didn't lower the speed limit. Jerry Ries responded that he knows better than anyone what it is like to lose a child from an accident. In addition, he stated that lowering the speed limit on Eisenhower Avenue didn't start out as a safety issue. He thanked Commissioner Klein for removing the speed limit resolution from the consent agenda because, in his opinion, a public hearing should be held on these issues. He stated that if the County Board lowers the speed limit at this time or in the future, he questioned why the county wouldn't lower the speed limit for the entire portion of Eisenhower Avenue that is hard surfaced to the intersection of 37th Street. He reported that there are a number of homes being constructed between 25th and 37th Streets. He explained that changing the speed limit on only a portion of Eisenhower Avenue creates confusion for people who drive the road. He concluded by stating that no matter what decision the County Board makes, the road should have more signs reminding people what the speed limit is on the road.

Jerry Ries questioned who painted the white line at the intersection of Hwy 81 and Eisenhower Avenue. He explained that the freshly painted white line is located in the wrong place because it is located too far to the south. He reported that the previous line can be still be seen faintly and the new white line is causing total confusion at the intersection. Commissioner Uhlir responded that the county contracts with a company to paint the lines and he offered to review the situation.

Tom Hall reported that he is in favor of lowering the speed limit all the way to 37th Street and would also be in favor of lowering the speed limit below 45 mph. He explained that the traffic on Eisenhower Avenue has increased tremendously during the last 15 years. He stated that they purchased their lot 15 years ago, completed their house construction 14 years ago, and since that time the traffic has increased ten fold. He reported that he could work on trees for many hours at a time and maybe one or two cars would go by, but now during the times when people are going to work or getting off work, especially between 5:00 AM and 8:00 AM and also between 4:00 PM and 5:30 PM, there is a car every five seconds. He stated that many people drive near the speed limit, but there are a large percentage of people that drive between 60 and 70 mph. Mr. Hall stated that the hilly terrain of the road is another concern because there are two or three knolls on the road that cause vision problems. He stated that he won't go into the issues with Mr. Holan's driveway because, in his opinion, the other concerns necessitate lowering the speed limit. He reported that there are many houses along Eisenhower Avenue, including two Rosberg families who have children, Bob Reinhart who has children, Piepers who have children, another family to the east of Piepers who have children, and many of these children are elementary school age. In addition, he reported that an elderly lady who lives further east is not very alert and crosses the road to get her mail. Mr. Hall stated that when he drives by the elderly lady's property, she never looks to acknowledge that he is driving by. He reported that another neighbor has a bad leg and goes out on Eisenhower Avenue to get his mail. He stated that when they moved to their house, he thought the road was a hard surfaced oil road and the speed limit wasn't 55 mph. In addition, he stated that a lot of farm equipment travels west on this road and Dinkel Implement sends new equipment up and down this road, which are way too wide for the road. He explained that people have no idea how to go around farm equipment even if it is not too wide for the road. Mr. Hall stated that Eisenhower Avenue seems to be a bypass to Walmart for people living north of Norfolk so the traffic is incredible. He agreed with Jerry Ries regarding the white line recently painted west of Hwy 81. He stated that technically the space is only wide enough for two lanes, but people have always used the area as three lanes, including a turning lane to the right and left and a lane going straight through. He reported that the freshly painted lines don't work for three lanes and it is very dangerous. He stated that there would be more accidents at this location simply because of the way the lines are painted.

Robert Reinhart testified that he is in favor of lowering the speed limit because he has young children ages 11 and 14 and the rules are that no one goes on Eisenhower Avenue. He explained that his children are very good friends with the Rosberg children. He reported that he goes to work at 6 AM and the traffic is amazing because people just fly on this road going to work at Vulcraft or Nucor. He testified that he wouldn't let his children get the mail because it is too dangerous. Mr. Reinhart questioned if he could drive an empty truck on Eisenhower Avenue with the posted weight limits and Commissioner Uhlir responded that an empty truck would probably be under the posted weight limit. He reported that Rosbergs put up lights to better see the approaching traffic. He reported that many of the cars that travel Eisenhower Avenue have out-of-county license plates. He also agreed that the white line re-painted by Hwy 81 needs to be changed.

John Rosberg stated that he agrees with all the testimony presented. He explained that he has young children, ages 9, 12, and 16 and he would like to see the traffic drive slower even if it is for his own selfish reasons. He reported that his son and his brother's son must cross the road to spend time together. He stated that the traffic is very fast considering there is no shoulder on the road. In addition, he stated that two speed bumps were placed on Old Hadar Road that, in his opinion, could cause an accident because there are no warning signs that a speed bump is coming.

No one spoke in opposition to lowering the speed limit on Eisenhower Avenue.

Chairman McCallum closed the hearing at 10:40 A.M. After discussion, the following resolution was introduced:

#### RESOLUTION # 2009-61

WHEREAS, Madison County desires to be in conformance with the standards set forth in the MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, as amended from time to time; and

WHEREAS, it is in the best interests of Madison County to establish and maintain proper and consistent signing in conformity with said Manual; and

WHEREAS, Section 60-6,190 (3), Nebraska Revised Statutes, provides that county boards shall have the power and duty to alter maximum speed limits on county roads provided an engineering and traffic investigation comparable to that made by the Nebraska Department of Roads has been completed; and

WHEREAS, an engineering and traffic investigation comparable to that made by the Nebraska Department of Roads has been completed and recommendations made to the Board of Commissioners of Madison County;

NOW, THEREFORE BE IT RESOLVED that authorization is hereby granted for the establishment of a 45 mph speed limit on Eisenhower Avenue from 25th Street to U.S. Hwy. 81 (13th Street).

BE IT FURTHER RESOLVED that placement, erection, and maintenance of speed limit signs shall be in accordance with said Manual.

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

After further discussion, Chairman McCallum directed County Highway Superintendent Richard Johnson to complete a speed study on Eisenhower Avenue between 25th Street and 37th Street.

The following claims were audited:

	GENERAL FUND	
Total Net Payroll		108,146.23
Joseph Abler	Mileage, Public Defender	126.50
Ronald Albin	Legal Services, District Court	1,916.06
Albracht Disposal Service	Garbage Services, Public Defender	41.00
Albracht Disposal Service	Garbage Services, County Jail	155.00
Alltel	Telephone Services, Planning and Zoning	60.38
American Family Life Assurance Company	Insurance Premiums	558.95
Ameritas Life Insurance Corporation	Employee Share Retirement	6,901.65
Ameritas Life Insurance Corporation	Employer Share Retirement	10,139.49
Ameritas Life Insurance Corporation	Insurance Premiums	351.36
Appeara	Mat Service, Public Defender	34.82
Appeara	Mat Service, Courthouse	176.78
Aramark Correctional Services	Meals, Supplies, County Jail	15,608.74
AS Central Services	Telephone Services, Planning and Zoning	5.17
AS Central Services	Telephone Services, County Sheriff	262.29
AS Central Services	Telephone Services, County Jail	441.71
AS Central Services	Telephone Services, Veterans' Service Office	24.79
A T & T	Telephone Services, Public Defender	169.79
Barnes Mini Mart	Supplies, County Sheriff	18.18
Battle Creek Farmers Coop	Fuel, County Sheriff	43.00
Black Hills Energy	Gas Service, Courthouse	70.31
Black Hills Energy	Gas Service, County Jail	122.95
Black Hills Energy	Gas Service, Veterans' Service Office	17.66
Brandl Electric	Services, County Jail	94.32
Al Brandl	Supplies, County Jail	66.31
Brogan & Gray P.C., L.L.O.	Legal Services, County Court	752.40
Brogan & Stafford, P.C.	Legal Services, County Court	1,708.31
Mandy Burkett	Legal Services, County Court	1,414.25
Cableone	Internet Services, Planning and Zoning	59.00
Carney Law, P.C.	Legal Services, District Court	1,014.75
Cartridge World	Supplies, Probation	50.45
Central United Life Insurance Company	Insurance Premiums	37.21
Champs Inc.	Maintenance Agreement, County Jail	2,166.00
City of Madison	Utilities, Rent, Public Defender	374.10
City of Madison	Utilities, Courthouse	1,282.64
City of Madison	Utilities, County Jail	2,820.99
City of Norfolk	Utilities, Parking, Veterans' Service Office	73.12
Clerk of the Supreme Court	Postage, Public Defender	5.00
Colonial Life and Accident Insurance	Insurance Premiums	154.67
Columbus Telegram	Publication Costs, County Sheriff	973.25
Complete Floors Inc.	Services, Courthouse	312.69
Connecting Point	Equipment, County Attorney	154.00
Connecting Point	Internet Services, Veterans' Service Office	35.95
Connecting Point	Contract Services, Internet Services, Courthouse	1,322.85
Constellation Energy	Gas Service, Courthouse	327.68
Constellation Energy	Gas Service, County Jail	764.58
Constellation Energy	Gas Service, Veterans' Service Office	2.55
Copycraft Printing	Supplies, Probation	374.90
Credit Management Services	Garnish of Wages	120.01
Dakota Business Systems	Copier Maintenance, Probation	72.00
DDSS, Inc.	Software Support, County Attorney	120.00
DDSS, Inc.	Software Support, Courthouse	613.72
Don's Auto Repair Inc.	Repairs, County Sheriff	28.18
Douglas County	General Assistance Reimbursement	40.00
Douglas County Court	Copies, Law Enforcement	5.50
Eakes Office Plus	Supplies, County Clerk	57.80
Eakes Office Plus	Supplies, Copier Maintenance, County Jail	185.24
Eakes Office Plus	Supplies, Probation	239.87
Elite Office Products	Copier Maintenance, County Court	85.42
Elkhorn Logan Valley Public Health Department	Administrative Expense, County Relief	5,692.08
Enviromaster Inc.	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Jail	2,914.00
Field's Hardware	Supplies, County Jail	420.79
First Concord Benefits Group	Flexible Benefit Plan, Deductible Buy Down	4,641.87
First National Insurance Agency	Insurance Premiums, Probation	472.99
Floor Maintenance & Paper Supply Company	Supplies, County Jail	345.35
Frontier	Telephone Services, Courthouse	279.56
Gall's Inc.	Uniforms, County Jail	360.80
Gasrite Inc.	Fuel, County Sheriff	3,069.41
Gordy's Towing & Repair	Repairs, County Sheriff	293.17
Grant Writing USA	Registrations, County Sheriff	2,040.00

Vickie Green	Postage, Planning and Zoning	58.00
Group Link, Inc.	Insurance Premiums	262.53
Hartford Life Insurance Company	Deferred Compensation	175.00
Jean Hartner	Uniform, County Jail	42.78
Jerry's Standard Inc.	Repairs, County Sheriff	13.00
John Johnson	Supplies, Planning and Zoning	14.56
Sharon Joseph	Mileage, Meals, Public Defender	180.15
Keenan Law, P.C., L.L.O.	Legal Services, County Court	315.25
Lancaster County Sheriff	Service Fees, District Court	20.90
Lockup USA Productions	Training, County Jail	106.50
Louderback Drug	Prescriptions, County Jail	3,523.66
Love Signs	Signs, County Jail	755.54
Madison Ampride Inc.	Fuel, Courthouse	187.96
Madison Ampride, Inc.	Fuel, County Sheriff	120.99
Madison County Clerk	Tax Deposit	36,566.45
Madison County Clerk of District Court	Court Costs, District Court	1,013.00
Madison County Court	Transcript, Public Defender	48.75
Madison County Court	Court Costs, County Court	1,935.00
Madison County Sheriff Inmate Fund	Supplies, County Jail	488.67
Madison County Sheriff	Service Fees, Mental Health	90.91
Madison County Sheriff	Service Fees, District Court	545.36
Madison County Sheriff	Service Fees, County Court	392.97
Madison County Sheriff	Postage, County Sheriff	18.02
Madison County Veterans' Service Office	Veteran's Aid Costs	2,000.00
Madison County Veterinary Clinic	Impound Fees, County Sheriff	195.00
Madison National Life	Insurance Premiums	127.39
Maximus Inc.	Consulting Fees, Courthouse	4,087.50
Christal McDonald	Court Reporting, Mental Health	100.00
Microfilm Imaging Systems Inc.	Equipment Rental, County Clerk	45.00
Microfilm Imaging Systems Inc.	Services, Register of Deeds	31.50
Microfilm Imaging Systems Inc.	Equipment Rental, County Court	227.00
Microfilm Imaging Systems Inc.	Equipment Rental, County Surveyor	45.00
Mid-American Specialties Inc.	Supplies, County Sheriff	623.19
Midwest Office Automations	Copies, Probation	581.69
Midwest Plumbing & Heating	Services, County Jail	150.00
MIPS	Computer Support, County Clerk	511.97
MIPS	Computer Support, County Treasurer	881.75
Morrissey Motor Company	Repairs, County Sheriff	34.45
NE Workforce Development	Office Rent, County Relief	698.55
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Health and Human Services	State Institution Costs	864.00
Nebraska Public Power District	Utilities, Probation	393.83
NESCA	Registration, County Jail	85.00
NMG LLC	Medical Services, County Jail	1,419.72
Norfolk Area Shopper	Publication Costs, County Sheriff	475.20
Norfolk Cleaning Service	Services, Probation	140.00
Norfolk Community Health Care Clinic	Quarterly Funding, County Relief	22,500.00
Norfolk Daily News	Publication Costs, County Sheriff	605.00
Norfolk Daily News	Publication Costs, Courthouse	21.09
Norfolk Winair Company	Supplies, County Jail	26.70
Norm Nykodym	Lawn Services, Public Defender	163.00
Rita Olberding	Transcripts, District Court	798.75
Valorie Olson	Transcripts, Public Defender	34.65
Oral Maxillofacial & Facial Plastic Surgeons	Dental Services, County Jail	3,341.00
Sherry Peterson	Mileage, Telephone Services, Juvenile Detention	344.44
Pioneer Telephone	Telephone Services, Courthouse	220.87
Qwest	Telephone Services, District Judge	248.43
Qwest	Telephone Services, Probation	94.47
Ramada Inn Kearney	Lodging, County Sheriff	158.00
Ramada Inn Kearney	Lodging, County Jail	168.00
Region IV, Inc.	Quarterly Services	9,147.75
Region 4 Behavioral Health System	Quarterly Funding	14,108.00
Reigle Implement Company Inc.	Repairs, Courthouse	4.20
Reynoldson's Inc.	Fuel, County Sheriff	240.60
Sani-Duct Service	Services, County Jail	400.00
Sanne Repair	Repairs, County Sheriff	3,646.15
Marjorie Schaffer	Mileage, District Court	157.30
Nancy Scheer	Registration, County Board	60.00
Schroeder Land Surveying	Services, County Surveyor	1,484.00
Short Stop	Fuel, County Sheriff	93.55
Joseph Smith	Mileage, Law Enforcement	1,588.40
Leslie Smith	Mileage, Veterans' Service Office	125.95
Square Tire Norfolk	Repairs, County Sheriff	62.49
State of Nebraska, Department of Revenue	Data Processing Costs, County Assessor	6,248.98
Stratton Law, P.C.	Legal Services, County Court	5,599.58
Michelle Sullivan	Mileage, Juvenile Diversion	177.65
Target Bank Business Card Services	Supplies, Equipment, County Sheriff	510.26
Dale Taylor	Interpreting Services, Public Defender	265.00
Trane US Inc.	Service Agreement, Courthouse	435.75

U.S. Cellular	Telephone Services, Law Enforcement	131.58
Voigt Locksmith	Repairs, County Jail	15.00
Walmart Community	Supplies, Reappraisal	85.41
Wayne County Clerk	Annual Expense, District Judge	26,966.21
Wayne Super 8 Motel	Lodging, County Assessor	207.52
Melissa Wentling	Mileage, Public Defender	143.00
Western Office Plus	Supplies, County Clerk	33.69
Western Office Plus	Supplies, County Treasurer	45.80
Western Office Plus	Supplies, County Court	372.81
Western Office Plus	Supplies, Public Defender	46.94
Western Office Plus	Supplies, County Sheriff	50.60
Western Office Plus	Supplies, Copier Maintenance, County Attorney	83.69
Western Office Plus	Supplies, Juvenile Diversion	124.97
Western Office Plus	Supplies, County Jail	171.99
White Star Oil Company	Repairs, County Sheriff	41.45
Zee Medical Service	Supplies, County Sheriff	59.90
Maria Izabel Zepeda	Interpreting Services, Public Defender	35.00
Maria Izabel Zepeda	Interpreting Services, County Sheriff	49.00
Zippy Lube	Repairs, County Sheriff	102.25

#### ROAD/BRIDGE FUND

Total Net Payroll		27,485.98
Alltel	Telephone Services, District #2	73.73
American Family Life Assurance Company	Insurance Premiums	318.90
Ameritas Life Insurance Corporation	Employees Share Retirement	1,628.15
Ameritas Life Insurance Corporation	Employers Share Retirement	2,441.96
Ameritas Life Insurance Corporation	Insurance Premiums	114.32
Appeara	Towel Service, District #1, #2	162.89
B & A's Welding	Repairs, District #1	4,844.05
B's Enterprises Inc.	Culverts, District #2	5,901.90
Battle Creek Farmers Cooperative	Fuel, District #1, #2, #3	4,778.34
Battle Creek Municipal Light and Power	Utilities, District #3	125.00
Bauer Built Inc.	Repairs, District #1, #2, #3	3,449.04
Black Hills Energy	Gas Service, District #1	39.11
Carhart Lumber Company	Supplies, District #3	654.95
Central Valley Ag	Supplies, District #1	75.00
City of Madison	Utilities, District #1	350.36
City of Newman Grove	Utilities, District #1	50.00
Colonial Life and Accident Insurance	Insurance Premiums	121.80
Constellation Energy	Gas Service, District #1	26.80
Cornhusker International Trucks	Repairs, District #1	100.86
D & M Machinery	Tools, District #3	44.85
Dinkel Implement Company	Repairs, District #2	3,565.90
Fastenal Company	Repairs, District #2	53.82
Field's Hardware	Supplies, District #1	61.14
Filter Care of Nebraska	Services, District #1, #2	111.20
First Concord Benefits Group	Deductible Buy Down, Flex Plan, District #1, #2, #3	698.28
Green Line Equipment	Repairs, District #3	190.88
Group Link, Inc.	Insurance Premiums	12.42
Hank's Front End Service Inc.	Repairs, District #2	120.00
Homestead Homes of America Inc.	Architectural Services, District #1	986.00
J & J Auto Repair	Repairs, District #1	409.66
Kelly Supply Company	Supplies, District #3	50.75
Kimball Midwest	Parts, District #3	137.75
Linweld Inc.	Supplies, District #1, #3	132.80
Loup Power District	Electrical Services, District #1	100.37
Madison Ampride Inc.	Fuel, District #1	1,011.94
Madison County Clerk	Tax Deposit	8,566.42
Madison National Life	Insurance Premiums	37.03
Matteo Sand & Gravel Co. Inc.	Gravel, District #1, #2, #3	12,158.53
Meisinger Oil Company Inc.	Fuel, District #1	7,518.86
Menards	Supplies, District #1, #3	53.53
NAPA Auto Parts of Norfolk	Parts, District #1, #2, #3	242.41
NMC Exchange LLC	Repairs, Equipment, District #1, #2, #3	19,808.60
Norfolk Auto Supply Inc.	Repairs, District #3	137.85
Norfolk Implement Inc.	Repairs, District #1	84.96
Norfolk Iron & Metal Company	Parts, District #1	487.80
Ochsner Grain Company Inc.	Supplies, District #1	16.25
John Oltmer	Dirt, District #1	500.00
Pioneer Telephone	Telephone Services, District #1, #3	45.34
Pogue Construction Inc.	Road Striping, District #1, #2, #3	22,100.00
Pollock Redi Mix	Bridge Material, District #3	2,018.75
Prime Sanitation	Garbage Service, District #2	53.75
Quick Serve Oil Company Inc.	Fuel, District #3	1,171.61
Scheer's Ace Hardware	Supplies, District #2	12.94
The Grove	Fuel, District #1	204.02
Transamerica Life Assurance Company	Insurance Premiums	49.28

Truck Center of Norfolk	Parts, District #1	69.66
Vics Engine Service Inc.	Parts, District #3	130.40
Weldon Industries Inc.	Parts, District #1	1,581.84
White Star Oil Company	Fuel, District #1	156.99

VISITORS PROMOTION FUND

Great American Comedy Festival	Grant	10,000.00
Norfolk Area Chamber of Commerce	Administrative Expense	8,991.53

VISITORS IMPROVEMENT FUND

Norfolk Area Chamber of Commerce	Grant	2,000.00
Norfolk Family YMCA	Grant	1,000.00

INHERITANCE TAX FUND

Julie Rajae	Reimbursement	351.52
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies, Subscriptions	356.14
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DRUG COURT FUND

Pam Wells	Supplies	75.00
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NOXIOUS WEED FUND

Total Net Payroll		1,206.33
Ameritas Life Insurance Corporation	Employee Share Retirement	65.02
Ameritas Life Insurance Corporation	Employer Share Retirement	97.52
First Concord Benefits Group	Administrative Fee	3.00
Madison County Clerk	Tax Deposit	406.84
Nebraska Child Support Payment Center	Garnish of Wages	245.70

911 EMERGENCY FUND

Eastern Nebraska Telephone	Telephone Service	127.86
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Motion was made by Klein and seconded by Uhlir to approve the claims as audited and authorize the County Clerk to issue checks for payment of said claims. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board adjourned at 10:50 A.M. to Tuesday, October 27, 2009 at 9:30 A.M.

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County Clerk

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Chairman