

BOARD OF EQUALIZATION

Madison, Nebraska

October 27, 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 22, 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, Deputy County Assessor Judy Bickley, and County Clerk Nancy Scheer.

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 October 14, 2009 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman Klein opened a public hearing at 9:03 A.M. regarding the exemption applications filed by Greater Norfolk Economic Development Foundation and The Link Inc. Dennis Houston, Board Member for Greater Norfolk Economic Development Foundation, explained that the organization is a non-profit 501(c)3. He reported that the application was filed for tax exemption on the former Vishay building located at 2300 Riverside Boulevard in Norfolk that is currently used as business incubator space for larger businesses. He reported that the Nucor Detailing Center was located in the front office space of the building for a period of time until they completed their new facility. He stated that this is an example of how the building could accommodate a business for a period of time until they can build or expand their own facilities. Mr. Houston submitted information regarding Riverside Business Park that reflected how the building was divided into multiple spaces to assist new industries wishing to relocate to the area. He reported that MP Global is currently utilizing the north bay of the building. He stated that the south bay of the building was an expansion added to the building in approximately 1995. He explained that the way the building is divided makes it easy to rent out to different companies. He reported that the low ceiling height causes a problem for some businesses.

Chairman Klein stated that if the Foundation rents the building to make money, then that area becomes taxable. Mr. Houston responded that the building rents are very below market value to help businesses get started. He reported that they charge between \$1 and \$3 per square foot, which is much below market value. He explained that the building is one incentive that can be used to try to attract businesses to this area. Commissioner McCallum questioned why the Foundation was even charging any rent and Mr. Houston responded that there are expenses, such as utilities and building maintenance, that must be paid. He stated that the building is far from a profit center.

No one spoke in support of the application submitted for The Link Inc. and no one spoke in opposition to either application. Deputy County Assessor Judy Bickley reported that County Assessor Jeff Hackerott recommended approval of both applications.

Chairman Klein closed the hearing at 9:10 A.M.

After discussion, it was moved by McCallum and seconded by Uhlir to approve the exemption applications filed by Greater Norfolk Economic Development Foundation and The Link, Inc. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Deputy County Assessor Judy Bickley submitted the following tax list correction:

#2529: Troy Bristol, 3207 South 12th Street, Lot E5, Norfolk
Addition to the tax rolls in the amount of \$393.00 for acceleration of taxes due to the sale and relocation of a mobile home

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

The Board of Equalization adjourned at 9:12 A.M.

County Clerk

Chairman

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

October 27, 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 22, 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, County Highway Superintendent Richard Johnson, and County Clerk Nancy Scheer.

County Highway Superintendent Richard Johnson requested that the consent agenda item for authorization to advertise for bids for courthouse security and ADA improvements be removed from the consent agenda for discussion. Motion was made by Klein and seconded by Uhlir to remove advertisement of bids for courthouse security and ADA improvements from the consent agenda. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

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

1) Approval of minutes of the October 14, 2009 meeting

2) RESOLUTION #2009-62

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:

FHLB AGENCY	\$200,000.00	Federal Home Loan Bank
Rate 4.125%	Maturity 02/17/2016	of Topeka
Receipt Date: 04/21/2009	Cusip 3133XSYG7	Topeka, Kansas
Receipt No. 574364		

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

FHLB AGENCY	\$200,000.00	Federal Home Loan Bank
Rate 5.375%	Maturity 09/09/2016	of Topeka
Receipt Date: 10/09/2009	Cusip 3133XGJA3	Topeka, Kansas
Receipt No. 588288		

3) RESOLUTION #2009-63

BE IT RESOLVED, that the withdrawal by the Midwest Bank, Pierce, Nebraska of the following securities, held in safekeeping by Midwest Independent Bank, Jefferson City, Missouri, to secure deposits of the county in said bank, to wit:

DOUGLAS CNTY NE SAN & IMPT DIST	Midwest Independent Bancshares, Inc.
Maturity Date: 02/15/2020	Jefferson City, Missouri
\$100,000.00	Cusip 259282AD3
Receipt Date: 5/29/2009	Receipt Number: JC47235

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

NORTHEAST NE CMNTY COLLEGE FACS CORP	Midwest Independent Bank
Maturity Date: 06/15/2020	Jefferson City, Missouri
\$195,000.00	Cusip 66432PBC6
Receipt Date: 10/13/2009	Receipt Number: JC47195

4) RESOLUTION #2009-64
RESOLUTION CALLING LIMITED TAX BUILDING BONDS, SERIES 2004,
OF THE COUNTY OF MADISON, IN THE STATE OF NEBRASKA

BE IT RESOLVED by the Chairperson and Board of Commissioners of the County of Madison, in the State of Nebraska, (the "County") as follows:

Section 1. That the following bonds of the County are hereby called for redemption at par plus accrued interest on December 1, 2009 after which date said bonds shall cease to bear interest:

<u>Principal Amount</u>	<u>Maturing June 1</u>	<u>Interest Rate</u>
\$25,000	2010	3.80%
25,000	2011	4.00
25,000	2012	4.20
30,000	2013	4.40
30,000	2014	4.50
30,000	2015	4.65
30,000	2016	4.70
35,000	2017	4.80
35,000	2018	4.95
35,000	2019	5.00
40,000	2020	5.10
40,000	2021	5.15
45,000	2022	5.25
45,000	2023	5.30
45,000	2024	5.40

Limited Tax Building Bonds, Series 2004, dated June 1, 2004, in the principal amount of \$630,000 becoming due June 1, 2010 through June 1, 2024, both inclusive, issued by the County for the purpose of paying the costs of construction, equipping and furnishing an addition to the office facilities for use by the County, and paying costs of issuance and underwriting associated with issuance of the Series 2004 Bonds.

Section 2. Said bonds are payable at the office of the Union Bank and Trust Company, Lincoln, Nebraska, as Paying Agent and Registrar.

Section 3. A copy of this resolution shall be filed by the County Clerk at least 30 days prior to the date of call with Union Bank and Trust Company, Lincoln, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby irrevocably instructed to give notice of redemption in the manner provided for in the resolution authorizing said bonds.

5)

RESOLUTION #2009-65
A RESOLUTION APPOINTING A MEMBER OF THE
SHERIFF'S OFFICE MERIT COMMISSION

WHEREAS, on October 27, 2009, pursuant to Section 23-1721 to 23-1737 of the Nebraska Revised Statutes, Joseph M. Smith, Madison County Attorney, was appointed to be the duly elected county official to serve on the Sheriff's Office Merit Commission in Madison County Nebraska, and;

WHEREAS, his designated term as the member of the Sheriff's Office Merit Commission who is a duly elected county official appointed by the Board of County Commissioners will expire on January 1, 2010;

WHEREAS, the law provides that as the terms of the initial members expire or upon their resignation, their successors shall be appointed or elected for three year terms in the same manner as the initial members;

NOW, THEREFORE, BE IT RESOLVED, that Joseph M. Smith, Madison County Attorney is hereby appointed to be the duly elected county official to serve on the Sheriff's Office Merit Commission in Madison County, Nebraska, with said term to expire on January 1, 2013.

6)

RESOLUTION #2009-66

WHEREAS, Check No. 09100281, dated October 14, 2009, and drawn on the General Fund in the amount of one thousand five hundred and three dollars (\$1,503.00), was made payable to Oral Maxillofacial Surgeons Inc. 13215 Birch Drive Suite 100, Omaha, Nebraska 68164-0430, and

WHEREAS, said check was not tendered, but remains in the possession of the Madison County Clerk,

NOW, THEREFORE, BE IT RESOLVED that Check No. 09100281, dated October 14, 2009, and drawn on the General Fund in the amount of one thousand five hundred and three dollars (\$1,503.00), is hereby cancelled.

7)

RESOLUTION #2009-67

WHEREAS, The Board of Commissioners of Madison County received a report from the County Highway Superintendent recommending that the West 3/4 mile of the road between Sections 16 and 21, Township 21 North, Range 3 West of the 6th P.M., Madison County, Nebraska be vacated, and

WHEREAS, adjacent landowners were notified by certified mail and a duly advertised public hearing was held as prescribed by law, and

WHEREAS, concerns regarding access to certain lands were expressed at the public hearing held on August 7, 2007, and

WHEREAS, the Board of Commissioners of Madison County feels that it is in the best interest of the public to vacate as much of said county road as can be done without causing problems for adjacent landowners,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Nebraska that the West 1/2 mile of the county road described below is hereby vacated, and that the County shall not retain the right-of-way, subject to any easements of record, which shall remain in full force and effect:

The road between Sections 16 and 21, Township 21 North, Range 3 West of the 6th P.M., Madison County, Nebraska, said road being 825th Road between 542nd and 543rd Avenues.

8) Appointment of Paul Abler and John Klein to serve on the Board of Zoning Adjustment

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

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

The Board reviewed the following report and correspondence:

- 1) County Treasurer fund balance report
- 2) 3rd Quarter Veterans' Aid Fund financial report
- 3) Sale of surplus property report
- 4) Nebraska Association of County Officials financial statements for year ended June 30, 2009
- 5) Minutes of the September 15, 2009 meeting of PrairieLand RC&D and October newsletter
- 6) Northeast Nebraska Economic Development District 2008-2009 annual report

County Highway Superintendent Richard Johnson reported that he is working on the specifications for the courthouse security and ADA improvements and he has several issues to discuss with the Board members. Custodian Jim Smutny was present during discussion on this matter.

County Highway Superintendent Richard Johnson stated that he has concerns of security and operations of the courthouse offices during the construction. He explained that when the contractor is working on installation of the security glass at each counter, part of the counter top will be removed for installation of the drop trays, and he questioned how the offices would conduct business during this process. He also stated that he doesn't anticipate that an entire window would be completed in one day so the office would not be secure after business hours. He recommended that five-mill plastic be installed over the opening during the night hours to deter vandalism and theft. Chairman McCallum responded that if the County Sheriff's Office is notified they would assist with security during the construction process. Commissioner Klein also stated that security cameras are installed in the rotunda area that would also deter vandalism and theft. County Clerk Nancy Scheer stated that the customers for the Assessor's Office, Register of Deeds' Office, and her office could be handled from the side doors during the construction phase and since the County Treasurer's Office has three windows they would be able to accommodate their customers at the two remaining windows. Commissioner Klein stated that it would be best to try to schedule the security glass installation during days that are not peak business times for the respective offices.

County Highway Superintendent Richard Johnson reported that he has concerns of the inconvenience to the public during the restroom renovation project. He explained that all the partitions in the restrooms would be removed and one of the stools would be removed and capped off, then new partitions would be installed. He requested guidance on providing facilities for the general public during the renovation. Chairman McCallum responded that there is a unisex restroom in the waiting area by the Sheriff's Office. He also questioned if the public could use the restroom adjacent to the jury room and Custodian Jim Smutny responded that this restroom is not accessible to the public, but could be used by employees. Jim Smutny also requested that the specifications include the installation of diaper changing tables in each of the public restrooms. Richard Johnson stated that the specifications require the contractors to work during normal business hours, not on holidays or weekends.

After discussion, it was moved by Uhlir and seconded by Klein to authorize advertisement of bids for courthouse security and ADA improvements and set the bid date for Monday November 23, 2009. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The following claims were audited:

	GENERAL FUND	
Total Net Payroll		109,681.27
Alltel	Telephone Services, County Sheriff	1,126.49
Ameritas Life Insurance Corporation	Employee Share Retirement	6,946.33
Ameritas Life Insurance Corporation	Employer Share Retirement	10,206.51
APA	Training, Planning and Zoning	322.00
Auto Zone	Repairs, County Sheriff	5.98
Jennifer Birmingham	Legal Services, County Court	480.75
Blue Cross Blue Shield of Nebraska	Insurance Premiums	105,406.65
Bomgaars Supply Inc.	Supplies, Courthouse	92.96
Complete Pest Elimination Inc.	Services, County Jail	125.00
Connecting Point	Equipment, Software, Probation	3,007.00
Connecting Point	Supplies, County Sheriff	9.99
Constellation Energy	Gas Service, Veterans' Service Office	20.42
Copple, Rockey & McKeever P.C., L.L.O.	Legal Services, District Court	355.93
Copple, Rockey & McKeever P.C., L.L.O.	Legal Services, County Court	2,545.76
Credit Management Services Inc.	Garnish of Wages	120.01
Culligan	Drinking Water Services, County Jail	9.80
DDSS Inc.	Software, County Sheriff	1,300.24
DDSS Inc.	Services, Software, Courthouse	49.60
Dent Specialists L.L.C.	Repairs, County Sheriff	126.05
Department of Motor Vehicles	Copies, Law Enforcement	7.00
Eakes Office Plus	Supplies, County Jail	247.21
Eakes Office Plus	Supplies, Probation	157.74
Earl May Seed & Nursery	Supplies, Courthouse	26.97
Electrical Engineering & Equipment	Supplies, Courthouse	482.46
Enviromaster, Inc.	Supplies, County Jail	42.00
First Concord Benefits Group	Flexible Benefit Plan, Deductible Buy Down	8,437.03
Futureware	Equipment, Courthouse	80.00
Gall's Inc.	Supplies, County Sheriff	11.83
Gall's Inc.	Uniforms, County Jail	84.98
Global Financial Services	Equipment Rental, Courthouse	930.00
Gordy's Towing & Repair	Repairs, County Sheriff	133.97
Kayla Grone	Services, Probation	100.00
Nancy Gross	Mileage, Register of Deeds	165.00
Hall County Court	Copies, Law Enforcement	22.00
Hartford Life Insurance Company	Deferred Compensation	175.00
Matthew Headley	Mileage, Meals, Travel Expense, Public Defender	379.68
Vern Hjorth	Fuel, County Sheriff	26.90
Brent Hoehne	Witness Fees, County Court	37.60
Holiday Inn Kearney	Lodging, Register of Deeds	142.00
Holiday Inn Kearney	Lodging, County Board	142.00
Jeffrey Hrouda	Legal Services, County Court	1,604.95
JCD & Co.	Repairs, County Jail	24.00
Jewell, Collins, DeLay & Flood	Legal Services, District Court	7,308.54
Johnson, Morland, Easland & Lohrberg, P.C.	Legal Services, County Court	1,399.50
Lee Klein	Meals, Fuel, County Board	43.78
Kralik's Sew & Vac Center	Supplies, Courthouse	198.91
KS Machine & Tool	Repairs, County Jail	93.00
Kathryn Liebers	Supplies, Probation	146.02
Louderback Drug	Prescriptions, County Jail	3,270.96
Love Signs	Signs, County Jail	595.48
Madison County Historical Society	Annual Funding	12,000.00
Madison County Clerk	Tax Deposit	37,250.50
Madison County Sheriff	Supplies, County Jail	36.75
Madison County Sheriff	Fees, Mental Health	55.72
Madison County Sheriff	Fees, District Court	518.86
Madison County Sheriff	Fees, County Court	1,799.25
Madison County Treasurer	Title, Tire Tax, County Sheriff	15.00
Jerry McCallum	Meals, County Board	11.77
Christal McDonald	Court Reporting, Mental Health	100.00
Menards	Supplies, County Jail	72.96
Menards	Supplies, Probation	137.49

Minnehaha County Sheriff	Service Fees, District Court	25.43
Moyer & Moyer	Legal Services, County Court	590.00
NACO	Dues	750.00
Nebraska Child Support Payment Center	Garnish of Wages	759.69
Nebraska Public Power District	Utilities, Planning and Zoning	111.61
Nebraska Public Power District	Utilities, Veterans' Service Office	63.49
NMG LLC	Medical Services, County Jail	1,996.00
Norfolk Community Health Center	Medical Services, Juvenile Detention	129.00
Norfolk Daily News	Publication Costs, Courthouse	351.12
Northeast Nebraska Juvenile Services Inc.	Board of Juveniles, Juvenile Detention	27,981.25
Rita Olberding	Postage, District Judge	88.00
Pamida	Supplies, Probation	27.15
Pierce County Sheriff	Service Fees, District Court	36.96
Postmaster	Postage, Courthouse	185.00
Puppy Love	Impound Fees, County Sheriff	50.00
Quill Corporation	Supplies, County Court	402.99
Qwest	Telephone Services, District Judge	137.80
Qwest	Telephone Services, County Jail	17.66
Qwest	Telephone Services, Probation	322.11
Eduardo Ramos	Witness Fees, County Court	37.60
Sarpy County Sheriff	Board of Prisoners, County Jail	380.28
Jennifer Segura	Witness Fees, County Court	37.60
Share Corporation	Supplies, Courthouse	415.64
Shell Fleet Plus	Fuel, Reappraisal	122.05
Shopko	Supplies, Planning and Zoning	13.87
Shoppers Express	Fuel, County Relief	10.00
Stratton Law, P.C.	Legal Services, County Court	3,809.42
T.O. Haas Tire	Repairs, County Sheriff	527.31
Texas County Sheriff	Service Fees, District Court	50.00
United Bank of Iowa	Equipment Rental, Probation	422.40
U.S. Bank Corporate Payment System	Car Washes, Supplies, Meals, County Sheriff	155.77
WalMart Community	Supplies, County Attorney	64.81
Wayne Super 8 Motel	Lodging, County Assessor	259.40
West Payment Center	Subscription, County Attorney	381.00
West Payment Center	Publications, District Court	360.00
Western Office Plus	Supplies, County Clerk	49.99
Western Office Plus	Supplies, Register of Deeds	99.10
Western Office Plus	Supplies, District Court	59.85
Western Office Plus	Supplies, County Sheriff	177.20
Western Office Plus	Supplies, Furniture, Probation	779.48
Zodiac Properties LLC	Rent, Probation	7,876.67

ROAD/BRIDGE FUND

Total Net Payroll		27,981.03
Ameritas Life Insurance Corporation	Employee Share Retirement	1,625.83
Ameritas Life Insurance Corporation	Employer Share Retirement	2,438.48
AS Central Services	Data Processing Services, District #2	47.09
B's Enterprises Inc.	Signs, District #1	879.00
Battle Creek Farmers Coop	Fuel, District #2	3,075.61
Bierman Sandblasting and Painting	Services, District #1	493.93
Black Hills Energy	Gas Service, District #1, #2, #3	100.84
Blue Cross Blue Shield of Nebraska	Insurance Premiums, District #1, #2, #3	30,519.39
Bomgaars Supply Inc.	Supplies, District #1, #2	127.80
Carquest Auto of Norfolk	Parts, District #2	42.98
Colonial Research Chemical Corporation	Supplies, District #3	136.00
Constellation Energy	Gas Service, District #1, #2, #3	290.93
Dent Specialists LLC	Supplies, District #1	7.90
Electrical Engineering & Equipment	Supplies, District #2	45.90
Fastenal Company	Parts, District #1, #3	656.41
First Concord Benefits Group	Flexible Benefit Plan, Deductible Buy Down	4,061.65
First Nebraska Trust	Equipment Lease, District #2	4,964.34
G.I. Trailer	Repairs, District #3	149.94
Jim Hawk Truck Trailers Inc.	Parts, District #1	612.00
K & S Door Company Inc.	Repairs, District #1	141.00
Kimball Midwest	Parts, District #1	85.99
LDI Chemical Sales Inc.	Supplies, District #1	220.11
Linweld Inc.	Supplies, District #1, #3	135.10
Madison County Clerk	Tax Deposit	8,707.42
Mainelli Wagner & Associates	Bridge Inspections, District #1, #2, #3	2,282.00
Matteo Sand & Gravel Company Inc.	Gravel, District #1, #2, #3	7,243.28
Menards	Supplies, District #3	36.07
Murphy Tractor & Equipment Company	Parts, District #2	365.14
Nebraska Public Power District	Utilities, District #2	104.69
NMC Exchange LLC	Repairs, District #1, #2, #3	5,519.71
Radio.comm	Repairs, District #1	629.30
Red Bud Inc.	Supplies, District #3	91.58
Rutjens Construction Inc.	Equipment Rental, District #3	250.00
Seals and Service Inc.	Repairs, District #2	462.66

Sears Commercial One	Parts, District #1	47.49
Sonlite Express Inc.	Road Salt, District #1	1,275.00
Truck Bodies & Equipment Int'l Inc.	Parts, District #1	158.09

CDBG #2 FUND

Northeast Nebraska Economic Development District	Loan Proceeds	32,400.00
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INHERITANCE TAX FUND

NECC Foundation	Contribution	100,000.00
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LAW ENFORCEMENT OPERATING FUND

Madison County Sheriff	Supplies	321.94
Securus Technologies, Inc.	Supplies	220.00

DRUG COURT FUND

Redwood Toxicology Laboratory	Testing	422.45
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NOXIOUS WEED FUND

Total Net Payroll		1,661.75
Advanced Auto Parts	Parts	8.99
Ameritas Life Insurance Corporation	Employee Share Retirement	74.02
Ameritas Life Insurance Corporation	Employer Share Retirement	111.04
AS Central Finance	Telephone Service	3.94
B & B Cycle Inc.	Repairs	76.51
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,269.34
Bomgaars	Supplies	319.64
Cableone	Internet Services	49.00
Eudell Feldmann	Mileage	56.10
Graham Tire	Repairs	32.69
August Klug	Mileage	13.20
Madison County Clerk	Tax Deposit	552.63
Nebraska Child Support Payment Center	Garnish of Wages	245.70
Nebraska Public Power District	Utilities	94.76
Myron Nelson	Mileage	64.90
Norfolk Daily News	Publication Costs	7.20
Earl Reeves	Mileage	70.29
Renner Auto Body	Repairs	40.00
Orin Rinkel	Mileage	11.00
CJ Rudnick	Software	42.79
Sky Copters Inc.	Services	2,500.00
Van Diest Supply Company	Chemicals	595.63

911 EMERGENCY FUND

Qwest	Telephone Services	1,095.90
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Motion was made by Uhlir and seconded by Klein 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 9:45 A.M. to Tuesday, November 10, 2009 at 9:30 A.M.

County Clerk

Chairman