

BOARD OF EQUALIZATION

Madison, Nebraska

October 28, 2008

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

Advance notice of meeting was published in the Thursday, October 23, 2008 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 Rick Uhlir 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 Assessor Jeff Hackerott, and County Clerk Nancy Scheer.

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

Motion was made by Klein and seconded by McCallum to approve the minutes of the October 15, 2008 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

County Assessor Jeff Hackerott presented the following tax list corrections:

- #2423: Richard Mueting and Ross Stoffer, P.O. Box 1776, Norfolk
Deduction from the tax rolls in the amount of \$73.82 for correction to the personal property taxes due to closing of the business in 2006
- #2424: Griff's One Stop, Route #1, Box 21, Loup City, Nebraska
Addition to the tax rolls in the amount of \$34.60 for acceleration of 2008 personal property taxes due to closing of the business on October 1, 2008
- #2425: Dr. Pradip Mistry, 109 North 29th Street, Norfolk
Addition to the tax rolls in the amount of \$78.36 for acceleration of the 2008 personal property taxes due to the sale of equipment and closing of the business
- #2426: Progas LLC, P.O. Box 106, Meadow Grove
Addition to the tax rolls in the amount of \$1,075.90 for acceleration of the 2008 personal property taxes due to the sale of equipment on September 10, 2008
- #2427: Progas LLC, P.O. Box 106, Meadow Grove
Addition to the tax rolls in the amount of \$806.44 for acceleration of the 2008 personal property taxes due to the sale of equipment on September 10, 2008
- #2428: Corner Closet, 55026 844th Road, Norfolk
Deduction from the tax rolls in the amount of \$276.12 for correction to the 2007 personal property taxes due to the business closing in 2006

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

The Board of Equalization adjourned at 9:08 A.M.

County Clerk

Chairman

COMMISSIONERS PROCEEDINGS

Madison, Nebraska

October 28, 2008

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 23, 2008 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 Jerry 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 10:02 A.M. and Planning and Zoning Administrator John Johnson joined the meeting at 10:30 A.M.

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

1) Approval of minutes of the October 15, 2008 meeting

2)

RESOLUTION #2008-67

BE IT RESOLVED, that the withdrawal by The Bank of Madison, Madison, Nebraska of the following securities, held in safekeeping by Kansas Bankers Surety Company, Topeka, Kansas, to secure deposits of the county in said bank, to wit:

Bank Deposit Guaranty Bond Dated 10/14/2000 \$400,000.00	Kansas Bankers Surety Company Topeka, Kansas Bond No. DG 1497 NE037
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Bank Deposit Guaranty Bond Dated 02/13/2001 \$400,000.00	Kansas Bankers Surety Company Topeka, Kansas Bond No. DG 1497 NE039
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Bank Deposit Guaranty Bond Dated 07/31/2001 \$200,000.00	Kansas Bankers Surety Company Topeka, Kansas Bond No. DG 1497 NE044
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and the substitution of the following securities be and the same hereby are approved:

FED NATL MTG ASSN POOL \$750,000.00 Rate 5.50000 Cusip 31371LF38	Wells Fargo Bank, N.A. Minneapolis, Minnesota Issued 10/01/2003 Maturity 11/01/2023 Receipt No. 05492
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FEDERAL HOME LOAN NOTE \$800,000.00 Rate 4.75000 Cusip 3133MRCM2 Receipt No. 05493	Wells Fargo Bank, N.A. Minneapolis, Minnesota Issued 08/22/2002 Maturity 08/13/2010
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Motion was made by Uhlir and seconded by Klein to approve the consent agenda. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

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

The County Board reviewed the following reports and correspondence:

- 1) County Treasurer fund balance report
- 2) 3rd Quarter Veterans' Aid Fund financial report
- 3) Sale of surplus property report
- 4) Minutes of the September 16, 2008 meeting of PrairieLand RC&D and October newsletter
- 5) 4th Quarter newsletter for CASA of Northeast Nebraska
- 6) Letter of thanks from Battle Creek Public Library

The following resolution was introduced for consideration:

RESOLUTION

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, an engineering study had 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 placement, erection, and maintenance of a stop sign controlling northbound traffic at the county road intersection of Omaha Avenue and Broken Bridge Road located approximately 1/4 mile east of the Southwest Corner of 30, Township 24 North, Range 1 West.

BE IT FURTHER RESOLVED that placement, erection, and maintenance of said stop sign shall be in accordance with said Manual.

Commissioner Klein stated that he is opposed to adopting the resolution for installation of a stop sign at the intersection of Omaha Avenue and Broken Bridge Road. He reported that a 15 mph sign is more than two-tenths a mile from the intersection. He stated that if the stop sign would be installed at this location, the people of Battle Creek would be unhappy. He recommended that a curve ahead sign should be installed closer to the intersection. He explained that the majority of the traffic using this road is coming from the Broken Bridge and turning east or coming from the east and turning onto the Broken Bridge Road.

County Highway Superintendent Richard Johnson stated that Commissioner Uhlir has talked about redoing the intersection and making a reasonable curve. He stated that one of the problems is that the road is not a curve. He stated that there have been several incidents of people running off the road at this intersection.

Commissioner Klein questioned if installing a stop sign will prohibit this. He reported that there are several locations east of Battle Creek where stop signs are installed and there is an average of two or three incidents each year where vehicles go into the ditch or field. He explained that the stop signs don't deter people from having accidents at these locations. He stated that installing a stop sign at the intersection of Broken Bridge Road and Omaha Avenue would irritate people. In addition, he stated that he would be in favor of making the corner more rounded. Commissioner Klein reiterated that he is will not support installation of a stop sign at this location. He also stated that he would reconsider it after the completion of the four-lane highway; however, he is unsure if he would support it then. He stated that he would much rather see a radius change to the road.

Commissioner Uhlir stated that there isn't a problem installing the stop sign; however, people won't recognize it anyway. He stated that he plans to change the radius of the road at this location, but it would take some time to get this completed.

County Highway Superintendent Richard Johnson stated that there have been several incidents of people running off the road at this location; however, no one has hit the power poles. He explained that his thought is that a stop sign would slow down the traffic and bring to people's attention that there is an intersection. He explained that there is a double arrow sign on the right-of-way at the proper location.

After discussion, it was moved by Klein and seconded by Uhlir to deny the foregoing resolution. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman McCallum stated that authorization to advertise for a new truck with a side dump trailer for Road District #2 was tabled at the October 15, 2008 meeting due to the absence of Commissioner Uhlir and a concern with payment of the truck. Commissioner Uhlir responded that he has researched financing options for this purchase that would allow the first payment to be delayed to July 2009.

After discussion, it was moved by Uhlir and seconded by Klein to authorize advertisement of bids for a new truck for Road District #2 and set the bid date for November 24, 2008. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Planning and Zoning Administrator John Johnson requested the Board to recess into executive session to discuss personnel issues. Motion was made by Uhlir and seconded by Klein to recess into executive session for discussion of personnel issues. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board recessed into executive session at 10:32 A.M. with Planning and Zoning Administrator John Johnson, County Highway Superintendent Richard Johnson, and County Clerk Nancy Scheer present. Chairman McCallum recessed the meeting from executive session at 11:08 A.M.

After discussion, it was moved by Klein and seconded by Uhlir to authorize a 3% wage increase, which is equivalent to 30 cents per hour, for Vickie Green, plus an additional 39 cents per hour for services rendered on behalf of Railroad Transportation Safety District for a total hourly wage rate of \$10.74 per hour, with the rate change to be retroactive to the pay period approved at the October 15, 2008 meeting. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

Chairman McCallum stated that in future years, wages should be discussed during the budget process and not in October. Planning and Zoning Administrator John Johnson stated that they will have this conversation before budgets are approved.

After discussion, it was moved by Uhlir to set the wages for Planning and Zoning Administrator John Johnson at \$45,000 annually as approved in the 2008-2009 fiscal year budget. During discussion on the motion, Commissioner Klein stated that the wage increase was not very obvious in the budget since everyone was requested to use a 3% increase. Chairman McCallum stated that he didn't question the Planning and Zoning department budget increase because John Johnson explained to him that some of the budget increase over 2% was due to \$800 added for services rendered on behalf of the Railroad Transportation Safety District by Vickie Green. The motion died for lack of a second.

County Highway Superintendent Richard Johnson stated that if the Board wants to approve a \$45,000 annual wage that is okay; however, the decision should not be based on what was approved in the budget. He explained that a similar scenario would be budgeting an extra \$50,000 in the Road/Bridge Fund for snow removal and not needing it, then it should be spent. He also stated that if John Johnson dies tomorrow, his successor would be paid the same amount. He stated that, in his opinion, the Board would be setting a bad precedent.

Chairman McCallum stated that the Board should do a better job of salary negotiations. Planning and Zoning Administrator John Johnson stated that he misunderstood and didn't hear that 3% was the increase allowed by the Board.

After discussion, it was moved by Klein and seconded by Uhlir to authorize a 3% wage increase for Planning and Zoning Administrator John Johnson. Roll call vote: Ayes, Klein and McCallum. Nays, Uhlir. Motion carried.

The following claims were audited:

GENERAL FUND

Total Net Payroll		107,158.27
Account Control Technology Inc.	Garnish of Wages	115.54
Ag Specialties Welding & Repair	Repairs, County Sheriff	45.00
Mark Albin	Legal Services, County Court	1,991.80
Alltel	Telephone Services, County Sheriff	1,099.84
Ameritas Life Insurance Corporation	Employee Share Retirement	6,812.62
Ameritas Life Insurance Corporation	Employer Share Retirement	10,003.98
Aquila	Gas Service, Planning and Zoning	17.10
Aquila	Gas Service, County Relief	86.00
Avenue Muffler	Repairs, County Sheriff	127.87
Blue Cross Blue Shield of Nebraska	Insurance Premiums	103,489.52
Bomgaars Supply Inc.	Supplies, Courthouse	45.58
Bomgaars Supply Inc.	Supplies, County Jail	89.99

Brogan & Gray P.C., L.L.O.	Legal Services, County Court	2,025.96
Joanie Brugger	Mileage, Meal, Victim Witness	150.18
Cableone	Internet Services, Public Defender	95.00
Carmichael Business Systems	Equipment, County Jail	227.00
Carney Law, P.C.	Legal Services, County Court	1,182.81
Central National Bank	Rent, County Relief	300.00
Clerk of the Supreme Court	Postage, Public Defender	3.39
Connecting Point	Supplies, County Sheriff	9.00
Constellation NewEnergy Gas Division	Utilities, Planning and Zoning	40.04
Constellation NewEnergy Gas Division	Utilities, Veterans' Service Office	3.11
Copple, Rockey & McKeever, P.C., L.L.O.	Legal Services, County Court	3,136.81
Credit Management Services	Garnish of Wages	149.93
Custom Heating and Air Conditioning	Repairs, County Jail	115.00
Mitchell Danahy	Witness Fees, County Court	38.72
Day Companies	Rent, Probation	2,400.00
DDSS Inc.	Services, Courthouse	1,505.04
Dent Specialists	Repairs, Courthouse	22.50
Dent Specialists	Repairs, County Sheriff	64.25
Dent Distributors Inc.	Supplies, County Jail	1,000.80
Department of Motor Vehicles	Copies, Law Enforcement	12.00
Douglas County Treasurer	Autopsy Costs, Law Enforcement	210.00
Eakes Office Products Center	Copier Maintenance, District Court	261.13
Eakes Office Products Center	Supplies, County Jail	23.79
Eakes Office Products Center	Supplies, Probation	453.94
Elite Office Products	Copier Maintenance, County Court	82.14
Elkhorn Valley Economic Development	Meal, County Board	15.00
Enviromaster Inc.	Supplies, County Jail	42.00
Faith Regional Health Services	Medical Services, County Jail	2,507.00
Fedex	Shipping, County Jail	64.43
First Concord Benefits Group	Flexible Benefit Plan	1,707.22
Fleet Services	Fuel, County Sheriff	1,411.21
Floor Maintenance	Supplies, County Jail	438.27
Graham Tire Company of Norfolk	Repairs, County Sheriff	689.08
Kayla Grone	Services, Probation	100.00
Tom Haase	Meals, County Sheriff	33.40
Hall County Court	Copies, Law Enforcement	4.50
Hartford Life Insurance Company	Deferred Compensation	205.00
Hauge Associates Inc.	Garnish of Wages	126.99
Matthew Headley	Furniture, Public Defender	64.19
Jeff Holter	Witness Fees, County Court	38.72
HSBC Business Solutions	Equipment, Supplies, Victim Witness	314.75
Institutional Eye Care	Supplies, County Jail	26.85
John Johnson	Repairs, Supplies, Planning and Zoning	12.38
Johnson, Morland, Easland, and Lohrberg, P.C.	Legal Services, County Court	422.55
Kensington Apartments	Rent, County Relief	135.00
Lancaster County Sheriff	Service Fees, County Court	16.85
Kristina Lenser	Services, Probation	100.00
Louderback Drug	Prescriptions, County Jail	2,608.17
Louderback Drug	Prescriptions, Juvenile Detention	435.21
Madison County Clerk	Tax Deposit	39,130.53
Madison County Sheriff	Court Costs, Mental Health	76.38
Madison County Sheriff	Court Costs, County Court	624.57
Madison County Sheriff	Court Costs, District Court	176.92
Madison County Sheriff	Uniforms, County Jail	124.79
Major Refrigeration Company Inc.	Repairs, County Jail	1,945.00
Christal McDonald	Court Reporting, Mental Health	100.00
Menards	Supplies, Probation	68.35
Microfilm Imaging Systems Inc.	Printer Maintenance, Register of Deeds	626.64
Norma Monson	Supplies, Courthouse	130.00
NACO	Registration, Planning and Zoning	30.00
Nebraska Child Support Payment Center	Garnish of Wages	505.84
Nebraska Criminal Defense Attorney Association	Registration, Public Defender	75.00
Nebraska Health & Human Services	State Institutions Funding	1,323.00
Nebraska Public Power District	Utilities, Planning and Zoning	102.02
Nebraska Public Power District	Utilities, Veterans' Service Office	64.04
Nebraska Supreme Court	Publication, County Court	171.00
NMG, LLC	Medical Services, County Jail	1,850.00
NMG, LLC	Medical Services, Juvenile Detention	103.00
Norfolk Daily News	Publication Costs, Courthouse	137.82
Northeast Medical Imaging, P.C.	Medical Services, County Jail	309.00
Qwest	Telephone Service, District Judge	108.54
Qwest	Telephone Service, County Jail	17.66
Qwest	Telephone Service, Probation	108.84
R.L. Polk & Company	Publication, County Clerk	220.00
Racom Corp	Services, County Sheriff	712.00
Redfield and Company Inc.	Supplies, County Jail	270.93
Maggie Reeves	Witness Fees, County Court	57.44
Reigle Implement Inc.	Repairs, County Jail	15.00
Marjorie Schaffer	Mileage, District Court	157.95
Shell Fleet Plus	Fuel, Planning and Zoning	287.55

Shell Fleet Plus	Fuel, Reappraisal	139.50
Shell Fleet Plus	Fuel, County Sheriff	2,851.82
Stratton & Kube, P.C.	Legal Services, District Court	23,386.01
Stratton & Kube, P.C.	Legal Services, County Court	2,278.46
T.O. Haas Tire	Repairs, Planning and Zoning	49.89
Dale Taylor	Interpreting Services, Law Enforcement	157.50
Trane US Inc.	Maintenance Agreement, Courthouse	435.78
Ultra Graphics	Supplies, Election Commissioner	87.16
United Bank of Iowa	Copier Maintenance, Probation	316.00
United Rentals	Supplies, Courthouse	195.00
United States Postal Service	Supplies, Postage, Probation	236.60
United States Postal Service	Postage, Probation	939.00
Urgent Care Center of Norfolk	Medical Services, County Jail	220.00
West Payment Center	Publication, County Attorney	103.00
Western Office Plus	Supplies, County Treasurer	25.18
Western Office Plus	Supplies, Election Commissioner	233.82
Western Office Plus	Supplies, District Court	28.68
Western Office Plus	Supplies, District Judge	16.90
Zee Medical Service	Supplies, County Assessor	19.90

ROAD/BRIDGE FUND

Total Net Payroll		25,554.72
Alltel	Telephone Services, District #2	87.17
Ameritas Life Insurance Corporation	Employee Share Retirement	1,530.74
Ameritas Life Insurance Corporation	Employer Share Retirement	2,296.20
Aquila	Gas Service, District #1, #2, #3	103.70
Asphalt and Concrete Materials Company	Asphaltic Materials, District #1	4,908.92
B's Enterprises Inc.	Culverts, Signs, District #1	1,000.00
Bader's Highway & Street	Road Maintenance, District #3	2,295.64
Battle Creek Farmers Coop	Fuel, District #2	12,704.87
Blue Cross Blue Shield of Nebraska	Insurance Premiums	29,554.62
Bomgaars Supply Inc.	Supplies, District #1, #2	180.21
Carquest Auto of Norfolk	Repairs, District #2	73.23
Central Sand & Gravel	Road Gravel, District #1	4,799.10
Constellation Energy	Gas Service, District #1, #2, #3	129.94
Fastenal Company	Repairs, District #3	428.63
First Concord Benefits Group	Flexible Benefits Plan	477.27
First Nebraska Trust	Equipment Lease, District #2	4,964.34
Glass Edge Inc.	Repairs, District #2	404.60
Green Line Equipment	Equipment Rental, District #3	2,856.00
Hartford Life Insurance Company	Deferred Compensation	40.00
HSBC Business Solutions	Supplies, District #2	86.09
Kimball Midwest	Repairs, District #1	100.18
Linweld Inc.	Supplies, District #1, #3	123.38
Loup Power District	Utilities, District #1	97.73
Madison County Clerk	Tax Deposit	8,749.52
Matteo Sand & Gravel Co. Inc.	Gravel, District #1, #2, #3	9,475.94
Menards	Repairs, District #2	70.13
NAPA Auto Parts of Norfolk	Repairs, District #1	8,715.00
Nebraska Child Support Payment Center	Garnish of Wages	230.77
Nebraska Public Power District	Utilities, District #2	105.90
Power Station	Supplies, District #1	43.90
Powerplan	Equipment Rental, District #2	2,000.00
Road Builders Machinery and Supply Co. Inc.	Repairs, District #1	174.24
Rutjens Construction, Inc.	Supplies, District #3	305.00
Telebeep Wireless	Repairs, District #3	20.00
United Rentals	Supplies, District #1	341.63
Donald Volk	Cemetery Maintenance. District #1	850.00
Wick's Sterling Trucks Inc.	Repairs, District #1	18.54

VISITORS PROMOTION FUND

ASQ	Supplies	1,092.48
Midwest Meeting	Advertising	1,400.00

DRUG TESTING FUND

Gillette Printing	Supplies	163.00
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INHERITANCE TAX FUND

NECC Foundation	Funding	100,000.00
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DRUG COURT FUND

Redwood Biotech	Drug Testing	324.30
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ROAD/BRIDGE BOND FUND

Bank of Madison	Bond Payment	34,258.13
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NOXIOUS WEED FUND

Total Net Payroll		1,894.14
Ameritas Life Insurance Corporation	Employee Share Retirement	72.76
Ameritas Life Insurance Corporation	Employer Share Retirement	109.15
Blue Cross Blue Shield of Nebraska	Insurance Premiums	1,282.55
Bomgaars	Supplies	246.66
Cableone	Internet Services	49.00
DAS Central Finance	Telephone Services	44.17
Eudell Feldman	Mileage	23.40
Graham Tire	Repairs	33.99
HSBC Business Solutions	Supplies	22.49
John's Disposal	Garbage Service	26.00
August Klug	Mileage	63.77
Madison County Clerk	Tax Deposit	561.02
Nebraska Public Power District	Utilities	31.77
Nebraska Weed Control Association	Dues	106.00
Norfolk Daily News	Publication Costs	7.20
Earl Reeves	Mileage	17.55
Renner Auto Body	Repairs	351.06
Orin Rinkel	Mileage	23.40
C.J. Rudnick	Subscription	42.79
Target Bank	Supplies	8.18

Motion was made by Klein and seconded by Uhlir to approve the claims as audited and to authorize that checks be drawn for payment. Roll call vote: Ayes, McCallum, Uhlir, and Klein. Nays, none. Motion carried.

The Board adjourned at 11:24 A.M. to Wednesday, November 12, 2008 at 9:30 A.M.

County Clerk

Chairman