

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MARCH 9, 1999**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

The Chair noted for the record that Commissioner Heier is attending a conference in Colorado regarding juvenile issues.

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins  
Linda Steinman  
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Diane Staab, Deputy County Attorney

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 2, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)  
  
**MOTION:** Hudkins moved and Workman seconded approval of the minutes of March 2, 1999. On call Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.
  
- 2) **ADDITIONS AND DEDUCTIONS:**  
  
Approval of 59 additions and deductions to the tax assessment rolls per Exhibit A. (1999374)(1999377)  
  
**MOTION:** Steinman moved and Hudkins seconded approval. On call Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.
  
- 3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**  
  
Madonna Rehabilitation Hospital-1999 Chevrolet Bus  
  
**MOTION:** Hudkins moved and Workman seconded approval of a motor vehicle tax exemption for a 1999 Chevrolet bus for Madonna Rehabilitation Hospital. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **DISAPPROVAL OF A MOTOR VEHICLE TAX EXEMPTION:**

Madonna Rehabilitation Hospital-1990 Ford Cutaway Van

**MOTION:** Steinman moved and Workman seconded to accept the recommendation of the County Treasurer and deny the motor vehicle tax exemption for 1990 Ford van for Madonna Rehabilitation Hospital because it was untimely filed. On call Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

Setting of a public hearing for Tuesday, March 23, 1999 at 2:30 p.m. in the Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the Foundation for Ed Funding Incorporated.

By direction of the Chair a public hearing was set for Tuesday, March 23, 1999 at 2:30 p.m. in the Commissioners Chambers for notice of valuation change for omitted or undervalued property for the Foundation for Ed Funding Incorporated.

6) **ADJOURNMENT:**

By direction of the Chair the Board of Equalization was adjourned.

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Bruce Medcalf  
County Clerk

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**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 2, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Workman seconded approval of the minutes of March 2, 1999. On call Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 9, 1999.

**MOTION:** Workman moved and Hudkins seconded approval. On call Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

\* An exceptional circumstance award for Kelly Cidlik, an employee in the County Attorney's office for a one step pay increase. (1999361)

**MOTION:** Hudkins moved and Steinman seconded approval.

The Chair requested that Ms. Cidlik attend a County Board meeting in the future so that the Board may recognize her.

**ROLL CALL:** Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

- 4) **PUBLIC HEARINGS:**

A. An application for a Class K (Wine Off Sale Only) and a Class E (Beer Off Sale Only) liquor license for Shoemaker's South Truck Stop located at 1200 Saltillo Road in Lancaster County, Nebraska. (1999304)(1999320)(1999340)(1999360)

The Chair opened the public hearing and asked if anyone wished to present testimony in favor of the application.

The Clerk administered the oath to Dave Shoemaker.

Dave Shoemaker, applicant, appeared to answer any questions from the County Board.

In response to questions asked by Workman, Shoemaker stated he owns the company which leases the building at 1200 Saltillo Road. He added that he would not be seeking a liquor license for Shoemaker's Truck Stop located on West "O" Street.

Shoemaker stated the manager of the truck stop has previously worked for Gas N'Shop and would be attending the "Responsible Hospitality" workshop on Thursday.

Workman stated he has noticed a trend in some convenience stores where they place a tub of ice containing pop at the doorway or near the cash register to promote sales. He further stated that some convenience stores place a tub of ice containing beer at the doorway or near the cash register and asked Shoemaker if he intended on selling singles.

Shoemaker stated he would be selling six and twelve packs, not singles, which he feels would promote drinking and driving.

Workman asked Shoemaker if he would be receptive to a condition on the license indicating that no display of alcohol would be allowed on the floor of the premises in a tub of ice or by single sales.

Shoemaker responded he would have no problem with a condition being added to the license. He concurred with no single sales, however, he requested that single sales not include the purchase of a quart.

The Chair asked if anyone else wished to testify.

Richard Halvorsen, 6311 Inverness Road, stated he is concerned about the issue of single sales and the sale of cold beer.

The Chair noted that the Board received letters from the Sheriff, County Engineer and Health Department. None of the agencies had any objections to the application and the public hearing was closed.

It was noted that action will be taken on Tuesday, March 16, 1999.

- B. A project for which financial assistance is being sought from the Federal Transit Administration pursuant to the Federal Transit Act, generally described as the purchase of a 14-passenger van for use in the Lancaster County Rural Transportation Program, for a total cost of \$34,136, with federal funding of 70 percent (\$23,895.20) of the project and County funding of 30 percent (\$10,240.80)

The Chair opened the public hearing.

Tim Howell, Director of Lancaster County Rural Transit, appeared and explained that the County provides transportation to rural residents for shopping, medical appointments and recreation. He stated the grant will replace a 1985 van which has 170,000 miles on it.

No one else testified and the public hearing was closed.

**MOTION:** Hudkins moved and Steinman seconded approval. On call Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

A. Appointment of Wayne W Heyen to the Lancaster County Extension Board to complete the term of Kit Dimon. This appointment would be through January 2001. (1999364)

**MOTION:** Steinman moved and Hudkins seconded approval. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

B. Appointment of Doug Ahlberg as the Lancaster County Emergency Management Director at an annual salary of \$50,000.

Kerry Eagan, Chief Administrative Officer, stated the resolution regarding benefits for Unclassified/Unrepresented employees has not been completed, however, he clarified that Ahlberg should have health coverage upon date of employment as is provided in the resolution.

Doug Ahlberg, Interim Emergency Management Director, appeared and thanked the Board for the appointment. He noted he looks forward to serving the citizens of the County, including the City of Lincoln.

**MOTION:** Workman moved and Steinman seconded approval of the appointment of Doug Ahlberg as the Lancaster County Emergency Management Director at an annual salary of \$50,000, effective March 31, 1999. On call Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

(Steinman exited the chambers.)

C. Approval of Addition to Premise for Major Oil Company's Liquor Licenses #E/M-33818 & K-33855. (1999356)

Diane Staab, Deputy County Attorney, explained that a clerical error was made regarding the dimensions of the premises two years ago. She added the error was found in February, 1999 and a correction needs to be made to update the license.

She added that responses were received from the Sheriff, County Engineer and the Health Department indicating they have no objections.

Joe Schrader, 6000 Bennett, Martell, Nebraska appeared to answer any questions from the County Board.

Workman noted that the restaurant and lounge was in business until two weeks ago when the error was found, however, the convenience store remains open.

**MOTION:** Hudkins moved and Workman seconded approval. On call Campbell, Workman and Hudkins voted aye. Steinman was absent from voting. Motion carried.

D. Approval of final payment to Floor's Incorporated for floor coverage at Lancaster Manor in the amount of \$38,610 to be paid from the Lancaster Leasing Corporation Renewal and Replacement Fund. (1999365)

**MOTION:** Hudkins moved and Workman seconded approval. On call Workman, Campbell and Hudkins voted aye. Steinman was absent from voting. Motion carried.

E. Approval of a purchase agreement for the real estate adjacent to a County facility to construct a salt dome owned by Richard D Thompson and others, in the amount of \$7,250. (1999373)

**MOTION:** Hudkins moved and Workman seconded approval. On call Hudkins, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

F. Recommendation from the Purchasing Agent and the County Engineer to award a bid for culvert replacement & maintenance to L.J. Webb Contractor, Incorporated for the County Engineer at various locations in the amount of \$112,642.56. (1999376)

**MOTION:** Hudkins moved and Workman seconded approval. On call Workman, Campbell and Hudkins voted aye. Steinman was absent from voting. Motion carried.

G. Recommendation from the Purchasing Agent and the County Engineer to award bids to the following for gravel production and hauling, at rates specified on the bid tabulation sheet: (1999386)

Western Sand & Gravel  
Martin Marietta, Incorporated

**MOTION:** Hudkins moved and Workman seconded approval.

Workman asked how many miles of road are covered by the gravel.

Don Thomas, County Engineer, stated it depends on how much gravel a mile of road needs. He stated to lightly cover a mile of road it generally takes 300 tons of gravel.

**ROLL CALL:** Hudkins, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

H. Recommendation from the Purchasing Agent to ratify a contract for construction services with Adams Concrete Construction to provide concrete sidewalk, courtyard, and curbing removal/replacement for Lancaster Manor, in the amount of \$28,937.93. (1999385)

**MOTION:** Workman moved and Hudkins seconded approval. On call Campbell, Workman and Hudkins voted aye. Steinman was absent from voting. Motion carried.

6) **CONSENT ITEMS:** These are items of business before the Lancaster County Board of Commissioners which have been previously supplied to each Commissioner in writing, which are relatively routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Contracts with the following relating to road improvements:

- \* Jeff and Kari Gottwald on South 82<sup>nd</sup> Street near Firth Road, in the total amount of \$3,409. (two contracts) (1999387) (1999388)
- \* Troy L Etherton and Linda Smith Etherton on Southwest 33<sup>rd</sup> Street and West Bucks Road, in the amount of \$62.50. (1999389)
- \* Floyd J and Mae I Barnett on South 96<sup>th</sup> Street and Wittstruck Road, in the amount of \$55. (1999390)

B. Setting of public hearings for Tuesday, March 16, 1999 at 1:30 p.m. in the County Commissioners/City Council Chambers, Room 112, on the first floor of the County-City Building regarding the following:

- 1) A new application from Ely's Service Incorporated dba/Branched Oak Marina Incorporated in connection with Class M (Bottle Club) and Class E (Beer Off Sale only) liquor licenses for Branched Oak Marina located at 10001 West Davey Road in Lancaster County, Nebraska. (1999326)
- 2) County Change of Zone 183, from AG Agricultural to B Business, requested by Eugene Benes, on the property located south and west of the corner of Northwest 70<sup>th</sup> Street and Agnew Road, just south of the unincorporated town of Agnew in Lancaster County, Nebraska. (1999371)

Hudkins referred to Consent Item B-2 and stated it was his understanding that Mr. Benes was going to submit a new application for a Change of Zone at a location on West Agnew Road.

Mike DeKalb, Planning Department, appeared and explained he had visited with Mrs. Benes who indicated they would be submitting a new application for a Change of Zone on West Agnew Road. He stated that he had requested a letter from the applicant to place Change of Zone 183 on pending, however, no letter has been received.

Diane Staab, Deputy County Attorney, suggested that the public hearing date for Change of Zone 183 be set for March 23<sup>rd</sup> instead of the 16<sup>th</sup>.

**MOTION:** Workman moved and Hudkins seconded approval of the Consent Items, with the change of date for a public hearing in connection with Change of Zone 183 from March 16, 1999 to March 23, 1999. On call Hudkins, Campbell and Workman voted aye. Steinman was absent from voting. Motion carried.

7) **ADJOURNMENT:**

By direction of the Chair the Board of Commissioners meeting was adjourned.

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Bruce Medcalf  
County Clerk