

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 20, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

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

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 13, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated March 13, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 126 additions and deductions to the tax assessment rolls per Exhibit A.

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**BryanLGH Medical Center
Catholic Social Services
Developmental Services of Nebraska Inc.
Redeemer Lutheran Church**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Catholic Social Services, Developmental Services of Nebraska Inc. and Redeemer Lutheran Church and approval of motor vehicle tax exemptions for BryanLGH Medical Center subject to the vehicle(s) being titled and registered to the applicant. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **APPROVAL OF 451 TAX EXEMPTIONS FOR 2001 PER EXHIBIT B:**

MOTION: Heier moved and Workman seconded approval of 451 tax exemptions for 2001 per Exhibit B. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **APPROVAL OF 451A (AFFIDAVIT OF CONTINUED USE) TAX EXEMPTIONS FOR 2001 PER EXHIBIT C:**

MOTION: Workman moved and Steinman seconded approval of 451A (Affidavit of Continued Use) tax exemptions for 2001 per Exhibit C. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**

MOTION: Heier moved and Steinman seconded adjournment of the Board of Equalization meeting. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

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Commissioners Present: Kathy Campbell, Chair
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Others Present: Kerry Eagan, Chief Administrative Officer
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Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 13, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Steinman moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated March 13, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 20, 2001.

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

- 3) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Deb Quintana, an employee with the Corrections Department.

3) **SPECIAL PRESENTATIONS CONTINUED:**

B. Presentation of commemorative posters to the Lancaster County Board of Commissioners from The Friends of Homestead to show their appreciation for the Board's support given to the Homestead National Monument of America.

Laureen Riedesel, President of The Friends of Homestead; Mark Engler, Superintendent of Homestead National Monument and William Scully, volunteer with The Friends of Homestead presented commemorative posters to the County Board.

A copy of a press release regarding the presentation was submitted into the record (Exhibit A).

4) **PUBLIC HEARINGS:**

A. Inclusion of territory located within the incorporated limits of the Village of Bennet with the boundaries of the Bennet Rural Fire Protection District, as permitted by Neb. Rev. Stat., Sec. 35-530. (A map showing the corporate boundaries of the Village of Bennet is on file in the County Clerk's Office.)

Campbell asked if anyone wished to make any comments pertaining to the item.

She added that the County Board appreciated the information that Dave Kroeker, Budget and Fiscal Director, provided to them, the fire district and the village.

David Johnson, Deputy County Attorney, stated if the County Board chooses to approve the item they should direct the County Attorney's Office to draft a resolution and to also include the boundaries as attachment "A".

MOTION: Heier moved and Steinman seconded to direct the County Attorney's Office to draft a resolution and include the boundaries as Attachment "A". Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

B. County Miscellaneous 00014, requested by the Director of Planning, to amend the text of the Lancaster County Subdivision Resolution to add language requiring the name and number of the Preliminary Plat upon which the Final Plat is based.

The Chair opened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

4) **PUBLIC HEARINGS CONTINUED:**

MOTION: Steinman moved and Workman seconded approval of County Miscellaneous 00014. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

5) **NEW BUSINESS:**

A. An application for two Special Events Permits from the Nebraska Sports Council/Cornhusker State Games to hold the following:

1. Cycling time trials and road race as part of Nebraska's amateur athletic festival. The time trials and road race will be held on Saturday, July 21, 2001, beginning near Liebers Point on the west side of Branched Oak Lake, proceeding west on Branched Oak Road and turning north on Northwest 140th Street.

2. A triathlon competition will be held on Sunday, July 22, 2001, beginning at 7:30 a.m. The race will start at Liebers Point on the west side of Branched Oak Lake and proceed west on Branched Oak Road, turning north on Northwest 140th Street and circling the lake.

Tom Ash, Nebraska Sports Council/Cornhusker State Games, appeared and explained they are adding an adventure race to the games at Branched Oak. He stated the race will include running, cycling, canoeing and an obstacle course.

MOTION: Steinman moved and Hudkins seconded approval of two Special Events Permits from the Nebraska Sports Council/Cornhusker State Games. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

B. An application for a Special Designated License from the Nebraska State Board of Agriculture to hold the Silver Strings Bluegrass Festival on Friday, June 1 from Noon to 12:30 a.m., Saturday, June 2 from 10 a.m. to 12:30 a.m. and Sunday, June 3 from Noon to 6 p.m. in State Fair Park.

Sharon Schrock, Space Rental Manager for the Nebraska State Board of Agriculture, appeared and disseminated flyers regarding the bluegrass festival (Exhibit B).

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

5) **NEW BUSINESS CONTINUED:**

C. An engineering agreement with ESP for a preliminary survey, roadway design and plan preparation on West Denton Road and Southwest 56th Street, Southwest 40th Street, Southwest 33rd Street, Southwest 27th Street, Coddington Avenue and Southwest 12th Street. The work will be completed by July 6, 2001. The County will pay \$6,000 for the preliminary survey and associated services and \$16,000 for roadway design and plan preparation. (C-01-109)

Don Thomas, County Engineer, clarified that the project is on Denton Road from Southwest 12th Street to Southwest 56th Street.

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

D. A cooperative agreement with Southeast Community College to permit students to obtain clinical studies experience while allowing Lancaster Manor to give students an opportunity to see its facilities. The term of the agreement is for one year beginning upon the date of execution. (C-01-108)

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

E. An agreement with the Southwest Rural Fire District for medical support for the Sheriff's Tactical Response Unit, beginning February 1, 2001 and ending January 31, 2002. The County will provide paramedics with specialized training. (C-01-114)

David Johnson, Deputy County Attorney, requested that the agreement be held and that he would place it back on the agenda at a later date.

MOTION: Steinman moved and Heier seconded to reschedule the agreement with the Southwest Rural Fire District for a later date as specified by the County Attorney's Office. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

F. An amendment to an agreement with PayFlex Systems USA, Inc. for open enrollment services to all Combined Omnibus Budget Reconciliation Act (COBRA) and retiree participants of the County's health and dental insurance plans, at a rate of \$15 per participant. (C-01-115)

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

G. Recommendation from the Purchasing Agent and the Sheriff to award a bid off a State of Nebraska contract (#CA-5521) to Tincher Ford Mercury, in the amount of \$20,508, for one 2000 Crown Victoria Police Interceptor Pursuit Vehicle. (B-01-14)

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

H. Recommendation from the Purchasing Agent to award a request for proposal (RFP) for service awards for Lancaster County to Jostens as the most responsive, responsible proposer. The award is for a one year contract with an option to renew for two additional one year terms with mutual consent. Pricing for items shall be as outlined in the proposal at a discounted rate for the County. Jostens will send literature packets to the employees' homes if the County provides a spreadsheet with names and addresses which will allow the employee to select their award. If mailing services are desired by the County, Jostens will charge only for the postage. (B-01-16)

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

5) **NEW BUSINESS CONTINUED:**

- I. Recommendation from the Purchasing Agent and the County Engineer to award a bid for two motor graders to Nebraska Machinery Company, in the total amount of \$278,881. Also recommended is the approval of a service agreement, in the amount of \$4,800 (maximum repair cost of each machine, not to exceed \$2,400 over a seven year period) and acceptance of the guaranteed repurchase of \$97,965 per motor grader after seven years in service. (B-01-15)**

Don Thomas, County Engineer, stated they took a more serious approach to purchasing equipment because of past problems. He explained that Don Shafer, County Engineering Department, devised a rating system which included the following:

- ▶ Location of service department
- ▶ Service record
- ▶ References from companies who have purchased their equipment
- ▶ Repair history

Thomas briefly discussed documentation disseminated regarding cost of repairs for Caterpillar and John Deere equipment (Exhibit C).

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

- J. A claim, in the amount of \$831.23, filed by Stephen Speicher for services rendered to Lancaster County in the course of representing Julie Thomas in her claim for Supplemental Social Security Income (SSI) benefits. (M-01-31)**

Kerry Eagan, Chief Administrative Officer, explained that the claims originate from individuals who are receiving General Assistance from the County while Supplemental Social Security Income (SSI) claims are pending. In cases which attorneys are able to obtain approval for SSI, the County is reimbursed for General Assistance which was provided to the individual. Eagan stated the County pays 25 percent of the reimbursement obtained to the attorney as an incentive.

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

5) **NEW BUSINESS CONTINUED:**

K. Request by the Personnel Department to adjust the eligibility dates of Mike Going and Chad Anderson, Correctional Officers, to January 18, 2001.

Diane Staab, Deputy County Attorney, explained that the Board previously approved the adjustment of eligibility dates for a group of employees in the Corrections Department and that Mike Going and Chad Anderson should have been included in that group. She added that the reason for the adjustment was because of pay changes made during labor negotiations which accelerated pay increases for new hires. The new hires would be earning more money than a certain group of employees who were hired prior to the effective date of the contract.

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

L. Setting of salary for Dorothy Walker, as a part-time attorney in the Public Defender's Office, in the amount of \$20,280, effective March 22, 2001. (M-01-28)

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

M. Reappointment of Lynette Nelson to the Lancaster County Board of Zoning Appeals, term to expire April, 2006.

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

6) **CONSENT ITEMS:** These are items of business that are 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. Receive and Place on File:

1. **Noxious Weed Control Authority's Monthly Report for February, 2001.**
2. **Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for February, 2001.**
3. **Register of Deeds Monthly Report for February, 2001.**
4. **Sheriff's Report of Fees for February, 2001.**
5. **Allowance Modifications Numbers 14 and 15 to Cheever Construction in connection with the Juvenile Detention Facility Project. (M-01-29 and M-01-30)**

B. Setting of public hearings for Tuesday, April 3, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:

1. **Issuance of Revenue Bonds of Hospital Authority Number 1 of Lancaster County, Nebraska for Developmental Services of Nebraska, Inc., in an amount not to exceed \$1,400,000, to finance health care facilities to be located at 8125 Joshua Drive, 1720 Timber Ridge Road and 5001 North 57th Street in Lincoln, Nebraska.**
2. **County Change of Zone 203, requested by POWER Engineers, Inc. to amend Article 4.003 and Article 5.003 of the Lancaster County Zoning Resolution to add "cable and fiber optic communication distribution systems" as a permitted use in the "AG" Agricultural and "AGR" Agricultural Residential zoning districts.**

6) CONSENT ITEMS CONTINUED:

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineer and the following:

- ▶ Ray Wolfe, Jr. and Clifford Wolfe, in the amount of \$19.88, on North 70th Street from Interstate 80 to Waverly Road; Project C55-G-405(2). (C-01-113)
- ▶ Ernest E. and Eleanor M. Novotny at West Rock Creek Road and Northwest 112th Street; Project C.P.D.-108. This is a land donation. (C-01-112)
- ▶ Leland E. and Catherine Y. Sullivan, in the total amount of \$1,744.30 on West Denton Road; Project C55-N-404(1). (2 contracts) (C-01-111 and C-01-110)

MOTION: Steinman moved and Hudkins seconded approval of the Consent Items. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

7) ADJOURNMENT

MOTION: Hudkins moved and Steinman seconded adjournment of the Board of Commissioners meeting. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

Bruce Medcalf
County Clerk