

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 22, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins
Linda Steinman

Commissioners Absent: Bernie Heier
Bob Workman, Vice Chair

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, May 15, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Hudkins moved and Steinman seconded approval of the minutes of the Board of Equalization meeting dated May 15, 2001. Campbell, Hudkins and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 21 additions and deductions to the tax assessment rolls per Exhibit A.

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**The Catholic Bishop of Lincoln, Inc.
Christian Church in Nebraska
Community Blood Bank of the Lancaster County Medical Society
Sacred Heart Church
Wyuka Cemetery**

MOTION: Steinman moved and Hudkins seconded approval of motor vehicle tax exemptions for Christian Church in Nebraska, Community Blood Bank of the Lancaster County Medical Society, Sacred Heart Church and Wyuka Cemetery and to also approve a motor vehicle tax exemption for The Catholic Bishop of Lincoln, Inc. subject to the vehicle(s) being titled and registered to the applicant. Steinman, Campbell and Hudkins voted aye. Motion carried.

The Chair recessed the Board of Equalization meeting until 2:40 p.m. when it was reconvened.

Norm Agena, County Assessor, noted that the following notices for Lincoln School District Leasing Corporation were withdrawn: Exemption Number 578F, Exemption Number 578K and 578L.

He also withdrew four notices for Lincoln Electric System (LES) regarding the following parcels: 18-22-100-002-000, 18-22-100-001-000, 18-22-200-001-000 and 18-22-200-002-000. Agena explained LES pays in lieu of tax on the four parcels.

4) **APPROVAL OF 2001 451 TAX EXEMPTIONS ON REAL PROPERTY PER EXHIBIT B, LIST A:**

MOTION: Hudkins moved and Steinman seconded approval of 2001 451 tax exemptions on real property for Developmental Services of Nebraska, Sacred Heart Parish of Lincoln and University Place Art Center. Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **APPROVAL OF 2001 451 PARTIAL EXEMPTIONS ON REAL PROPERTY PER EXHIBIT B, LIST B:**

Southeast Nebraska Youth for Christ

Tim Bolke, representing Southeast Nebraska Youth for Christ, appeared and submitted a site plan of the parcel (Exhibit 1).

Norm Agena, County Assessor, asked Bolke when development would begin.

Bolke responded they would begin this summer.

Agena stated if they obtain their building permit(s) and begin construction prior to August 1, they can reapply for exemption.

University of Nebraska Foundation

Keith Miles, representing the University of Nebraska Foundation, appeared and stated they do not object to the parcel being partially taxable. He stated it was their understanding that the property had separate parcel identification numbers because it was two distinct properties.

In 1992, he said, the property was donated by Mr. Bagley to the University of Nebraska Foundation and separate deeds were executed.

Norm Agena, County Assessor, stated it would continue to be listed under one parcel identification number unless they would want to proceed with a subdivision so it could be separated into two parcels.

MOTION: Steinman moved and Hudkins seconded approval of 2001 451 Partial tax exemptions for the following: Carmel of Jesus, Mary & Joseph, Southeast Nebraska Youth for Christ, The Priestly Fraternity of St. Peter (2 exemptions) and the University of Nebraska Foundation. Hudkins, Steinman and Campbell voted aye. Motion carried.

Norm Agena, County Assessor, recommended that the exemption for University Place Art Center be removed from List G and changed to approval of 2001 451A Partial Tax Exemption. He stated his office is now recommending that 29 percent of the building be exempted.

APPROVAL OF 2001 451A PARTIAL TAX EXEMPTION ON REAL PROPERTY FOR THE UNIVERSITY PLACE ART CENTER:

MOTION: Steinman moved and Hudkins seconded approval of a 2001 451A partial tax exemption on real property for the University Place Art Center. Hudkins, Campbell and Steinman voted aye. Motion carried.

6) **APPROVAL OF 2001 451 TAX EXEMPTIONS ON REAL AND PERSONAL PROPERTY WITH A LATE FILING PENALTY PER EXHIBIT B, LIST C:**

University of Nebraska Foundation

Keith Miles, representing the University of Nebraska Foundation, appeared and requested that the penalty be waived.

Norm Agena, County Assessor, explained that the County Board, statutorily, doesn't have the authority to waive the penalty for late filing.

Nebraska Energy Services Company

Gary Pohlmann, representing Nebraska Energy Services Company, appeared and requested the penalty be waived. He explained that Nebraska Energy Services Company is a quasi-government organization and their property, by statute, is exempt from property tax.

Lincoln School District Leasing Corporation

James Gessford, representing Lincoln School District Leasing Corporation, requested the penalty be waived.

Alumni Association of the University of Nebraska-Lincoln

Tom Houston, representing the Alumni Association of the University of Nebraska-Lincoln, explained that the Alumni Association purchased the property in January. He stated the statute indicates there is a 30 day period from the date in the change of use or acquisition to file an exemption. Houston stated the Big Red Shop property was demolished on May 4 so the actual change in use to the exempt use didn't occur until that date. He stated the 451 application was filed on March 27 and was within the statutory time period.

Agena requested that the late filing penalty for the three exemptions for the Alumni Association be removed.

MOTION: Steinman moved and Hudkins seconded approval of the 2001 451 tax exemptions on real property for the Alumni Association of the University of Nebraska-Lincoln (3 exemptions). Campbell, Steinman and Hudkins voted aye. Motion carried.

7) **APPROVAL OF 2001 451A TAX EXEMPTION ON REAL PROPERTY PER EXHIBIT B, LIST D:**

MOTION: Steinman moved and Hudkins seconded approval of a 2001 451A tax exemption on real property for Lakeview Rest Home, Inc. Hudkins, Campbell and Steinman voted aye. Motion carried.

8) **APPROVAL OF 2001 451A TAX EXEMPTIONS ON PERSONAL PROPERTY WITH A LATE FILING PENALTY PER EXHIBIT B, LIST E:**

MOTION: Steinman moved and Hudkins seconded approval of 2001 451A tax exemptions on personal property with a late filing penalty for Nebraska Family Council and Nebraska Satsang Society. Campbell, Steinman and Hudkins voted aye. Motion carried.

9) **DENIAL OF 2001 451 TAX EXEMPTIONS ON REAL AND PERSONAL PROPERTY PER EXHIBIT B, LIST F:**

University of Nebraska Foundation

Keith Miles, representing the University of Nebraska Foundation, appeared and submitted supporting documents (Exhibit 2). He explained the University Towers residential condominium, located 128 North 13th Street, is used as short term lodging for individuals who are in Lincoln to conduct business with the University. Miles referred to attachment B of the exhibit, noting that the residence is not used every day of every year, however the use is increasing. He stated no rent is charged; the Foundation bears all operating expenses of the property.

In response to a question asked by Steinman, Norm Agena, County Assessor, stated individuals who stay at the residence and are considering a donation to the University would be an incidental use.

Miles stated their argument would be that it benefits the educational mission of the University.

Hudkins asked if the apartment units located in Bryan Medical Plaza are taxed.

Agena stated yes.

Terry Fairfield, representing the University of Nebraska Foundation, appeared and stated the residence has been used by individuals who donate to the University, visiting faculty and new hires. He said the residence is owned for the benefit of the University.

Miles stated the remainder of the University of Nebraska Foundation properties are all parcels in the University of Nebraska Technology Park.

Fairfield gave an overview of the mission of the Technology Park.

Tom Houston, representing the University of Nebraska Foundation, referred to a map of Technology Park, Attachment D-1 located in Exhibit 2. He stated the attachments following the map detail the planning which went in to the park. Houston stated he feels they have an exempt use because of the educational nature of the property being held in reserve.

Miles summarized their position regarding the Technology Development Center and Technology Park based on the requirements of Neb. Rev. Stat. § 77-202(1)(d):

- ▶ Use and Ownership of Property
- ▶ Exclusive Use of the Property
- ▶ Not Owned or Used for Financial Gain
- ▶ Not Used for Sale of Alcoholic Liquor
- ▶ Does Not Discriminate based on any of the Protective Classes

Foundation for Educational Services, Inc.

Paul Peter, representing Foundation for Educational Services, Inc., appeared and submitted supporting documentation into the record (Exhibit 3). Also given was an overview of the documentation demonstrating that the activities being undertaken in the building by the subsidiaries are charitable and educational and that they fully satisfy the statutory requirements.

Lincoln School District Leasing Corporation

James Gessford, representing Lincoln School District Leasing Corporation, appeared and stated that the Leasing Corporation is a non-profit organization and explained that the Leasing Corporation's governing board is the Board of Education of Lincoln Public Schools.

Campbell stated she has a conflict of interest regarding Exemption 578G, Lincoln School District Leasing Corporation (Parcel I.D. # 16-21-400-008-000).

MOTION: Steinman moved and Hudkins seconded to deny the following 2001 451 tax exemptions on real and/or personal property: Foundation for Educational Services, Inc., Lincoln School District Leasing Corporation (8 exemptions), Nebraska Children & Families Foundation, Nebraska State Historical Society Foundation, St. Vincent De Paul Warehouse and Stores, The Priestly Fraternity of St. Peter and Transfiguration and to hold the 11 exemptions for the University of Nebraska Foundation. Steinman, Hudkins and Campbell voted aye, with the exception that Campbell noted a conflict of interest on Exemption Number 578G (Lincoln School District Leasing Corporation). Motion carried.

RETURNING TO ITEM 6:

Nebraska Energy Services Company

Norm Agena, County Assessor, read a portion of a letter, dated May 5, 1998, from the State of Nebraska Property Tax Administrator into the record, "The action of the county board of equalization, in an appeal of the penalties imposed, shall be limited to correcting penalties which were wrongly imposed or incorrectly calculated. The county board of equalization shall have no authority to waive or reduce any penalty which was correctly imposed and calculated. The entire penalty and interest on the penalty shall be waived if the omission or failure to report any item of tangible personal property was for the reason that the property was timely reported in the wrong tax district."

Campbell stated Mr. Pohlmann's question was whether Nebraska Energy Services Company was a governmental entity.

Agena stated he had talked to Mike Thew, Deputy County Attorney, regarding the matter who had indicated "no entity created by local public agencies, pursuant to the Interlocal Cooperative Act, shall be considered a state agency and no employee of such an entity shall be considered a state employee."

MOTION: Steinman moved and Hudkins seconded approval of the following 2001 451 tax exemptions with a late filing penalty (List C), with the exception of the Alumni Association of the University of Nebraska-Lincoln which was previously acted on: American Quilt Study Group, Lincoln School District Leasing Corporation (4 exemptions) and the Nebraska Energy Services Company and the University of Nebraska Foundation (4 exemptions). Steinman, Campbell and Hudkins voted aye. Motion carried.

10) **DENIAL OF 2001 451A TAX EXEMPTIONS ON REAL PROPERTY PER EXHIBIT B, LIST G:**

MOTION: Steinman moved and Hudkins seconded to deny the 2001 451A tax exemption on real property for Frederic Ozanam Building. Steinman, Hudkins and Campbell voted aye. Motion carried.

11) **APPROVAL OF 2001 451 TAX EXEMPTIONS ON REAL PROPERTY PER EXHIBIT B, LIST H:**

MOTION: Steinman moved and Hudkins seconded approval of the following 2001 451 tax exemptions on real property: Fix-Prop Shop Inc., Land and Sky, Inc. (4 exemptions), Midwest Motorcycle Training, The Lincoln Christian Fellowship, Inc., Village of Raymond (2 exemptions) and Village of Sprague, with the exception of Lincoln Electric System (4 exemptions) which was withdrawn. Campbell, Hudkins and Steinman voted aye. Motion carried.

12) **ADJOURNMENT**

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

Bruce Medcalf
County Clerk

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 22, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins
Linda Steinman

Commissioners Absent: Bernie Heier
Bob Workman, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 15, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Steinman seconded approval of the minutes of the Board of Commissioners meeting dated May 15, 2001. Campbell, Hudkins and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, May 22, 2001.

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

- 3) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Jolene Zochol, Social Services Director at Lancaster Manor.

4) **PUBLIC HEARINGS:**

A. Issuance of Revenue Bonds of Hospital Authority Number 1 of Lancaster County, Nebraska for the benefit of Community Blood Bank of Lancaster County Medical Society, in an amount not to exceed \$2,500,000, to finance medical service facilities to be located at 100 North 84th Street in the City of Lincoln.

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

Kevin Siebert, bond counsel, appeared and introduced Candy Thomazin and Joyce Halvorsen with the Community Blood Bank.

Siebert explained that the bonds would finance the acquisition and remodeling of a new facility for the Community Blood Bank located at 100 North 84th Street in Lincoln. He added that the facility would be used as the administrative headquarters and the collection, testing, processing and storage facility. It was also noted that there will be a laboratory located in the facilities.

Siebert said the bonds would be sold by Smith Hayes Financial Services Corporation. The average interest rate on the bonds, he stated, was 4.91 percent.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

B. A Corporate Manager application for Jeff M. Feriozzi in connection with a Class K (Wine Off Sale Only) and a Class M (Bottle Club) liquor license submitted by Firethorn Investment d/b/a Firethorn Golf Club, located at 9301 Firethorn Lane in Lancaster County, Nebraska.

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

The Clerk administered the oath to Jeff Feriozzi, applicant.

Campbell asked Feriozzi how long he had been with Firethorn Golf Club.

Feriozzi stated he began on April 20, 2001, however, he had worked for Firethorn previously.

Campbell asked Feriozzi if he had attended the responsible hospitality course sponsored by Responsible Hospitality Council of Lincoln and Lancaster County.

4) **PUBLIC HEARINGS CONTINUED:**

Feriozzi stated he had not attended.

The County Board referred Feriozzi to Terry Wagner, County Sheriff, for further information regarding the course.

The Chair closed the public hearing.

MOTION: Steinman moved and Hudkins seconded approval of the application for Corporate Manager for Jeff M. Feriozzi. Hudkins, Steinman and Campbell voted aye. Motion carried.

5) **OLD BUSINESS:**

A. A maintenance agreement with Professional Office Systems, Inc. to provide maintenance for two power files located in Lancaster County District Court, beginning January 1, 2001 and ending December 31, 2001. The County will pay a total of \$1,750. (C-01-143)

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

6) **NEW BUSINESS:**

A. A resolution approving the issuance of revenue bonds of Hospital Authority Number 1 of Lancaster County to finance medical services facilities, to be located at 100 North 84th Street in Lincoln, Nebraska, for the Community Blood Bank of the Lancaster County Medical Society, in an amount not to exceed \$2,500,000. (R-01-37)

MOTION: Hudkins moved and Steinman seconded approval of Resolution 01-37. Hudkins, Campbell and Steinman voted aye. Motion carried.

B. Applications for Special Designated Licenses from 134th and O Street Partnership d/b/a Crooked Creek Golf, located at 333 South 134th Street, to hold golf outings on the following dates and times:

- ▶ Sunday, June 10, 2001 from 8 a.m. to Noon
- ▶ Sunday, July 15, 2001 from 8 a.m. to Noon
- ▶ Sunday, July 29, 2001 from 8 a.m. to Noon
- ▶ Sunday, August 19, 2001 from 8 a.m. to Noon
- ▶ Sunday, August 26, 2001 from 8 a.m. to Noon
- ▶ Sunday, September 16, 2001 from 8 a.m. to Noon

6) **NEW BUSINESS CONTINUED:**

Mike Rierden, attorney representing Crooked Creek Golf, appeared and requested the July 15th and July 29th dates be cancelled and that the dates of July 22nd and September 23rd be added. He said he had visited with both the County Sheriff and the County Engineering Department and they expressed no objections to the changes.

MOTION: Steinman moved and Hudkins seconded approval of the applications for Special Designated Licenses as amended. Campbell, Steinman and Hudkins voted aye. Motion carried.

C. An application for a Special Designated License from Hillcrest Country Club, located at 8901 O Street, to hold golf outings on the following dates and times:

- ▶ **Sunday, June 10, 2001 from 8 a.m. to Noon**
- ▶ **Sunday, July 8, 2001 from 8 a.m. to Noon**
- ▶ **Sunday, July 15, 2001 from 8 a.m. to Noon**
- ▶ **Sunday, August 5, 2001 from 8 a.m. to Noon**
- ▶ **Sunday, August 19, 2001 from 8 a.m. to Noon**
- ▶ **Sunday, September 2, 2001 from 8 a.m. to Noon**

Andy Reetz, General Manager for Hillcrest Country Club, appeared.

Hudkins asked Reetz if he or any of his staff has attended the hospitality training.

Reetz responded no, but he would talk with Sheriff Wagner regarding the training.

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

D. An application for a Special Designated License from the Wine Merchants Inc. to hold a reception on Saturday, June 9, 2001 from 3:30 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams in Lancaster County, Nebraska.

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

6) **NEW BUSINESS CONTINUED:**

E. A lease purchase agreement and related documents for lease and purchase of one, 2001 Chevrolet Express passenger van. The County will pay a total of \$18,595.94 which includes principal and interest. The interest rate will be 4.050 percent and the County will make six payments with the last payment on May 18, 2004. The agreement date will be changed from May 18, 2001 to May 25, 2001. (C-01-228)

MOTION: Steinman moved and Hudkins seconded approval.

In response to a question asked by Campbell, Dave Kroeker, Budget and Fiscal Director, stated the van was for the Community Mental Health Center.

David Johnson, Deputy County Attorney, requested that clause 6.10 on page six regarding bank eligibility designation be struck and initialed by the Chair.

In response to a question asked by Hudkins, Kroeker explained because of the Community Mental Health Center's cash flow their desire is to not have all of the cost due in one year.

Campbell asked if there were any payments due in the current fiscal year.

Kroeker stated there is a down payment scheduled for the current fiscal year.

David Johnson, Deputy County Attorney, stated the first payment is due on November 25, 2001, with two payments due in 2002, two payments in 2003 and one payment in 2004.

Johnson recommended that approval be conditioned upon striking Clause 6.10 on page six and its acceptance by NACO Leasing Corporation.

As the maker of the original motion, Steinman amended its approval subject to striking Clause 6.10 on page six.

The seconder concurred.

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

6) NEW BUSINESS CONTINUED:

F. An agreement with Mainelli Wagner & Associates, Inc. for preliminary survey, roadway design and plan preparation on Northwest 70th Street beginning at West Adams Street one mile to West Superior Street, at West Superior Street from Northwest 70th Street to Northwest 56th Street and West Adams Street from one-half mile west of Northwest 70th Street to Northwest 56th Street. The County will pay \$7,500 for the preliminary survey and \$15,249 for roadway design and plan preparation. The work will be completed by September 21, 2001. (C-01-230)

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

G. An agreement with Lincoln Electric System of Lincoln to adjust some, if not all, of its facility in conjunction with Project C55-P-409(2), Pioneers Boulevard - South 98th Street to South 112th Street. The County's estimated cost is \$14,029 and the County shall pay no more than \$28,058. (C-01-233)

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

H. A referee coordinator agreement with Great Plains Appraisal Company for supervision and coordination of the referee activities for the 2001 tax year. The referee coordinator shall be reimbursed \$650 per day and the assistant coordinator \$600 per day. The County shall pay a maximum of \$75,000 for the services. (C-01-229)

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

I. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Pavers, Inc. for asphaltic concrete resurfacing and paving, in the amount of \$15,730.50 (Section A). (An award of \$1,294,092.10 for Sections B through D and Sections F through Q was approved by the Board on May 8, 2001.) (B-01-25)

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

6) **NEW BUSINESS CONTINUED:**

J. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund for Lancaster Manor to Natkin Service, in the amount of \$2,500.80, for an ice machine, to Red Line Medical Supply, Inc., in the amount of \$730, for an oxygen concentrator and to Jim's Home Health Supplies, in the amount of \$3,339, for six wheel chairs. (M-01-64)

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

K. A political subdivision tort claim filed against the Lancaster County Corrections Department by Leon Perez, in the amount of \$200, for damaged property.

MOTION: Steinman moved and Hudkins seconded to accept the Director's recommendation and deny the tort claim filed by Leon Perez. Steinman, Campbell and Hudkins voted aye. Motion carried.

L. A request from Chris Robinett, on behalf of Ron and Sally Leifert d/b/a Leifert Real Estate and Equipment Rental, for a refund of personal property taxes for 1999, in the approximate amount of \$1,149.38. (M-01-61)

The Clerk noted that the refund would be credited to 2000 unpaid taxes.

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

M. Request for change order of \$790.65 from Backpack Bridges, Inc. for the construction of a bridge in Wilderness Park. The change order is for the installation of additional cables and hardware for the bridge.

Kerry Eagan, Chief Administrative Officer, stated that technically it would not be the County's responsibility to proceed with the change order because the contract is with the City, however, the funding for the project came from the County. He noted the original contract price was \$88,250.

Eagan recommended the Board authorize the additional funding and explained that the City would need to take care of any contractual change orders between Backpack Bridges and the City.

6) **NEW BUSINESS CONTINUED:**

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

N. A resolution transferring appropriations in the amount of \$375,000 from the General Government Budget to the General Assistance Budget. (R-01-38)

Dave Kroeker, Budget and Fiscal Director, explained that there is \$195,000 budgeted for pharmacy bills, however, the current bill is \$497,000 leaving a shortfall of \$302,000. He also stated there is a \$46,000 shortfall for physicians.

Hudkins asked if there was any way to control the costs.

Steinman stated there is a proposal to hire a company to review the pharmacy costs and explained that there is software which allows them to track those costs and whether they are complying with the Medicaid rate.

Kroeker stated there has also been discussion on hiring someone to expedite the process of the SSI applications.

Campbell stated there has also been discussion regarding a case manager in the mental health system.

Hudkins encouraged further exploration of a case manager.

MOTION: Steinman moved and Hudkins seconded approval of Resolution 01-38. Steinman and Campbell voted aye. Hudkins voted no. Motion carried.

O. Claim filed by Susan Sapp on behalf of Dr. Grimmell in the amount of \$8,089. (M-01-65)

MOTION: At 2:25 p.m. Steinman moved and Hudkins seconded to enter into Executive Session for the purpose of discussing potential litigation. Steinman, Campbell and Hudkins voted aye. Motion carried.

MOTION: At 2:38 p.m. Hudkins moved and Steinman seconded to exit Executive Session. Steinman, Hudkins and Campbell voted aye. Motion carried.

7) **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. Register of Deeds Monthly Report for April, 2001.
2. Sheriff's Report of Fees for April, 2001.
3. Lincoln City Libraries Director's Report for April, 2001.

B. Setting of a public hearing for Tuesday, May 29, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to modify the previously adopted budget for the Bridge and Special Road Fund, the Lancaster Manor Fund, the Community Mental Health Center Fund, the County-City Property Management Fund and the County Property Management Fund.

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

- ▶ L. Leon and Karen A. Conrad, in the amount of \$1,845, on South 68th Street from Hickman Road to Saltillo Road; Project STPE-3265(6). (C-01-232)
- ▶ Paula & Ralph Fehringer, in the amount of \$736.50, on West Denton Road; Project C55-N-404(1). (C-01231)
- ▶ Steve Lynn and Mary Ellen O'Hare, in the amount of \$631, at North 1st Street and West Rock Creek Road; Project C55-C-406(1). (C-01-224)
- ▶ Winona Ketelhut, in the amount of \$217, on Pioneers Boulevard from 98th to 112th Streets; Project C55-P-409(2). (C-01-225)
- ▶ Rokeby Limited Partnership at Southwest 12th Street and Rokeby Road; Project C.P.O.-153. This is a donation. (C-01-226)
- ▶ Timothy A. Zerr, in the amount of \$6,798.50, on South 54th Street from Roca Road to Saltillo Road; Project C55-S-405. (C-01-227)

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

8) **ANNOUNCEMENTS:**

The Clerk announced that the Lancaster County Board of Commissioners would hold a staff meeting on Tuesday, May 29, 2001 at 12:30 p.m.

9) **ADJOURNMENT**

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

Bruce Medcalf
County Clerk