

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MAY 29, 2001**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Bernie Heier  
Larry Hudkins

Commissioners Absent: Linda Steinman  
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 22, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated May 22, 2001. Campbell and Hudkins voted aye. Heier abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 5 additions and deductions to the tax assessment rolls per Exhibit A.**

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

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The Chair recessed the Board of Equalization until 2:17 p.m when it was reconvened.

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3) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

**Douglas Schmidt**

Norm Agena, County Assessor, recommended a value \$162,211.

**MOTION:** Hudkins moved and Heier seconded to accept the County Assessor's recommendation and set a value of \$162,211 for Douglas Schmidt. Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT**

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

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Bruce Medcalf  
County Clerk

**MINUTES**  
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Commissioners Present: Kathy Campbell, Chair  
Bernie Heier  
Larry Hudkins

Commissioners Absent: Linda Steinman  
Bob Workman, Vice Chair

Others Present: 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 Commissioners meeting held on Tuesday, May 22, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated May 22, 2001. Campbell and Hudkins voted aye. Heier abstained. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 29, 2001.**

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

- 3) **SPECIAL PRESENTATIONS:**

**A. Presentation of Volunteer of the Month Award to the County-City Building's Information Desk Volunteers.**

The Clerk announced that the presentation of the award was postponed until Tuesday, June 26, 2001.

4) **PUBLIC HEARINGS:**

**A. A petition from ten percent of the property owners within the Ridgewood Subdivision for formation of a Special Paving Improvement District called Ridgewood Road Improvement District. (M-01-60)**

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

Tim Francis, petitioner, explained a bid for paving one and three-quarters of a mile of road was obtained in September, 2000 from Pavers, Inc., for approximately \$225,000. He added that the cost was based on County standards which includes a six inch depth and 24 foot width. Francis stated if the cost is split equally between property owners it would be approximately \$7,000.

Francis stated a meeting was held in April, 2001, in which all the property owners were invited to attend. A survey was sent out regarding interest in paving the subdivision and it was found that 15 property owners out of 29 were interested in paving, 14 were against and four were not returned. He said at that point it was decided to petition the County.

In response to a question asked by Campbell, Francis stated the Ridgewood Subdivision is located south of Southwest 27<sup>th</sup> Street and West Denton Road.

Campbell asked if the petition requests inclusion of the entire subdivision.

Francis responded yes.

Campbell asked if the Board reviews the boundaries after the hearing.

Don Thomas, County Engineer, explained that the public hearing determines the boundaries of the special paving district. The following week, he said, the Board will consider a resolution describing the boundaries and setting the election date.

Campbell asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

4) **PUBLIC HEARINGS CONTINUED:**

**MOTION:** Heier moved and Hudkins seconded to direct the County Attorney's Office to prepare a resolution, according to state statute, setting the boundaries of the Special Paving Improvement District called Ridgewood Road Improvement District. Hudkins, Campbell and Heier voted aye. Motion carried.

**B. Modification of 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.**

The Chair opened the public hearing.

Dave Kroeker, Budget and Fiscal Officer, explained that state statute requires that a public hearing be held and a resolution approved to modify the existing budget if the total fund is exceeded. He noted that the use of temporary employees, pharmacy costs, contractual services for psychiatrists, salaries and an increase in cost for group insurance created the shortfalls.

David Johnson, Deputy County Attorney, noted the following increases:

- ▶ Bridge and Special Road Fund - \$61,423
- ▶ Lancaster Manor Fund - \$1,399,204
- ▶ County-City Property Management Fund - \$48,000
- ▶ Community Mental Health Center Fund - \$51,000
- ▶ County Property Management - \$49,130

Campbell asked if anyone else wished to testify on the modification of the budget.

No one appeared and the hearing was closed.

5) **NEW BUSINESS:**

**A. An application for a Special Designated License from the Wine Merchants, Inc. to hold a wedding reception at the Waverly Foundation Center, located at 11120 North 141<sup>st</sup> Street, on Saturday, June 16, 2001 from 7 p.m. to 1 a.m.**

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

5) **NEW BUSINESS CONTINUED:**

**B. A contract with Daniel Leggiadro, Ph.D. for psychological services at the Community Mental Health Center, beginning June 1, 2001 and ending June 30, 2002. The doctor will work up to 45 hours per week at a rate of \$65 per hour. (C-01-234)**

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

**C. A contract between the Lancaster County Engineering Department and Pavers, Inc., in the amount of \$1,309,822.60, for asphaltic concrete resurfacing and paving at the following locations, with the work to be completed by November 2, 2001. (C-01-251)**

- ▶ SW 40<sup>th</sup> Street
- ▶ South 40<sup>th</sup> Street
- ▶ West Adams Street and West Fletcher Road
- ▶ Havelock Avenue
- ▶ Pleasant Hill Road
- ▶ South 54<sup>th</sup> Street and Roca Road intersection
- ▶ South 56<sup>th</sup> Street (Bridle Lane to Cavvy Road)
- ▶ Burnham Street (Coddington Avenue to Folsom Street)
- ▶ Folsom Bypass (Prospector Court to South Street)
- ▶ Prospector Court and Prospector Place
- ▶ Folsom Street (Pioneers Boulevard to Prospector Court)
- ▶ West Van Dorn Street (SW 40<sup>th</sup> Street to Coddington Avenue)
- ▶ SW 14<sup>th</sup> Street and Sprague Road
- ▶ North 148<sup>th</sup> Street (Highway 6 north .4 miles)
- ▶ Anthony Lane in Hillcrest Heights

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

5) **NEW BUSINESS CONTINUED:**

**D. An agreement with St. Monica's, beginning May 1, 2001 and ending September 30, 2001, to provide care coordination using the wraparound process for youth and for ten families with youth ages 14 to 19 who have severe emotional disorders and are at risk of becoming involved with the juvenile justice system. The County will provide training and support in exchange for services. (C-01-249)**

David Johnson, Deputy County Attorney, explained that there is a four month limitation on the County providing training and support to St. Monica's.

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

**E. An agreement with Lincoln Electric System (LES) for daily power purchase at Lancaster Manor. The County will sell load reductions to LES as provided in Exhibit A, beginning June 1, 2001 to September 30, 2001. (C-01-250)**

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

**F. A resolution supplementing appropriations from previously adopted budgets: (R-01-39)**

- ▶ **Bridge and Special Road Fund, in the amount of \$61,423**
- ▶ **Lancaster Manor Fund, in the amount of \$1,399,204**
- ▶ **County-City Property Management Fund, in the amount of \$35,000**
- ▶ **Community Mental Health Fund, in the amount of \$51,000**
- ▶ **County Property Management, in the amount of \$49,130**

David Johnson, Deputy County Attorney, noted the following changes:

- ▶ **County-City Property Management Fund changed from \$35,000 to \$48,000**
- ▶ **Total amount of increase changed from \$1,595,757 to \$1,608,757**
- ▶ **Change in language in relation to Neb. Rev. Stat. § 13-511 (2000 cum. supp.)**

**MOTION:** Heier moved and Hudkins seconded approval of Resolution 01-39. Campbell, Hudkins and Heier voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

G. A resolution transferring \$1,249,614, in appropriations from the General Fund Miscellaneous budget to the following various General Fund agencies: (R-01-40)

- ▶ County Board of Commissioners, in the amount of \$11,500
- ▶ Election Commissioner, in the amount \$43,386
- ▶ Budget & Fiscal, in the amount of \$5,750
- ▶ Geographic Information System (GIS), in the amount of \$16,645
- ▶ Clerk of the District Court, in the amount of \$16,500
- ▶ County Court, in the amount of \$20,300
- ▶ District Court, in the amount of \$129,331
- ▶ Public Defender, in the amount of \$10,000
- ▶ Sheriff, in the amount of \$295,000
- ▶ County Attorney, in the amount of \$60,000
- ▶ Corrections, in the amount of \$485,150
- ▶ Adult Probation (County Court), in the amount of \$3,265
- ▶ County Engineer, in the amount of \$106,483
- ▶ Mental Health Board, in the amount of \$6,500
- ▶ Veterans Services, in the amount of \$10,804
- ▶ Human Services, in the amount of \$29,000

David Johnson, Deputy County Attorney, noted the following changes:

- ▶ Insert the following: "Whereas those unforeseen emergencies are the increase in group insurance, unforeseen legal expenses, increase in jail population and related costs, cost of living adjustments, increase in absentee ballots and other election expenses and the cost of pharmaceutical services."
- ▶ Delete the first "whereas" and insert the following: "Whereas Nebraska Revised Statute, Section 13-510 (2000 cum. supp.) provides that whenever the current fiscal year or biennial period it becomes apparent to a government body that due to unforeseen emergencies there is temporarily insufficient money in a particular fund to meet the requirements of the adopted budget of expenditures for that fund, the governing body may by a majority vote, unless otherwise provided by state law, transfer money from other funds to such fund. No expenditure during any fiscal year or biennial period shall be made in excess of the amounts indicated in the adopted budget statement, except as authorized in section 13-511, or by state law. Any officer or officers of any governing body who obligates funds contrary to the provisions of this section shall be guilty of a Class V misdemeanor."

**MOTION:** Hudkins moved and Heier seconded approval of Resolution 01-40. Hudkins, Heier and Campbell voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

H. A resolution authorizing the installation of the following traffic signs:  
(R-01-41)

At the intersection of Southwest 40<sup>th</sup> Street and West High Ridge Road:

- ▶ Install a "25 mile per hour" speed limit sign for westbound traffic
- ▶ Install a "Stop" sign for eastbound traffic

At the intersection of West High Ridge Road and West High Ridge Circle:

- ▶ Install street identification signs
- ▶ Install a "No Outlet" sign for southbound traffic

At the intersection of West High Ridge Road and Southwest 47<sup>th</sup> Street

(West High Ridge Road to the east of Southwest 47<sup>th</sup> Street)

- ▶ Install street identification signs

At the intersection of West High Ridge Road and Southwest 47<sup>th</sup> Street

(West High Ridge Road to the west of Southwest 47<sup>th</sup> Street)

- ▶ Install street identification signs
- ▶ Install a "No Outlet" sign for westbound traffic

At the intersection of Southwest 47<sup>th</sup> Street and West Van Dorn Street

- ▶ Install a "Stop" sign for southbound traffic
- ▶ Install a "25 mile per hour" speed limit sign for northbound traffic
- ▶ Install street identification signs

These signs will be paid for by the developer and installed by the County.

- ▶ Install two large arrow signs at the intersection of Southwest 128<sup>th</sup> Street and West Bennet Road. One for eastbound traffic and the other for southbound traffic
- ▶ Install a "Dirt Road" sign at the intersection of North 148<sup>th</sup> Street and Rock Creek Road for northbound traffic
- ▶ Replace a T-intersection sign with a "Stop Ahead" sign on North 40<sup>th</sup> Street south of Ashland Road for northbound traffic

**MOTION:** Hudkins moved and Heier seconded approval of Resolution 01-41.  
Campbell, Heier and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

I. **Approval of an application for a \$1,000 certificate from the General Motors Truck Fuel Tank Class Settlement. The application is from the Lancaster County Juvenile Detention Center. (M-01-68)**

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

J. **Recommendation from the Purchasing Agent and the County Engineer to recognize all bidders for rock, gravel and ice control production as follows: (B-01-26)**

**Gravel:** Concrete Industries d/b/a Western Sand & Gravel @ \$6.30/ton  
Bluff Gravel Company @ \$5.75/ton

**Rock:** Kerford Limestone Company @ \$8.50/ton  
Martin Marietta Aggregates @ \$9.25/ton

**Ice Control:** Concrete Industries d/b/a Western Sand & Gravel @ \$3.80/ton  
Bluff Gravel Company @ \$4.00/ton

**MOTION:** Hudkins moved and Heier seconded approval to recognize all bidders as presented. Campbell, Hudkins and Heier voted aye. Motion carried.

K. **A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund for Lancaster Manor to A.A. Leupold & Son Inc. for the final pay application for interior wall covering, in the amount of \$3,860. (M-01-69)**

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

L. **Release of a real estate mortgage for satisfactory repayment of a loan under the Lancaster County Rural Housing Program through the Lincoln Action Program for Rose Bouwens, in the amount of \$582. (M-01-70)**

The Clerk noted that the amount should be \$5,852.

5) **NEW BUSINESS CONTINUED:**

Kerry Eagan, Chief Administrative Officer, explained that a change would need to be made on the mortgage release which was prepared by Lincoln Action Program. The amount reflected on the release was \$582, however, the correct amount which the County loaned six years ago was \$5,852. Eagan stated the terms of the grant were fulfilled and that the recipient lived at the residence for the requisite period of time.

**MOTION:** Hudkins moved and Heier seconded approval. Heier, Campbell and Hudkins 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. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:**

- ▶ Doris G. Peterson, in the amount of \$9.75, from North 56<sup>th</sup> Street to Raymond Road; Project C.P. B-327. (C-01-235)
- ▶ J. Steven and Lynn E. Nordstrom, in the amount of \$6.75, from North 112<sup>th</sup> Street to Rock Creek Road; Project C.P. B-346. (C-01-236)
- ▶ Wayne A. and Maureen K. Sutton from North 134<sup>th</sup> Street to Little Salt Road; Project C.P. A-217. This is a donation. (C-01-237)
- ▶ Walter Johnson, in the amount of \$76.60, from North 134<sup>th</sup> Street to Little Salt Road; Project C.P. A-217. (C-01-238)
- ▶ Michael T. and Kim E. Matthews from West Raymond Road to Northwest 48<sup>th</sup> Street; Project C.P. C-73. This is a donation. (C-01-239)
- ▶ David Brhel, in the amount of \$10, on West Denton Road; Project C55-N-404(1). (C-01-240)
- ▶ Judith Dornink, Peggy Hartgerink, Amy Ulman and Jane Richardson, in the total amount of \$26,144.25, at South 82<sup>nd</sup> Street and Firth Road; Project C55-X-402(5). (8 contracts) (C-01-241 through C-01-248)

**MOTION:** Hudkins moved and Heier seconded approval of the Consent Item. Hudkins, Campbell and Heier voted aye. Motion carried.

7) **LEGISLATIVE DISCUSSION:**

Hudkins commented that Legislative Bill 142 (authorizes creation of municipal counties) passed.

8) **ADJOURNMENT**

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

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Bruce Medcalf  
County Clerk