

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 8, 2002
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Ray Stevens

Commissioners Absent: Bernie Heier
Larry Hudkins

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

The Board of Equalization meeting was convened at 1:32 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 18, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated December 18, 2001. Campbell, Workman and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 265 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Campbell, Stevens and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

The Arc of Nebraska
Bethlehem Covenant Church
Christian Heritage
Fellowship Baptist Church
Horizons Community Church
Madonna Rehabilitation Hospital
Martin Luther Homes of Nebraska, Inc.
Nebraska Wesleyan University (2 exemptions)
Saint Elizabeth Regional Medical Center
St. Joseph's Church and School of Lincoln
St. Mark's United Methodist Church
Sisters of St. Francis

MOTION: Workman moved and Stevens seconded approval of the motor vehicle tax exemptions for the following: The Arc of Nebraska, Bethlehem Covenant Church, Christian Fellowship Baptist Church, Horizons Community Church, Madonna Rehabilitation Hospital, Nebraska Wesleyan University, Saint Elizabeth Regional Medical Center, St. Joseph's Church and School of Lincoln, St. Mark's United Methodist Church and Sisters of St. Francis and to also approve a motor vehicle tax exemption for Martin Luther Homes of Nebraska, Inc. subject to the vehicle(s) being titled and registered to the applicant. Stevens, Workman and Campbell voted aye. Motion carried.

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

Setting of a public hearing for Tuesday, January 29, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for a notice of valuation change for omitted or undervalued property for Section 42 Partners LTD IV.

MOTION: Workman moved and Stevens seconded to set a public hearing for Tuesday, January 29, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for a notice of valuation change for omitted or undervalued property for Section 42 Partners LTD IV. Workman, Campbell and Stevens voted aye. Motion carried.

5) **GREENBELT RECAPTURE APPEAL FOR 2001 FOR THE FOLLOWING:**

John Rallis

Norm Agena, County Assessor, recommended the appeal be denied because the property is located in a platted rural subdivision. He explained that the property was platted in December, 2001 under the name of Rallis Subdivision.

MOTION: Workman moved and Stevens seconded to accept the County Assessor's recommendation and deny the greenbelt recapture appeal for 2001 for John Rallis. Stevens, Workman and Campbell voted aye. Motion carried.

6) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization was adjourned at 1:35 p.m.

RECONVENING OF THE BOARD OF EQUALIZATION:

At 1:50 p.m. the Chair reconvened the Board of Equalization at the County Assessor's request.

MOTION: Workman moved and Stevens seconded to reconsider Item 5 (Greenbelt Recapture Appeal for 2001). Workman, Campbell and Stevens voted aye. Motion carried.

Agena requested a one week delay on the appeal filed by John Rallis for further review.

MOTION: Workman moved and Stevens seconded to delay action on a greenbelt recapture appeal for 2001 filed by John Rallis for one week. Campbell, Stevens and Workman voted aye. Motion carried.

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

Bruce Medcalf
County Clerk

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Commissioners Absent: Bernie Heier
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:50 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 18, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated December 18, 2001. Campbell, Workman and Stevens voted aye. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

A. PV 782-1092, dated November 29, 2001 - Families First (F³) has requested payment to Clyde Malone Community Center, totaling \$3,723.13, for Training & Care Coordination, for which there is no contract.

David Johnson, Deputy County Attorney, requested the claim be held. He explained that after review it is the opinion of the County Attorney's Office that services were performed and that a contract should be drafted.

MOTION: Stevens moved and Workman seconded to hold Payment Voucher 782-1092, dated November 29, 2001, regarding payment to Clyde Malone Community Center, totaling \$3,723.13, for training and care coordination until a contract is drafted for the services performed. Campbell, Stevens and Workman voted aye. Motion carried.

2) **CLAIMS FOR REVIEW CONTINUED:**

B. PV 782-1100, dated December 12, 2001 - Families First (F³) has requested payment to Child Guidance Center, totaling \$6,141.07, for Flex Funds (Training & Care Coordination), for which there is no contract.

Campbell explained that the Board requested that Child Guidance continue providing training and flex funding payment until the County had developed a policy with regard to petty cash flex funds.

Johnson stated that approval of the guidelines is on the Board's agenda, however, he would be requesting the item be held for further revision. He recommended that the claim be paid.

MOTION: Workman moved and Stevens seconded approval of Payment Voucher 782-1100, dated December 12, 2001 for payment to the Child Guidance Center, totaling \$6,141.07, for Flex Funds (Training & Care Coordination). Stevens, Workman and Campbell voted aye. Motion carried.

C. PV 782-1084, dated November 28, 2001 - Families First (F³) has requested payment to Region V Systems, totaling \$36,390, for Care Coordination, for which there is no contract for July, 2001 (\$12,350).

Campbell explained that the County did have a contract with Region V Systems through June, 2001. She stated that portion of the payment request is in the amount of \$24,040 and should be paid.

The second issue, Campbell stated, was regarding the "professional partners", in the amount of \$12,350. She said a verbal agreement was reached, however, no written contract was ever drafted.

Johnson agreed and recommended that the \$24,040 be paid to Region V and to hold payment for \$12,350 until a contract is drafted.

MOTION: Stevens moved and Workman seconded to approve payment, in the amount of \$24,040, to Region V Systems for services performed under Contract Number C-00-460. Campbell, Workman and Stevens voted aye. Motion carried.

MOTION: Workman moved and Stevens seconded to hold payment, in the amount of \$12,350, to Region V Systems until a contract is drafted. Campbell, Workman and Stevens voted aye. Motion carried.

3) **CLAIMS:** Approval of all claims processed through Tuesday, January 8, 2002.

MOTION: Stevens moved and Workman seconded approval of the claims processed through January 8, 2002. Stevens, Workman and Campbell voted aye. Motion carried.

4) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Cathy Noth for her services with the Lincoln-Lancaster Women's Commission.

5) **NEW BUSINESS:**

A. A resolution in the matter of setting salaries for elected County officials for the 2003-2006 term. (R-02-01)

Jim Gordon, attorney and member of the Elected Officials Salary Review Committee, gave a brief review.

Campbell explained that the County Board is required, by State Statute, to set the salaries for elected officials every four years. She stated that the County Board convened a citizens committee consisting of individuals who would have knowledge regarding administrative salaries, market comparables and other venues regarding salaries.

Johnson referred to the following documents which were submitted into the record:

- ▶ Salaries.EO-03 2003 (Exhibit A-old)
- ▶ Salaries.EO-03(2) (Exhibit A-new)

He referred to Exhibit A-old and noted that the document was previously presented at the County Board's Staff Meeting held on December 20, 2001 and is to be acted on by the County Board at their present meeting.

Campbell stated that salaries reflected in documentation presented at the December 20th Staff Meeting would take effect in 2003, however, Commissioner Workman proposed an alternative plan which would take the committee's recommended salary and split the increase between 2003 and 2004 (see Exhibit A-new). For example, the committee's recommended salary for the County Attorney was \$110,000. Using Commissioner Workman's alternative the County Attorney would receive a salary of \$105,000 in 2003 and \$110,000 in 2004.

5) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded to deny the Elected Officials Salary Review Committee recommendations as shown in Exhibit A-old which was previously presented at the December 20, 2001 Staff Meeting. Workman, Campbell and Stevens voted aye. Motion carried.

MOTION: Workman moved and Stevens seconded to approve Resolution 02-01 with the new Exhibit A attached allowing the salaries to increase over a two year period rather than a one year period and to also approve that the salaries for 2005 and 2006 increase at a rate of 2.5 percent or the increase in the U.S. Department of Labor, Bureau of Labor Statistics CPI for all Mid-West Region as published the November immediately preceding each January 1st. Campbell, Stevens and Workman voted aye. Motion carried.

Campbell requested Kerry Eagan, Chief Administrative Officer, to write a thank you note to the citizens who participated on the Elected Officials Salary Review Committee.

B. A resolution amending "Lancaster County's One and Six-Year Road and Bridge Improvement Program for Fiscal Years 2002 through 2007" to include Project No. C55-O-413(3) in the one year plan to pave S.W. 12th Street beginning at a point one half mile south of West Saltillo Road and ending at West Rokeby Road, Lancaster County, Nebraska. (R-02-02)

MOTION: Workman moved and Stevens seconded approval of Resolution 02-02. Campbell, Stevens and Workman voted aye. Motion carried.

C. A resolution amending "Lancaster County's One and Six-Year Road and Bridge Improvement Program for Fiscal Years 2002 through 2007" to include Project No. C55-O-403(1) in the one year plan to pave West Saltillo Road beginning at South 1st Street and ending at S.W. 12th Street, Lancaster County, Nebraska. (R-02-03)

MOTION: Workman moved and Stevens seconded approval of Resolution 02-03. Workman, Stevens and Campbell voted aye. Motion carried.

D. A grant contract with Madonna Rehabilitation Hospital for the Medical Transportation Project, in the amount of \$10,000, beginning July 1, 2001 and ending June 30, 2002. (C-02-01)

The Clerk noted that the County Attorney's Office requested the grant contract be held.

5) **NEW BUSINESS CONTINUED:**

E. A contract with Monarch Oil, Inc. for crack sealing at the following locations, beginning December 1, 2001 and ending April 12, 2002 in which the County will pay \$14,300 for the services: (C-02-02)

- ▶ South 14th Street from Saltillo Road north 2 miles to Yankee Hill Road.
- ▶ South 68th Street from Firth Road north 4 miles to Panama Road.
- ▶ Firth Road from Highway 77 east 4.2 miles to South 68th Street.
- ▶ Southwest 98th Street and Southwest 100th Street from Highway 33 north 5.75 miles to Third Street in Denton, Nebraska.
- ▶ Sprague Road from South 114th Street east 4 miles to Southwest 58th Street.
- ▶ Southwest 114th Street from the Village of Kramer north 2.5 miles to Sprague Road.

MOTION: Workman moved and Stevens seconded approval of a contract with Monarch Oil, Inc. Workman, Campbell and Stevens voted aye. Motion carried.

F. Second Addendum to the financial consulting agreement with Ameritas Investment Corporation on July 23, 1996. The Addendum extends the length of the agreement to October 29, 2003. The Addendum also amends section XIV of the agreement to permit Ameritas to purchase bond notes or leases in the secondary market with written consent of the Board. The original agreement is for consulting services with respect to financing debt of the County. (C-02-03)

MOTION: Workman moved and Stevens seconded approval of the second addendum to a financial consulting agreement with Ameritas Investment Corporation. Workman, Campbell and Stevens voted aye. Motion carried.

G. A contract with Moosman Enterprises for Project No. 02-23, Repair of Lancaster County Structure No. F-44 located at N.W. 48th Street and W. Oak Creek Road. The County will pay \$17,140 for the services. The term of the agreement will end February 15, 2002. (C-02-16)

MOTION: Stevens moved and Workman seconded approval of a contract with Moosman Enterprises. Campbell, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

H. Recommendation from the Purchasing Agent and the County Engineer to award a bid for repair of a bridge located over Beal's Slough on Pioneers Boulevard (County Structure 0-174) to Theisen Construction, Inc., in the amount of \$24,700. (B-02-01)

MOTION: Workman moved and Stevens seconded approval. Campbell, Stevens and Workman voted aye. Motion carried.

I. Approval of Petty Cash Flex Fund Guidelines for the Department of Juvenile Mental Health, pursuant to County Resolution 01-55. (P-02-01)

The Clerk noted that the County Attorney's Office requested the item be held.

J. Authorization of Wells Fargo Bank, as Trustee, to make disbursements from the juvenile detention center bond proceeds to the following in connection with the new Juvenile Detention Center: (M-02-01)

- Sears, in the amount of \$1,997.12, for 64 comforters.
- Pratt Audio-Visual & Video Corporation, in the amount of \$3,723, for 17 VCR's.
- Midland Medical Supply Company, in the amount of \$188, for weight/height scale.
- Moore Medical Corporation, in the amount of \$55, for a lamp.

MOTION: Stevens moved and Workman seconded approval. Campbell, Stevens and Workman voted aye. Motion carried.

K. Authorization of Wells Fargo Bank, as Trustee, to disburse \$223,635.34 from the juvenile detention center bond proceeds to All Makes Office Equipment Company for systems furniture, chairs and other office furnishings for the new Juvenile Detention Center. (M-02-02)

MOTION: Workman moved and Stevens seconded approval. Stevens, Workman and Campbell voted aye. Motion carried.

Campbell noted for the record that the dedication of the new Juvenile Detention Center would be on February 7, 2002 at 11 a.m.

5) **NEW BUSINESS CONTINUED:**

L. A political subdivision tort claim filed against the Lancaster County Corrections Department by Kirk Botts, for lost property in an unspecified amount.

MOTION: Workman moved and Stevens seconded to deny the tort claim filed against Corrections by Kirk Botts for lost property. Workman, Campbell and Stevens voted aye. Motion carried.

M. A political subdivision tort claim filed against the Lancaster County Corrections Department by Michael E. Carman, for commissary in the amount of \$14.85.

MOTION: Workman moved and Stevens seconded to deny the tort claim filed against Corrections by Michael E. Carman. Stevens, Workman and Campbell voted aye. Motion carried.

N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Kathryn C. Clark, for medical treatment in an unspecified amount.

MOTION: Stevens moved and Workman seconded to accept the Director's recommendation and deny the tort claim filed against Corrections by Kathryn C. Clark for medical treatment. Stevens, Workman and Campbell voted aye. Motion carried.

O. A political subdivision tort claim filed against the Lancaster County Corrections Department by Linda Clark, for lost money in the amount of \$13.

MOTION: Stevens moved and Workman seconded to accept the Director's recommendation and deny the tort claim filed against Corrections by Linda Clark. Workman, Campbell and Stevens voted aye. Motion carried.

P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Richard M. Guisti, for lost property in the amount of \$650.

MOTION: Stevens moved and Workman seconded to accept the Director's recommendation and deny the tort claim filed against Corrections by Richard M. Guisti for lost property. Campbell, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

Q. A political subdivision tort claim filed against the Lancaster County Corrections Department by Thomas Yoder, for medical expenses in an unspecified amount.

Thomas Yoder, claimant, appeared and requested the tort claim be delayed until further information is received from the Nebraska Crime Commission.

MOTION: Workman moved and Stevens seconded to delay action on the tort claim filed against Corrections by Thomas Yoder. Workman, Stevens and Campbell voted aye. Motion carried.

R. A request from Qualex Inc. for a refund of personal property tax for 2000, in the approximate amount of \$72.11.

Campbell stated that the County Assessor had recommended approval of New Business Items 5R, 5S, 5T and 5U.

Johnson recommended that the Board approve the refunds and/or give a credit.

MOTION: Workman moved and Stevens seconded approval of a request from Qualex Inc. for a refund of personal property tax for 2000, in the approximate amount of \$72.11.

FRIENDLY AMENDMENT: Approval of a request from Qualex Inc. for a refund and/or credit of personal property tax for 2000, in the approximate amount of \$72.11.

The maker of the motion agreed with the friendly amendment offered by Commissioner Stevens.

ROLL CALL: Stevens, Workman and Campbell voted aye. Motion carried.

S. A request from Bolte Seamless Gutter for a refund of personal property tax for 2000, in the approximate amount of \$431.53.

MOTION: Stevens moved and Workman seconded approval of a request from Bolte Seamless Gutter for a refund and/or a credit of personal property tax for 2000, in the approximate amount of \$431.53. Workman, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

T. A request from Bank One, on behalf of Nebraska Book Company, for a refund for personal property taxes for 1999, in the approximate amount of \$867.16 and for 2000, in the approximate amount of \$708.16.

MOTION: Workman moved and Stevens seconded approval of a request from Bank One, on behalf of Nebraska Book Company, for a refund and/or a credit for personal property taxes for 1999, in the approximate amount of \$867.16 and for 2000, in the approximate amount of \$708.16. Workman, Campbell and Stevens voted aye. Motion carried.

U. A request from Information Leasing Corporation for a refund of personal property tax for 1999, in the approximate amount of \$1,157.

MOTION: Workman moved and Stevens seconded approval of a request from Information Leasing Corporation for a refund and/or a credit of personal property tax for 1999, in the approximate amount of \$1,157. Campbell, Stevens and Workman 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. Lincoln City Libraries Director's Report for November, 2001.
2. County Clerk's Monthly Report for December, 2001.
3. Certification of votes cast for the Special Election held on December 18, 2001 to create a Special Paving Improvement District in the Countrylane Estates Subdivision.

B. Setting of a public hearing for Tuesday, January 22, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for County Final Plat 00024, Ironhorse Acres Addition, requested by Brian D. Carstens and Associates on behalf of Kirk Helmink, for 12 residential lots (2 of which lie within the jurisdiction of the Village of Firth), one outlot for a private roadway and two outlots for open space, on property generally located on the north side of Pella Road, east of South 82nd Street in Lancaster County, Nebraska.

6) CONSENT ITEMS CONTINUED:

C. Requests from the following individuals to voluntarily participate in the Lancaster County retirement plan:

- Ruza Matic, an employee at Lancaster Manor
- Cathie Guida, an employee at Lancaster Manor
- Hung T. Nguyen, an employee in the Property Management Department
- Steve Bower, an employee in the Property Management Department
- Katherine Erickson, an employee in the Corrections Department

D. A leasehold contract relating to road improvements between the Lancaster County Engineering Department and Robert Lemke at South 134th Street and Old Cheney Road; Project C55-Q-407(1). (C-01-04)

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

- ▶ Russell and Jennie Bohaty, in the total amount of \$3,805, at 2800 South 112th Street; Project C55-J-409(1). (2 contracts) (C-01-05) (C-01-06)
- ▶ Burnita Buhr, in the amount of \$792.27, at 11900 East Van Dorn Street; Project C55-J-409(1). (C-01-07)
- ▶ Wesley and Ann Tomhave, in the amount of \$85, at 11700 Van Dorn Street; Project C55-J-409(1). (C-01-08)
- ▶ Bradley A. Philson, in the total amount of \$6,972.75, at South 134th Street and Old Cheney Road; Project C55-Q-407(1). (2 contracts) (C-01-09) (C-01-10)
- ▶ John and Rosemary Wagener, in the amount of \$150, at 11740 Van Dorn Street; Project C55-J-409(1). (C-01-11)
- ▶ Schwarck Quarries, Inc., in the amount of \$73.13, at 13800 South 54th Street; Project C55-S-405(1). (C-01-14)
- ▶ Leland and Jeanette Volker, in the amount of \$2,979.15, at 12100 Van Dorn Street; Project C55-J-409(1). (C-01-15)

F. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Bernie and Connie Heier, in the total amount of \$5,380, at 2600 South 120th Street; Project C55-J-409(1). (2 contracts) (C-01-12) (C-01-13)

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

7) **ADJOURNMENT:**

MOTION: At 2:30 p.m. Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting. Stevens, Workman and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk