

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 9, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

Ray Stevens, Lancaster County Board of Commissioners Chair, announced that the Board of Equalization meeting would be heard prior to the regular County Board meeting.

The Board of Equalization was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 2, 2004.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated March 2, 2004. Hudkins, Workman, Heier and Stevens voted aye. Schorr abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 204 additions and deductions to the tax assessment rolls per Exhibit "A".

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Catholic Social Services
Developmental Services of Nebraska Inc.
Martin Luther Homes
Nebraska Annual Conference of the United Methodist Church**

MOTION: Workman moved and Hudkins seconded approval of motor vehicle tax exemptions for Catholic Social Services, Developmental Services of Nebraska, Inc. and Nebraska Annual Conference of the United Methodist Church and to also approve a motor vehicle tax exemption for Martin Luther Homes subject to the vehicle(s) being titled and registered to the applicant. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 1:32 p.m.. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

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TUESDAY, MARCH 9, 2004
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FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

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

The Board of Commissioners meeting was called to order at 1:32 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 2, 2004.

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated March 2, 2004. Hudkins, Workman, Heier and Stevens voted aye. Schorr abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

Kerry Eagan, Chief Administrative Officer, appeared and requested that New Business Item 5K be moved forward on the agenda.

NEW BUSINESS ITEM 5K:

K. An amendment to an agreement with Child Guidance Center under County Contract C-03-0341 for providing individuals and services for the Office of Juvenile Mental Health. The Contractor will now provide two additional positions, including an accounting supervisor and an ICCU nurse and will no longer provide the services of one full-time intake coordinator and one part-time billing clerk. As a result, the parties wish to amend the compensation from \$1,102,136 to \$1,077,107.50. (C-04-0099)

MOTION: Schorr moved and Heier seconded approval of an amendment to an agreement with Child Guidance Center under County Contract C-03-0341 for providing individuals and services for the Office of Juvenile Mental Health. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

3) **CLAIMS: Approval of all claims processed through Tuesday, March 9, 2004.**

MOTION: Heier moved and Workman seconded approval of all claims processed through March 9, 2004. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. An application for a Class M (Bottle Club) liquor license from Richard R. Ferguson d/b/a The Bennet Hideaway Bed and Breakfast, located at 12100 South 162nd Street, Bennet, 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 Richard R. Ferguson, applicant.

Ferguson explained that he would like to provide guests a complimentary bottle of wine in their room(s). After discussions with the Liquor Control Commission, it was found that he would need a license in order to provide that service. Ferguson also reported that it would be necessary to obtain a license so that guests could take a glass of wine outside their room. He added there would be no selling or serving of alcohol.

4) **PUBLIC HEARINGS CONTINUED:**

In response to a question asked by Workman, Ferguson stated all necessary signage would be posted.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was recessed for one week.

5) **NEW BUSINESS:**

New Business Items 5A and 5B were heard together.

A. An application for a Special Events Permit from MidwestWheelEvents to hold a bicycle race on Saturday, April 17, 2004 from 7 a.m. to 1 p.m. at Branched Oak Lake. The race will begin at Lieber's Point, circle the lake and end back at Lieber's Point. The riders will be using West Raymond Road, West Davey Road, Northwest 98th Street and Northwest 140th Street.

B. An application for a Special Events Permit from MidwestWheelEvents to hold a bicycle race on Saturday, September 11, 2004 from 7 a.m. to 3 p.m. at Branched Oak Lake. The race will begin at Lieber's Point, circle the lake and end back on Lieber's Point. The riders will be utilizing West Raymond Road, West Davey Road, Northwest 98th Street and Northwest 140th Street.

John Lefler, applicant, appeared and stated the bicycle race scheduled for April 17, 2004 would be a benefit for the Willard Community Center and that the race to be held on September 11, 2004 would be a benefit for the Eppley Cancer Center.

MOTION: Heier moved and Schorr seconded approval of two applications for Special Events Permits from MidwestWheelEvents to hold bicycle races on Saturday, April 17, 2004 from 7 a.m. to 1 p.m. and on Saturday, September 11, 2004 from 7 a.m. to 3 p.m.. Both races will be held at Branched Oak Lake. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. A resolution in the matter of County Special Permit 205, requested by Dr. David Samani, for authority to construct and operate a recreational facility for an off-road riding club, on property generally located at the northwest corner of Southwest 84th Street and Kolbrook Road in Lancaster County, Nebraska. (R-04-0022)

MOTION: Heier moved and Stevens seconded approval of Resolution 04-0022 denying County Special Permit 205, requested by Dr. David Samani, for authority to construct and operate a recreational facility for an off-road riding club, on property generally located at the northwest corner of Southwest 84th Street and Kolbrook Road in Lancaster County, Nebraska.

It was suggested by Workman to form a committee to explore several specific sites within the County for a motocross track.

ROLL CALL: Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

D. A resolution in the matter of a declaration of official intent of Lancaster County under the Internal Revenue Code of 1986, as amended, to borrow money by the issuance of revenue bonds by the County to reimburse the costs of acquiring certain real estate and making certain improvements thereto and making other improvements to the correctional facility of the County and related matters. (R-04-0023)

MOTION: Hudkins moved and Schorr seconded approval of Resolution 04-0023 in the matter of a declaration of official intent of Lancaster County under the Internal Revenue Code of 1986, as amended, to borrow money by the issuance of revenue bonds by the County to reimburse the costs of acquiring certain real estate and making certain improvements thereto and making other improvements to the correctional facility of the County and related matters. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

E. An agreement and accompanying resolution with the State of Nebraska, Department of Roads designating various County roads as the detour route for State Project STPD-BR-79-2(108), Agnew North and South. (C-04-0098 and R-04-0021)

MOTION: Hudkins moved and Schorr seconded approval of an agreement and accompanying resolution with the State of Nebraska, Department of Roads designating various County roads as the detour route for State Project STPD-BR-79-2(108), Agnew North and South. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

F. A grant contract with the City of Lincoln for funding for the Lincoln Police Department's Domestic Violence Specialist, in the amount of \$35,000. Term of the grant contract is June 1, 2003 to May 31, 2004. The City of Lincoln will contribute \$11,570 in matching funds. (C-04-0100)

At the request of the County Attorney's Office, this item was held.

G. An agreement with Sealcoat Services, Inc. d/b/a SCS Construction Company of Omaha, Nebraska for services on County Project 04-23, for crack sealing at the following locations:

- ▶ North 14th Street from Alvo Road north 7 miles to Davey Road
- ▶ North 148th Street from Highway 34 north 7.4 miles to Highway 6
- ▶ Raymond Road from Northwest 48th Street east 4.5 miles to North 14th Street
- ▶ West Adams Street from West Superior Street east 2.3 miles to Northwest 84th Street
- ▶ Folsom Street from West Pioneers Boulevard north one mile to West Van Dorn Street
- ▶ Sprague Road from Southwest 58th Street east three miles to Southwest 14th Street
- ▶ West Pioneers Boulevard from Highway 77 east .7 miles to the Burlington Northern Railroad tracts

The work will performed between March 1, 2004 and April 16, 2004. (C-04-0101)

MOTION: Heier moved and Schorr seconded approval of an agreement with Sealcoat Services, Inc. d/b/a SCS Construction Company of Omaha, Nebraska for services on County Project 04-23. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

H. A contract with Dana F. Cole & Company LLP for auditing services to/for Lancaster County funds/offices and the Public Building Commission. The contract is for three years with the option to renew for an additional three year period, for a potential total of six years. Total potential expenditure is \$243,750 for six years. (C-04-0102)

MOTION: Workman moved and Heier seconded approval of a contract with Dana F. Cole & Company LLP for auditing services to/for Lancaster County funds/offices and the Public Building Commission. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

I. An agreement with Ross Engineering, Inc., in the amount of \$5,981, for surveying services for the Lancaster County Engineering Department relating to Project C55-EM-401(1), Northwest 84th Street (Adams Streets to U.S. Highway 34). (C-04-0103)

MOTION: Hudkins moved and Schorr seconded approval of an agreement with Ross Engineering, Inc., in the amount of \$5,981, for surveying services for the Lancaster County Engineering Department relating to Project C55-EM-401(1), Northwest 84th Street (Adams Streets to U.S. Highway 34). Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

J. An agreement with Allen Survey Services, in the amount of \$10,860, for survey services for the Lancaster County Engineering Department relating to the following: (C-04-0104)

- ▶ Project STPE-3265(6) Hickman North - South 68th Street from Roca Road to Saltillo Road
- ▶ Project C55-H-410(1) North 162nd Street from Highway 6 to Salt Creek
- ▶ Project C55-J-406(4) North 134th Street from "O" Street to Holdrege Street
- ▶ Project C55-C-407(1) Northwest 12th Street and Davey Road
- ▶ Project C55-A-404(1) North 176th Street from Greenwood Road north
- ▶ Project C55-H-404(2) Waverly Road from North 141st to North 148th Streets
- ▶ Project D-26 Northwest 70th Street and Raymond Road

MOTION: Workman moved and Heier seconded approval of an agreement with Allen Survey Services, in the amount of \$10,860, for survey services for the Lancaster County Engineering Department relating to various projects. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- K. An amendment to an agreement with Child Guidance Center under County Contract C-03-0341 for providing individuals and services for the Office of Juvenile Mental Health. The Contractor will now provide two additional positions, including an accounting supervisor and an ICCU nurse and will no longer provide the services of one full-time intake coordinator and one part-time billing clerk. As a result, the parties wish to amend the compensation from \$1,102,136 to \$1,077,107.50. (C-04-0099)**

This item was moved forward on the agenda.

- L. Recommendation from the Purchasing Agent and the County Engineer to award a bid for grading construction to Richard Japp, in the amount of \$204,236.75, for Part I and to Shanahan Brothers Construction, Inc., in the amount of \$244,047.80, for Part II. Total award will be \$448,284.55. (B-04-0010)**

MOTION: Workman moved and Hudkins seconded to award a bid for grading construction to Richard Japp, in the amount of \$204,236.75, for Part I and to Shanahan Brothers Construction, Inc., in the amount of \$244,047.80, for Part II. Total award will be \$448,284.55. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

- M. Request from the Lancaster County Personnel Policy Board to change the pay grade for an Office Systems Specialist from a current pay grade of \$34,983.52 to \$45,683.04 (E21) to a proposed pay grade of \$38,118.80 to \$50,128 (E23).**

MOTION: Schorr moved and Hudkins seconded approval of a request from the Lancaster County Personnel Policy Board to change the pay grade for an Office Systems Specialist from a current pay grade of \$34,983.52 to \$45,683.04 (E21) to a proposed pay grade of \$38,118.80 to \$50,128 (E23). Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine 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. County Assessor/Register of Deed's Monthly Report for February, 2004.
2. County Clerk's Monthly Report for February, 2004.
3. Lancaster County Cooperative Extension's Annual Report for October 1, 2002 through September 30, 2003.
4. Lincoln City Libraries Director's Report for January, 2004.

B. A request from Anastasia M. Trout, an employee in the Lancaster County District Court, to voluntarily participate in the County's Retirement Plan, having met the requirements.

C. A permanent easement between the Lancaster County Engineering Department and Terry L. Bouma relating to Project C55-X-402(5), Firth Road. (C-04-0105)

D. A permanent easement between the Lancaster County Engineering Department and Donald S. and Linda Glover relating to Project C55-X-402(5), Firth Road. (C-04-0106)

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

- ▶ Gayle Y. Carter, in the amount of \$1,096.50, on North 14th Street south of Bluff Road; Project C.P.F-84. (C-04-0107)
- ▶ Larry and Mary Rademaker, in the amount of \$407.80, at South 68th Street and Firth Road; Bridge X-205. (C-04-0108)
- ▶ Lynda L. Parde and Ricky Rohrs, in the amount of \$244, at South 68th Street and Firth Road; Bridge X-205. (C-04-0109)
- ▶ Richard J. and Tamara A. Rasby, south of North 176th and Adams Streets; Project C.P.J-198. This is a donation. (C-04-0110)
- ▶ Ernest F. and Jean Larkins, in the total amount of \$15,010, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-04-0111 and C-04-0112)

6) **CONSENT ITEMS CONTINUED:**

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

7) **OTHER BUSINESS:**

A group of students studying government from the Prairie Hill Learning Center, located in Roca, Nebraska, attended the meeting.

8) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Commissioners at 2:25 p.m.. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk