

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, JUNE 15, 1999**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

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

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

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 8, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Heier moved and Steinman seconded approval of the minutes of June 8, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 15 additions and deductions to the tax assessment rolls per Exhibit "A". (19991141) (19991142)

**MOTION:** Steinman moved and Heier seconded approval of the additions and deductions. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Wyuka Cemetery

**MOTION:** Steinman moved and Hudkins seconded approval of a motor vehicle tax exemption for Wyuka Cemetery subject to the vehicle(s) being titled and registered to the applicant. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

The Chair recessed the Board of Equalization and it was reconvened at 2:10 p.m.

4) **1999 PARTIAL 451A TAX EXEMPTIONS ON REAL PROPERTY FOR THE FOLLOWING:**

*Mid–America Union of Seventh-day Adventists (Exemption Nos. 499A and 499B)*  
Norm Agena, County Assessor, recommended 2.41 acres be placed on the tax rolls, in the amount of \$31,330. (Exemption 499A)

Agena also recommended approval of Exemption 499B.

**MOTION:** Steinman moved and Heier seconded approval of a partial exemption for Exemption 499A (Parcel I.D. 16-22-200-001-000) and a full exemption for Exemption 499B (16-22-200-004-000). On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **PENALTY ASSESSED ON PERSONAL PROPERTY:**

*CDS Inc. (19991052)*

Duane Helmink, owner of CDS Inc, appeared and stated the requirement regarding the filing of personal property forms should be publicized more.

In response to a question asked by Hudkins, Helmink suggested notices regarding the requirement be given when a business incorporates.

Campbell stated they may be able to contact the Secretary of State's Office and suggest to them that a notice or brochure regarding requirements be distributed as businesses incorporate.

**MOTION:** Steinman moved and Hudkins seconded to accept the Assessor's recommendation and assess a ten percent penalty for tax years 1996 and 1997 and a \$25 fee for tax year 1998 and tax year 1999. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6) **REMOVAL OF 1998 451A TAX EXEMPTION ON REAL PROPERTY:**

*Peace Lutheran Church*

**REMOVAL OF 1999 451A TAX EXEMPTION ON REAL PROPERTY:**

*Lincoln Habitat for Humanity*

**MOTION:** Steinman moved and Heier seconded to approve the removal of the 1998 451A Tax Exemption on Real Property for Peace Lutheran Church and to also approve the removal of the 1999 451A Tax Exemption on Real Property for Lincoln Habitat for Humanity.

Agena stated both properties were sold.

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

7) **ADJOURNMENT:**

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

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Bruce Medcalf  
County Clerk

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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 8, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

**MOTION:** Workman moved and Hudkins seconded approval of the minutes of June 8, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 15, 1999.**

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

The Clerk announced that a request had been made to move New Business Item 5K forward on the agenda due to time constraints.

- 5) **NEW BUSINESS:**

**K. Setting of salaries for the following Deputy County Attorneys:**

<b><u>Name</u></b>	<b><u>Salary</u></b>
<b>David Johnson</b>	<b>\$35,750 per year, effective June 14, 1999</b>
<b>Tom Fox</b>	<b>\$33,000 per year, effective June 17, 1999</b>

Gary Lacey, County Attorney, introduced David Johnson, noting that he worked as a criminal prosecutor in the Douglas County Attorney's Office for three years.

Also introduced was Tom Fox who has been in private practice for one year.

Lacey stated Fox has two cases pending which need to be closed prior to him being sworn in as a Deputy County Attorney. Those cases will be completed on June 21 and Lacey requested Fox's date of employment be amended from June 17 to June 22.

**MOTION:** Steinman moved and Heier seconded approval of setting salaries for David Johnson, Deputy County Attorney, at \$35,750 per year, effective June 14, 1999 and for Tom Fox, Deputy County Attorney, at \$33,000 per year, effective June 22, 1999. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

**GEORGIA GLASS, LINCOLN-LANCASTER COUNTY PERSONNEL DIRECTOR, WAS ALSO INTRODUCED AT THIS TIME.**

3) **PUBLIC HEARINGS:**

**A. County Change of Zone 184, from AG Agricultural to AGR Agricultural Residential, requested by J Michael Rierden on behalf of Todd Lewis, on property located at the southeast corner of Highway 77 and Stagecoach Road in Lancaster County, Nebraska. (This is a continuation of a public hearing held on June 8, 1999.) (1999948) (19991146)**

Campbell reconvened the public hearing and asked if anyone wished to testify in favor of the Change of Zone.

J Michael Rierden, attorney representing Todd Lewis, appeared and stated he agrees with all of the conclusions which the Planning Department determined with the exception of the recommendation of denial.

Rierden noted the following:

- \* Quality and quantity of groundwater is suitable
- \* No known hazards in the area
- \* Topography and suitability of land is generally acceptable for acreage uses
- \* Good accessibility

Rierden agreed that much of the area is in a floodplain, however, the applicant would comply with all floodplain regulations and requirements.

Steinman stated there was objection to the zoning change from a landowner whose property lies within the Change of Zone. She asked if the property owner still objects.

Mike DeKalb, Planning Department, responded that the resident/owner of Lot 15, still objects.

He clarified that Lots 16 and 24 are grandfathered in as they sit, however, he suggested that Lot 27 be divided by using the "farmstead splitoff" and reconfigure the remainder of Lot 27 with Lots 25 and 26 into two buildable lots.

The Chair asked if anyone else wished to testify.

No one appeared and the public hearing was closed.

**MOTION:** Steinman moved and Workman seconded to approve Resolution 99-1146 denying Change of Zone 184, from AG Agricultural to AGR Agricultural Residential, requested by J Michael Rierden on behalf of Todd Lewis, on property located at the southeast corner of Highway 77 and Stagecoach Road in Lancaster County, Nebraska.

Campbell stated the area is completely surrounded by agricultural land and feels that it would be a stretch to change the zoning from Agricultural (AG) to Agricultural Residential (AGR).

**ROLL CALL:** Steinman, Workman, Heier, Campbell and Hudkins voted yes. Motion carried.

**B. Increase of appropriations for the following funds: (19991145)**

<b>Bridge &amp; Special Road</b>	<b>\$ 13,240</b>
<b>Relief/Medical Fund</b>	<b>\$177,075</b>
<b>Grants Fund</b>	<b>\$276,588</b>
<b>Community Mental Health</b>	<b>\$388,052</b>
<b>Weed Control Fund</b>	<b>\$ 5,217</b>

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

Dave Kroeker, Budget and Fiscal Director, stated the monies for the Bridge and Special Road Fund and the Weed Control Fund are for salary increases which were not appropriated in their respective agencies at the time the budget was adopted.

In regards to the Relief/Medical Fund, \$70,000 is being appropriated for Indigent Hospital Expense, with \$90,000 being appropriated for Pharmacy and \$17,075 for Physicians.

Kroeker addressed the Grants Fund and explained that last year there was an interlocal transfer from the State of Nebraska. The County was told to budget \$16,000,000 which was approximately \$276,000 short of that figure.

Since the budget was adopted, Kroeker stated, the Community Mental Health Center has been involved in various cooperative efforts with the State in connection with early releases from State institutions. Funding is being received, however, it was not in the budget when it was adopted.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

**MOTION:** Steinman moved and Heier seconded approval of Resolution 99-1145. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

4) **OLD BUSINESS:**

**A political subdivision tort claim filed against the Corrections Department by Gloria Carrington for lost property, in the amount of \$250. (19991113)**

Diane Staab, Deputy County Attorney, stated she spoke with Steve Foree, Corrections Department, who explained that property is inventoried in with the individual present when they are booked. The individual is then asked to review the list and sign the inventory sheet.

She explained that at the time Carrington was booked into the facility, her property was inventoried in, however, she refused to sign the documentation. Staab noted that the cameo ring is not listed on any of the inventory sheets.

From the department's standpoint, she stated, the ring was never inventoried in upon booking and that is the reason it was not inventoried out upon Carrington's release.

In regards to Carrington's property being co-mingled with another individual's, Staab stated that the Corrections Department had no information regarding the matter. She explained when an individual does not claim their property, it is placed in a separate room and remains in its own individual bag.

**MOTION:** Steinman moved and Heier seconded to accept the Director's recommendation and deny the political subdivision tort claim filed by Gloria Carrington. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

**A. An agreement for custom healthcare software from American Health Care Software Enterprises, Inc, in the amount of \$47,160, for Lancaster Manor. (19991158)**

**MOTION:** Workman moved and Hudkins seconded approval.

Workman stated the money being used for the purchase comes from a self-supporting entity (Lancaster Manor).

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

**B. An agreement for Professional Services with American Health Care Software Enterprises, Inc for Lancaster Manor, at rates as specified in the agreement. (19991157)**

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

**C. An agreement with Interim Healthcare to provide supplemental staffing services to Lancaster Manor, at rates as specified in the attached schedule. (19991149)**

**MOTION:** Workman moved and Heier seconded approval.

Campbell commented that Lancaster Manor is no different than other facilities in the State and nationally, as well as hospitals, in terms of experiencing a shortage of nursing personnel. She said many times a contract with an outside agency is needed to ensure that there is adequate care for the residents.

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

**D. An agreement with the State of Nebraska, Department of Roads for a bridge improvement project, at an estimated cost to the County of \$71,720; Project BRO-7055(100), Denton East. (19991161)**

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

**E. An agreement with the State of Nebraska, Department of Roads for a bridge improvement project, at an estimated cost to the County of \$69,380; Project BR-3370(2), Raymond East. (19991159)**

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

**F. Supplemental Agreement 1 with the State of Nebraska, Department of Roads for funding of a previously approved bridge improvement project; Project BRO-7055(99), Waverly Southwest. (19991160)**

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



**G. Amendments to the 1998-1999 Region V Service Agency contract for funding mental health and substance abuse services provided by the Community Mental Health Center. (19991150)**

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

**H. A resolution in connection with the annual approval of the Combined Weed Control Program for the City of Lincoln as submitted by the Lancaster County Noxious Weed Control Superintendent. (19991144)**

**MOTION:** Steinman moved and Workman seconded approval of Resolution 99-1144. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

**I. Recommendation from the Purchasing Agent and the County Engineer to award a bid from a State of Nebraska contract to Park Place Pontiac Chevrolet, in the amount of \$15,497.77, for one, half ton 1999 Chevrolet Silverado pickup for the County Engineer. (19991151)**

**MOTION:** Hudkins moved and Steinman seconded approval.

In response to a question asked by Campbell, Kathy Smith, Assistant Purchasing Agent, stated the new State contract would likely be awarded in November. She added that a new contract is awarded once a year.

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

**J. Recommendation from the Purchasing Agent and Lancaster Manor to award a bid from a State of Nebraska contract to MHA Software Services Inc, in the amount of \$54,430, for AS400 computer products and related services. (19991156)**

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

**K. Setting of salaries for the following Deputy County Attorneys:**

<u>Name</u>	<u>Salary</u>
David Johnson	\$35,750 per year, effective June 14, 1999
Tom Fox	\$33,000 per year, effective June 17, 1999

The Clerk noted for the record that this item was previously acted on.

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. An agreement with EquiServ for maintenance on a battery charging and starter test unit for the County Engineering Department, in the amount of \$280, beginning July 1, 1999 and ending July 1, 2000. (19991153)**

**B. An agreement with Thomas Morrow Associates, Inc. for consulting services in connection with food services for the Attention Center, at a fee of \$3,795. (19991148)**

**C. Contracts relating to road improvements with the following:**

\* **Dale McClure and Rodney Scott and Jennifer L Hornby on South 56<sup>th</sup> Street near Rebel Drive, in the amount of \$85 (19991147)**

\* **Raymond A Haack on North 176<sup>th</sup> near Holdrege Street. This is a land donation. (19991152)**

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

7) **ANNOUNCEMENTS:**

Kerry Eagan, Chief Administrative Officer, noted there will be a County Board staff meeting on Tuesday, June 22, 1999 at 9:30 a.m. regarding the juvenile detention facility.

Campbell stated there will also be a Commons meeting on Friday, June 18, 1999.

8) **ADJOURNMENT:**

**MOTION:** Heier moved and Hudkins seconded to adjourn the Board of Commissioners meeting. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.