

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, FEBRUARY 29, 2000**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

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

Commissioners Absent: Bob Workman

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Dave 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, February 22, 2000. (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 dated February 22, 2000. Campbell, Hudkins, Heier and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 7 additions and deductions to the tax assessment rolls per Exhibit "A".**

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

3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**Calvary Community Church  
Christian Retirement Homes, Inc. dba/Eastmont Towers  
Faith Apostolic Holiness Church  
Vital Services Inc.**

The Clerk announced that the exemption for Christian Retirement Homes, Inc. dba/Eastmont Towers was withdrawn from the agenda.

**MOTION:** Steinman moved and Hudkins seconded approval of motor vehicle tax exemptions for Calvary Community Church, Faith Apostolic Holiness Church and Vital Services Inc. Steinman, Heier, Campbell and Hudkins voted aye. Motion carried.

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The Board of Equalization was recessed until 2:07 p.m. when it was reconvened.

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

**Gary and Irene Nedved**

The Assessor explained the improvements were listed on the incorrect parcel of real estate. He indicated the error has been corrected for tax years 1998 and 1999. It was also noted that there was no value increase.

**MOTION:** Steinman moved and Hudkins seconded to accept the Assessor's recommendation on property for Gary and Irene Nedved. Steinman, Campbell and Hudkins voted aye. Heier abstained. Motion carried.

**ANT L.L.C. (Demma Fruit)**

The Assessor recommended setting the value at \$15,250.

**MOTION:** Steinman moved and Hudkins seconded to accept the Assessor's recommendation and set a value of \$15,250 for ANT L.L.C. Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

**Jack J. Kramer**

The Assessor recommended denial on the appeal filed on a penalty assessed on personal property for Jack J. Kramer.

**MOTION:** Steinman moved and Hudkins seconded to accept the Assessor's recommendation and deny the appeal filed on a penalty for personal property for Jack J. Kramer. Hudkins, Steinman, Heier and Campbell voted aye. Motion carried.

6) **APPEAL FILED ON TAXES PAID BY LEASETEC CORPORATION FOR TAX YEARS 1995, 1996 and 1998**

The Assessor recommended denial of the appeal for taxes paid in 1995, 1996 and 1998.

**MOTION:** Steinman moved and Hudkins seconded to accept the Assessor's recommendation to deny the appeal filed on taxes paid by Leasetec Corporation for tax years 1995, 1996 and 1998. Steinman, Campbell, Hudkins and Heier voted aye. Motion carried.

7) **APPROVAL OF YEAR 2000 451 TAX EXEMPTION APPLICATIONS ON REAL PROPERTY PER EXHIBIT "B":**

Campbell indicated she is a member of the Food Bank Board of Directors and Southern Heights Presbyterian Church.

Heier stated he is a member of First Plymouth Church and the Nebraska Corn Growers Association.

Steinman indicated she is a member of the Congregation B/Nai Jeshurun and a board member on the Lincoln Women's Club and the Lincoln-Lancaster Child Advocacy Center.

Hudkins stated he is a member and a board member of Malcolm United Methodist Church.

**MOTION:** Steinman moved and Hudkins seconded approval of the 451 tax exemption applications on real property for 2000. Heier, Hudkins, Campbell and Steinman voted aye. Motion carried.

8) **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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- 2) **CLAIMS:** Approval of all claims processed through Tuesday, February 29, 2000.

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

3) **PUBLIC HEARINGS:**

**A. Issuance of Hospital Authority Number 1 of Lancaster County, Nebraska Revenue and Refunding Bonds, Series 2000 (Dialysis Center of Lincoln, Inc. Project), not to exceed \$1,000,000 and related resolution. (R-00-24)**

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

Lauren Wismer, Cline, Williams, Wright, Johnson & Oldfather Law Firm and acting bond counsel, appeared and explained that the Internal Revenue Code requires approval by an elected public body in the event of the issuance of bonds when proceeds are to be used by a non-governmental entity. The Dialysis Center of Lincoln is a non-profit organization which provides renal dialysis services. Wismer said approximately three years ago the acquisition and construction of a new facility was financed at 79<sup>th</sup> and "O" Streets. The current request would refinance the facility and add an additional \$350,000 for equipment to open another facility at 26<sup>th</sup> and Ticonderoga.

In response to a question asked by Hudkins, Wismer stated Jan Gauger, Marilyn Borchart, Nancy Stara, Jim Mastera, Jim Linderholm and Dr. Richard Hammer sit on the Hospital Authority Board.

Also appearing was Ann Stivers, Executive Director of the Dialysis Center of Lincoln.

The Chair asked if anyone wished to testify in opposition or in a neutral position.

No one appeared and the hearing was closed.

**MOTION:** Hudkins moved and Steinman seconded approval of Resolution 00-24. Steinman, Heier, Campbell and Hudkins voted aye. Motion carried.

**B. County Special Permit 174, Bentzinger Subdivision Community Unit Plan, requested by Lyle Loth of ESP on behalf of Arnold Bentzinger, consisting of eight dwelling units, on property located north and west of the corner of Southwest 14<sup>th</sup> Street and West Wittstruck Road in Lancaster County, Nebraska.**

3) **PUBLIC HEARINGS CONTINUED:**

**C. County Preliminary Plat 99025, Bentzinger Subdivision, requested by Lyle Loth of ESP on behalf of Arnold Bentzinger, consisting of eight lots, on property located north and west of the corner of Southwest 14<sup>th</sup> Street and West Wittstruck Road in Lancaster County, Nebraska.**

The Chair opened the public hearings and asked if anyone wished to testify in favor of the Special Permit or the Preliminary Plat.

In response to a question asked by Campbell regarding junk vehicles, Mike DeKalb, Planning Department, stated the condition had not been included, however, it could be added when the Final Plat is completed.

DeKalb stated a condition could be added to the Special Permit regarding junk cars which would require the developer to include provisions and covenants prohibiting junk cars.

The Chair asked if anyone wished to testify in opposition or in a neutral position to the Special Permit or Preliminary Plat.

No one appeared and the hearings were closed.

**MOTION:** Steinman moved and Heier seconded approval of County Special Permit 174 with an amendment that a condition be added that the developer include provisions and covenants prohibiting junk cars. Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

**MOTION:** Steinman moved and Heier seconded approval of County Preliminary Plat 99025. Hudkins, Steinman, Heier and Campbell voted aye. Motion carried.

4) **OLD BUSINESS:**

**Reconsideration of a resolution fixing the date, time and place for a public hearing regarding a request to vacate a portion of a County road located on Liberty Lane between Cromwell Drive and Dawn Avenue in Lancaster County, Nebraska. (R-00-15)**

4) **OLD BUSINESS CONTINUED:**

**MOTION:** Heier moved and Steinman seconded to reconsider a resolution fixing the date, time and place for a public hearing regarding a request to vacate a portion of a County road located on Liberty Lane between Cromwell Drive and Dawn Avenue in Lancaster County, Nebraska. Steinman, Campbell, Hudkins and Heier voted aye. Motion carried.

**MOTION:** Steinman moved and Heier seconded to approve Resolution R-00-15 setting a public hearing regarding a request to vacate a portion of a County road located on Liberty Lane between Cromwell Drive and Dawn Avenue in Lancaster County, Nebraska for Tuesday, March 28, 2000 at 1:30 p.m. Heier, Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **NEW BUSINESS:**

**A. An amendment to a lease agreement with Lincoln Medical Education Foundation, Inc. to provide additional space for the Families First and Foremost project. The County will pay an additional \$177.33 for 224 more square feet and will pay upon completion of renovation of the space. The agreement terminates September 30, 2000. (C-00-90)**

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

**B. Contracts with the following counties to detain youth at the Attention Center, at a rate of \$190 per day. The contracts are to be reviewed every September and may be terminated with a 30 day notice. The contracting counties are: Dodge, Red Willow, Jefferson, Dawson, Polk, Butler, Saunders, Thayer and Gage. (C-00-91 through C-00-99)**

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

Campbell stated Dave Johnson, Deputy County Attorney, suggested that any contracts for next year expire on the opening date of the new Juvenile Detention Facility to allow for any necessary revisions

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

5) **NEW BUSINESS CONTINUED:**

**C. A contract with Gen Mech Contractors, Inc., in the amount of \$34,908, for repair of County Bridge X-40 on South 54<sup>th</sup> Street between Firth Road and Pella Road; Project 00-29. (C-00-104)**

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

**D. A contract between Lancaster County and Tom Martin, D.D.S. for dental services for the Corrections Department, beginning March 1, 2000 and ending two years after commencement. The County will pay \$55 per hour for a twice a month clinic and other services. (C-00-103)**

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

**E. A grant contract with Region V to provide funding for the Family Youth Investment Program. The County will pay up to \$428,783. The term of the contract is August 1, 1999 to June 30, 2000. (C-00-105)**

Dave Johnson, Deputy County Attorney, stated Section 23 should be amended to read as follows: "If the Grant Contract is not terminated prior to May 1, 2000, the Grant Contract shall continue with the same terms and conditions, for subsequent one year periods, until it is renewed or terminated by either party giving the requisite 60 days written notice".

**MOTION:** Steinman moved and Heier seconded approval of the amendment adding language to Section 23. Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

**MOTION:** Steinman moved and Heier seconded approval of the amended contract. Campbell, Steinman, Heier and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**F. Authorization of the installation of the following traffic signs in Lancaster County, Nebraska: (R-00-21)**

- < **Installation of chevron warning signs on South 96<sup>th</sup> Street, south of Martell Road, through double reverse curve of road for north and southbound traffic.**
- < **Amend Resolution R-00-14, adopted on February 22, 2000, to allow the removal of the “Stop” signs at the intersection of South 162<sup>nd</sup> Street and Saltillo Road for east and westbound traffic, from August 8, 2000 to the earlier date of May 1, 2000.**

**MOTION:** Hudkins moved and Steinman seconded approval of Resolution 00-21. Hudkins, Heier, Campbell and Steinman voted aye. Motion carried.

**G. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-00-22)**

**MOTION:** Steinman moved and Heier seconded approval of Resolution 00-22. Campbell, Heier, Steinman and Hudkins voted aye. Motion carried.

**H. A resolution authorizing a policy for financial eligibility for admission to, and continued residency at Lancaster Manor. (R-00-23)**

Larry Van Hunnik, Lancaster Manor Administrator, distributed documentation regarding financial eligibility for admission to and continued residency at Lancaster Manor (Exhibit “A”).

Van Hunnik reviewed the major points of the policy:

- < Admission to and continued residency is limited to Medicaid eligible recipients.
- < Exceptions may be made by the Administrator under certain conditions.
- < All other exceptions may be made by the County Board on an individual case by case basis when extenuating circumstances are presented.
- < Detailed written requests for all other exceptions to the County Board will be submitted by the Administrator.
- < Financial eligibility for admission to and continued residency at the Manor will be waived when occupancy levels drop below 280 residents or 93 percent of its licensed capacity.

5) **NEW BUSINESS CONTINUED:**

Major changes highlighted in the policy:

- < Increase in assets from under \$10,000 to under \$25,000
- < Provision of limited opportunity for the community to become a member of the Lancaster Manor family

**MOTION:** Heier moved and Steinman seconded approval of Resolution 00-23. Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

**I. An award recommendation from the Purchasing Agent and a committee of County and City employees for annual requirements for County/City office seating to be purchased on an as needed basis from the following firms, with discounts ranging from 45 to 57 percent off list price: (B-00-12)**

- < **All Makes Office Equipment**
- < **Keo Office Furniture**
- < **Sheppard's Business Interiors**
- < **Advanced Office Interiors of Lincoln**

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

**J. Recommendation from the Purchasing Agent and the County Engineer to award a bid for guardrail construction at various locations within the County to Garcia-Chicoine, in the total amount of \$37,811.50. (B-00-11)**

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

**K. Recommendation from the Purchasing Agent and the County Engineer to award a bid for culvert replacement and maintenance at various locations within the County to General Excavating, in the total amount of for \$121,157. (B-00-10)**

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

5) **NEW BUSINESS CONTINUED:**

L. A request from Jon L. Pester, an employee with the County Engineer's Department, to voluntarily participate in the Lancaster County retirement plan. (M-00-18)

**MOTION:** Heier moved and Hudkins seconded approval. Hudkins, Campbell, Steinman and Heier 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. **Sheriff's Report of Fees for January, 2000**
2. **Correction of the dollar amount for general liability insurance in connection with the "Independent Auditor's Report" for Lancaster County from Hayes & Associates, L.L.C.**
3. **County Zoning Regulations - Updated January 26, 2000**

B. **Setting of public hearings for Tuesday, March 14, 2000 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building in connection with the following:**

1. **County Special Permit 175, Countryside Estates 1<sup>st</sup> Community Unit Plan, requested by Lyle Loth of ESP on behalf of Ron and Janice Skoda, consisting of seven dwelling units, on property generally located at the northwest corner of Southwest 70<sup>th</sup> Street and West Denton Road in Lancaster County, Nebraska.**
2. **County Preliminary Plat 99029, Countryside Estates 1<sup>st</sup> Addition, requested by Lyle Loth of ESP on behalf of Ron and Janice Skoda, consisting of seven lots and one outlot, on property generally located at the northwest corner of Southwest 70<sup>th</sup> Street and West Denton Road in Lancaster County, Nebraska.**

6) **CONSENT ITEMS CONTINUED:**

**C. Right-of-way contracts (temporary easements) between the County Engineer and the following:**

- < **Eager Homestead Trust in connection with culvert replacement south of Branched Oak Road on North 70<sup>th</sup> Street, in the amount of \$343; Project C.P. B-266. (C-00-102)**
- < **David J. Kats, et al in connection with culvert replacement on Pioneers Boulevard near South 132<sup>nd</sup> Street, in the amount of \$262; Project C.P. Q-73. (C-00-101)**

**D. A leasehold contract between the County Engineer and Steven Rucker in connection with culvert replacement west of South 190<sup>th</sup> Street on Old Cheney Road, in the amount of \$10; Project C.P. Q-92. (C-00-100)**

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

7) **ADJOURNMENT:**

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

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Bruce Medcalf  
County Clerk