

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MAY 2, 2000**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

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

Commissioners Absent: Linda Steinman

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  
Ann Taylor, County Clerk's Office

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 25, 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 meeting dated April 25, 2000. Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 10 additions and deductions to the tax assessment rolls per Exhibit "A".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

None were stated.

The Chair recessed the Board of Equalization meeting until 2:30 p.m. when it was reconvened.

**4) APPROVAL OF A 451 APPLICATION FOR TAX EXEMPTION FOR 2000:**

Natural Family Planning of Nebraska Inc.  
Nebraska State Bar Foundation

Bill Austin, representing the Nebraska State Bar Foundation, appeared and stated that his organization filed for tax exemption in order to comply with LB 271, which changed provisions relating to the rights of nonprofit corporations and property tax. He said since implementation of the bill's provisions has been delayed until January 1, 2001, the Nebraska State Bar Foundation is withdrawing its application and will remain under governmental exemption.

Norm Agena, County Assessor, recommended approval of tax exemptions for Natural Family Planning of Nebraska Inc. and Nebraska State Bar Foundation.

**MOTION:** Workman moved and Heier seconded approval of the tax exemptions for Natural Family Planning of Nebraska Inc. and Nebraska State Bar Foundation. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

**5) DENIAL OF A 451 TAX EXEMPTION ON REAL PROPERTY FOR 2000:**

Pheasants Forever

Agena said Pheasants Forever is seeking tax exemption for 25 acres of wetlands on North 56<sup>th</sup> Street under educational and charitable use. He said the applicant has indicated that the land will remain a designated wetland area and will be used for nonprofit hunting, youth mentoring and educational workshops. Agena likened their use to that of the National Audubon Society which has been denied tax exemption in the past. He recommended denial of the application.

**MOTION:** Workman moved and Heier seconded to concur with the recommendation of the County Assessor and deny the tax exemption for Pheasants Forever. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

6) **REMOVAL OF A 451 TAX EXEMPTION ON REAL PROPERTY FOR 2000:**

Church on the Rock of Lincoln

Agenda said the property was sold on April 11, 2000 and the buyer is not eligible for tax exemption.

**MOTION:** Heier moved and Hudkins seconded to approve removal of the tax exemption for Church on the Rock of Lincoln. Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

7) **ADJOURNMENT:**

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

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Bruce Medcalf  
Lancaster County Clerk

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Others Present: Kerry Eagan, Chief Administrative Officer  
Dave Johnson, Deputy County Attorney  
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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 25, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated April 25, 2000. Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

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

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

3) **SPECIAL PRESENTATIONS:**

- A. A resolution commemorating the 130<sup>th</sup> Birthday of the Lincoln Chamber of Commerce. (R-00-49)

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

4) **PUBLIC HEARINGS:**

- A. A request from the Nebraska State Board of Agriculture for an addition to licensed premises, consisting of the 4-H Building which is approximately 122 feet by 347 feet in size and is located at 1800 State Fair Park Drive, Lincoln, Lancaster County, Nebraska.

The Clerk stated that this item has been withdrawn at the request of the applicant.

5) **OLD BUSINESS:**

- A. A resolution authorizing the execution and delivery of an Acceptance and Release with respect to Lancaster County's Sun Husker Foods, Inc. Project, Series 1989 and approval of a security document and certain amendments to the lease and indenture. (R-00-45)

Lauren Wismer, Bond Counsel, appeared and said there have been slight revisions to the documents, a copy of which has been provided to the County Attorney's office. He explained that the assets of Sun Husker Foods, Inc. are being acquired by Meyer Foods, LLC, in addition to some other business property in Lincoln. Wismer said because the County has a nominal interest in the Sun Husker Foods' property through the 1989 bond issue, it was necessary to include the County in some of the security documents related to the financing arrangement. He added that execution and delivery of the documents is contingent upon approval of the County Attorney's office.

Curt Roberts, Sun Husker Foods, Inc. appeared and said his company is looking forward to the new business relationship.

**MOTION:** Heier moved and Workman seconded approval, subject to the County Attorney's approval. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. A resolution denying an application for a Class C (Spirits, Wine and Beer On and Off Sale) liquor license for DTR, Inc. at 640 West Prospector Court, Lancaster County, Nebraska. (R-00-47)

Campbell said the County Attorney's office has prepared a document summarizing the County Board's findings that will be submitted to the Nebraska Liquor Control Commission.

**6) NEW BUSINESS CONTINUED:**

**MOTION:** Hudkins moved and Workman seconded to approve the resolution denying the application. Workman, Campbell, Hudkins and Campbell voted aye. Motion carried.

B. A resolution and agreement with the State of Nebraska, Project No BR-NBIS(36), to purchase a laptop computer that is compatible with BRIN to allow electronic reporting of bridge inspections. (R-00-44 and C-00-187)

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

C. A contract with S.P. Olson Enterprises, Inc. to provide Asphaltic Concrete Resurfacing and Paving as provided in Project No 00-35. The County will pay \$1,085,449.56. The project will begin June 1, 2000 and end November 1, 2000 at the following locations: (C-00-186)

**Construction of Asphaltic Concrete Paving on:**

- 1) Arbor Road, Project No C55-G-408(2), from North 56<sup>th</sup> Street east 0.9 mile to North 70<sup>th</sup> Street
- 2) Old Cheney Road, Project No C55-P-407(1), from South 98<sup>th</sup> Street east 1.0 mile to South 112<sup>th</sup> Street
- 3) Pine Lake Road, Project No C55-P-408(1), from Prairie Rim Road east 0.4 mile to South 112<sup>th</sup> Street
- 4) North 14<sup>th</sup> Street and Raymond Road Intersection, Project C55-CF-405(2)
- 5) South 68<sup>th</sup> Street and Princeton Road Intersection, Project C55-X-405(5)

**Construction of Asphaltic Concrete Resurfacing Course on:**

- 1) Pioneers Blvd, Project C55-O-415(1), from Highway 77 east 0.9 mile to Lincoln City Limits
- 2) West Denton Road, Project No C55-O-404(2), from SW 40<sup>th</sup> Street east 2.0 miles to SW 12<sup>th</sup> Street
- 3) SW 12<sup>th</sup> Street, Project No C55-O-413(2), from W Rokeby Road north 2.0 miles to W Denton Road
- 4) Roca Road, Project No C55-S-403(1), from South 54<sup>th</sup> Street east 1.0 mile to South 68<sup>th</sup> Street
- 5) South 68<sup>th</sup> Street, Project No C55-S-401(2), from Hickman Road north 2.0 miles to Roca Road

**6) NEW BUSINESS CONTINUED:**

Mark Hunzeker, appearing on behalf of Wapiti Enterprises, requested that paving of Arbor Road east of 56<sup>th</sup> Street to 70<sup>th</sup> Street be given priority status.

Heier indicated that the County Board took action at the Staff Meeting held September 30, 1999 to request the County Engineer to prioritize the Arbor Road paving project in bid specifications for the upcoming paving season.

**MOTION:** Heier moved and Workman seconded approval of Asphaltic Concrete Paving Items 1-5 and Asphaltic Concrete Resurfacing Course Items 1-5. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

D. A resolution in connection with Comprehensive Plan Amendment 94-51, requested by the Director of Planning, at the request of Mark Hunzeker on behalf of Garner Industries to amend the 1994 Lincoln/Lancaster County Comprehensive Plan to change land use from "Agricultural" to "Industrial" on property generally located at the southwest corner of 98<sup>th</sup> Street and Cornhusker Highway. (R-00-48)

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

E. Ratify a maintenance agreement for a photocopier owned by the County in the County Attorney's Office. Maintenance is billed at \$240.01 per month for a cost-per-copy charge of \$.014. The contract is with Solutions and the term of the agreement is from May 4, 2000 through May 4, 2001. (C-00-193)

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

F. A resolution authorizing the installation of the following traffic signs at the intersection of NW 126<sup>th</sup> Street and W Waverly Road, Lancaster County, Nebraska: (R-00-46)

- \* Installation of stop signs on NW 126<sup>th</sup> Street for northbound and southbound traffic at the W Waverly Road intersection
- \* Installation of 4-way signs below each Stop sign at the intersection
- \* Installation of Stop Ahead signs on NW 126<sup>th</sup> Street approximately 500' north and south of the W Waverly Road intersection

**6) NEW BUSINESS CONTINUED:**

After two months (July 1<sup>st</sup>), make the following sign changes at the intersection of NW 126<sup>th</sup> Street and W Waverly Road:

- \* Remove Stop signs on W Waverly Road for east and westbound traffic
- \* Remove the 4-way signs below each stop sign at the intersection
- \* Install "Cross Traffic Does Not Stop" signs below the Stop signs on NW 126<sup>th</sup> Street for north and southbound traffic. Remove these warning signs after a six-month adjustment period.

The above sign changes are a result of an investigation of traffic volume indicating a higher volume of traffic on W Waverly Road as compared to NW 126<sup>th</sup> Street.

Authorization of sign changes at the following locations:

- \* Installation of a right reverse curve sign on W Little Salt Road, just west of NW 70<sup>th</sup> Street for westbound traffic
- \* Replacement of Gravel Ends signs with Dirt Road signs on NW 70<sup>th</sup> Street, just south of W Little Salt Road for southbound traffic, and just north of Highway 79 for northbound traffic
- \* Installation of Dirt Road signs on Little Salt Road, one just west of N 14<sup>th</sup> Street for westbound traffic and one just east of N 1<sup>st</sup> Street for eastbound traffic

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

G. Contracts related to Families First and Foremost program to collect data and provide follow up for juveniles and families in need:

- \* Agreement of understanding between F<sup>3</sup> and Community Mental Health Center to collect information and provide follow up for emotionally disturbed juveniles from May 1, 2000 to May 31, 2000. (C-00-190)
- \* Agreement of understanding between F<sup>3</sup> and Lancaster County Sheriff's Office to provide names of juveniles at risk from May 1, 2000 to August 31, 2000. (C-00-191)
- \* Interlocal agreement with the Lincoln Police Department to provide names of juveniles at risk from May 1, 2000 to August 31, 2000. (C-00-192)

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



**6) NEW BUSINESS CONTINUED:**

Heier said these contracts are the beginning of assessment techniques and methods that will be undertaken prior to the opening of the new Assessment Center.

Dave Johnson, Deputy County Attorney, appeared and said additional contracts will be forthcoming. He added that agencies that will be providing monthly monitoring will be contracting with the Community Mental Health Center, which will provide this service for the first month.

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

H. A response to approval request nos. 1 & 2 on Lancaster County Juvenile Detention Center Project; Proposal Request 001 in the amount of \$6,754 and Proposal Request 002 in the amount of \$15,549 for additional grading on the south lot line and tree removal. (M-00-33)

The Clerk indicated that this item has been deferred for one week.

**7) CONSENT ITEMS:**

A. Receive and Place on File:

1. Lincoln City Libraries Monthly Report for March, 2000

B. Rights-of-way contracts between the County Engineer and the following individuals:

- \* Nebraska State Historical Society Foundation, in the amount of \$201.88, for culvert replacement on NW 112<sup>th</sup> Street/Adams Street; Project C.P. J-123. (C-00-200)
- \* Lois Pegram Trust, in the total amount of \$114.50, for bridge replacement of Bridge E-106; Project No. 1. (C-00-198 and C-00-199)
- \* Maahs, Ltd., for culvert replacement on N 176<sup>th</sup> Street/Alvo Road; Project C.P. H-199. These are land donations. (C-00-196 and C-00-197)

C. Leasehold contracts between the County Engineer and the following individuals:

- \* Steve Schuelke, in the amount of \$10, for culvert replacement at N 176<sup>th</sup> and Alvo Road; Project No C.P. H-200. (C-00-195)
- \* William D Sterns, in the amount of \$10, for bridge replacement on NW 84<sup>th</sup> Street south of US Hwy 34; Project No E-106. (C-00-194)

**7) CONSENT ITEMS CONTINUED:**

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

**8) EMERGENCY ITEMS AND OTHER BUSINESS:**

The Clerk reported receipt of a fax from Brian Carstens requesting that a public hearing scheduled for Tuesday, May 9, 2000 on County Special Permit 178 and County Preliminary Plat 00003, Little Nemaha Lake Estates, be moved to Tuesday, May 16, 2000 to allow time for the applicant to meet with neighbors and discuss their concerns (Exhibit A).

Campbell asked the Clerk to notify Carstens that testimony will be taken on the scheduled date, as notice of that public hearing has been advertised, but the public hearing will be held open until May 16<sup>th</sup> to allow Carstens to make his final presentation.

**9) ADJOURNMENT:**

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

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Bruce Medcalf  
Lancaster County Clerk