

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, JUNE 20, 2000**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

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

Absent: Kathy Campbell, Chair

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Dave Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Richard Nuernberger, County Treasurer  
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 13, 2000. (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 Board of Equalization minutes dated June 13, 2000. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 35 additions and deductions to the tax assessment rolls per Exhibit A.**

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

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

**Developmental Services of Nebraska, Inc.**  
**Goodwill Industries Serving Southeast Nebraska, Inc.**  
**Nebraska SPF Swine Accrediting Agency, Inc.**  
**Saint Paul United Methodist Church**

**MOTION:** Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Developmental Services of Nebraska, Inc., Goodwill Industries Serving Southeast Nebraska, Inc., Nebraska SPF Swine Accrediting Agency, Inc. and Saint Paul United Methodist Church. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **TAX EXEMPT STATUS FOR MOTOR VEHICLES FOR THE FOLLOWING:**

**Madonna Rehabilitation Hospital  
Tabitha Inc.**

Richard Nuernberger, County Treasurer, stated the exempt status for motor vehicles had been reviewed for both Madonna Rehabilitation Hospital and Tabitha Inc. He stated they are in compliance with the statutes and recommended that no changes be made.

5) **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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**1:30 P.M.**

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

Absent: Kathy Campbell, Chair

Others Present: 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 Commissioners meeting held on Tuesday, June 13, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Steinman moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated June 13, 2000. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 20, 2000.

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

- 3) **PUBLIC HEARINGS:**

- A. County Special Permit 180, Ironhorse Acres Community Unit Plan, requested by Brian D. Carstens & Associates on behalf of Kirk Helmink, consisting of 12 dwelling units, with Outlots B and C to be preserved for native prairie and/or pasture uses, on property generally located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska.
- B. County Preliminary Plat 00006, Ironhorse Acres, requested by Brian D. Carstens & Associates on behalf of Kirk Helmink, consisting of 13 lots and three outlots, on property generally located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska.

The Vice Chair opened the public hearing and asked if anyone wished to provide testimony in favor of the application.

The Clerk administered the oath to Brian Carstens.

Brian Carstens of Brian D. Carstens & Associates appeared on behalf of Kirk Helmink. He stated the Special Permit consists of twelve, 3.5 plus acre lots. There is also a 14 acre pond and a private roadway which will be maintained by the homeowners association. Carstens stated everyone would have their own wells and septic systems.

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

Mike DeKalb, Planning Department, appeared in a neutral position and stated that the County Engineer had requested an additional condition be added stating that easements for the 100 year flood pool be submitted by adjacent property owners.

No one appeared and the hearings were closed.

**MOTION:** Steinman moved and Heier seconded approval of County Special Permit 180, Ironhorse Acres Community Unit Plan, requested by Brian D. Carstens & Associates on behalf of Kirk Helmink, consisting of 12 dwelling units, with Outlots B and C to be preserved for native prairie and/or pasture uses, on property located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road subject to the inclusion of additional language stating that easements for the 100 year flood pool be submitted from adjacent property owners, and to also approve County Preliminary Plat 00006, Ironhorse Acres, requested by Brian D. Carstens & Associates on behalf of Kirk Helmink, consisting of 13 lots and three outlots, on property generally located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

- A. An application for a Special Designated License from Prairie Fare Inc. to extend restaurant service at Rasmussens on the Lake L. L. C. doing business as P. O. Pears on the Lake, located at 10005 West Davey Road, beginning Thursday, June 22 and ending Tuesday, July 18, 2000 from 9 a.m. to 11 p.m.**

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

- B. An application for a Special Designated License from the Nebraska State Board of Agriculture to hold the Duncan Aviation company picnic on Saturday, July 8, 2000 from Noon to Midnight outside Agricultural Hall located in State Fair Park.**

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

- C. An agreement with BryanLGH Medical Center and Lancaster County on behalf of the Families First and Foremost program to collect data and information and provide follow-up services for children with whom the contractor comes in contact, beginning July 1, 2000 and ending July 30, 2000, in the amount of \$7,500. (C-00-300)**

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

- D. A contract between the Lancaster County Community Mental Health Center and Chris Eiel, doing business as Recovery Management Consultants, to increase staff knowledge of the CARF accreditation standards and to assist in quality improvement and outcome activities, beginning June 1, 2000 and ending June 30, 2001, at a rate of \$40 per hour, for a maximum of 144 hours. (C-00-302)**

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

- E. A contract with TruGreen-ChemLawn for weed control services for the Noxious Weed Control Authority, at rates as listed in the bidding schedule. (C-00-305)**

The Clerk announced that Items E and F should be deferred.

Dave Johnson, Deputy County Attorney, stated he had spoken with Kathy Smith, Assistant Purchasing Agent, regarding additional language which should be included in the contract.

Johnson also stated he had spoken with Larry Worrell, County Surveyor, regarding New Business Item F and recommended that additional language be included.

- F. A permit to construct a 12 inch natural gas main from South 14<sup>th</sup> Street and Yankee Hill Road west to the Lincoln Electric System peaking station on Southwest 12<sup>th</sup> Street. The pipeline will cross Wilderness Park and occupy portions of County road right-of-way. (C-00-306)**

**MOTION:** Steinman moved and Workman seconded deferral of New Business Items E and F. Heier, Workman, Steinman and Hudkins voted aye. Motion carried.

- G. An amendment to a subdivision agreement (C-00-81) for Timberline Estates adding conditions with regard to road maintenance. (C-00-301)**

Dave Johnson, Deputy County Attorney, stated the amendment to the agreement did not indicate that the agreement is with Timberline Estates which should be included. He suggested the amendment be approved subject to the inclusion of language as recommended.

**MOTION:** Steinman moved and Heier seconded approval with the inclusion of language as recommended by the County Attorney. Steinman, Hudkins, Heier and Workman voted aye. Motion carried.

- H. Recommendation from the County Engineer and the Purchasing Agent to award a bid for asphaltic concrete resurfacing and paving to S.P. Olson Enterprises Inc., in the amount of \$307,004.55, at various sites within Lancaster County. (B-00-25)**

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

- I. An interlocal agreement with the City of Waverly for an asphalt overlay and inlay of Amberly Road. The County will be responsible for preparing the plans and letting of the bids and the City of Waverly will reimburse the County and pay \$22,827 for the project. (C-00-297)**

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

- J. A resolution authorizing the consolidation and elimination of the Institutions Fund, the Relief/Medical Fund and Inheritance Tax Fund into the General Fund, effective July 1, 2000. (R-00-72)**

Dave Kroeker, Budget & Fiscal Director, stated the General Fund consists of 32 separate agencies with a budget of \$49,000,000. He explained that by moving the three funds it would strengthen the balances in the General Fund and would simplify the distribution of property tax dollars. Kroeker also stated that the statutory budget forms are moving in the direction that all funds be reported in a consolidated manner.

**MOTION:** Steinman moved and Heier seconded approval of Resolution 00-72. Hudkins, Steinman, Heier and Workman voted aye. Motion carried.

- K. A resolution authorizing the installation of a "Driveway" warning sign west of the house drive for 10600 Stagecoach Road for eastbound traffic. (R-00-71)**

**MOTION:** Workman moved and Heier seconded approval of Resolution 00-71. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- L. A resolution in the matter of supporting Great Plains Resources Conservation and Development and appointment of a Lancaster County representative. (R-00-73)**

**MOTION:** Workman moved and Steinman seconded approval of Resolution 00-73. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

- M. A resolution in relation to an application for a Class E (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from MGC Inc. doing business as Crooked Creek Golf Club located at 134<sup>th</sup> and "O" Streets in Lancaster County, Nebraska. (R-00-74)**

**MOTION:** Steinman moved and Heier seconded approval of Resolution 00-74. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- N. Recommendation from the Purchasing Agent and Lancaster Manor to award a request for proposal (RFP) to provide respiratory services to Brown's Home Health Supply, Inc. based on the most responsive, responsible proposer as determined by the RFP review committee. The award is for a three year contract with the option to renew for additional three year term with mutual consent. Pricing for prescription and non-prescription items will be billed in compliance with the State of Nebraska, Department of Public Welfare published fee schedule, direct to Medicaid or other insurance providers. (B-00-26)**

In response to a question asked by Steinman, Kathy Smith, Assistant Purchasing Agent, stated that Brown's Home Health Supply had been in business for six years and expanded into the Lincoln market in 1997.

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

- O. Recommendation from the Purchasing Agent to award a bid for removal of dead animals from County roads to Industrial Services, Inc., in the estimated amount of \$7,860, for a one year period with the option to renew for two additional one year terms with mutual consent. (B-00-27)**

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

- P. Approval of a Rural Enterprise Assistance Project (REAP) loan to Michelle Criswell, in the amount of \$2,000. The loan will be at an interest rate of ten percent and repaid over 24 months. (M-00-49)**

Troy Gagner, Urban Development, explained that the loan had received approval from the Peer lending group. He added that the County has sufficient collateral and that most of the County funds would be used for Ms. Criswell to attend classes and obtain certification to open a nail salon.

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

**Q. Settlement of a claim filed by Erica Clark against Lancaster Manor.**

**MOTION:** Heier moved and Steinman seconded to approve the settlement of a claim filed by Erica Clark. Heier, Workman, Hudkins and Steinman voted aye. Motion carried.

**R. Reappointment of the following individuals to the Indigent Defense Advisory Committee:**

| <u>Name of Individual</u> | <u>Expiration of Term</u> |
|---------------------------|---------------------------|
| Virginia Johnson          | May 10, 2002              |
| Andrew Strotman           | May 10, 2003              |
| Rod Confer                | May 10, 2004              |

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

**S. Appointment and reappointment of the following individuals to the Lincoln Area Agency on Aging Advisory Council:**

| <u>Name of Individual</u>          | <u>Expiration of Term</u> |
|------------------------------------|---------------------------|
| Barry Moore (reappointment)        | July 1, 2003              |
| George Rowe (replacing Jim Ballas) | July 1, 2003              |

5) **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. Register of Deeds Monthly Report for May, 2000.
2. Sheriff's Report of Fees for May, 2000.
3. Nebraska Affordable Housing Trust Fund Annual Report for 1999.

**B. Setting of a public hearing for Tuesday, June 27, 2000 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for a Class M (Bottle Club) liquor license from Rasmussens on the Lake LLC doing business as P. O. Pears on the Lake, located at 10005 West Davey Road in Lancaster County, Nebraska.**



- C. Setting of a public hearing for Tuesday, July 11, 2000 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding Comprehensive Plan Amendment 94-38, requested by the Interim Director of Planning at the request of the Public Works & Utilities Department and the Lower Platte South Natural Resources District, to amend the 1994 Lincoln/Lancaster County Comprehensive Plan to incorporate the Beal Slough Basin Storm Water Master Plan by reference as an approved component of the Comprehensive Plan.
- D. Renewal of a maintenance agreement for one primary license and two secondary licenses for the County Assessor's ARCINFO software and associated programs including COGO, TIN Grid and ARPRS to ERSI, in the amount of \$6,843.54, beginning July 21, 2000 and ending July 20, 2001. (C-00-304)
- E. A lease agreement between the County Engineering Department and Russell L. Robertson for lease of property located near Highway 33 and Southwest 14<sup>th</sup> Street for stockpiling rock and/or gravel, in the amount of \$1,000, for a two year period. (C-00-303)
- F. A leasehold contract between the County Engineering Department and Ricky J. Schmutte for culvert construction at South 38<sup>th</sup> Street and Martell Road, in the amount of \$10; Project C. P. S-273. (C-00-298)
- G. A right-of-way contract between the Lancaster County Engineering Department and Thomas J. and Holly L. Schomer at North 112<sup>th</sup> Street and Adams Street; Project C. P. J-123. This is a land donation. (C-00-299)

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

6) **ANNOUNCEMENTS:**

Steinman noted that there would be no working session with regard to the budget on Thursday, July 6, 2000.

7) **ADJOURNMENT:**

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

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Bruce Medcalf  
County Clerk