

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 15, 2002  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

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

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Patricia Owen, Deputy County Clerk  
David Johnson, Deputy County Attorney

The Board of Equalization meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 8, 2002. (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 the Board of Equalization meeting dated January 8, 2002. Campbell, Hudkins and Workman voted aye. Heier abstained. Stevens was absent from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 180 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Workman moved and Heier seconded approval of the 180 additions and deductions to the tax assessment roll as per Exhibit A. Heier, Campbell, Hudkins and Workman voted aye. Stevens was absent from from voting. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

American Legion, Department of Nebraska  
Christian Record Services, Inc.  
Community Blood Bank of the Lancaster County Medical Society  
Madonna Rehabilitation Hospital  
Nebraska Annual Conference of the United Methodist Church  
Nebraska SPF Swine Accrediting Agency, Inc.  
St. John's Bus Corp.  
Sisters of Mary Queen of Mercy  
Southeast Nebraska Mobile Diagnostic Services, Inc.

**MOTION:** Heier moved and Hudkins seconded approval of the motor vehicle tax exemptions for American Legion, Department of Nebraska; Christian Record Services, Inc.; Community Blood Bank of the Lancaster County Medical Society; Madonna Rehabilitation Hospital; Nebraska Annual Conference of the United Methodist Church; Nebraska SPF Swine Accrediting Agency, Inc.; St. John's Bus Corp.; Sisters of Mary Queen of Mercy and Southeast Nebraska Mobile Diagnostic Services, Inc. Stevens, Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

4) **SETTING OF PUBLIC HEARINGS FOR NOTICE OF VALUATION CHANGE:**

Setting of public hearings for Tuesday, January 29, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for the following:

B K Partnership  
Cecil F. and Jeanne N. Kirk

**MOTION:** Heier moved and Stevens seconded the motion to set a public hearing for Tuesday, January 29, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for a notice of valuation change for omitted or undervalued property for B K Partnership and Cecil F. and Jeanne N. Kirk. Stevens, Hudkins, Campbell, Heier and Workman voted aye. Motion carried.

5) **GREENBELT RECAPTURE APPEAL FOR 2001 FOR THE FOLLOWING:**

**John Rallis**

**MOTION:** Heier moved and Stevens seconded to deny the greenbelt recapture appeal from John Rallis as recommended by the County Assessor. Hudkins, Campbell, Heier, Stevens and Workman voted aye. Motion carried.

6) **ADJOURNMENT:**

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

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Bruce Medcalf  
County Clerk

**MINUTES**  
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Commissioners Present: Kathy Campbell, Chair  
Bob Workman, Vice Chair  
Larry Hudkins  
Bernie Heier  
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Patricia Owen, Deputy County Clerk  
David Johnson, Deputy County Attorney

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 8, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated January 8, 2002. Campbell, Workman, Hudkins and Stevens voted aye. Heier abstained. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

There were no claims listed for additional review by the Board of Commissioners.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, January 15, 2002.

**MOTION:** Heier moved and Stevens seconded approval of the claims processed through January 15, 2002. Stevens, Campbell, Heier Hudkins and Workman voted aye. Motion carried.

4) **SPECIAL PRESENTATIONS:**

A. **The Commissioners Award of Excellence for December, 2001 was presented to Dennis Dobberstine, an employee in the Property Management Department.**

5) **NEW BUSINESS:**

A. **Election of the Chair and Vice Chair for the Lancaster County Board of Commissioners for 2002.**

The Chair opened the floor for nominations for the position of Lancaster County Board of Commissioners Chairperson. Commissioner Stevens submitted the name of Commissioner Bob Workman for consideration. Commissioner Hudkins seconded the nomination. With no further nominations brought forward, Commissioner Campbell, the current Chair, closed the nominations.

**MOTION:** Hudkins moved and Heier seconded the motion to approve this nomination with a unanimous vote. Hudkins, Heier, Stevens, Campbell and Workman voted aye. Motion carried.

Workman expressed his appreciation for the vote of confidence by the Board.

The Chair opened the floor for nominations for the position of Vice-Chair for the Lancaster County Board of Commissioners. Commissioner Hudkins submitted the name of Commissioner Bernie Heier for consideration. Commissioner Stevens seconded the nomination. With no further nominations brought forward, Commissioner Campbell, closed the nominations.

**MOTION:** Hudkins moved and Workman seconded the motion to approve this nomination with a unanimous vote. Hudkins, Heier, Stevens, Workman and Campbell voted aye. Motion carried.

The Commissioners expressed their gratitude and well wishes to Commissioner Campbell for her years of service and leadership to the County.

- B. A contract between Lancaster County and Maximus, in the amount of \$81,300, for "Capital Asset and Infrastructure Inventory and Valuation for the Governmental Accounting Standards Board (GASB) Statement 34". (C-02-17)**

**MOTION:** By direction of the Chair, and at the request of Deputy County Attorney Dave Johnson, this item will be held.

- C. A project financing agreement between Lancaster County, through its Economic Development Loan Program, and Kawasaki Motors Manufacturing Corporation, USA to provide \$400,000 to Kawasaki in Community Economic Block Grant Funds. Kawasaki shall create 200 full-time jobs by August 31, 2003 and will use the money for development of its rail car production facility, interchange enhancements and road improvements at Highway 34 and Northwest 27<sup>th</sup> Street as directed by the County Engineering Department. (C-02-18)**

Hudkins expressed his appreciation to the Nebraska State Department of Roads, City of Lincoln Mayor's office, County Engineer's office, Chamber office and the City-County Economic Development office for their work in making the project a reality.

Troy Gagner, City-County Economic Development office, responded to a question posed by Workman regarding the replenishment of economic development funds that have been used. Gagner stated that we have now drawn down a significant portion of the federal community development block grant funds that we had available and any further large economic development opportunities would likely result in a new grant application to the State requesting additional funding. Gagner also commented that some repayment will be made by the Cabella's project and US Foods and Linweld which will help replenish the fund further.

**MOTION:** Hudkins moved and Stevens seconded approval of the project financing agreement between Lancaster County and Kawasaki Motors Manufacturing Corporation. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- D. An agreement between Lancaster County and St. Monica's Home for care coordination using the wraparound process for youth, ages 14 - 19, who have severe emotional disorders and are at risk of becoming involved with the juvenile justice system. The County will provide training and facilitation of St. Monica's participation in the process. (C-02-19)**

Dave Johnson, Deputy County Attorney, clarified that the Lancaster County's Department of Juvenile Mental Health is providing the training and facilitation services. It will be training provided within Lancaster County for care coordination and the wrap around services.

**MOTION:** Heier moved and Stevens seconded approval of the agreement between Lancaster County and St. Monica's. Heier, Stevens, Workman, Hudkins and Campbell voted aye. Motion carried.

- E. An agreement between Lancaster County and Anne Hobbs d/b/a Connecting Data for consultation as a Juvenile Justice Consultant in the area of oversight, financial analysis and coordination of the juvenile justice system. (C-02-20)**

Dave Johnson, Deputy County Attorney, requested that approval of the contract be contingent upon a change in Section 10, an additional sentence that indicates that "in event of termination Lancaster County shall be entitled to, and receive all, documents from the contractor". Additionally final approval is pending the receipt of signed and executed copies from the contractor.

**MOTION:** Heier moved and Workman seconded approval of the agreement between Lancaster County and Anne Hobbs with the changes recommended by the Deputy County Attorney. Heier, Workman, Campbell, Hudkins and Stevens voted aye. Motion carried.

- F. An interlocal agreement between Lancaster County and the State of Nebraska Probation Administration for a Drug Treatment Court Coordinator, two Drug Treatment Court Probation Officers and a part-time (.5) Drug Technician. The County will pay \$127,366 for the services beginning January 1, 2002 and ending December 31, 2002. (C-02-21)**

**MOTION:** By direction of the Chair, and at the request of Deputy County Attorney Dave Johnson, this item was held.

- G. An addendum to an agreement with Hartford Life Insurance Companies increasing the premiums for the County employee life insurance contract and extending the term of said contract for one year, beginning January 1, 2002 and ending December 31, 2002. The addendum includes a 30 day termination clause. (C-02-22)**

Workman questioned the definition of "portability" within the contract. Doug Cyr, Lancaster County Attorney's office, stated that this term means that the policy can be taken with the employee in the event the employee leaves employment with the County. The coverage would not necessarily terminate because employment terminates.

Dave Johnson, Deputy County Attorney, stated that in the Commissioners packets are copies of the old rates that were being paid. Johnson stated that the program is currently being reviewed to determine if the program will be continued.

**MOTION:** Workman moved and Heier seconded the motion to approve an addendum to the agreement with Hartford Life Insurance. Workman, Heier, Hudkins, Campbell and Stevens voted aye. Motion carried.

- H. A second addendum to an agreement with the law firm of Orton, Thomas and O'Connell for increasing compensation for cases under Neb. Rev. Stat. § 43-127 (3) (a) (3) (6) (6) and (8). The original agreement provides legal services for indigents in Lancaster County Juvenile Court and the addendum increases the compensation by the County from \$5,000 per month to \$6,000. (C-02-23)**

**MOTION:** Heier moved and Stevens seconded the motion to approve a second addendum to the agreement with the law firm of Orton, Thomas and O'Connell. Heier, Stevens, Workman, Campbell and Hudkins voted aye. Motion carried.

- I. A resolution in the matter of Chief Deputy annual salary increases for the 2002 calendar year. (R-02-04)**

Dave Johnson, Deputy County Attorney, stated that a new Attachment A is being submitted that reflects changes in the County Assessor's office with the new Chief Deputy being Rob Ogden, his salary effective on March 1<sup>st</sup>, 2002. The salary will remain the same for the position. The second change relating to Patricia Owen, the Chief Deputy for the County Clerk's office, her 2001 salary should state \$50,000.



**MOTION:** Hudkins moved and Stevens seconded a motion to approve the resolution with the new Addendum A, setting the salaries for the Chief Deputy's of Lancaster County. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

**J. A resolution in the matter of amending the Lancaster County employees retirement plan. (R-02-05)**

Doug Cyr, Lancaster County Attorney's office and Kerry Eagan, Chief Administrative Officer reviewed some changes proposed by Nationwide Insurance company for the pension plan. Cyr stated that whenever the Federal government makes changes in the laws relating to governmental pension plans, Nationwide also amends their government pension plans.

Cyr commented on three vesting options available to the County, vesting based on actual hours employees work, days worked or weeks worked. Eagan and Cyr commented that almost 99% of all plans base their vesting on the actual number of hours worked by the employee.

Cyr also requested guidance on the issue of crediting service time when an employee transfers from city employment to county employment. Eagan stated that this credit was only given one time when the Property Management Department was assumed by the County. Campbell affirmed the Board's desire to not credit service time when an employee transfers between the city and county employment.

**MOTION:** Heier moved and Stevens seconded the motion to approve the resolution amending the Lancaster County employees retirement plan. Heier, Stevens, Campbell, Hudkins and Workman voted aye. Motion carried.

**K. A resolution authorizing installation of the following traffic signs in Lancaster County, Nebraska: (R-02-06)**

**In the Prairie Vista subdivision:**

1. Install a "Stop" sign at the intersection of North 176<sup>th</sup> Street and Grace Lane for eastbound traffic.
2. Install street identification signs at the intersection of North 176<sup>th</sup> Street and Grace Lane.
3. Install a "No Outlet" sign west of North 176<sup>th</sup> Street on Grace Lane for westbound traffic.

(The signs will be paid for by the developer and installed by the County.)

Also to be installed is a "Pedestrian Ahead" sign on Amberly Road east of the pedestrian crossing at North 140<sup>th</sup> Street for westbound traffic. This sign will be installed and maintained by the City of Waverly.

**MOTION:** Workman moved and Stevens seconded the motion to approve the resolution to install the specified traffic signs in Lancaster County. Workman, Stevens, Campbell, Hudkins and Heier voted aye. Motion carried.

**L. A resolution in the matter of amending the 2002 through 2007 Fiscal One and Six Year Lancaster County Road and Bridge Improvement Program to include the following projects: (R-02-07)**

- O Project C55-F-405(1) in the Six Year Plan to regrade McKelvie Road beginning at Northwest 12<sup>th</sup> Street and ending at North 14<sup>th</sup> Street.**
- O Project C55-F-418(1) in the Six Year Plan to regrade and rock Northwest 12<sup>th</sup> Street beginning at West Alvo Road and ending at West McKelvie Road.**

**MOTION:** Hudkins moved and Stevens seconded the motion to approve the resolution amending the 2002 through 2007 Fiscal One and Six Year Lancaster County Road and Bridge Improvement Program to include the specified projects. Hudkins, Stevens, Workman, Campbell and Heier voted aye. Motion carried.

**M. Authorization of Wells Fargo Bank, as Trustee, to disburse \$5,927.10 from the Juvenile Detention Center bond proceeds to Alltel for telephone equipment and \$123.75 to Midland Medical Supply Company for supplies for the new Juvenile Detention Center. (M-02-03)**

**MOTION:** Hudkins moved and Workman seconded approval of the motion to authorize Wells Fargo to disburse \$5,927.10 from the Juvenile Detention Center bond proceeds to Alltel and \$123.75 to Midland Medical Supply Company. Hudkins, Workman, Campbell, Heier and Stevens voted aye. Motion carried.

**N. Authorization of Wells Fargo Bank, as Trustee, to disburse \$415,469.58 from the Juvenile Detention Center bond proceeds to Cheever Construction Company as general contractor for pay requests 23 and 24. The pay request is for an additional \$72,315.42 which will be paid from County funds. This is the final payment from the bond proceeds. (M-02-04)**

**MOTION:** Hudkins moved and Stevens seconded approval to authorize Wells Fargo Bank to disburse \$415,469.58 from the Juvenile Detention Center Center bond proceeds to Cheever Construction Company. Hudkins, Stevens, Campbell, Heier and Workman voted aye. Motion carried.

**O. Change order number four for the Juvenile Detention Center located at 1200 Radcliff Street which incorporates the following:**

- O RRF #20 - Addition of sprinkler heads at glass openings for fire rating.**
- O RRF #28 / PR #022 / CCD #01 - Addition of electrical and data outlets and power to gates.**
- O RRF #55 / ASI # 028 - Change light fixtures in Room T6 to type 3 fixtures.**
- O RRF #56 / ASI #029 - Provides light switches for fixtures in Life Skills P9 and Corridor M4.**
- O RRF #57 / ASI #030 - Connects garbage disposal in Break P20 to adjacent circuit and connects EF-9 and EF-10 in Intake T12 and Day Room T21 to breaker in panel LG.**
- O RRF #66 / PR #047 - Adds an ADA drinking fountain in Gym R3.**
- O RRF #68 / PR #034 - Deletes gypsum wall board ceilings for all plumbing chases and deletes fire sprinklers from the plumbing chases other than staff secure.**
- O RRF #73 / PR #038 - Provides additional steel bracing in the gymnasium to provide lateral support to the precast wall panels.**
- O RRF #74rr / PR #044 - Adds tile to the walls in the showers of bedrooms J10 and K10.**
- O RRF #75 / PR #045 - Adds CMU endwall with tile finish to tub in toilet P19.**
- O RRF #76 / PR #053 - Substitutes four coats of structure concrete sealer in lieu of the specified stain system.**

**The contract sum will be increased \$33,929 by this change order. The contract time will be unchanged.**

Dave Johnson, Deputy County Attorney, appeared and indicated that the five change order items submitted during the morning staff meeting will be listed as Change Order #5. He also requested that change order item RRF #68/PR #034 be eliminated from the approved change order items.

**MOTION:** Hudkins moved and Stevens seconded approval of Change Order #4 for the Juvenile Detention Center incorporating all changes but excluding item RRF #68/PR#034. Hudkins, Stevens, Campbell, Heier and Workman voted aye. Motion carried.

**P. Approval of the Noxious Weed Control Plan for Lancaster County for the year 2002.**

Russ Schultz, Superintendent for the Noxious Weed Control Authority, appeared and briefly outlined his report for the Department of Agriculture.

**MOTION:** Workman moved and Heier seconded the motion to approve the Noxious Weed Control Plan and Report for Lancaster County for the year 2002. Workman, Heier, Stevens, Hudkins and Campbell voted aye. Motion carried.

**Q. A political subdivision tort claim filed against the Lancaster County Corrections Department by Tiffany R. Echols for lost property, in the amount of \$185.**

Stevens clarified that these Board decisions are not rubber-stamps, that each filing is read carefully by the Commissioners prior to their decision.

**MOTION:** Heier moved and Hudkins seconded denial of the tort claim filed against Lancaster County Corrections Department by Tiffany R. Echols for lost property. Heier, Stevens, Hudkins, Campbell and Workman voted aye. Motion carried.

**R. A request from Carole L. Russell for a refund of 2000 real estate taxes, in the approximate amount of \$77.26 and a credit for 2001 real estate taxes, in the approximate amount of \$81.74.**

**MOTION:** Heier moved and Stevens seconded approval of the request by Carole L. Russell for a refund of 2000 real estate taxes in the approximate amount of \$77.26 and a credit for 2001 real estate taxes in the approximate amount of \$81.74. Heier, Stevens, Workman, Hudkins and Campbell voted aye. Motion carried.

**S. Reappointment of Cori Beattie to the Commissioners Award of Excellence Committee for a two year term, beginning February 1, 2002 and ending January 31, 2004.**

**MOTION:** Heier moved and Hudkins seconded the reappointment of Cori Beattie to the Commissioners Award of Excellence Committee for a two year term beginning February 1, 2002 and ending January 31, 2004. Campbell, Hudkins, Workman, Heier and Stevens vote aye. Motion carried.

**T. Reappointment of Larry Hudkins to the District Energy Corporation Board of Directors for a two year term beginning January 1, 2002 and ending December 31, 2003.**

**MOTION:** Heier moved and Stevens seconded the reappointment of Larry Hudkins to the District Energy Corporation Board of Directors for a two year term beginning January 1<sup>st</sup>, 2002 and ending December 31, 2003. Heier, Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

**U. Appointment of Larry Hudkins to a four year term on the Area V Agricultural and Horticultural Land Valuation Board, beginning January 8, 2002.**

**MOTION:** Heier moved and Workman seconded the appointment of Larry Hudkins to a four year term on the Area V Agricultural and Horticultural Land Valuation Board beginning on January 8, 2002. Hudkins, Heier, Stevens, Workman and Campbell voted aye. Motion carried.

**V. A resolution in the matter of amending the 2002 through 2007 Fiscal One and Six Year Lancaster County Road and Bridge Improvement Program to include Project C55-F-417(2) in the Six Year Plan to reconstruct North 14<sup>th</sup> Street beginning at Alvo Road and ending at McKelvie Road. (R-02-08)**

This item was addressed immediately following New Business Item 5L.

**MOTION:** Workman moved and Stevens seconded approval of the resolution amending the 2002 through 2007 Fiscal One and Six Year Lancaster County Road and Bridge Improvement Program to include the specified project. Workman, Heier, Hudkins, Campbell and Stevens 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. Lancaster Manor's Monthly Report.
2. Noxious Weed Control Authority's Monthly Report for December, 2001.
3. Records and Information Management's Monthly Report for December, 2001.
4. Register of Deeds Monthly Report for December, 2001.

**B. Request from Thaddeus Jurgens, an employee in the Lancaster County Engineering Department, to voluntarily participate in the County's retirement plan.**

**C. A leasehold contract relating to road improvements between the Lancaster County Engineering Department and Michael D. Gerdes, in the amount of \$10, west on West Mill Road and Northwest 27<sup>th</sup> Street; Project C.P.F-71. (C-02-24)**

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

**○ William D., Karen D. and Calvin L. Sterns at 8205 West Raymond Road; Project C.P.D-26. This is a donation. (C-02-25)**

**○ William D. and Karen D. Sterns, in the total amount of \$2,411.25, at 8205 West Raymond Road; Project C.P.D.-26. (2 contracts) (C-02-26 and C-02-27)**

**○ Earlene Knox, in the amount of \$422.38, west on West Mill Road and Northwest 27<sup>th</sup> Street; Project C.P.F-71. (C-02-28)**

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

7) **ADJOURNMENT:**

**MOTION:** Hudkins moved and Workman seconded the motion to adjourn. Campbell, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk