

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 20, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr  
Bob Workman

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

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 13, 2003.**

**MOTION:** Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated May 13, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. Lancaster County employees were recognized for 10, 15, 20, 25, 30, 35 and 40 years of service.**

- 3) **PUBLIC COMMENT:**

Bob VanValkenburg, 7921 Reno Road, Lincoln, Nebraska, appeared and expressed concern relating to a poll conducted by the Election Commissioner for the Chancellor at the University of Nebraska.

4) **CLAIMS:** Approval of all claims processed through Tuesday, May 20, 2003.

**MOTION:** Hudkins moved and Workman seconded approval of all claims processed through May 20, 2003. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

**A. An application for Corporate Manager from Henry D. Sader III in connection with a Class M (Bottle Club) liquor license for Lincoln Izaak Walton League Building Corporation d/b/a Lincoln Izaak Walton League located at 10801 South 134<sup>th</sup> Street, Bennet, Lancaster County, Nebraska.**

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

The Clerk administered the oath to Henry Sader III, applicant.

In response to a question asked by Workman, Sader stated he was the manager for the Izaak Walton League from 1993 to 1998.

The Chair asked if anyone else wished to testify in favor or in opposition to the application.

No one appeared and the hearing was closed.

**MOTION:** Hudkins moved and Schorr seconded approval of the application for Corporate Manager from Henry D. Sader III in connection with a Class M (Bottle Club) liquor license for Lincoln Izaak Walton League Building Corporation d/b/a Lincoln Izaak Walton League located at 10801 South 134<sup>th</sup> Street, Bennet, Lancaster County, Nebraska. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. An addendum to the Fraternal Order of Police (FOP), Lodge 32 collective bargaining agreement to allow union dues to be deducted from employees' paychecks twice a month instead of once a month. (C-03-0232)**

**MOTION:** Workman moved and Stevens seconded approval of an addendum to the Fraternal Order of Police (FOP), Lodge 32 collective bargaining agreement to allow union dues to be deducted from employees' paychecks twice a month instead of once a month. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

- B. Change order number one between the Lancaster County Engineering Department and Christensen Brothers, Inc.. The original contract was executed by the County on March 11, 2003 under County Contract C-03-0083 for construction of the Firth Viaduct; Project C55-X-402(5). The change order adds Class "47B-3000" concrete and reinforcing steel for "turndowns" to protect flared-end sections on corrugated metal pipes. Total net increase is \$401.80. (C-03-0228)**

**MOTION:** Hudkins moved and Stevens seconded approval of change order number one between the Lancaster County Engineering Department and Christensen Brothers, Inc.. The change order adds Class "47B-3000" concrete and reinforcing steel for "turndowns" to protect flared-end sections on corrugated metal pipes. Total net increase is \$401.80. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

- C. Recommendation from the Purchasing Agent and the Bid Review Committee to ratify contracts with the following for the listed "Unit Price" proposals for the City, County and Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000) beginning May 1, 2003 and ending April 30, 2004 with an option to renew the contracts for two additional one-year terms:**

**Plumbing Services**

Natkin Service (C-03-0204)

Bob & Don's Plumbing (C-03-0205)

John Henry's Plumbing (C-03-0206)

**Electrical Services**

Hy-Electric, Inc. (C-03-0179)

Gregg Electric Co. (C-03-0177)

Action Electric Co., Inc. (C-03-0178)

6) **NEW BUSINESS CONTINUED:**

**HVAC Services**

Capitol Heating & Air Conditioning (C-03-0189)  
John Henry's Plumbing & HVAC (C-03-0187)  
Natkin Service Company (C-03-0188)  
Benes Heating & Air Conditioning (C-03-0190)

**Roofing Services**

Midwest Roofing, Inc. (C-03-0197)  
Stokes Urethane Contractors, Inc.  
(C-03-0195)  
American Roofing & Improvements -  
Weathercraft Co. of Lincoln  
(C-03-0196)

**General Construction Services**

Cheever Construction Co. (C-03-0182)  
David Wood Construction (C-03-0183)  
Dickey & Burham Inc. (C-03-0180)  
Rogee General Contractors Inc. (C-03-0181)

**Painting Services**

A.A. Leopold & Son (C-03-0184)  
Kaser Painting, Inc. (C-03-0185)  
Dickey & Burham Inc. (C-03-0186)

**Demolition Services**

Pavers Inc. (C-03-0192)  
Hansen Construction Co., Inc. (C-03-0193)  
Mid-Nebraska Grading & Demolition (C-03-0194)  
Brandt Excavating (C-03-0191)

**Fencing Services**

American Fence Company Inc.  
(C-03-0198)

**Pavement Construction & Reconstruction Services**

Dickey & Burham Inc. (C-03-0202)  
Dobson Brothers Construction Company (C-03-0201)  
Schmieding Concrete, Inc. (C-03-0199)  
Walton Construction Inc. (C-03-0200)  
Pavers Inc. (C-03-0203)

The Clerk noted that five contracts listed under "Pavement Construction & Reconstruction Services" should be dropped from the agenda.

**MOTION:** Workman moved and Stevens seconded approval of "unit price" contracts for the City, County and Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000) beginning May 1, 2003 and ending April 30, 2004 with an option to renew the contracts for two additional one-year terms with the exception of those contracts listed under "Pavement Construction & Reconstruction Services" which should be dropped from the agenda. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**D. A resolution authorizing the installation of the following traffic signs in Lancaster County, Nebraska: (R-03-0033)**

- ▶ A “No Parking” sign on the southeast corner of the intersection of South 68<sup>th</sup> Street and Roca Road.
- ▶ “Hazard Warning” signs at Structure V-201 located on Pella Road approximately one-half mile west of Southwest 128<sup>th</sup> Street for both directions of traffic.

**MOTION:** Stevens moved and Workman seconded approval of Resolution 03-0033 in the matter of authorizing the installation of traffic signs in Lancaster County, Nebraska. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**E. A request from LodgeNet, on behalf of Best Western Villager Courtyard, for a refund of personal property taxes for 2002, in the approximate amount of \$44.68.**

**MOTION:** Schorr moved and Stevens seconded approval of a request from LodgeNet, on behalf of Best Western Villager Courtyard, for a refund of personal property taxes for 2002, in the approximate amount of \$44.68. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

**F. A request from Atlantis Tax Management, on behalf of New England Life Insurance, for a refund of personal property taxes for 2002, in the approximate amount of \$441.41.**

**MOTION:** Workman moved and Hudkins seconded approval of a request from Atlantis Tax Management, on behalf of New England Life Insurance, for a refund of personal property taxes for 2002, in the approximate amount of \$441.41. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**G. A request from Atlantis Tax Management, on behalf of Metropolitan Life Insurance Company, for a refund of personal property taxes for 2002, in the approximate amount of \$34.18.**

**MOTION:** Hudkins moved and Stevens seconded approval of a request from Atlantis Tax Management, on behalf of Metropolitan Life Insurance Company, for a refund of personal property taxes for 2002, in the approximate amount of \$34.18. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**H. A request from Media Management, Inc. for a refund of personal property taxes for 2000, in the approximate amount of \$139.75, for 2001, in the approximate amount of \$175.78 and for 2002, in the approximate amount of \$336.67.**

**MOTION:** Workman moved and Stevens seconded approval of a request from Media Management, Inc. for a refund of personal property taxes for 2000, in the approximate amount of \$139.75, for 2001, in the approximate amount of \$175.78 and for 2002, in the approximate amount of \$336.67. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine 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. **County Assessor/Register of Deeds' Monthly Report for April, 2003.**
2. **Noxious Weed Control Authority's Monthly Report for April, 2003.**
3. **Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for April, 2003.**
4. **Sheriff's Report of Fees for April, 2003.**

7) CONSENT ITEMS CONTINUED:

**B. Setting of public hearings for Tuesday, June 3, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:**

- 1. County Special Permit 197, Cedar Grove Estates Community Unit Plan, requested by Olsson Associates on behalf of Lyall Luff and Knox Associates, consisting of nine single family acreages, on property generally located at South 176<sup>th</sup> Street and Old Cheney Road in Lancaster County, Nebraska.**
- 2. County Preliminary Plat 02026, Cedar Grove Estates, requested by Olsson Associates on behalf of Lyall Luff and Knox Associates, consisting of nine residential acreage lots, with associated waiver requests, on property generally located at South 176<sup>th</sup> Street and Old Cheney Road in Lancaster County, Nebraska.**

**C. A resolution in the matter of an application from Daina D. Lammle for Corporate Manager in connection with a Class M (Bottle Club) liquor license for Corporate Golf Marketing, Inc. d/b/a Hi Mark Golf Club located at 8901 Augusta Lane, Lincoln, Lancaster County, Nebraska. (R-03-0032)**

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

- ▶ Aginvest, L.L.C., in the amount of \$20,043.50, at North 1<sup>st</sup> Street and McKelvie Road; Interlocal Project Lincoln Electric System (LES). (C-03-0229)**
- ▶ Ronald L. and Marcene A. Polivka, in the total amount of \$2,127.40, on Northwest 84<sup>th</sup> Street from Adams Street to Highway 34; Project C55-EM-401(1). (C-03-0230 and C-03-0231)**

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

8) **ADJOURNMENT:**

**MOTION:** Schorr moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:10 p.m. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk



**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, MAY 20, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr  
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 2:10 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 13, 2003.

**MOTION:** Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated May 13, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

**Approval of 165 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

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

Catholic Bishop of Lincoln, Inc.  
Catholic Center  
Christian Church (Disciples of Christ) in Nebraska  
Community Blood Bank of the Lancaster County Medical Society  
Food Bank of Lincoln, Inc.  
Sacred Heart Church  
St. Mark's United Methodist Church  
School Sisters of Christ the King  
Sheridan Lutheran Church  
Temple Baptist Church

**MOTION:** Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **NOTICE OF VALUATION CHANGE FOR UNDERVALUED OR OMITTED PROPERTY:**

**Setting of a public hearing for Tuesday, June 3, 2003 immediately following the regular Board of Commissioners meeting, which begins at 1:30 p.m., regarding a notice of valuation change for undervalued or omitted property for Sesostris Temple Holding Corporation.**

**MOTION:** Hudkins moved and Stevens seconded to set a public hearing for Tuesday, June 3, 2003 immediately following the regular Board of Commissioners meeting, which begins at 1:30 p.m., regarding a notice of valuation change for undervalued or omitted property for Sesostris Temple Holding Corporation. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

6) **DENIAL OF A 2003 451 TAX EXEMPTION ON REAL PROPERTY FOR ALL SAINTS LUTHERAN CHURCH:**

Norm Agena, County Assessor/Register of Deeds, explained All Saints Lutheran Church purchased the property with the intent of using it for parking. He added that in the past he has not recommended approval on land being held for future development.

Mike Palmer, representing All Saints Lutheran Church, stated the purchase was for more than parking lot use and further explained that the house was removed to increase the visibility of the church.

Offered and marked for the record by Palmer were photos of the property (Exhibit 1).

Hudkins asked if they currently use the property for any religious purpose.

Leon Rosenthal, pastor at All Saints Lutheran Church, stated it was a part of their sacred space and is included in a place where individuals walk and are on the church premises. He also indicated that there has been discussion regarding the use of the property for outdoor worship.

Rosenthal stated he would dispute the rigid qualifications for religious use and added that there are churches which have gardens where walking through the area is considered a religious and spiritual part of being on the premises.

When asked if there was any intent to sell the property, Rosenthal responded no.

**MOTION:** Workman moved and Hudkins seconded approval of the 2003 451 tax exemption on real property for All Saints Lutheran Church. Workman, Schorr and Hudkins voted. Stevens and Heier voted no. Motion carried.

7) **ADJOURNMENT:**

**MOTION:** Hudkins moved and Workman seconded adjournment of the Board of Equalization meeting at 2:25 p.m.. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk