

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 30, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Deb Schorr, Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins
Bob Workman, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia 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 23, 2006.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on May 23, 2006. Stevens, Heier and Schorr voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Presentation of a one-time cash award, in the amount of \$500, for Dave Marreel, an employee with the Corrections Department, due to exceptional circumstances.

MOTION: Stevens moved and Heier seconded approval of a one-time cash award, in the amount of \$500, for Dave Marreel, an employee with the Corrections Department, due to exceptional circumstances. Heier, Stevens and Schorr voted aye. Motion carried.

3) **CLAIMS:** Approval of all claims processed through Tuesday, May 30, 2006.

MOTION: Heier moved and Stevens seconded approval of all claims processed through May 30, 2006. Heier, Stevens and Schorr voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, requested by Meadowlark Enterprises, L.L.C., for authority to develop 12 residential acreage units on property generally located west of the intersection of South 25th Street and Martell Road, Lancaster County, Nebraska. (See New Business Item 6A for correlating documentation.)

The Chair opened the public hearing and asked if anyone wished to provide testimony.

The Clerk administered the oath to Pat Hurlbut, 6711 South 33rd Street, Lincoln, Nebraska.

Hurlbut gave an overview of the proposal, noting they would like to preserve as many of the existing trees as possible and restore some of the ground to prairie grasses.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

A. Acceptance of a contract award from the Nebraska State Patrol for the Lancaster County Family Drug Court, in the amount of \$23,420. Term of the contract is March 1, 2005 through July 31, 2006. (C-06-0251)

MOTION: Heier moved and Stevens seconded approval to accept a contract award from the Nebraska State Patrol for the Lancaster County Family Drug Court, in the amount of \$23,420. Stevens, Heier and Schorr voted aye. Motion carried.

5) **OLD BUSINESS CONTINUED:**

- B. An agreement with Seim, Johnson, Sestak and Quist L.L.P. to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2006 for the Community Mental Health Center. The length of the agreement is from the date of execution until the cost report has been submitted to the County. The County will pay \$4,200 to \$4,700 for the services. (C-06-0252)**

This item was held at the request of the County Attorney's Office.

6) **NEW BUSINESS:**

- A. A resolution in the matter of County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, requested by Meadowlark Enterprises, L.L.C., for authority to develop 12 residential acreage lots on property generally located west of the intersection of South 25th Street and Martell Road, Lancaster County, Nebraska. (R-06-0053)**

MOTION: Stevens moved and Heier seconded approval of Resolution 06-0053 in the matter of County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, requested by Meadowlark Enterprises, L.L.C., for authority to develop 12 residential acreage lots on property generally located west of the intersection of South 25th Street and Martell Road, Lancaster County, Nebraska. Heier, Stevens and Schorr voted aye. Motion carried.

- B. An agreement with Great Plains Appraisal to provide referees to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. Great Plains Appraisal will provide the services of Richard Keith, Wayne Kubert, Cay Lacey, Tom Kubert, Mickey Tuttle, Shana Sprackling, Ty Fleck, Cody Gerdes, Lori Johnson and Cathy Briley. The County will pay from \$30 per hour for clerical support to \$80 per hour for referees. (C-06-0276)**

MOTION: Stevens moved and Heier seconded approval of an agreement with Great Plains Appraisal to provide referees to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. Heier, Stevens and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

C. Referee agreements with the following individuals to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations:

<u>Name of Individual</u>	<u>Hourly Rate</u>
Robert W. Anderson (C-06-0265)	\$70
Fred W. Briggs (C-06-0266)	\$75
Bret C. Burnham (C-06-0267)	\$75
Eugene W. Carroll (C-06-0268)	\$75
Wayne L. Cole d/b/a Linsali Inc. (C-06-0269)	\$65
Dan L. Cuda (C-06-0270)	\$75
Jeffrey S. Danek (C-06-0271)	\$70
Richard T. Danek (C-06-0272)	\$75
Beth A. Eckles (C-06-0273)	\$65
Kathy J. Everman (C-06-0274)	\$70
Michael Foley (C-06-0275)	\$50
John J. Haney (C-06-0277)	\$60
Jane Hermsmeyer (C-06-0278)	\$40
Barb Hoffman (C-06-0279)	\$35
Michael Jon Hollingsworth (C-06-0280)	\$75
Benjamin J. Hynek (C-06-0281)	\$65
Kevin D. James (C-06-0282)	\$50
Tim Johns (C-06-0283)	\$65
Mona R. Kubert (C-06-0284)	\$65
Bill Lange (C-06-0285)	\$60
John R. Layman (C-06-286)	\$90
Timothy S. Lentz (C-06-0287)	\$60
Daniel D. McKenzie (C-06-0288)	\$65
John E. (Jack) McVay (C-06-0289)	\$65
Jan Moore (C-06-0290)	\$60
Barbara J. Ramm (C-06-0291)	\$65
Alan Masek (C-06-0292)	\$50
John (Jack) Sullivan (C-06-0293)	\$70
Larry G. Swanson (C-06-0294)	\$85
Marilyn Tabor (C-06-0295)	\$60
Joseph G. Thompson (C-06-0296)	\$75
Joel S. Walker (C-06-0297)	\$50
Sally A. Webster (C-06-0298)	\$60
Lance D. Wolfe (C-06-0299)	\$70
Larry K. Wrasse (C-06-0300)	\$65

MOTION: Stevens moved and Heier seconded approval of referee agreements to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. Stevens, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

D. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contains a 30-day termination provision.

Husker Rehab & Wellness (C-06-0308)

Inpatient Physician Associates (C-06-0309)

Gastroenterology Specialties (C-06-0310)

Downtown Physicians Group (C-06-0311)

John D. Deck, M.D. (C-06-0312)

Richard Legge, M.D. (C-06-0313)

Timothy R. Lieske (C-06-0314)

Madonna Rehabilitation Hospital (C-06-0315)

Midwest Physical Therapy (C-06-0316)

Nebraska LabLinc (C-06-0317)

Mario C. Mota, M.D. (C-06-0318)

Rehabilitation Specialists (C-06-0319)

MOTION: Heier moved and Stevens seconded approval of agreements to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Heier, Stevens and Schorr voted aye. Motion carried.

E. An interlocal agreement with the Village of Hallam for one Sheriff's deputy to provide law enforcement services within the corporate limits of the Village of Hallam. The term of the agreement is May 1, 2006 through April 30, 2007. The County shall be reimbursed at the overtime rate of pay for the deputy assigned to duty. The County shall also be paid 44.5 cents per mile for the Sheriff's vehicle used in the provision of these services. (C-06-0320)

MOTION: Stevens moved and Heier seconded approval of an interlocal agreement with the Village of Hallam for one Sheriff's deputy to provide law enforcement services within the corporate limits of the Village of Hallam. Stevens, Heier and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

F. A claim filed against Lancaster County by Melvin Moore pursuant to Article 31 of the AFSCME contract for eyeglass replacement costs.

MOTION: Heier moved and Stevens seconded denial of a claim filed against Lancaster County by Melvin Moore pursuant to Article 31 of the AFSCME contract for eyeglass replacement costs. Stevens, Heier and Schorr voted aye. Motion carried.

G. A claim from Buffalo County for the reimbursement of general assistance to Cody A. Mackety, in the amount of \$63.02.

Kerry Eagan, Chief Administrative Officer, indicated Gary Chalupa, General Assistance Director, did find that the individual was a resident of the County and recommended approval of the claim.

MOTION: Heier moved and Stevens seconded approval of a claim from Buffalo County for the reimbursement of general assistance to Cody A. Mackety, in the amount of \$63.02. Stevens, Heier and Schorr voted aye. Motion carried.

H. Extension of employee life insurance policy with Mutual of Omaha; Policy #: GLUG-78L3 and GVTL-78L3. The contract will extend coverage of the employee life insurance policy with Mutual of Omaha from June 1, 2006, through July 31, 2006, at no increase. (C-06-0321)

MOTION: Stevens moved and Heier seconded approval of the extension of employee life insurance policy with Mutual of Omaha; Policy #: GLUG-78L3 and GVTL-78L3. Stevens, Heier and Schorr 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. Setting of a public hearing for Tuesday, June 13, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Laurence Francis Splichal in connection with a Class I (Spirits, Wine, Beer On Sale Only) for Veterans of Foreign Wars, Post 3606 located at 3340 West "A" Street, Lincoln, Lancaster County, Nebraska.

B. A leasehold agreement relating to culvert construction between the Lancaster County Engineering Department and Steven Althouse, in the amount of \$10, east of North 112th Street and Raymond Road; Project No. CP-A-7. (C-06-0301)

C. Right-of-way contracts relating to culvert replacement between the Lancaster County Engineering Department and the following individuals:

- ▶ Mary A. Hartman, in the amount of \$127, east of North 134th Street and Alvo Road; Project No. CP-H-135. (C-06-0302)
- ▶ Terrance and Patricia Hastreiter, in the amount of \$330, on Pioneers Boulevard west of South 190th Street; Project No. CP-Q-56. (C-06-0303)
- ▶ Gerald Helgoth, in the amount of \$525, south of North 40th Street and Mill Road; Project No. CP-G-252. (C-06-0304)
- ▶ Inez Munn, in the amount of \$111, east of North 112th Street and Raymond Road; Project No. CP-A-7. (C-06-0305)
- ▶ Vance and Levonne Salisbury and Lana and Robert Rinke, in the amount of \$1,531, on West "A" Street from Southwest 84th Street and the Burlington Northern Sante Fe Railroad; Project No. C55-M-405(1). (C-06-0306)
- ▶ Tom and Barbara Strandness, in the amount of \$604, south of Mill Road on North 40th Street; Project CP-G-252. (C-06-307)

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

8) **OTHER BUSINESS:**

Kenneth Schmidt, representing All Saints Lutheran Church, appeared and referred to a letter, dated May 23, 2006, which was submitted to the Board of Equalization (Exhibit 1). He acknowledged the fact that the church was late in filing their tax exempt application and requested the Board waive the late filing penalty.

The Chair explained that the Board is not permitted, by Nebraska State Statute, to waive the penalty.

9) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 2:05 p.m.. Heier, Stevens and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 30, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins
Bob Workman, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Scott Gaines, Chief Deputy County Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:05 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 23, 2006.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization held on May 23, 2006. Stevens, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 13 additions and deductions to the tax assessment rolls per Attachment "A".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Redeemer Lutheran Church
Temple Baptist Church
The Salvation Army
Transfiguration Inc.

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

4) **CONTINUATION OF APPROVAL OF 2006 PARTIAL 451 TAX EXEMPTIONS ON REAL PROPERTY FOR THE FOLLOWING:**

Capitol City Christian Church (2 exemptions)

Scott Gaines, Chief Deputy County Assessor/Register of Deeds, recommended approval of the 2006 partial 451 tax exemption.

MOTION: Heier moved and Stevens seconded to accept the recommendation of the County Assessor/Register of Deeds and approve 2006 partial 451 tax exemptions on real property for Capitol City Christian Church (Parcel I.D. # 17-15-458-001-000 and Parcel I.D. # 17-15-430-001-000). Stevens, Heier and Schorr voted aye. Motion carried.

5) **RECONSIDERATION OF DENIAL OF 2006 451 TAX EXEMPTIONS ON REAL PROPERTY FOR THE FOLLOWING:**

Union College (2 exemptions)

Mike Thew, Chief Deputy County Attorney, advised the Board of Equalization to follow the recommendation of the County Assessor/Register of Deeds and deny the 451 tax exemptions on real property for Union College.

In response to a question asked by Stevens, Thew stated Union College can appeal to the Tax Equalization and Review Commission or they can reapply for the exemption(s) by August 1st.

Todd Mekelburg, Leadership Giving Director at Union College, appeared and indicated they would continue work toward resolving the issue.

MOTION: Stevens moved and Heier seconded to accept the recommendation of the County Attorney's Office and the County Assessor/Register of Deeds and deny the 2006 451 tax exemptions on real property for Union College (Parcel I.D. #16-05-411-010-000 and Parcel I.D. # 16-05-411-011-000). Stevens, Heier and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Stevens seconded adjournment of the Board of Equalization meeting at 2:22 p.m.. Heier, Stevens and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk