

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, DECEMBER 13, 2005**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

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

Commissioners Absent: Larry Hudkins, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
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, December 06, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated December 06, 2005. Schorr, Stevens and Workman voted aye. Heier abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. The County-City Volunteer of the Month Award was presented to Alene Swinehart for her services with Urban Development.**

- 3) **CLAIMS: Approval of all claims processed through Tuesday, December 13, 2005.**

**MOTION:** Stevens moved and Workman seconded approval of all claims processed through December 13, 2005. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

- A. County Final Plat No. 05095, Whitetail Ridge Addition, requested by Brian D. Carstens and Associates on behalf of Bruce D. Tiedeman and Beverly A. Tiedeman, for 14 lots and two outlots, on property generally located southwest of the intersection of South 25<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (See New Business Item 6A and 6B for correlating documentation.)**

The oath was administered to Jill Schuerman, with Brian Carstens and Associates.

Schuerman presented a brief overview of the of the project indicating all improvements have been completed.

The Vice Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

- B. County Final Plat No. 05106, The Preserve at Cross Creek 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C. for five lots on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (See New Business Item 6C and 6D for correlating documentation.)**

Schuerman displayed a map noting that the lot lines were reconfigured, however, the number of lots remained the same.

The Vice Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

- A. A contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$100,000 for the services. Term of the agreement is July 1, 2005 through June 30, 2006. (C-05-0503)**

5) **OLD BUSINESS:**

**MOTION:** Heier moved and Stevens seconded approval of a contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative.

Stevens explained that the contract will assist the County in determining the human service needs of the community. He added that it is a cooperative venture between the County, the City of Lincoln and United Way with each entity contributing one-third of the funding.

**ROLL CALL:** Heier, Workman, Schorr and Stevens voted aye. Motion carried.

**B. A grant contract with Legal Aid of Nebraska for funding for the Domestic Violence Project, in the amount of \$29,050. Term of the grant contract is July 1, 2005 through June 30, 2006. (C-05-0490)**

**MOTION:** Stevens moved and Workman seconded approval of a grant contract with Legal Aid of Nebraska for funding for the Domestic Violence Project, in the amount of \$29,050. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

6) **NEW BUSINESS:**

**A. A resolution in the matter of County Final Plat No. 05095, Whitetail Ridge Addition, requested by Brian D. Carstens and Associates on behalf of Bruce D. Tiedeman and Beverly A. Tiedeman, for 14 lots and two outlots, on property generally located southwest of the intersection of South 25<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (R-05-0159)**

**B. A subdivision agreement with Bruce and Beverly Tiedeman for County Final Plat No. 05095, Whitetail Ridge Addition, on property generally located southwest of the intersection of South 25<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (C-05-0598)**

New Business Items 6A and 6B were read together.

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Stevens seconded approval of Resolution 05-0159 in the matter of County Final Plat No. 05095, Whitetail Ridge Addition, and approval of a subdivision agreement with Bruce and Beverly Tiedeman for County Final Plat No. 05095, Whitetail Ridge Addition. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

**C. A resolution in the matter of County Final Plat No. 05106, The Preserve at Cross Creek 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C. for five lots on property generally located at south 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (R-05-0160)**

**D. A subdivision agreement with Land II, L.L.C. for County Final Plat No. 05106, The Preserve at Cross Creek 2<sup>nd</sup> Addition, on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (C-05-0599)**

New Business Items 6C and 6D were read together.

**MOTION:** Heier moved and Stevens seconded approval of Resolution 05-0160 in the matter of County Final Plat No. 05106, The Preserve at Cross Creek 2<sup>nd</sup> Addition, and approval of a subdivision agreement with Land II, L.L.C. for County Final Plat No. 05106, The Preserve at Cross Creek 2<sup>nd</sup> Addition. Workman, Schorr, Stevens and Heier voted aye. Motion carried.

**E. An application for a Special Designated License from BDF, L.L.C. d/b/a Libations to provide liquor beverage service in connection with a New Year's Eve Dance on Saturday, December 31, 2005 from 6 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street.**

In response to a question asked by Heier, Barry Franzen, applicant, indicated he was aware of the condition that there be no parking on West Adams Street.

**MOTION:** Heier moved and Stevens seconded approval of an application for a Special Designated License from BDF, L.L.C. d/b/a Libations to provide liquor beverage service in connection with a New Year's Eve Dance on Saturday, December 31, 2005 from 6 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- F. An agreement between the State of Nebraska Department of Economic Development and Lancaster County for a Community Development Block Grant (CDBG) which will be loaned to Tractor Supply Company for the creation of 50 full-time jobs at the Waverly sales distribution center. Lancaster County will receive \$303,000 from the Department, \$300,000 of which will be loaned to Tractor Supply, in addition to \$200,000 from the County. (C-05-0597)**

Troy Gagner, Economic Development Coordinator, gave a brief explanation of the agreement.

**MOTION:** Workman moved and Stevens seconded approval of an agreement between the State of Nebraska Department of Economic Development and Lancaster County for a Community Development Block Grant (CDBG) which will be loaned to Tractor Supply Company for the creation of 50 full-time jobs at the Waverly sales distribution center. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

- G. An agreement with the Nebraska Occupational Health Center (NOHC) to provide emergency medical services to Lancaster County for Workers' Compensation injuries. Term of the agreement is December 1, 2005 through November 30, 2008. The County will pay the Center in accordance with the applicable medical fee schedule approved by the Nebraska Workers' Compensation Court. (C-05-0600)**

Sue Eckley, Workers' Compensation & Risk Management Manager, introduced Emily Schultz and Dr. James Harrocks with Nebraska Occupational Health Center (NOHC).

Schultz stated they look forward to the partnership and thanked the Board for the opportunity to serve the employees of Lancaster County.

**MOTION:** Stevens moved and Workman seconded approval of an agreement with the Nebraska Occupational Health Center (NOHC) to provide emergency medical services to Lancaster County for Workers' Compensation injuries. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- H. An agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program which includes the operation of a Teen Court Program. The County will provide funding, in the amount of \$100,000. Term of the agreement is July 1, 2005 to June 30, 2006. (C-05-0601)

**MOTION:** Stevens moved and Heier seconded approval of an agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program which includes the operation of a Teen Court Program. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

- I. Supplemental Agreement No. 1 between the City of Lincoln, Lancaster County and the State of Nebraska, Department of Roads for funding of the Lincoln South Beltway for the preliminary engineering, utilities, right-of-way construction, and construction engineering at Nebraska Highway 2 between 127<sup>th</sup> Street and U.S. Highway 77. The City, County and State previously entered into an agreement executed by the City on April 30, 2002, by the County on April 23, 2002 and by the State on May 9, 2002 that provided for the design and construction of the new Lincoln South Beltway. The supplemental agreement sets the funding allocation for the project as follows: project costs not covered by earmarked funds and associated match will be split 20 percent City and 80 percent State. All other terms and conditions of the original agreement will apply. (C-05-0602)

**MOTION:** Stevens moved and Workman seconded approval of Supplemental Agreement No. 1 between the City of Lincoln, Lancaster County and the State of Nebraska, Department of Roads for funding of the Lincoln South Beltway for the preliminary engineering, utilities, right-of-way construction, and construction engineering at Nebraska Highway 2 between 127<sup>th</sup> Street and U.S. Highway 77. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

- J. A network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain mental health, alcoholism, substance and related behavioral mental health services at the Community Mental Health Center. The term of the agreement is from July 1, 2005 to June 30, 2006 and the County will be reimbursed up to \$4,639,362 for the services. (C-05-0604)

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Workman seconded approval of a network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain mental health, alcoholism, substance and related behavioral mental health services at the Community Mental Health Center. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

**K. An addendum to the 2005-2008 labor agreement with the Lancaster County Deputy Sheriffs' Association Fraternal Order of Police, Lodge 29 amending the agreement to establish a temporary retirement buyout and to add a new Article 30, entitled Temporary Retirement Buyout. (C-05-0605)**

**MOTION:** Stevens moved and Workman seconded approval of an addendum to the 2005-2008 labor agreement with the Lancaster County Deputy Sheriffs' Association Fraternal Order of Police, Lodge 29 amending the agreement to establish a temporary retirement buyout and to add a new Article 30, entitled Temporary Retirement Buyout. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

**L. Grant of an easement by Lancaster County to the City of Lincoln for one dollar, and other good and valuable consideration, for the purpose of constructing, reconstructing, maintaining, operating, replacing and accessing a sanitary sewer in a portion of Wilderness Park, as specifically set forth and legally described in the easement. (C-05-606)**

**MOTION:** Workman moved and Heier seconded approval to grant an easement by Lancaster County to the City of Lincoln for one dollar, and other good and valuable consideration, for the purpose of constructing, reconstructing, maintaining, operating, replacing and accessing a sanitary sewer in a portion of Wilderness Park, as specifically set forth and legally described in the easement. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**M. Grant of a temporary easement by Lancaster County to the City of Lincoln for one dollar, and other good and valuable consideration, for the purpose of temporarily using and occupying a portion of Wilderness Park during the construction of a sanitary sewer, as specifically set forth and legally described in the temporary easement. (C-05-0607)**

**MOTION:** Heier moved and Stevens seconded approval to grant a temporary easement by Lancaster County to the City of Lincoln for one dollar, and other good and valuable consideration, for the purpose of temporarily using and occupying a portion of Wilderness Park during the construction of a sanitary sewer, as specifically set forth and legally described in the temporary easement.

Stevens stated the Friends of Wilderness Park were very helpful in assisting with the design of the project and ensuring that the park is returned to as natural of a setting as possible.

**ROLL CALL:** Heier, Workman, Stevens and Schorr voted aye. Motion carried.

**N. An addendum to an agreement for appraisal services, under County Contract No. C-03-0596, for services of qualified professional appraisers to assist the Lancaster County Assessor's Office in performing the appraisal functions necessary to process the Tax Equalization and Review Commission (TERC) appeals for the 2003 tax year. The addendum authorizes Great Plains Appraisal Inc. to also process the TERC appeals for the 2005 tax year. (C-05-0608)**

**MOTION:** Heier moved and Stevens seconded approval of an addendum to an agreement for appraisal services, under County Contract No. C-03-0596, for services of qualified professional appraisers to assist the Lancaster County Assessor's Office in performing the appraisal functions necessary to process the Tax Equalization and Review Commission (TERC) appeals for the 2003 tax year. Workman, Stevens, Schorr 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. Lancaster Manor's Monthly Report.
2. Records and Information Management's Monthly Report for November, 2005.
3. 2005 State Highway Needs Assessment from the Nebraska Department of Roads.
4. Original contract and bond between the Nebraska Department of Roads and the Lancaster County Engineering Department relating to Project No. BRO-7055(101), Waverly North, County Structure No. A-76.

**B. Setting of a public hearing for Tuesday, December 20, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Final Plat No. 05096, Nature Meadows Addition, requested by Brian D. Carstens and Associates on behalf of Craig Gana, for four lots and four outlots on property generally located northwest of the intersection of South 120<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska.**

**C. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan, having met the requirements:**

- ▶ Mary K. Crable, an employee with Lancaster Manor
- ▶ Wendy Hoins, an employee with the Lancaster County Mental Health Center

**D. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and John H. Rudder, in the amount of \$1,232.20, near the South 68<sup>th</sup> Street viaduct; Project No. C55-S-401(6). (C-05-0603)**

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

8) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:03 p.m.. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, DECEMBER 13, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

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

Commissioners Absent: Larry Hudkins, Chair

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

The Board of Equalization meeting was called to order at 2:03 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 06, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on December 06, 2005. Schorr, Stevens and Workman voted aye. Heier abstained from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 11 additions and deductions to the tax assessment rolls per Attachment "A".**

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Christian Heritage Children's Homes (2 exemption applications)**  
**Rosemont Alliance Church**  
**Sheridan Lutheran Church**  
**Southeast Nebraska Mobile Diagnostic Services, Inc.**

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

4) **ADJOURNMENT:**

**MOTION:** Heier moved and Workman seconded adjournment of the Board of Equalization meeting at 2:04 p.m.. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk