

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 27, 2007
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Others Present: Kristy Bauer, Deputy County Attorney
Kerry Eagan, Chief Administrative Officer
Dan Nolte, County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The location announcement of the Nebraska Open Meetings Act was given and the meeting of the Lancaster County Board of Commissioners was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 20, 2007.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on March 20, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, March 27, 2007.**

MOTION: Stevens moved and Hudkins seconded approval of all claims processed through March 27, 2007. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **PUBLIC HEARINGS:**

A. County Change of Zone No. 07005 from AGR Agricultural Residential to AG Agricultural, requested by Michael Vrchota, to allow the subdivision of Lot 43 creating an east lot and a west lot on property generally located at the northwest corner of Southwest 84th Street and West Pioneers Boulevard, Lancaster County, Nebraska. (See New Business Item 4A for correlating documentation.)

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

The Clerk administered the oath to Mike DeKalb, Planning Department.

Dekalb explained the change of zone would allow the applicant to subdivide Lot 43 and create an east lot and a west lot. He added the Planning staff and Planning Commission have both recommended approval.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

4) **NEW BUSINESS:**

A. A resolution in the matter of County Change of Zone No. 07005 from AGR Agricultural Residential to AG Agricultural, requested by Michael Vrchota, to allow the subdivision of Lot 43 creating an east lot and a west lot on property generally located at the northwest corner of Southwest 84th Street and West Pioneers Boulevard, Lancaster County, Nebraska. (R-07-0019)

MOTION: Stevens moved and Schorr seconded approval of Resolution 07-0019 in the matter of County Change of Zone No. 07005 from AGR Agricultural Residential to AG Agricultural, requested by Michael Vrchota, to allow the subdivision of Lot 43 creating an east lot and a west lot on property generally located at the northwest corner of Southwest 84th Street and West Pioneers Boulevard, Lancaster County, Nebraska. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

B. A program resolution with the State of Nebraska, Department of Roads for roadway lighting located at South 120th and "A" Streets in Walton, Nebraska. The County's share of the project will be 20 percent which is estimated to be \$1,300. (R-07-0020)

MOTION: Stevens moved and Heier seconded approval of Resolution 07-0020 with the State of Nebraska, Department of Roads for roadway lighting located at South 120th and "A" Streets in Walton, Nebraska. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

C. Applications for Special Designated Licenses from Hillcrest Country Club to provide liquor beverage service in connection with golf tournaments to be held at 9401 "O" Street, Lincoln, Lancaster County, Nebraska. Hours of operation will be 7 a.m. to 1 a.m. for each of the following dates:

- ▶ **Sunday, April 15, 2007**
- ▶ **Sunday, May 6, 2007**
- ▶ **Sunday, June 3, 2007**
- ▶ **Sunday, July 1, 2007**
- ▶ **Sunday, August 5, 2007**
- ▶ **Sunday, October 7, 2007**

Brett Renner, General Manager of Hillcrest Country Club, appeared to answer questions.

MOTION: Heier moved and Stevens seconded approval of six applications for Special Designated Licenses from Hillcrest Country Club to provide liquor beverage service in connection with golf tournaments to be held at 9401 "O" Street, Lincoln, Lancaster County, Nebraska. Hours of operation will be 7 a.m. to 1 a.m. on April 15, May 6, June 3, July 1, August 5 and October 7, 2007. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

D. A license agreement and lease agreement with Evare LLC for a financial software program, Evare Desktop, to be utilized by the Lancaster County Treasurer's Office. The County will pay \$4,500 for a one year lease beginning June 1, 2007. (C-07-0110)

MOTION: Stevens moved and Hudkins seconded approval of a license agreement and lease agreement with Evare LLC for a financial software program, Evare Desktop, to be utilized by the Lancaster County Treasurer's Office. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

E. A grant contract with the Rape Spouse Abuse Crisis Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$66,781. Term of the grant contract is January 1, 2007 to December 31, 2008. (C-07-0111)

MOTION: Hudkins moved and Stevens seconded approval of grant contract with the Rape Spouse Abuse Crisis Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$66,781. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

F. An interlocal agreement with the Village of Firth for one Sheriff's deputy for law enforcement services within the corporate limits of the Village of Firth. Term of the agreement is April 1, 2007 through March 31, 2008. The County will be reimbursed at the overtime rate of pay for the deputy assigned to duty. The County will also be paid 48.5 cents per mile for the Sheriff's vehicle used in the provision of these services. (C-07-0112)

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

4) **NEW BUSINESS CONTINUED:**

G. An interlocal agreement with Merrick County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day. The agreement is effective upon execution and has a 30-day termination provision. (C-07-0113)

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement with Merrick County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day. Hudkins, Stevens and Workman voted aye. Heier and Schorr voted no. Motion carried.

H. An agreement with Cole Layer Trumble Company for the support and maintenance of the OASIS software used by the County Treasurer's Office. Term of the agreement is January 1, 2007 to December 31, 2007. The County will pay \$17,325 for the services. (C-0-0114)

MOTION: Heier moved and Stevens seconded approval of an agreement with Cole Layer Trumble Company for the support and maintenance of the OASIS software used by the County Treasurer's Office. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

I. An agreement between the Lancaster County Engineering Department and Lincoln Electric System, in the amount of \$59,532, for relocation of utility facilities in connection with a construction project at West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project No. C55-M-405(1). (C-07-0115)

MOTION: Hudkins moved and Heier seconded approval of an agreement between the Lancaster County Engineering Department and Lincoln Electric System, in the amount of \$59,532, for relocation of utility facilities in connection with a construction project at West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project No. C55-M-405(1). Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

J. Utility Permit Number 846 allowing the City of Lincoln to construct a sewer line in connection with a new development generally bounded by Adams, North 98th and Holdrege Streets. This will be at no cost to the County. (C-07-0116)

MOTION: Stevens moved and Heier seconded approval of utility permit number 846 allowing the City of Lincoln to construct a sewer line in connection with a new development generally bounded by Adams, North 98th and Holdrege Streets. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the County Engineering Department to award a bid as follows for gravel hauling to various stockpiles in Lancaster County, Nebraska for Spring, 2007 for a total award of \$423,975: (B-07-0021)

Project 07-34H - 7,100 Tons - Waverly

Buel Trucking (Hauler)	\$2.69/ton	\$ 19,099
Western Sand (Producer)	\$7.75/ton	<u>\$ 55,025</u>
		\$ 74,124

Project 07-35H - 5,000 Tons - Raymond

Lyman-Richey (Hauler)	\$3.14/ton	\$ 15,700
Lyman-Richey (Producer)	\$8.65/ton	<u>\$ 43,250</u>
		\$ 58,950

Project 07-36H - 2,840 Tons - Emerald

Western Sand (Hauler)	\$4.50/ton	\$ 12,780
Western Sand (Producer)	\$7.75/ton	<u>\$ 22,010</u>
		\$ 34,790

Project 07-37H - 3,560 Tons - Southwest 12th & Saltillo Road

Madlock Trucking (Hauler)	\$4.85/ton	\$ 17,266
Western Sand (Producer)	\$7.75/ton	<u>\$ 27,590</u>
		\$ 44,856

Project 07-38H - 5,000 Tons - Roca

Hiskey Trucking (Hauler)	\$5.00/ton	\$ 25,000
Western Sand (Producer)	\$7.75/ton	<u>\$ 38,750</u>
		\$ 63,750

4) **NEW BUSINESS CONTINUED:**

Project 07-39H - 3,500 Tons - South 68th Street*

Buel Trucking (Hauler)	\$6.00/ton	\$ 21,000
Western Sand (Producer)	\$7.75/ton	<u>\$ 27,125</u>
		\$ 48,125

*The above project was a tie bid between Buel & Hiskey. Their names were put into a coffee can and one was drawn by Phyllis Buss of this department. Buel Trucking was the name drawn.

Project 07-40H - 2,000 Tons - Walton

Westover Trucking (Hauler)	\$3.53/ton	\$ 7,060
Western Sand (Producer)	\$7.75/ton	<u>\$ 15,500</u>
		\$ 22,560

Project 07-41H - 2,000 Tons - Davey

Hiskey Trucking (Hauler)	\$3.90/ton	\$ 7,800
Western Sand (Producer)	\$7.75/ton	<u>\$ 15,500</u>
		\$ 23,300

Project 07-42H - 4,000 Tons - Southwest 98th Street & Saltillo Road

Westover Trucking (Hauler)	\$5.63/ton	\$ 22,520
Western Sand (Producer)	\$7.75/ton	<u>\$ 31,000</u>
		\$ 53,520

Don Thomas, County Engineer, reported an 11 percent increase in pricing from spring, 2006.

MOTION: Heier moved and Hudkins seconded approval to award a bid as follows for gravel hauling to various stockpiles in Lancaster County, Nebraska for Spring, 2007 for a total award of \$423,975 as recommended by County Engineer and the Purchasing Agent. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

L. Recommendation from the Purchasing Agent, Kerry Eagan, Chief Administrative Officer to the County Board, and Doug Cyr, Chief Deputy County Attorney, to reject a bid from Segal Advisors for pension consultation services because it exceeds pricing expectations. (B-07-0022)

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval to reject a bid from Segal Advisors for pension consultation services because it exceeds pricing expectations as recommended by the Purchasing Agent, Kerry Eagan, Chief Administrative Officer to the County Board, and Doug Cyr, Chief Deputy County Attorney. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

M. Recommendations from the Lincoln/Lancaster County Prevention Fund Advisory Board for awards, in the total amount of \$31,000, from Keno Prevention Fund as follows:

- ▶ \$2,438 to Homestead Girl Scouts Council: Scouting for Every Girl Everywhere which provides scouting for 75 girls ages 11 to 18, at the Detention Center and People's City Mission.
- ▶ \$1,875 to Big Brothers/Big Sisters: Building Our Assets Together (BOAT) which provides matches with children of incarcerated parents.
- ▶ \$3,000 to Indian Center, Inc.: Multicultural Primary Prevention (PRIDE) which provides for working with 100 Native American youth and families to reduce truancy and dropout rates.
- ▶ \$1,000 to Lincoln Housing Charities: Expanding Horizons which provides summer enrichment for 115 youth at the Carol Yoakum Family Resource Center.
- ▶ \$3,750 to YWCA: Parents Center which provides 25 teen moms tools and education to become self-sufficient.
- ▶ \$3,580 to KZUM Radio: 'Parents Journal Radio Program' which provides underwriting for the national program on parenting, child development and prevention of 'at risk' behaviors.
- ▶ \$4,500 to Lincoln Medical Society Foundation: MAP - Emergency Assistance Fund. MAP assists low income access to medication. (3,000 individuals served in 2006.)
- ▶ \$5,000 to Lincoln Council on Alcohol and Drugs: 'I Have Hope Campaign' which provides a 24 month public education campaign to increase acceptance of substance abuse treatment.
- ▶ \$5,857 to Voice of Hope: Family Violence Support and Therapy Groups which provides support to on-going groups serving 350 women in 2007. Art therapy will also be added for children.

MOTION: Schorr moved and Stevens seconded approval to accept the recommendations from the Lincoln/Lancaster County Prevention Fund Advisory Board and award \$31,000 from the Keno Prevention Fund as designated. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Laurie Petracek for lost property, in an unspecified amount.

MOTION: Heier moved and Stevens seconded approval to accept the recommendation from the Corrections Director and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Laurie Petracek for lost property, in an unspecified amount. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

5) **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. 2006 Annual Report for Norris Public Power District.

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

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the meeting of the Board of Commissioners at 9:55 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 27, 2007
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Others Present: Norm Agena, County Assessor/Register of Deeds
Kristy Bauer, Deputy County Attorney
Kerry Eagan, Chief Administrative Officer
Dan Nolte, County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The meeting of the Board of Equalization was called to order at 9:55 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 20, 2007.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on March 20, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 28 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Cedars Youth Services
Cornhusker Council, Boy Scouts of America
Developmental Services of Nebraska, Inc.
First Baptist Church**

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

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**

Las Brisas Land Development Co.

Norm Agena, County Assessor/Register of Deeds, explained that a protest was filed in 2006. He said the referee reduced the value on the area where the lagoon is located, however, he didn't add in the value on the remainder of the development land. Agena stated his office is adding in the value of the lagoon and the remainder of the development land.

MOTION: Stevens moved and Heier seconded approval to accept the recommendation of the County Assessor/Register of Deeds and send notice of assessed valuation change for property taxation purposes to Las Brisas Land Development Co.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the meeting of the Board of Equalization at 9:58 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk