

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 10, 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
Tom Fox, Deputy County Attorney
John Glynn, Chief Deputy County Clerk
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, April 3, 2007.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on April 3, 2007. Hudkins, Stevens, Schorr and Workman voted aye. Heier abstained from voting. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, April 10, 2007.**

MOTION: Heier moved and Schorr seconded approval of all claims processed through April 10, 2007. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

- A. The Commissioners Award of Excellence for March, 2007 was presented to Captain Todd Duncan with the Lancaster County Sheriff's Office.**
- B. Letter of Support for Lincoln Convention and Visitors Bureau bids for Nebraska High School State Championships for Golf, Tennis, Baseball, Swimming and Diving**

Jeff Maul, Executive Director of the Lincoln Convention and Visitors Bureau, appeared and stated they would bidding on State Championships for golf, tennis, baseball, swimming and diving on Thursday, April 12, 2007.

MOTION: Stevens moved and Heier seconded approval of a letter of support for Lincoln Convention and Visitors Bureau bids for Nebraska High School State Championships for golf, tennis, baseball, swimming and diving. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

- A. Application for a Special Designated License from Ron's Pub to provide liquor beverage service in connection with live entertainment (band, dancing, food and games) on Saturday, June 16, 2007 from 11 a.m. to 1 a.m. at 13940 "O" Street, Lincoln, Lancaster County, Nebraska.**

Stevens asked if the parking lot is normally fenced.

Terry Wagner, County Sheriff, stated he wasn't sure. He stated he did review the diagram, but didn't know if the event would be held in the parking lot. Wagner stated one of the suggestions made by the investigator who completed the guidelines was to make sure that the square footage of the building was adequate to house the number of patrons who would be attending the event.

Schorr noted that the Sheriff's recommendation also indicates the applicant would need an amusement license and stated she would feel more comfortable holding the application for a special designated license until they receive more information about the event.

4) **NEW BUSINESS CONTINUED:**

Hudkins concurred.

MOTION: Hudkins moved and Heier seconded to defer for one week an application for a Special Designated License from Ron's Pub to provide liquor beverage service in connection with live entertainment (band, dancing, food and games) on Saturday, June 16, 2007 from 11 a.m. to 1 a.m. at 13940 "O" Street, Lincoln, Lancaster County, Nebraska.

FRIENDLY AMENDMENT: Schorr offered that the application be delayed until the amusement license application is submitted.

Hudkins concurred and requested that the applicant attend the County Board meeting to answer any further questions when the items are scheduled.

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

B. An application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service in connection with a wedding reception at Country Pines, located at 6305 West Adams Street, on Saturday, May 5, 2007 from 4 p.m. to 1 a.m..

MOTION: Stevens moved and Schorr seconded approval of an application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service in connection with a wedding reception at Country Pines, located at 6305 West Adams Street, on Saturday, May 5, 2007 from 4 p.m. to 1 a.m.. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

C. An application for a Special Events Permit from Midwest Wheel Events to hold the Lincoln Plating Spring Cycling Classic on Saturday, April 21, 2007 from 8 a.m. to 6 p.m. at Branched Oak Lake. The race will begin at Lieber's Point and proceed clockwise around the lake using Northwest 140th Street, West Davey Road, Northwest 98th Street, West Raymond Road and Branched Oak Road and end back at Lieber's Point.

Appearing to answer questions was John Lefler, Jr., applicant.

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Hudkins seconded approval of an application for a Special Events Permit from Midwest Wheel Events to hold the Lincoln Plating Spring Cycling Classic on Saturday, April 21, 2007 from 8 a.m. to 6 p.m. at Branched Oak Lake subject to the conditions as outlined in the County Sheriff's recommendation. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

D. An interlocal agreement between the City of Lincoln and Lancaster County to provide the City with an appropriate facility at the Youth Services Center for detention of juveniles taken into custody by the Lincoln Police Department. The agreement is effective upon execution and continues through June 30, 2007 with automatic renewal for successive periods of one year unless either party provides written notice of its intention to renegotiate or terminate the agreement at least 90 days prior to the anniversary date. The agreement supercedes and replaces the previous interlocal agreement executed by the County on May 9, 1989 under County Contract No. C-4891. (C-07-0126)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement between the City of Lincoln and Lancaster County to provide the City with an appropriate facility at the Youth Services Center for detention of juveniles taken into custody by the Lincoln Police Department. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. A contract between the Nebraska Volunteer Service Commission and Lancaster County, on behalf of the Lancaster County Emergency Management Department, to implement Citizen Corps Program (CCP) services through the local Citizen Corps Council to give citizens opportunities to work with local first responders in preparing, training, and volunteering to make local communities safer. Term of the contract is January 1, 2007 through December 31, 2007. The County will receive \$22,810 from the State to provide such services. (C-07-0127)

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of contract between the Nebraska Volunteer Service Commission and Lancaster County, on behalf of the Lancaster County Emergency Management Department, to implement Citizen Corps Program (CCP) services through the local Citizen Corps Council to give citizens opportunities to work with local first responders in preparing, training, and volunteering to make local communities safer. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. A contract between the Lancaster County Engineering Department and Shanahan Brothers Construction, Inc., in the amount of \$651,032.37, for grading construction and culvert work at the intersection of Southwest 2nd Street and Panama Road, South 82nd Street from Panama Road to Hickman Road, Northwest 70th and West Superior Streets and West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad crossing. The contract will be effective upon execution. (C-07-0128)

MOTION: Stevens moved and Hudkins seconded approval of a contract between the Lancaster County Engineering Department and Shanahan Brothers Construction, Inc., in the amount of \$651,032.37, for grading construction and culvert work at the intersection of Southwest 2nd Street and Panama Road, South 82nd Street from Panama Road to Hickman Road, Northwest 70th and West Superior Streets and West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad crossing. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. An agreement between the Lancaster County Engineering Department and Windstream Nebraska, Inc., in the amount of \$48,044.40, for utility relocation in connection with Project No. C55-M-407(1) at Northwest 70th and West Superior Streets. (C-07-0129)

MOTION: Heier moved and Stevens seconded approval of an agreement between the Lancaster County Engineering Department and Windstream Nebraska, Inc., in the amount of \$48,044.40, for utility relocation in connection with Project No. C55-M-407(1) at Northwest 70th and West Superior Streets. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

H. An agreement between the Lancaster County Engineering Department and HWS Consulting Group, Inc., in the amount of \$30,700, for roadway design and plan preparation for paving Yankee Hill Road between South 40th and South 56th Streets; Project C55-P-425(1). (C-07-0130)

MOTION: Schorr moved and Stevens seconded approval of an agreement between the Lancaster County Engineering Department and HWS Consulting Group, Inc., in the amount of \$30,700, for roadway design and plan preparation for paving Yankee Hill Road between South 40th and South 56th Streets; Project C55-P-425(1).

Heier clarified that the paving of Yankee Hill Road between South 40th and South 56th Streets was not a Rural to Urban Roadway Transition Streets Program (RUTS) road, however, it would be built to RUTS standards on the County side after reaching agreement with the City.

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

I. An agreement with Seim, Johnson, Sestak and Quist LLP, to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2007 for the Community Mental Health Center. Term of the agreement will be from the date Seim Johnson begins work for the cost report until the cost report has been submitted to the County (by November 30, 2007). The County will pay \$4,350 to \$4,850 for the services. (C-07-0131)

MOTION: Stevens moved and Hudkins seconded approval of an agreement with Seim, Johnson, Sestak and Quist LLP, to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2007 for the Community Mental Health Center. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

J. Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid to Brandt Excavating, Inc., in the amount of \$167,625.63, for erosion control at box culverts and bridges located in the County. (B-07-0023)

MOTION: Stevens moved and Hudkins seconded approval to award a bid to Brandt Excavating, Inc., in the amount of \$167,625.63, for erosion control at box culverts and bridges located in the County as recommended by the Purchasing Agent the County Engineer. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

K. Appointment of Matthew Warner to the Lancaster County Board of Zoning Appeals for a five year term expiring March 31, 2012.

MOTION: Heier moved and Schorr seconded approval of the appointment of Matthew Warner to the Lancaster County Board of Zoning Appeals for a five year term expiring March 31, 2012. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

L. Acceptance of the resignation and early retirement of Larry Van Hunnik, effective May 3, 2007.

MOTION: Hudkins moved and Heier seconded to accept the resignation and early retirement of Larry Van Hunnik, effective May 3, 2007. 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. Clerk of the District Court's Monthly Report for March, 2007.**
- 2. Sheriff's Report of Fees for January and February, 2007.**

5) **CONSENT ITEMS CONTINUED:**

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

- ▶ Michele Lincoln, with the Lancaster County Sheriff's Office
- ▶ Donna Reifschneider, with the Lancaster County Public Defender's Office
- ▶ Alisha Steele, with the Lancaster County Assessor/Register of Deeds Office

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

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 9:59 a.m.. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 10, 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: Kristy Bauer, Deputy County Attorney
Kerry Eagan, Chief Administrative Officer
Scott Gaines, Chief Deputy County Assessor/Register of Deeds
Tom Fox, Deputy County Attorney
John Glynn, Chief Deputy County Clerk
Dan Nolte, County Clerk
Michelle Slack, Residential Real Estate Supervisor for the
County Assessor/Register of Deeds Office
Gwen Thorpe, Deputy Chief Administrative Officer

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 3, 2007.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on April 3, 2007. Hudkins, Stevens, Schorr and Workman voted aye. Heier abstained from voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 19 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

MOTION: Schorr moved and Stevens 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:**

**Parkview Christian School
People's City Mission
Seventh Day Adventist Schools of Lincoln**

MOTION: Hudkins moved and Heier 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:**

**Farmers Co-op of Waverly (5 notices)
Co-op Grain Co. Non Stock
Central Park South Association
Baja Properties L.L.C.
Hartman, Larry R. and Loretta M.**

MOTION: Stevens moved and Hudkins seconded to defer the notices of assessed valuation change for property taxation purposes for Farmers Co-op of Waverly, Co-op Grain Co. Non Stock, Central Park South Association, Baja Properties L.L.C. and Larry R. and Loretta M. Hartman. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:01 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk