

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MAY 8, 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: 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, May 1, 2007.**

**MOTION:** Heier moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting dated May 1, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 8, 2007.**

**MOTION:** Hudkins moved and Stevens seconded approval of all claims processed through May 8, 2007. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

**A. A one time cash award for Jodi Zimmerman, in the amount of \$500, for being selected as the Correction Department's '2006 Employee of the Year'.**

**MOTION:** Heier moved and Hudkins seconded approval of a one time cash award for Jodi Zimmerman, in the amount of \$500, for being selected as the Correction Department's '2006 Employee of the Year'. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

**A. An application for Corporate Manager for Tina Marie (Paulsen) Krings in connection with a new Class B (Beer Off Sale Only) liquor license for Casey's Retail Company d/b/a Casey's General Store #2721, located at 4003 West Highway 34, Lincoln, Lancaster County, Nebraska.**

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

The oath was administered to Tina Krings, applicant for Corporate Manager.

In response to questions asked by Hudkins, Krings gave an overview of her previous experience. She also added she would be taking the 'Hospitality Training' workshop on May 10, 2007.

Schorr asked if Casey's served on the premises.

Krings stated no and indicated they are downgrading from a Class D to a Class B license.

The oath was administered to Sue Allen, Casey's General Stores.

Allen explained that at one time Gas 'N Shop had tap beer available, however, when Casey's took over they chose to remove that license.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was recessed for one week.

4) **PUBLIC HEARINGS CONTINUED:**

**B. County Change of Zone No. 07012, requested by the Director of Building and Safety, for a text amendment to Article 17.029 of the Lancaster County Zoning Resolution. (See New Business Item 5A for correlating documentation.)**

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

The oath was administered to Mike DeKalb, Planning Department.

DeKalb gave an overview of the Change of Zone, noting that both Planning staff and Planning Commission recommended approval.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

**C. County Change of Zone No. 07014, requested by Kenneth Downing, from AG Agricultural District to AGR Agricultural Residential District to enable a land transfer on property generally located at South 68<sup>th</sup> Street and Wittstruck Road a/k/a 14220 South 68<sup>th</sup> Street, Lancaster County, Nebraska.**

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

The oath was administered to Kenneth Downing, applicant.

Downing explained he was requesting the Change of Zone to allow a land transfer between his parcel and an abutting parcel to the north.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

5) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone No. 07012 for a text amendment to Article 17, Section 17.029 of the Lancaster County Zoning Resolution to correct a conflict occurring between provisions of the zoning regulations. (R-07-0027)**

**MOTION:** Stevens moved and Hudkins seconded approval of Resolution 07-0027 in the matter of County Change of Zone No. 07012 for a text amendment to Article 17, Section 17.029 of the Lancaster County Zoning Resolution to correct a conflict occurring between provisions of the zoning regulations. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

- B. A resolution in the matter of County Change of Zone No. 07014 from Agriculture (AG) to Agriculture Residential (AGR) requested by Kenneth Downing on property generally located at South 68th Street and Wittstruck Road, Lancaster County, Nebraska. (R-07-0028)**

**MOTION:** Stevens moved and Schorr seconded approval of Resolution 07-0028 in the matter of County Change of Zone No. 07014 from Agriculture (AG) to Agriculture Residential (AGR) requested by Kenneth Downing on property generally located at South 68th Street and Wittstruck Road, Lancaster County, Nebraska. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- C. A resolution in the matter of authorizing the installation of the following traffic signs at the intersection of Northwest 48<sup>th</sup> Street and West Raymond Road: two weeks prior to removal of two westbound 'STOP' signs on West Raymond Road, install two 'Stop Sign Will Be Removed' signs under the two existing westbound 'STOP' signs on West Raymond Road, and install 'Notice-Cross Traffic Will Not Stop Effective (date)' under each existing northbound and southbound 'STOP' signs on Northwest 48<sup>th</sup> Street. After two weeks notice of the 'STOP' sign removal, remove the two existing westbound 'STOP' signs on West Raymond Road; remove the existing westbound 'STOP Ahead' signs on West Raymond Road; and replace the 'Notice-Cross Traffic Will Not Stop Effective (date)' sign with a 'Cross Traffic Does Not Stop' sign under each northbound and southbound 'STOP' sign on Northwest 48<sup>th</sup> Street. Remove the 'Cross Traffic Does Not Stop' signs from each existing northbound and southbound "STOP' signs six months after their installation. (R-07-0029)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Hudkins seconded approval of Resolution 07-0029 in the matter of authorizing the installation of traffic signs in Lancaster County. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

**D. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-07-0030)**

**MOTION:** Stevens moved and Hudkins seconded approval of Resolution 07-0030 in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

**E. A resolution in the matter of amending the adoption of a policy governing the expenditure of public funds for payment or reimbursement of actual and necessary expenses incurred by County elected officials, appointed officials, employees and volunteers. This resolution replaces a maximum reimbursement schedule with a daily per diem and eliminates the mandatory requirement for employees to submit receipts of actual meal expenses. This resolution is effective May 8, 2007 and replaces County Resolution No. R-06-0114. (R-07-0031)**

**MOTION:** Stevens moved and Heier seconded approval of Resolution 07-0031.

Tom Fox, Deputy County Attorney, requested the resolution be held for one week to allow for clarification of some of the statutory language.

Stevens withdrew his motion. The seconder concurred.

Item will be held for one week.

**F. A resolution in the matter of fixing the date, time and place for a public hearing regarding a request to vacate two parcels of Rokeby Road right-of-way in the southeast one-quarter of Section 25 and the northeast one-quarter of Section 36, Township 9 North, Range 7 East of the 6<sup>th</sup> Principal Meridian, Lancaster County, Nebraska. (R-07-0032)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Hudkins moved and Heier seconded approval of Resolution 07-0032 in the matter of fixing the date, time and place for a public hearing regarding a request to vacate two parcels of Rokeby Road right-of-way in the southeast one-quarter of Section 25 and the northeast one-quarter of Section 36, Township 9 North, Range 7 East of the 6<sup>th</sup> Principal Meridian, Lancaster County, Nebraska. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

**G. A change order/supplemental agreement with L.J. Webb Contractor, Inc., in the amount of \$7,845.10, for pipe culvert replacement and maintenance; Project No. 07-23. (C-07-0155)**

**MOTION:** Stevens moved and Heier seconded approval of a change order/supplemental agreement with L.J. Webb Contractor, Inc., in the amount of \$7,845.10, for pipe culvert replacement and maintenance; Project No. 07-23. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

**H. Utility Permit Nos. 851 through 855 for Omaha Public Power District (OPPD) to construct 345kV overhead crossings on Lancaster County right-of-way at the following locations:**

- ▶ 880 feet north, 1,563 feet east of the southwest corner of Section 25, Township 9 North, Range 7 East (C-07-0156)
- ▶ 2,583 feet north of the southwest corner of Section 29, Township 9 North, Range 8 East (C-07-0157)
- ▶ 2,617 feet north of the southwest corner of Section 28, Township 9 North, Range 8 East (C-07-0158)
- ▶ 2,617 feet north of the southwest corner of Section 27, Township 9 North, Range 8 East (C-07-0159)
- ▶ 100 feet south of the southwest corner of Section 25, Township 9 North, Range 8 East (C-07-0160)

Doug Pillard, County Engineering Department, recommended Utility Permit Nos. 851 through 855 be denied due to Omaha Public Power District's lack of cooperation and unwillingness to coordinate their construction with any future road improvements the County may have.

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Hudkins moved and Schorr seconded to deny Utility Permit Nos. 851 through 855 with Omaha Public Power District; to direct the County Engineering Department and the County Attorney's Office to further negotiate with Omaha Public Power District; and to prepare a letter from the Board of Commissioners to Omaha Public Power District.

Mike DeKalb, Planning Department, concurred with the County Engineering Department. He said Omaha Public Power District would be getting so close to the edge of the existing road that the County will not be able to obtain future right-of-way needed for expanded road construction.

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

**I. A contract between Lancaster County and Theresa Whisler for the preparation of transcripts relating to 2007 greenbelt disqualifications, effective May 4, 2007.**

The County Clerk's Office requested the item be held for one week.

**J. A sub-grant award agreement with Nebraska Emergency Management Agency (NEMA) and Lancaster County Emergency Management for Fiscal Year 2007, in the amount of \$49,530; Grant Award No. 2007-EM-E7-0007.**

**MOTION:** Stevens moved and Heier seconded approval of a sub-grant award agreement with Nebraska Emergency Management Agency (NEMA) and Lancaster County Emergency Management for Fiscal Year 2007, in the amount of \$49,530; Grant Award No. 2007-EM-E7-0007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Dough Ahlberg, Emergency Management Director, gave an overview of the grant award agreement.

5) **NEW BUSINESS CONTINUED:**

**K. Recommendation from the Purchasing Agent and the Lancaster County Sheriff to award a bid to Alamar Uniforms, in the amount of \$10,204, for uniforms. (B-07-0027)**

**MOTION:** Heier moved and Hudkins seconded to award a bid to Alamar Uniforms, in the amount of \$10,204, for uniforms. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

**L. Request from the Lancaster County Personnel Policy Board to create a Senior Election Clerk classification (Class Code 2502) at a proposed pay grade of \$29,675.36 to \$38,009.92 (A19) and an Engineering Technician-Bridge Inspector (Class Code 9857) at a proposed pay grade of \$42,423.68 to \$54,342.08.**

**MOTION:** Schorr moved and Stevens seconded approval of a request from the Lancaster County Personnel Policy Board to create a Senior Election Clerk classification (Class Code 2502) at a proposed pay grade of \$29,675.36 to \$38,009.92 (A19) and an Engineering Technician-Bridge Inspector (Class Code 9857) at a proposed pay grade of \$42,423.68 to \$54,342.08. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

**M. A political subdivision tort claim filed against Corrections by Jeffrey Manley for personal property alleged not to have been returned upon release. No amount of loss was claimed.**

**MOTION:** Heier moved and Stevens seconded to accept the recommendation of the Corrections Director and deny a political subdivision tort claim filed against Corrections by Jeffrey Manley for personal property alleged not to have been returned upon release. No amount of loss was claimed. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

**N. A political subdivision tort claim filed against Corrections by Joe DeCoteau for lost property, in the amount of \$50.**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Hudkins seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against Corrections by Joe DeCoteau for lost property, in the amount of \$50. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

6) **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 Clerk's Monthly Report for April, 2007.**
- 2. County Engineer's Quarterly Report for January through March, 2007.**
- 3. County Engineer's Quarterly Report for the Geographic Information System (GIS) Division for January through March, 2007.**

**B. Setting of a public hearing for Tuesday, May 15, 2007 at 9:30 a.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to adopt regulations to prevent the introduction of communicable, contagious, and infectious diseases in Lancaster County, Nebraska. (A copy of the proposed regulations is on file in the County Clerk's Office.)**

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

- ▶ **Kendra Brodd, with the Lancaster County Attorney's Office**
- ▶ **Vicki Leibhart, with the Lancaster County Attorney's Office**
- ▶ **Can Vo, with the Lancaster County Property Management Department**

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

7) **ADJOURNMENT:**

**MOTION:** Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:15 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

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Dan Nolte  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, MAY 8, 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  
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 Equalization was called to order at 10:15 a.m..

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

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting held on May 1, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 63 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:**

**Christ United Methodist Church  
Community Blood Bank of the Lancaster County Medical Society  
Lincoln Literacy Council**

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

4) **ADJOURNMENT:**

The Board of Equalization was recessed at 10:17 a.m.

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Dan Nolte  
County Clerk