

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MAY 15, 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  
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 8, 2007.**

**MOTION:** Heier moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on May 8, 2007. Hudkins, Schorr, Heier and Workman voted aye. Stevens was absent from voting. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, May 15, 2007.**

**MOTION:** Schorr moved and Heier seconded approval of all claims processed through May 15, 2007. Schorr, Hudkins, Heier and Workman voted aye. Stevens was absent from voting. Motion carried.

(Stevens entered the Hearing Room at 9:34 a.m..)

3) **SPECIAL PRESENTATIONS:**

**A. Recognition of County Employees' Service Anniversaries.**

The County Board recognized employees who have served the County for 10, 15, 20, 25, 30, 35 and 45 years.

New Business Item 6R was moved forward on the agenda.

**NEW BUSINESS ITEM 6R:**

**6R. Request from John and Doris Wolter for a refund of real property taxes on property located at 6600 Plumwood Lane, Lincoln, Nebraska.**

Norm Agena, County Assessor/Register of Deeds, explained that an addition was completed in 1993 and it was assumed that it was a finished living area until a recent general review of the property revealed that it is not finished. Agena recommended denial of the refund because there is an additional bathroom which offsets the addition completed in 1993.

John Wolter, property owner, appeared and gave a brief explanation of his request.

General discussion took place regarding square footage, number of bathrooms and the building permit for the addition.

**MOTION:** Hudkins moved and Schorr seconded approval of a request from John and Doris Wolter for a refund of real property taxes for a two year period. Hudkins, Schorr and Workman voted yes. Stevens and Heier voted no. Motion carried.

4) **PUBLIC HEARINGS:**

**A. Continuation of a public hearing regarding 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. (See New Business Item 6A for correlating documentation.)**

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

No one appeared and the hearing was closed.

4) **PUBLIC HEARINGS CONTINUED:**

- B. Adoption of 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.) (See New Business Item 6E for correlating documentation.)**

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

Steve Frederick, Lincoln-Lancaster County Health Department, appeared and gave an overview of the regulations explaining that the adoption of the regulations would bring them into compliance with State requirements.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

- A. A contract between Lancaster County and Theresa Whisler for the preparation of transcripts relating to 2007 greenbelt disqualifications, effective May 4, 2007. (C-07-161)**

**MOTION:** Heier moved and Stevens seconded approval of a contract between Lancaster County and Theresa Whisler for the preparation of transcripts relating to 2007 greenbelt disqualifications, effective May 4, 2007. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. A resolution in the matter of an application for a Class B, liquor license for Casey's Retail Company d/b/a Casey's General Store #2721, and a corporate manager liquor license application for Tina Marie (Paulsen) Krings, in connection with the Class B liquor license for Casey's Retail Company d/b/a Casey's General Store #2721, located at 4003 W Hwy 34, Lincoln, Lancaster County, Nebraska. (R-07-0033)**

**MOTION:** Stevens moved and Schorr seconded approval of Resolution 07-0033 in the matter of a Corporate Manager application for Tina Marie (Paulsen) Krings and an application for a Class B liquor license in connection with Casey's Retail Company d/b/a Casey's General Store #2721 located at 4003 West Highway 34, Lincoln, Lancaster County, Nebraska. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- B. An application for a Special Designated License from Lux Center for the Arts to provide liquor beverage service for the 'Down to Earth' fund raising dinner on Saturday, June 2, 2007 from 6 p.m. to 9:30 p.m. at Spring Creek Prairie Audubon Center, located at 11700 Southwest 100<sup>th</sup> Street, Lancaster County, Nebraska.**

**MOTION:** Stevens moved and Schorr seconded approval of an application for a Special Designated License from Lux Center for the Arts to provide liquor beverage service for the 'Down to Earth' fund raising dinner on Saturday, June 2, 2007 from 6 p.m. to 9:30 p.m. at Spring Creek Prairie Audubon Center, located at 11700 Southwest 100<sup>th</sup> Street, Lancaster County, Nebraska. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- C. A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the Election Commissioner Budget within the General Fund. The amount to be transferred is \$131,500. (R-07-0032)**

**MOTION:** Hudkins moved and Heier seconded approval of Resolution 07-0032 in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the Election Commissioner Budget within the General Fund. The amount to be transferred is \$131,500. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- D. 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 15, 2007, and replaces County Resolution No R-06-0114. (R-07-0034)**

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Heier seconded approval of Resolution 07-0034 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. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

**E. A resolution in the matter of adopting regulations to prevent the introduction or spread of communicable, contagious, and infectious diseases in Lancaster County, Nebraska. (R-07-0035)**

**MOTION:** Schorr moved and Hudkins seconded approval of Resolution 07-0035 in the matter of adopting regulations to prevent the introduction or spread of communicable, contagious and infectious diseases in Lancaster County, Nebraska. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

**F. Amendment to the grant contract with the Rape Spouse Abuse Crisis Center under County Contract Number C-07-0111. The Rape Spouse Abuse Crisis Center has changed the name of its organization to the Voices of Hope. The amendment changes the name of the Grantee in the contract from the Rape Spouse Abuse Crisis Center to the Voices of Hope. (C-07-0162)**

**MOTION:** Stevens moved and Schorr seconded approval of an amendment to the grant contract with the Rape Spouse Abuse Crisis Center under County Contract Number C-07-0111. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

**G. An interlocal agreement between Lancaster County and Butler County, Nebraska, to house inmates who are held under Lancaster County's lawful authority at the Butler County Detention Facility. Lancaster County will pay Butler County \$45 per inmate for each day the inmate in house by Butler County. The agreement is effective upon execution of both parties and will be for a one year period. (C-07-0163)**

Mike Thurber, Corrections Director, explained that the interlocal was needed to relieve overcrowding at Corrections. He stated the facility in David City is able to house ten individuals.

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Hudkins seconded approval of an interlocal agreement between Lancaster County and Butler County, Nebraska, to house inmates who are held under Lancaster County's lawful authority at the Butler County Detention Facility. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

**H. Utility Permit No 864 allowing the City of Lincoln to construct a water line approximately 180 feet east of North 87th Street on Holdrege Street at no cost to Lancaster County. (C-07-0164)**

**MOTION:** Hudkins moved and Schorr seconded approval of Utility Permit No 864 allowing the City of Lincoln to construct a water line approximately 180 feet east of North 87th Street on Holdrege Street at no cost to Lancaster County. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

**I. A contract with Roberts Dairy, in the amount of \$60,000, using cooperative purchasing with the University of Nebraska-Lincoln (Invitation Number 9813) for dairy products for Lancaster Manor. (C-07-0175)**

**MOTION:** Stevens moved and Hudkins seconded approval of a contract with Roberts Dairy, in the amount of \$60,000, using cooperative purchasing with the University of Nebraska-Lincoln (Invitation Number 9813) for dairy products for Lancaster Manor. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

**J. 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, 2007 through April 30, 2008. The County shall be reimbursed at the overtime rate of pay for the deputy assigned to duty. The County shall be paid .485 cents per mile for the Sheriff's vehicle used in the provision of these services. (C-07-0176)**

**MOTION:** Heier moved and Stevens 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. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- K. An addendum to County Contract C-06-0421 between the Lancaster County Community Mental Health Center and Physicians Laboratory Services Inc. for laboratory testing and related services at Lancaster Manor. The addendum will be in effect at the time of execution by the County Board. There is no estimated cost for the contract at the current time. (C-07-0177)**

This item was placed on hold at the request of the County Attorney's Office.

- L. Recommendation from the Purchasing Agent and the County Engineer to issue an order from State of Nebraska Contract No. 11703 OC to Vermeer Equipment Company, for one (1) Vermeer Model BC1400XL Brush Chipper, in the amount of \$26,454. (B-07-0028)**

**MOTION:** Schorr moved and Stevens seconded approval to issue an order from State of Nebraska Contract No. 11703 OC to Vermeer Equipment Company, for one (1) Vermeer Model BC1400XL Brush Chipper, in the amount of \$26,454. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

- M. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to award parts of a bid for asphaltic concrete resurfacing and paving to Pavers Inc. as follows: Option 1 - Award of Part 1, in the amount of \$1,387,073.23, with the exception of Section J, paving of West Bluff Road and Section L, paving of Saltillo Road or Option 2 - Award of Part 1, in the amount of \$1,452,333.96, with the exception of Section L, paving of Saltillo Road. (B-07-0029)**

**MOTION:** Hudkins moved and Heier seconded approval to award part of a bid for asphaltic concrete resurfacing and paving to Pavers Inc. as follows: Option 2-Award of Part 1 with the exception of Section L, paving of Saltillo Road, in the amount of \$1,452,333.96. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

- N. Recommendation of the Purchasing Agent and the Lancaster Manor Administrator, to award a Request for Proposal (RFP) to Nebraska Occupational Health Center, in the amount of \$9,800, for health assessments and back screening services. (B-07-0030)**

**MOTION:** Stevens moved and Hudkins seconded approval to award a Request for Proposal to Nebraska Occupational Health Center, in the amount of \$9,800, for health assessments and back screening services. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- O. Quote from O' Keefe Elevator Company, Inc. in the amount of \$445 for a elevator fan motor replacement at Trabert Hall. (B-07-0031)**

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

- P. Political subdivision tort claim filed against the Corrections Department by Meaghan Hansen for alleged gender discrimination and civil rights violations, in the amount of \$500,000.**

**MOTION:** Heier moved and Stevens seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against the Corrections Department by Meaghan Hansen for alleged gender discrimination and civil rights violations, in the amount of \$500,000. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

- Q. Political subdivision tort claim filed against Corrections by Jimmy Vinson for deductions from his inmate account for payment of fines in the amount of \$96.**

**MOTION:** Heier moved and Schorr seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against Corrections by Jimmy Vinson for deductions from his inmate account for payment of fines in the amount of \$96. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

- R. Request from John and Doris Wolter for a refund of real property taxes on property located at 6600 Plumwood Lane, Lincoln, Nebraska.**

This item was moved forward on the agenda.

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. County Assessor/Register of Deeds Monthly Report for April, 2007.**
- 2. Records & Information Management's Monthly Report for April, 2007.**
- 3. Weed Control Authority's Monthly Report for April, 2007.**
- 4. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for April, 2007.**
- 5. Clerk of the District Court's Monthly Report for April, 2007.**

**B. Setting of a public hearing for Tuesday, June 5, 2007 at 9:30 a.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request from Ron's Pub Inc. d/b/a Ron's Pub for an addition to licensed premise located at 13940 "O" Street, Suite B8, Lincoln, Lancaster County, Nebraska. This request is for a banquet hall (Oasis Room) next to Ron's Pub.**

**C. Leasehold contract for stockpiling rock and/or gravel between the County Engineer and Ronald Liesveld Et. Al., located at the NW corner of N 1/2 NW 1/4 15-7-7, in the amount of \$600. (C-07-0165)**

**D. Leasehold contract for culvert replacement between the County Engineer and Burdette Piening, located 1452' west of SW 126th Street and Pioneers Blvd, in the amount of \$10. (C-07-0166)**

**E. Right-of-entry agreement for cleaning out trees between the County Engineer and Jerry Beach, located between SW 89th and Van Dorn Street. (C-07-0167)**

7) **CONSENT ITEMS CONTINUED:**

**F. Right-of-way contract for road construction between the County Engineer and the following:**

- \* **Gertrude & Douglas Deats, in the amount of \$459, located 30' east of South 110th Street on Wittstruck Road; Project No C.P-R-278. (C-07-0168)**
- \* **Harvey Deinert, in the amount of \$83, located 2068' north of NW 98th and O Streets; Project No C.P-M-36. (C-07-0169)**
- \* **Pork 21, Inc., by Merlin Doctor, in the amount of \$329, located 1452' west of SW 12th Street and W Pioneers Rd; Project No C.P-N-53. (C-07-0170)**
- \* **Richard and Kathleen Fortner, in the amount of \$768, located 1007' south of N 84th Street and Davey Road; Project No C.P-B-45. (C-07-0171)**
- \* **Leo and Betty Martens, in the amount of \$415, located 1452' west of SW 126th Street on W Pioneers Rd; Project No C.P-N-53. (C-07-0172)**
- \* **Elaine A. and Loree A. Thayer, in the amount of \$615, located 27' east of SW 119th Street and W Midway Road; Project No C.P-N-270. (C-07-0173)**
- \* **Loyd L Young, in the amount of \$501, located 20' west of S 110th Street and Wittstruck Road; Project No C.P-S-247A. (C-07-0174)**

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

8) **ADJOURNMENT:**

**MOTION:** Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:35 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 15, 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  
Dan Nolte, County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 8, 2007.**

**MOTION:** Schorr moved and Stevens seconded approval of the minutes of the Board of Equalization held on May 8, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 75 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

**MOTION:** Stevens moved and Heier 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:**

**Christian Record Services, Inc.  
Lincoln Medical Education Partnership  
St. Teresa Church  
Vital Services Inc**

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

4) **ADJOURNMENT:**

By the direction of the Chair, the Board of Equalization meeting was recessed at 10:35 a.m..

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Dan Nolte  
County Clerk