

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 21, 2007
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Bob Workman, Chair
Ray Stevens
Deb Schorr

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office

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

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 14, 2007.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 14, 2007. Stevens and Schorr voted aye. Workman abstained from voting. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, August 21, 2007.**

MOTION: Schorr moved and Stevens seconded approval of all claims processed through August 21, 2007. Schorr, Stevens and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

A. Amend Sections VI, IX, XV and XXIX of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska by increasing various fees as provided in Attachment "A".

- B. Amend Section XIII of County Resolution No. 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees as provided in Attachment "A".**
- C. Amend Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems prior to the sale, transfer or conveyance of property in Lancaster County, Nebraska by increasing various fees as provided in Attachment "A".**
- D. Amend County Resolution No. 5069: Lancaster County Air Pollution Control Resolution to increase the fee for open burning permits charged to business and industry as provided in Attachment "A".**
- E. Amend Article 1, Section 6 and Article 2, Section 30 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards to increase the fees associated with air quality construction permits and for notification fees for the National Emissions Standards for Hazardous Air Pollutants Asbestos Projects as provided in Attachments "A" and "B".**

Public hearing items 3A, 3B, 3C, 3D and 3E were heard together.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, appeared and gave an overview of the proposed changes. He said the fees address mandatory work done in the County and said some are associated with work that is also done in the City. Similar changes have gone before the City Council. Holmes said most of the increases are in the range of 5 percent, with the exception of those for body art establishments (there are currently no permitted body art establishments in the County's jurisdiction) and asbestos fees. He said the fees were discussed, when possible, with the parties that will be affected in some way. They were also discussed with the Board of Health and the Air Pollution Control Advisory Board. Holmes said the fees were incorporated as part of the budget and are the same fees proposed to the City.

Stevens asked whether property transfer inspections can require systems to be brought up to specifications.

Holmes said no, property transfer inspections do not stop transfers of property. If there are severe violations that would cause a health risk, they can be addressed after the transfer process either through escrow or through an agreement between the buyer and seller relative to repair of the system.

Tom Fox, Deputy County Attorney, appeared and said the Health Department has asked that the effective date be September 11, 2007.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

4) **OLD BUSINESS:**

- A. **An agreement with Lutheran Family Services of Nebraska, Inc. for non-physician substance abuse treatment services for males placed in the Lancaster County Adult Drug Court. Term of the agreement is July 1, 2007 through June 30, 2008. The County will pay up to \$28,120 for the services. (C-07-0303)**

MOTION: Stevens moved and Schorr seconded approval of an agreement with Lutheran Family Services of Nebraska, Inc. for non-physician substance abuse treatment services for males placed in the Lancaster County Adult Drug Court. Schorr, Stevens and Workman voted aye. Motion carried.

- B. **A real estate purchase agreement between Lancaster County and West O Properties L.L.C. for the purchase of 37.41 acres of real estate legally described as Lots 73 and 74 located in the Northwest Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M.. The cost to the County is \$2,250,750. (C-07-0311)**

MOTION: Stevens moved and Schorr seconded approval of a real estate purchase agreement between Lancaster County and West O Properties L.L.C. for the purchase of 37.41 acres of real estate legally described as Lots 73 and 74 located in the Northwest Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M. Schorr, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. **A resolution amending Sections VI, IX, XV and XXIX of County Resolution No 03-0007, Regulations for the Operation of Body Art and Piercing Establishments. The amendment increases various fees for the operation of body art and piercing establishments as provided in Attachment A. (R-07-0074)**
- B. **A resolution amending Section XIII of County Resolution No 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems. The amendment increases various fees for on-site wastewater treatment permits as provided in Attachment A. (R-07-0075)**

5) **NEW BUSINESS CONTINUED:**

- C. **A resolution amending Section X of County Resolution No 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property. The amendment increases fees for evaluation and review of Property Transfer Inspector reports and necessary site visits by the Health Director as provided in Attachment A. (R-07-0076)**

- D. **A resolution in the matter of amending Resolution No 5069, The Lancaster County Air Pollution Control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment A. (R-07-0077)**

- E. **A resolution amending Article 1, Section 6, and Article 2, Section 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendments increase the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects, as provided in Attachment A, and increases the fees associated with construction permits, as provided in Attachment B. (R-07-0078)**

MOTION: Schorr moved and Stevens seconded approval of the following, with an effective date of September 11, 2007:

- * Resolution R-07-0074 in the matter of amending Sections VI, IX, XV and XXIX of County Resolution No 03-0007, Regulations for the Operation of Body Art and Piercing Establishments. The amendment increases various fees for the operation of body art and piercing establishments as provided in Attachment A.
- * Resolution R-07-0075 in the matter of amending Section XIII of County Resolution No 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems. The amendment increases various fees for on-site wastewater treatment permits as provided in Attachment A.
- * Resolution R-07-0076 in the matter of amending Section X of County Resolution No 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property. The amendment increases fees for evaluation and review of Property Transfer Inspector reports and necessary site visits by the Health Director as provided in Attachment A.
- * Resolution R-07-0077 in the matter of amending Resolution No 5069, The Lancaster County Air Pollution Control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment A.

5) **NEW BUSINESS CONTINUED:**

- * Resolution R-07-0078 in the matter of amending Article 1, Section 6, and Article 2, Section 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendments increase the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects, as provided in Attachment A, and increases the fees associated with construction permits, as provided in Attachment B. Stevens, Schorr and Workman voted aye. Motion carried.

F. A resolution in the matter of Street Name Change No 07002 to change the name of Woodlawn Road to Old Woodlawn Road and naming the realignment of NW 40th Street and NW 48th Street. (R-07-0073)

MOTION: Stevens moved and Schorr seconded approval of a resolution in the matter of Street Name Change No 07002 to change the name of Woodlawn Road to Old Woodlawn Road and naming the realignment of NW 40th Street and NW 48th Street. Schorr, Stevens and Workman voted aye. Motion carried.

G. A resolution in the matter of adopting the Fiscal Year 2007-2008 Lancaster County Budget. (R-07-0079)

Dennis Meyer, Budget and Fiscal Officer, appeared and gave an overview of changes to the proposed budget to set the tax rate at 27.55 cents per \$100 of valuation (includes a 1 cent levy for a Jail Savings Fund) (Exhibit A). He said the changes are due to: 1) A change in valuation from what was projected and 2) Reductions in the City budget. .

MOTION: Stevens moved to strike the 1 cent potential levy for a Jail Savings Fund from the budget.

The motion failed for the lack of a second.

Board members discussed their reasons for supporting or opposing the 1 cent levy for a Jail Savings Fund. It was noted that Commissioners Hudkins and Heier support the levy.

It was noted that the money will be set aside in a separate fund and will only be used for jail construction costs.

MOTION: Schorr moved and Stevens seconded approval of a resolution in the matter of adopting the Fiscal Year 2007-2008 Lancaster County Budget which includes a 1 cent levy for a Jail Savings Fund.

5) **NEW BUSINESS CONTINUED:**

Terry Wagner, Lancaster County Sheriff, appeared and said he wants the record to reflect that the published budget proposal for the Sheriff's Office was not as he submitted and that his budget request was reduced by \$76,005 at the direction of the County Board (Exhibit B).

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

- H. Two applications for Special Designated Licenses from Ken's Liquor, Inc. to provide liquor beverage service at wedding receptions on Saturday, September 8, 2007 and on Saturday, October 6, 2007 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Nebraska.**

MOTION: Stevens moved and Schorr seconded approval of two applications for Special Designated Licenses from Ken's Liquor, Inc. to provide liquor beverage service at wedding receptions on Saturday, September 8, 2007 and on Saturday, October 6, 2007 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Nebraska. Schorr, Stevens and Workman voted aye. Motion carried.

- I. An agreement with Midwest Pulmonary Consultants to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Midwest Pulmonary Consultants will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30-day termination provision. (C-07-0328)**

MOTION: Stevens moved and Schorr seconded approval of an agreement with Midwest Pulmonary Consultants to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Stevens, Schorr and Workman voted aye. Motion carried.

- J. An amendment to a contract between Lancaster County and Bland and Associates, P.C., found at County Contract Number C-07-0290. The amendment lowers the total amount of the contract from \$203,468 to \$177,085 for auditing services for Lancaster County and deletes the amounts to be paid that are the responsibility of the Public Building Commission. (C-07-0329)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of an amendment to a contract between Lancaster County and Bland and Associates, P.C., found at County Contract Number C-07-0290. Schorr, Stevens and Workman voted aye. Motion carried.

- K. First Amendment to a Cooperative Agreement between the Northern Ponca Housing Authority (NPHA) and Lancaster County (executed on June 4, 1996) which provides that NPHA's housing units in Lancaster County are exempt from real and personal property taxes in exchange for certain annual payments in lieu of taxes. The First Amendment increases the number of housing units which may be developed by NPHA under the Cooperative Agreement from five (5) units to thirty (30) units. The First Amendment also provides that the NPHA shall pay the County \$10,500 as a settlement for all past due payments in lieu of taxes. (C-07-0330)**

MOTION: Stevens moved and Schorr seconded approval of first amendment to a Cooperative Agreement between the Northern Ponca Housing Authority (NPHA) and Lancaster County (executed on June 4, 1996) which provides that NPHA's housing units in Lancaster County are exempt from real and personal property taxes in exchange for certain annual payments in lieu of taxes. Schorr, Stevens and Workman voted aye. Motion carried.

- L. An agreement with the Lancaster County Medical Society (LCMS) to enroll qualified Lancaster County Community Mental Health Center clients in national pharmaceutical discount programs and to provide related services, including medical record development, and the training of staff at the Community Mental Health Center. Term of the agreement is July 1, 2007 through June 30, 2008. The County will reimburse LCMS based upon the established rates for each discount program and \$1,000 per month for related services. (C-07-0331)**

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

- M. Change Order Number 3 to the contract between Lancaster County and Constructors, Inc. for surfacing of the Jamaica North Trail. A new decrease of \$20,970 from the contract price, resulting in a final contract price of \$472,987.66. (C-07-0332)**

MOTION: Schorr moved and Stevens seconded approval of Change Order Number 3 to the contract between Lancaster County and Constructors, Inc. for surfacing of the Jamaica North Trail. Stevens, Schorr and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- N. A subdivision agreement with Harlan and Judith Stiefel for County Final Plat No. 07046, Four Winds Estates 1st Addition, on property generally located at SW 77th Street and West Old Cheney Road. (C-07-0336)**

MOTION: Stevens moved and Schorr seconded approval of a subdivision agreement with Harlan and Judith Stiefel for County Final Plat No. 07046, Four Winds Estates 1st Addition, on property generally located at SW 77th Street and West Old Cheney Road.

Stevens asked that the Planning Department provide the Board with a map of what the final plat looks like.

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

- O. Recommendation from the Purchasing Agent and the Corrections Department to award a bid to NIFCO Mechanical Systems, for fire pump replacement for the Corrections Department, in the amount of \$10,750. (B-07-0045)**

MOTION: Stevens moved and Schorr seconded to award a bid to NIFCO Mechanical Systems, for fire pump replacement for the Corrections Department, in the amount of \$10,750. Stevens, Schorr and Workman voted aye. Motion carried.

- P. Recommendation from the Purchasing Agent, the Corrections Department and the Youth Services Center, to award a bid to the following for Corrections staff clothing, inmate clothing and accessories:**

- * **Robinson Textiles**
- * **Bob Barker Company**
- * **Uniform Manufacturing, Inc.**
- * **Shoe Corporation of Birmingham**

The products ordered from this contract are awarded as needed and there is not a fixed amount of spending for this commodity. (B-07-0046)

MOTION: Schorr moved and Stevens seconded to award a bid to Robinson Textiles, Bob Barker Company, Uniform Manufacturing, Inc. and Shoe Corporation of Birmingham for Corrections staff clothing, inmate clothing and accessories. Schorr, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- Q. Appointment of Timothy Barrett Chlupsa to the Air Pollution Control Advisory Board to replace Trish Owen, with the term ending on September 1, 2008.**

MOTION: Stevens moved and Schorr seconded to appoint Timothy Barrett Chlupsa to the Air Pollution Control Advisory Board to replace Trish Owen, with the term ending on September 1, 2008. Stevens, Schorr and Workman voted aye. Motion carried.

- R. Political subdivision tort claim filed against Lancaster County Corrections by Jeff Richardson for alleged wrongful confinement, in the amount of \$5,000.**

MOTION: Stevens moved and Schorr seconded to accept the recommendation of the Corrections Director and to deny the political subdivision tort claim filed against Lancaster County Corrections by Jeff Richardson for alleged wrongful confinement, in the amount of \$5,000. Schorr, Stevens 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. **Weed Control Authority's Monthly Report for July, 2007.**
2. **Weed Control Authority's Monthly Report for July, 2007 for the Combined Weed Program with the City of Lincoln.**

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

- * **John Juricek, County Engineering Department**
- * **Darryl Shafer, Corrections Department**

C. Right-of-way contract for pipe culvert replacement between the County Engineer and Gary L. and Ellen M. Hellerich, in the amount of \$63, located approximately .30 miles west of Northwest 27th and Little Salt Road; Project No. C.P-C-311. (C-07-0333)

6) **CONSENT ITEMS CONTINUED:**

- D. Two Right-of-way contracts for a road construction project between the County Engineer and Mark A. Whitehead, in the total amount of \$2,722.50, located on South 98th Street from Old Cheney Road to "A" Street; Project No. C55-KP-412(1). (C-07-0334 & C-07-0335)**

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

7) **EMERGENCY ITEMS AND OTHER BUSINESS:**

- A. Contract between Lancaster County and BryanLGH for the provision of medical services in exchange for property. (C-07-0337)**

Mike Thew, Chief Deputy County Attorney, appeared and said the contract addresses billings for services that have been provided since 2003 and billings, rates and billing processes that will exist from this point on for Crisis Center patients, General Assistance (GA) recipients and jail inmates. It also involves the exchange of real estate (an exchange of parking lots). He said one of the documents, which relates to title commitments, is not available and so a provision was included that states each party will indemnify the other for any title deficiencies.

Thew said the item is emergency in nature because it requires BryanLGH to make extensive renovations to the parking lot that will be conveyed to the County and the hospital is under a deadline to contract for the work to be done this construction season. He said the hospital can't proceed unless the agreement is signed.

MOTION: Stevens moved and Schorr seconded to add a contract between Lancaster County and BryanLGH for the provision of medical services in exchange for property to the agenda as an emergency item. Stevens, Schorr and Workman voted aye. Motion carried.

MOTION: Schorr moved and Stevens seconded approval of the contract between Lancaster County and BryanLGH for the provision of medical services in exchange for property, with the specifics outlined by Mike Thew, Chief Deputy County Attorney, regarding indemnification of the title search. Stevens, Schorr and Workman voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners Meeting at 10:19 a.m. Stevens, Schorr and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 21, 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
Ray Stevens
Deb Schorr

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Norm Agena, County Assessor/Register of Deeds
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office

The Board of Equalization Meeting was called to order at 10:19 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 14, 2007.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on Tuesday, August 14, 2007. Stevens, Schorr and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 8 additions and deductions to the tax assessment rolls per Attachments "A".

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

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Capitol City Christian Church
Developmental Services of Nebraska, Inc.
Lincoln Lutheran School Association

3) **MOTOR VEHICLE TAX EXEMPTIONS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of motor vehicle tax exemptions for Capitol City Christian Church, Developmental Services of Nebraska, Inc. and Lincoln Lutheran School Association. Schorr, Stevens and Workman voted aye. Motion carried.

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES FOR 2006 AND 2007:**

Kerwin D. and Tiffany T. Roth

MOTION: Schorr moved and Stevens seconded to accept the recommendation of the County Assessor/Register of Deeds and send notice of assessed valuation change for property taxation purposes for 2006 and 2007 to Kerwin D. and Tiffany T. Roth. Schorr, Stevens and Workman voted aye. Motion carried.

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS:**

Michael A. and Dianna G. Wolfe
Charles and Julie Willnerd
Douglas C. Rix
Gary D. Boyer
Thomas L. Nyhoff
Jim Skinner
John S. Traudt
Brad Yost
Robert & Bonnie Priel

Roger and Lynn Engelbart
James L. and Linda K. Crowe
Richard E. Coupe
Daniel K. And Rebecca L. Brown
Randall L. Benes
Henry D. Sader III
Bruce M. And Marjorie G. Kennedy
Timothy M. Hier

Michael A. and Dianna G. Wolfe

Michael Wolfe appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit A).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 14-20-200-011-000 for Michael A. and Dianna G. Wolfe. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Charles and Julie Willnerd

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 14-27-402-001-000 for Charles and Julie Willnerd. Schorr and Workman voted aye. Stevens voted no. Motion carried.

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS CONTINUED:**

Douglas C. Rix

Douglas Rix appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit B).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 24-33-400-009-000 for Douglas C. Rix. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Gary D. Boyer

Gary Boyer appeared and gave an overview regarding the use of the parcel.

MOTION: Schorr moved and Stevens seconded to approve the greenbelt disqualification on Parcel ID # 02-17-200-006-000 for Gary D. Boyer. Stevens and Schorr voted aye. Workman voted no. Motion carried.

Thomas L. Nyhoff

Thomas Nyhoff appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit C).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 07-16-100-005-000 for Thomas L. Nyhoff. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Jim Skinner

Jim Skinner appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit D).

MOTION: Schorr moved and Stevens seconded to hold the greenbelt valuation protest on Parcel I.D. # 23-13-301-003-000 for Jim Skinner for one week for additional information. Schorr, Stevens and Workman voted aye. Motion carried.

John S. Traudt

John and Margaret Traudt appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit E).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 15-14-200-008-000 for John S. Traudt. Schorr and Workman voted aye. Stevens voted no. Motion carried.

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS CONTINUED:**

Brad Yost

Brad Yost appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit F).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 02-30-300-005-000 for Brad Yost. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Robert & Bonnie Priel

Robert Priel appeared and gave an overview regarding the use of the parcel.

MOTION: Schorr moved and Stevens seconded to hold the greenbelt valuation protest on Parcel I.D. # 14-04-200-005-000 for Robert and Bonnie Priel for one week for additional information, specifically a Farm Service aerial map and proof of income for 2006. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Roger and Lynn Engelbart

Roger Engelbart appeared and gave an overview regarding the use of the parcel.

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel I.D. # 04-05-200-011-000 for Roger and Lynn Engelbart, contingent upon receipt of a Farm Service Agency (FSA) number and documentation and a copy of a cancelled check showing proof of income for 2006 within the next week.

Stevens said he believes it would be more appropriate to hold the appeal.

The maker of the motion and the seconder withdrew their motion.

Dan Nolte, County Clerk, explained that if the appeal is held, it will exceed the 30 day deadline for final action.

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel I.D. # 04-05-200-011-000 for Roger and Lynn Engelbart, contingent upon receipt of Farm Service Agency (FSA) number and documentation showing the number of acres in the Conservation Reserve Program (CRP) and a copy of a cancelled check showing proof of income for 2006, within the next week. Schorr and Workman voted aye. Stevens voted no. Motion carried.

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS CONTINUED:**

James L. and Linda K. Crowe

Kerry Eagan, Chief Administrative Officer, appeared and explained that this was not an appeal of a new greenbelt application, rather an answer to a Notice in Lieu of Summons from the Tax Equalization and Review Commission (TERC). No Board action is necessary.

Richard E. Coupe

The Board reviewed additional information submitted by Richard E. Coupe (Exhibit G).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 05-15-402-001-000 for Richard E. Coupe. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Daniel K. And Rebecca L. Brown

Daniel K. Brown appeared and gave an overview regarding the use of the parcel.

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 03-20-100-006-000 for Daniel K. and Rebecca L. Brown. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Randall L. Benes

Jeanette Benes appeared and gave an overview regarding the use of the parcel. Additional information was submitted (Exhibit H).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID # 13-17-200-004-000 for Randall L. Benes. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Benes indicated that she will fax in their Farm Service Agency (FSA) number.

Henry D. Sader III

The Board reviewed additional information submitted by Henry D. Sader III (Exhibit I).

MOTION: Schorr moved and Workman seconded to reinstate greenbelt status on Parcel ID #09-36-400-004-000 and Parcel ID # 09-36-400-006-000 for Henry D. Sader III. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Bruce M. And Marjorie G. Kennedy

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS CONTINUED:**

MOTION: Schorr moved and Workman seconded to hold the greenbelt valuation protest on Parcel I.D. # 05-34-300-002-000 for Bruce M. and Marjorie G. Kennedy for one week for additional information, specifically a Farm Service Agency (FSA) number and proof of income for 2006 or other use of their pastureland. Schorr and Workman voted aye. Stevens voted no. Motion carried.

Timothy M. Hier

MOTION: Schorr moved and Workman seconded to hold the greenbelt valuation protest on Parcel I.D. #07-29-100-003-000 for Timothy M. Hier for one week for additional information, specifically a Farm Service Agency (FSA) number and proof of commercial/agricultural income for 2006. Schorr and Workman voted aye. Stevens voted no. Motion carried.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization Meeting at 11:39 a.m. Stevens, Schorr and Workman voted aye.

Dan Nolte
Lancaster County Clerk