

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 30, 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
Deb Schorr
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Tom Fox, Deputy County Attorney

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, October 23, 2007.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting held on October 23, 2007. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, October 30, 2007.**

MOTION: Heier moved and Stevens seconded approval of all claims processed through October 30, 2007. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

Recognition of Larry Worrell, County Surveyor:

The Board thanked Larry Worrell, County Surveyor, for 27 years of service with the County.

3) **NEW BUSINESS:**

A. A resolution in the matter of striking uncollectible property tax from the tax list. (R-07-0096)

MOTION: Stevens moved and Heier seconded approval of Resolution 07-0096 in the matter of striking uncollectible property tax from the tax list. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

B. A grant contract with Cedars Youth Services for the purpose of providing funding to assist in the general operations of the Juvenile Pretrial Diversion program, in the amount of \$58,975. Term of the grant contract is July 1, 2007 through June 30, 2008. (C-07-0464)

MOTION: Stevens moved and Schorr seconded approval of a grant contract with Cedars Youth Services for the purpose of providing funding to assist in the general operations of the Juvenile Pretrial Diversion program, in the amount of \$58,975. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

C. A grant contract with Teammates of Lincoln Public Schools to provide funding for the Teammates Project MOAST (Mentors Offer a Second Turn), in the amount of \$29,700. Teammates will contribute \$7,607 in matching funds. Term of the grant contract is July 1, 2007 through June 30, 2008. (C-07-0465)

MOTION: Stevens moved and Heier seconded approval of a grant contract with Teammates of Lincoln Public Schools to provide funding for the Teammates Project MOAST (Mentors Offer a Second Turn), in the amount of \$29,700. Stevens, Heier, Schorr and Workman voted aye. Motion carried.

D. A grant contract with El Centro de Las Americas to provide funding for the Multi-Cultural Youth Leadership Program for cross cultural experiences for youth, in the amount of \$12,000. Term of the grant contract is July 1, 2007 to June 30, 2008. (C-07-0466)

By direction of the Chair, this item was held for one week.

3) **NEW BUSINESS CONTINUED:**

E. An agreement between Lancaster County, on behalf of the Youth Services Center, and the State of Nebraska, Department of Health and Human Services, for the provision of detention services for youth committed to, or placed with the State's Office of Juvenile Services. The County will be paid \$260 per youth, per day. Term of the agreement is October 1, 2007 through September 30, 2008. (C-07-0467)

Tom Fox, Deputy County Attorney, stated the agreement contains a provision relating to public policy council which the County Attorney's Office advises against.

MOTION: Heier moved and Stevens seconded approval of an agreement between Lancaster County, on behalf of the Youth Services Center, and the State of Nebraska, Department of Health and Human Services, for the provision of detention services for youth committed to, or placed with the State's Office of Juvenile Services. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

F. An agreement with Lisa Lozano, Attorney at Law, and the firm of Tietjen, Simon & Boyle, represented by Dalton Tietjen, as joint ventures, for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Nebraska Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Term of the agreement is from November 1, 2007 through October 31, 2010. The County will pay \$243,000 for the services provided. An additional \$65 per hour will be paid for time spent performing legal services in matters of establishment and enforcement of any child support order concerning a (3)(a) client's support of a child involved in the (3)(a) case. (C-07-0468)

MOTION: Stevens moved and Heier seconded approval of an agreement with Lisa Lozano, Attorney at Law, and the firm of Tietjen, Simon & Boyle, represented by Dalton Tietjen, as joint ventures, for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Nebraska Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Stevens, Schorr, Heier and Workman voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

G. Addendum No. 5 to an agreement with ARAMARK Correctional Services L.L.C., under County Contract No. C-02-0454, for the management of the food service at the Lancaster County Corrections facility. The amendment increases the price per meal charged as a result of an increase in the Consumer Price Index (CPI). The new prices will be effective on June 1, 2007 and remain firm through June 1, 2008. (C-07-0469)

MOTION: Heier moved and Stevens seconded approval of Addendum No. 5 to an agreement with ARAMARK Correctional Services L.L.C., under County Contract No. C-02-0454, for the management of the food service at the Lancaster County Corrections facility. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

H. State of Nebraska Health and Human Services Sub-Grant Renewal Terms and Assurance for the Targeted Assistance Discretionary Grant Program. The County has been awarded \$77,420 for the period October 1, 2007 through September 30, 2008. (C-07-0477)

MOTION: Schorr moved and Stevens seconded approval of State of Nebraska Health and Human Services Sub-Grant Renewal Terms and Assurance for the Targeted Assistance Discretionary Grant Program. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

I. Acceptance of a \$6,000 grant to the Lancaster County Sheriff's Office from the Nebraska State Patrol. The grant is from the 2007 Internet Crimes Against Children funding and will be used to help purchase computer forensic software, training for the software, and security equipment for a new forensic computer laboratory to be used by both the Lancaster County Sheriff's Office and the Lincoln Police Department. (C-07-0478)

MOTION: Stevens moved and Schorr seconded approval to accept a \$6,000 grant to the Lancaster County Sheriff's Office from the Nebraska State Patrol. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

J. A sub-grant award agreement with the Nebraska Emergency Management Agency (NEMA) and Lancaster County Emergency Management for September 1, 2007 through August 31, 2009, in the amount of \$20,312; Grant Award No. 2007-EM-E7-0081.

MOTION: Stevens moved and Heier seconded approval of a sub-grant award agreement with the Nebraska Emergency Management Agency (NEMA) and Lancaster County Emergency Management for September 1, 2007 through August 31, 2009, in the amount of \$20,312; Grant Award No. 2007-EM-E7-0081. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

K. Authorization of Wells Fargo, as trustee, to disburse and make payment from the Lancaster Leasing Corporation Renewal and Replacement Fund to ABC Seamless Siding, in the amount of \$48,043.10, for siding, fascia and gutter replacement at Lancaster Manor.

MOTION: Heier moved and Stevens seconded approval to authorize Wells Fargo, as trustee, to disburse and make payment from the Lancaster Leasing Corporation Renewal and Replacement Fund to ABC Seamless Siding, in the amount of \$48,043.10, for siding, fascia and gutter replacement at Lancaster Manor. Stevens, Heier, Schorr and Workman voted aye. Motion carried.

L. A request from Mary Jane Burgan for early disability retirement, pursuant to Rule 6.3 of the Lancaster County Employees Retirement Plan.

MOTION: Schorr moved and Stevens seconded approval of a request from Mary Jane Burgan for early disability retirement, pursuant to Rule 6.3 of the Lancaster County Employees Retirement Plan, effective November 5, 2007. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

4) **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 September, 2007.**
- 2. Weed Control Authority's Monthly Report for September, 2007 for the Combined Weed Program with the City of Lincoln.**

B. Setting of a public hearing for Tuesday, November 13, 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 for an addition to licensed premise from Himark Golf Course, L.L.C., located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska.

C. Request from Melanie A. Ihde, an employee at the Community Mental Health Center, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ **Jeffery and Tammy Hillis, in the amount of \$253, at W. Stockwell Street and S.W. 15th Street; Project CP-O-139. (C-07-0470)**
- ▶ **Fern Wunibald, in the total amount of \$3,953, on S. 82nd Street from Hickman Road to Roca Road; Project C55-S-404(3). (3 contracts) (C-07-0471 through C-07-0473)**
- ▶ **Daniel and Geralyn Ripa, in the total amount of \$52,985, on S. 98th Street from Old Cheney Road to "A" Street; Project C55-KP-412(1). (3 contracts) (C-07-0474 through C-07-0476)**

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

5) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 9:50 a.m.. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 30, 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
Deb Schorr
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Tom Fox, Deputy County Attorney
Scott Gaines, County Assessor/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:50 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 23, 2007.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Equalization meeting on October 23, 2007. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 198 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Lincoln Medical Education Partnership
Shepherd of the Hills
Sisters of Mary, Queen of Mercy**

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

4) **NOTICE OF TAXABLE STATUS FOR 2007:**

**Palmyra School District OR1
City of Lincoln**

Scott Gaines, Deputy County Assessor/Register of Deeds, explained that both properties were recently purchased by governmental subdivisions, however, they continue to be leased to private entities. He stated as long as they continue to be leased by private entities they will remain taxable. Gaines stated the notices will be sent to the governmental subdivisions that the properties are taxable at the present time.

MOTION: Heier moved and Schorr seconded to send notice of taxable status for 2007 to Palmyra School District OR1 and City of Lincoln. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

5) **NOTICE OF CHANGE IN TAX STATUS AND TAXABLE VALUATION FOR PROPERTY TAXATION PURPOSES:**

Jim R. Shafer and Debra Shafer-Schrunk - (Tax Years 2005, 2006 and 2007)

Community Funding Solutions L.L.C. - (Tax Years 2006 and 2007)

Don A. and Mona R. Grow - (Tax Year 2007)

Travis R. Steiff - (Tax Year 2007)

Gaines stated the properties were previously owned by exempt governmental bodies, however, they have been sold to private individuals.

MOTION: Heier moved and Stevens seconded to send notice of change in tax status and taxable valuation for property taxation purposes to Jim R. Shafer and Debra Safer-Schrunk; Community Funding Solutions L.L.C.; Don A. And Mona R. Grow and Travis R. Steiff. Stevens , Heier, Schorr and Workman voted aye. Motion carried.

6) **PENDING LITIGATION: Bill Peters, Attorney for Lancaster County Board of Equalization.**

MOTION: Heier moved and Schorr seconded to enter into Executive Session at 9:55 a.m. for the purpose of discussing pending litigation. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

MOTION: Stevens moved and Schorr seconded to exit Executive Session at 10:15 a.m.. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

7) **ADJOURNMENT:**

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

Dan Nolte
County Clerk