

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 11, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Bob Workman, Chair
Deb Schorr
Ray Stevens

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

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

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:32 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 4, 2008.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 4, 2008. Stevens, Schorr and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, March 11, 2008.**

MOTION: Stevens moved and Schorr seconded approval of all claims processed through Tuesday, March 11, 2008. Schorr, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Introduction of Mike Lang, Mayoral Aide - Economic Development

Mayor Chris Beutler introduced Mike Lang, Mayoral Aide, to the Board of Commissioners.

4) **OLD BUSINESS:**

A. An appraisal contract between Capital Appraisal Company and the Lancaster County Engineering Department for appraisal services, in the amount of \$3,900, in connection with the appraisal of right-of-way for a road project located on Alvo Road from North 1st to North 14th Streets; Project No. C55-F-406(1). (C-08-0077)

Discussion took place with Don Thomas, Lancaster County Engineer, regarding action taken by the City Council at their meeting held on March 10, 2008 in relation to the Alvo Road Project.

MOTION: Schorr moved and Stevens seconded approval of an appraisal contract between Capital Appraisal Company and the Lancaster County Engineering Department for appraisal services, in the amount of \$3,900, in connection with the appraisal of right-of-way for a road project located on Alvo Road from North 1st to North 14th Streets; Project No. C55-F-406(1). Schorr, Stevens and Workman voted aye. Motion carried.

B. An engineering agreement with Schemmer Associates Inc. for surveying, roadway, design and plan preparation for the paving of Alvo Road from North 1st to North 14th Streets, for regrading and paving North 14th Street north and south of Alvo Road and for the grading and paving of Alvo Road from North 14th to North 16th Streets. The work will be completed by May 23, 2008. The County will pay \$48,900 for the services. (C-08-0058)

MOTION: Schorr moved and Stevens seconded approval of an engineering agreement with Schemmer Associates Inc. for surveying, roadway, design and plan preparation for the paving of Alvo Road from North 1st to North 14th Streets, for regrading and paving North 14th Street north and south of Alvo Road and for the grading and paving of Alvo Road from North 14th to North 16th Streets. Schorr, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. An application for a Special Events Permit from Midwest Wheel Events to hold a bicycle race around Branched Oak Lake on Saturday, April 12, 2008 from 6 a.m. to 5 p.m..**

Appearing was John Lefler, Jr., applicant.

MOTION: Stevens moved and Schorr seconded approval of an application for a Special Events Permit from Midwest Wheel Events to hold a bicycle race around Branched Oak Lake on Saturday, April 12, 2008 from 6 a.m. to 5 p.m. subject to the recommendations as outlined by the County Engineer and the County Sheriff. Stevens, Schorr and Workman voted aye. Motion carried.

- B. A real estate purchase agreement between Lancaster County and Arnold and Neva Bentzinger for the purchase of approximately 6.5 acres of real estate legally described as a part of Lot 76 Irregular Tract located in the southeast quarter of Section 21, Township 8 North, Range 6 East of the 6th P.M.. The land is currently leased by the County for use by the Lancaster County Sheriff's Office as a shooting range. The land is being purchased by the County for the continued use by the Sheriff's Office as a shooting range. The cost to the County is \$50,000. (C-08-0090)**

In response to a question asked by Stevens, Sheriff Wagner stated the payments were to be made over two budget years.

MOTION: Schorr moved and Stevens seconded approval of a real estate purchase agreement between Lancaster County and Arnold and Neva Bentzinger for the purchase of approximately 6.5 acres of real estate legally described as a part of Lot 76 Irregular Tract located in the southeast quarter of Section 21, Township 8 North, Range 6 East of the 6th P.M.. Schorr, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. An agreement with Counseling Affiliates of Nebraska L.L.C. for specialized services at the Community Mental Health Center and the Lancaster County Mental Health Center Sex Offender Treatment Program to assist with mental health services. Term of the agreement is January 1, 2008 through December 31, 2009. The County will pay \$65 per hour for services provided by licensed psychologists and \$40 per hour for licensed mental health practitioners. Counseling Affiliates of Nebraska will provide up to 64 hours a week of services for the Mental Health Center Sex Offender and, in addition, will also provide up to 80 hours of service a year to the Crisis Center. The County will also pay \$100 per weekend for on-call services. Upon execution of this contract, the contract with Mary L. Paine, Ph.D., found at County Contract No. C-07-0258 will terminate. The contract also includes a Business Associate agreement in order to comply with HIPAA (Health Insurance Portability and Accountability Act) regulations. (C-08-0091)

MOTION: Stevens moved and Schorr seconded approval of an agreement with Counseling Affiliates of Nebraska L.L.C. for specialized services at the Community Mental Health Center and the Lancaster County Mental Health Center Sex Offender Treatment Program to assist with mental health services.

Schorr asked about funding.

Dean Settle, Community Mental Health Center Director, stated they have received a grant from the Federal Center on Management of Sex Offenders.

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

D. An agreement between the Board of Regents of the University of Nebraska-Lincoln and Lancaster County for a caseload study to measure the variations in Public Defender attorney time required to resolve different types of cases. Term of the agreement is from January 1, 2008 to April 30, 2008. The cost to the County is \$9,826. (C08-0092)

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of an agreement between the Board of Regents of the University of Nebraska-Lincoln and Lancaster County for a caseload study to measure the variations in Public Defender attorney time required to resolve different types cases. Schorr, Stevens and Workman voted aye. Motion carried.

E. Utility Permit No. 916 for the City of Waverly to install a interceptor sewer beginning at North 134th Street and Highway 6 proceeding north and east around the edge of Waverly and ending at the existing wastewater treatment plant. There will be no cost to Lancaster County. (C-08-0093)

MOTION: Stevens moved and Schorr seconded approval of utility permit no. 916 for the City of Waverly to install a interceptor sewer beginning at North 134th Street and Highway 6 proceeding north and east around the edge of Waverly and ending at the existing wastewater treatment plant. Stevens, Schorr and Workman voted aye. Motion carried.

F. A resolution in the matter of amending the Lancaster County Purchasing Manual. The resolution will amend the purchasing policy to require all purchases between \$1,500 and \$20,000 to have three informal quotes, and will require purchases over \$20,000 to be made through the competitive sealed bid process. The resolution will also amend the policy to not require competitive bidding under certain situations. (R-08-0012)

MOTION: Stevens moved and Schorr seconded approval of Resolution R-08-0012 in the matter of amending the Lancaster County Purchasing Manual. Schorr, Stevens and Workman voted aye. Motion carried.

G. Recommendation from the Lancaster County Engineering Department to award a bid to H.R. Bookstrom, Inc., in the amount of \$98,145.90, for culvert replacement and maintenance; Project No. 08-16. (B-08-0011)

MOTION: Schorr moved and Stevens seconded to approve the recommendation from the Lancaster County Engineering Department to award a bid to H.R. Bookstrom, Inc., in the amount of \$98,145.90, for culvert replacement and maintenance; Project No. 08-16. Schorr, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

H. A request from Carol A. Stewart for a refund of 2007 real property taxes.

Rob Ogden, Deputy County Assessor/Register of Deeds, gave a brief explanation of the request stating there were discrepancies based on the agricultural use between the grassland and dryland. He stated corrections have been made for 2008, however, there have been no corrections for prior years since it was an error in judgement and not a clerical error.

Carol Stewart, 4303 Waterbury Lane, Lincoln, Nebraska, stated she understands that a correction was made for 2008, however, she would request that an adjustment be made for 2007 also.

In response to a question asked by Stewart, Ogden gave a brief overview regarding the coding used on the property information sheets.

MOTION: Schorr moved and Stevens seconded denial of a request from Carol A. Stewart for a refund of 2007 real property taxes. Schorr, Stevens and Workman voted aye. Motion carried.

I. A request from Gary Heetderks, on behalf of Built By Design L.L.C., for a refund of personal property taxes for 2005, in the approximate amount of \$53; for 2006, in the approximate amount of \$54 and for 2007, in the approximate amount of \$42.

Scott Gaines, Deputy County Assessor/Register of Deeds, gave an overview of the request and recommended approval.

MOTION: Schorr moved and Stevens seconded approval of a request from Gary Heetderks, on behalf of Built By Design L.L.C., for a refund of personal property taxes for 2005, in the approximate amount of \$53; for 2006, in the approximate amount of \$54 and for 2007, in the approximate amount of \$42. Stevens, Schorr 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. Clerk of the District Court's Monthly Report for February, 2008.
2. County Assessor/Register of Deeds Monthly Report for February, 2008.
3. County Clerk's Monthly Report for February, 2008.
4. Records & Information Management's Monthly Report for February, 2008.
5. Weed Control Authority's Monthly Report for February, 2008.
6. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for February, 2008.

B. Setting of a public hearing for Tuesday, March 18, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to increase the appropriations for the Bridge & Special Road Fund for Project No. 07-29. The increase is due to the termination of a contract which results in the work to re-bid.

C. Setting of public hearings for Tuesday, March 25, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112 on the first floor of the County-City Building regarding the following:

1. Issuance of \$2,200,000 of Industrial Development Revenue Bonds, Series 2008 (Plastic Companies Enterprises, Inc. Project).
2. Comprehensive Plan Amendment No. 08001, requested by the Director of Public Works & Utilities Department, to amend the 2030 Lincoln-Lancaster County Comprehensive Plan to adopt the proposed Wastewater Facilities Master Plan.

D. Request from Bethany Thomas, an employee with the Lancaster County Community Mental Health Center, to participate in the County's retirement plan having met the requirements.

6) CONSENT ITEMS CONTINUED:

- E. A leasehold contract for a road project between the Lancaster County Engineering Department and Doug Johnson, in the amount of \$10, at North 176th Street and Fletcher Road; Project No. BR-3340(7). (C-08-0094)
- F. Right-of-way contracts for road projects between the Lancaster County Engineering Department and the following individuals:
- John and Janet Chrastil on West Pella Road east of Southwest 86th Street; Project No. CP-V-156. This is a donation. (C-08-0095)
 - Kimberly K. Skillett, in the amount of \$280, on Pioneers Boulevard east of Southwest 84th Street; Project CP-N-33. (C-08-0096)
 - Dwight and Linda Hesnard, in the total amount of \$3,152, on South 82nd Street from Hickman to Roca Roads; Project No. C55-S-404(3). (2 contracts) (C-08-0097 and C-08-0098)
 - Sonja and Ty Shepard, in the total amount of \$9,062.78, at North 176th Street and Fletcher Road; Project No. BR-3340(7). (3 contracts) (C-08-0099 through C-08-0101)

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

7) ADJOURNMENT:

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 10:20 a.m.. Schorr, Stevens and Workman voted aye. Motion carried.

Cori Beattie
Deputy County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 11, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Deb Schorr
Ray Stevens

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

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

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:20 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 4, 2008.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on March 4, 2008. Stevens, Schorr and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 38 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, Stevens and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

**City Impact
Mid-America Union Conference of Seventh-day Advent
Sisters of St. Francis**

MOTION: Stevens moved and Schorr seconded approval of the motor vehicle tax exemption applications for City Impact, Mid-America Union Conference of Seventh-day Advent and Sisters of St. Francis. Schorr, Stevens and Workman voted aye. Motion carried.

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES FOR THE FOLLOWING:**

**Steven L and Kim R Harms (2006)
Steven L and Kim R Harms (2007)
Martin S and Linda R Stones**

Scott Gaines, Deputy County Assessor/Register of Deeds, stated the Harms' property is outside the City limits, but within the three-mile zoning jurisdiction therefore, no building permit was required. He stated the property owner is to notify the Assessor's office when building a residence, however, they did not. The notices are to place the residence on the tax roll for 2006 and 2007.

He explained that the notice for the Stones was to restore the greenbelt exemption on the property.

MOTION: Stevens moved and Schorr seconded approval to send notice of assessed valuation change for property taxation purposes for Steven L and Kim R Harms for 2006 and 2007 and Martin S and Linda R Stones. Schorr, Stevens and Workman voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:23 a.m.. Stevens, Schorr and Workman voted aye. Motion carried.

Cori Beattie
Deputy County Clerk