

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 22, 2008
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
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, April 15, 2008.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting held on April 15, 2008. Stevens, Schorr, Heier and Workman voted aye. Hudkins was absent from voting. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, April 22, 2008.**

MOTION: Heier moved and Stevens seconded approval of all claims processed through April 22, 2008. Schorr, Heier, Stevens and Workman voted aye. Hudkins was absent from voting. Motion carried.

3) **SPECIAL PRESENTATION:**

(Commissioner Hudkins entered the Hearing Room at 9:35 a.m..)

A. A resolution in the matter of recognizing the week of April 13-19, 2008 as National Crime Victims Rights Week. (R-08-0026) Joanna Briggs, Mary Kathy Stevenson, Jody Brott and Pat Westendorf, Lincoln Police Department Victim/Witness Unit

Jodi Brott with the Lincoln Police Department's Victim/Witness Unit, presented the County Board with a framed copy of a poster commissioned by the Nebraska Coalition for Victims of Crimes 2005 Victims Rights Week Conference. She stated the poster was designed by Gina Simanek who they worked with in their office.

Brott added there would be a celebration, as part of National Crime Victims Rights Week, at the Auld Recreation Center on Thursday, April 24, 2008 from 2 p.m. to 7 p.m. to salute the victims who have continued with their lives and made a statement in the world by going forward.

The Clerk read the resolution into the record.

MOTION: Heier moved and Hudkins seconded approval of Resolution No. R-08-0026 in the matter of recognizing the week of April 13-19, 2008 as National Crime Victims Rights Week. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

B. Request for a one-step pay increase for Mary Meyer, an employee with the Lancaster County Board of Commissioners and the Lincoln City Council, due to exceptional circumstances.

Kerry Eagan, Chief Administrative Officer, gave a brief overview of the circumstances which lead to the request for a one-step pay increase. He stated it was a recognition which was long overdue and urged the County Board to approve the award.

MOTION: Hudkins moved and Schorr seconded approval of a request for a one-step pay increase for Mary Meyer, an employee with the Lancaster County Board of Commissioners and the Lincoln City Council, due to exceptional circumstances. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

A. Renewal of a maintenance agreement with Environmental Systems Research Institute Inc. (ERSI) for ArcInfo software used by the Lancaster County Engineering Department and the Lancaster County Assessor/Register of Deeds Geographic Information System (GIS) system, in the amount of \$15,600. The agreement covers technical support, software upgrades and user conference registrations requested by the County Engineer and the County Assessor/Register of Deeds for their GIS system. Term of the agreement is July 21, 2008 through July 20, 2009. (C-08-0152)

MOTION: Hudkins moved and Stevens seconded approval of the renewal of a maintenance agreement with Environmental Systems Research Institute Inc. (ERSI) for ArcInfo software used by the Lancaster County Engineering Department and the Lancaster County Assessor/Register of Deeds Geographic Information System (GIS) system, in the amount of \$15,600.

Erik Hubl, Geographic Information Systems Manager in the County Engineering Department, stated the software is used by both the County Engineering Department and the County Assessor/Register of Deeds Office. He stated the fee is for the same amount as last year. Hubl added that the two agencies combined their licenses in 2005 to accomplish cost savings.

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

B. A group contract and application between Lancaster County and Prudential Insurance Company of America for group long term care insurance. Term of the group contract is August 1, 2008 to January 1, 2010 with the option to renew for successive one-year terms beginning January 1, 2010 . The premium rates are guaranteed by Prudential for seven years. The group insurance certificates referenced in Section I (General Rules) of the group contract are on file with the County Clerk's Office for public inspection. (C-08-0154)

MOTION: Heier moved and Stevens seconded approval of a group contract and application between Lancaster County and Prudential Insurance Company of America for group long term care insurance. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

C. Supplemental Agreement No. 2 between Lancaster County and the State of Nebraska, Department of Roads relating to Project No. BR-3370(2), Raymond East, Lancaster County Bridge No. C-91 on Raymond Road at its intersection with Little Salt Creek Road between North 1st Street and Northwest 12th Street. The County's estimated share for the replacement of the bridge is \$68,050. (C-08-0160)

MOTION: Stevens moved and Heier seconded approval of Supplemental Agreement No. 2 between Lancaster County and the State of Nebraska, Department of Roads relating to Project No. BR-3370(2), Raymond East, Lancaster County Bridge No. C-91 on Raymond Road at its intersection with Little Salt Creek Road between North 1st Street and Northwest 12th Street. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

D. A contract between the Lancaster County Engineering Department and Hartmann Construction Company, in the amount of \$561,968.56 for grading and culvert work on West Superior Street from Northwest 70th Street east to Northwest 56th Street, and South 98th Street from Old Cheney Road north to Pioneers Boulevard; Project No. 08-27. The contract will be effective upon execution by both parties with the work to begin on or before May 5, 2008. Completion of the project will be within 80 working days. (C-08-0161)

MOTION: Hudkins moved and Stevens seconded approval of a contract between the Lancaster County Engineering Department and Hartmann Construction Company, in the amount of \$561,968.56 for grading and culvert work on West Superior Street from Northwest 70th Street east to Northwest 56th Street, and South 98th Street from Old Cheney Road north to Pioneers Boulevard; Project No. 08-27. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. An interlocal agreement with the City of Lincoln for the widening and reconstruction of West Denton Road from a point 500 feet west of South Folsom Street to Amaranth Lane. The portion of the proposed construction is located within the County and the agreement gives the City approval to proceed with construction. The City is responsible for the cost of the construction and the maintenance of the new section of west Denton Road. (C-08-0162)

4) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of an interlocal agreement with the City of Lincoln for the widening and reconstruction of West Denton Road from a point 500 feet west of South Folsom Street to Amaranth Lane. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. A Medicare Enrollment Application for institutional providers for the Lancaster County Community Mental Health Center. (C-08-0163)

MOTION: Stevens moved and Schorr seconded approval of a Medicare Enrollment Application for institutional providers for the Lancaster County Community Mental Health Center. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. An addendum to the contract between Lancaster County and Alamar Uniforms for uniforms for the Sheriff's Office, found at County Contract Number C-07-0225. The addendum renews the agreement for an additional one-year term beginning June 19, 2008 and ending June 18, 2009. (C-08-0164)

MOTION: Hudkins moved and Heier seconded approval of an addendum to the contract between Lancaster County and Alamar Uniforms for uniforms for the Sheriff's Office, found at County Contract Number C-07-0225. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to issue an order from State of Nebraska contract, 11599 OC, to Ennis Paint Inc., in the amount of \$43,880, for Waterborne lead free paint. (B-08-0021)

MOTION: Stevens moved and Heier seconded to issue an order from State of Nebraska contract, 11599 OC, to Ennis Paint Inc., in the amount of \$43,880, for Waterborne lead free paint as recommended by the Purchasing Agent and the Lancaster County Engineering Department. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **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 Attorney's Quarterly Report for January 1, 2008 through March 31, 2008.

B. Setting of a public hearing for Tuesday, May 13, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request from James Arthur Vineyards for an addition to licensed premise located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska.

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

- * **Galort Dee and Linda K. Hemsath, in the amount of \$30, on West Saltillo Road east of Southwest 27th Street; Project No. CP-O-78. (C-08-0153)**
- * **Jean Callen, in the total amount of \$6,214, on South 82nd Street from Hickman to Roca Roads; Project C55-S-404(3). (3 contracts) (C-08-0155) (C-08-0156) (C-08-0157)**
- * **Rick Hodtwalker, Trustee, in the amount of \$8,653, at approximately South 120th Street and Old Cheney Road. (C-08-0158)**
- * **Mark and Lori Schneider, in the amount of \$6,005, at approximately South 120th Street and Old Cheney Road. (C-08-0159)**

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

6) **ANNOUNCEMENTS:**

The Chair announced a presentation by The Clark Enersen Partners regarding the new Adult Detention Facility on Wednesday, April 23, 2008 at 10 a.m. at the Landmark One Building, located at 1010 Lincoln Mall.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 9:58 a.m.. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 22, 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
Bernie Heier, Vice Chair
Larry Hudkins
Deb Schorr
Ray Stevens

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, Deputy County Attorney/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:58 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 15, 2008.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on April 15, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 14 additions and deductions to the tax assessment rolls per Attachments "A".

MOTION: Heier 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 EXEMPTION APPLICATIONS:**

**Gentle Shepherd Baptist Church
Grace Lutheran Church
Lincoln Lancaster Child Guidance Center
Peoples City Mission
Redeemer Lutheran Church**

MOTION: Stevens moved and Schorr seconded approval of the motor vehicle tax exemption applications for Gentle Shepherd Baptist Church, Grace Lutheran Church, Lincoln Lancaster Child Guidance Center, Peoples City Mission and Redeemer Lutheran Church. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **APPEAL OF CHANGE IN TAX STATUS AND TAXABLE VALUATION:**

University of Nebraska - Lincoln (Parcel I.D. 23-12-400-001-000)

Scott Gaines, Deputy County Assessor/Register of Deeds, stated the parcel was reviewed in January and explained that the only part of the property in question has to do with the residence. He explained that it was their understanding the residence is rented to a private individual for the purpose of deterring theft and vandalism. Gaines stated there was no mention, at that time, of any research being conducted within the residence and for those reasons the notice of taxable status was sent to the University.

Gene Crump, attorney for the University of Nebraska-Lincoln, stated the University has possessed the property since 1947. He stated since that time it has been used continuously for public and research purposes and for investigations and examinations. Crump explained the tenant of the residence does have a lease with the University and provides day to day management and security for the upkeep and preservation of the property.

In response to a question asked by Workman, Crump stated they do receive rent from the tenant and that individuals does have duties to perform.

Schorr asked how the tenant and/or the residence participates in the research portion of the farm.

Stuart Hoff, farm manager of the Rogers Memorial Farm, stated the tenant is there primarily for security. He added that there is research and farm equipment located on the property and on-going research projects with the U.S.D.A. and Monsanto. He added there is also a research project regarding rural wastewater treatment which does involve the residence.

MOTION: Heier moved and Hudkins seconded to approve the appeal filed by the University of Nebraska Lincoln relating to Parcel I.D. No. 23-12-400-001-000 (Rogers Memorial Farm). Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

City of Lincoln (Parcel I.D. 11-13-406-017-000)
(Parcel I.D. 11-13-406-016-000)
(Parcel I.D. 11-13-406-015-000)
(Parcel I.D. 10-26-332-004-000)

Gaines stated he received an email from Joe Rupp, Assistant City Attorney, requesting the appeals filed on Parcel I.D. No. 11-13-406-017-000; Parcel I.D. No. 11-13-406-016-000; Parcel I.D. No. 11-13-406-015-000 and Parcel I.D. No. 10-26-332-004-000 be withdrawn.

A copy of the email was submitted into the record (Exhibit A).

No action required.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:25 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk