

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 13, 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, May 6, 2008.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on May 6, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 13, 2008.**

MOTION: Hudkins moved and Stevens seconded approval of all claims processed through May 13, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **PUBLIC HEARINGS:**

A. Request from James Arthur Vineyards for an addition to licensed premise located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska.

The Chair opened the public hearing.

The oath was administered to Jim Ballard, applicant.

Ballard explained they recently added a 76 foot by 20 foot basement including a barrel room. In addition, he said, there is a gift shop and seating area looking down into the barrel room.

Hudkins asked how many contract growers James Arthur Vineyards works with.

Ballard responded they purchase grapes from approximately 20 contract growers. Most are within Lancaster County, however, they do contract with growers from Ravenna, Kearney and Minden.

Workman asked about a quantity restriction.

Ballard stated there is a 75/25 rule meaning 75 percent of the wine made at winery must be grown in Nebraska. Twenty-five percent can be brought in from outside Nebraska and must be grapes, juice or concentrate.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was recessed for one week.

4) **OLD BUSINESS:**

A. 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) **OLD BUSINESS CONTINUED:**

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

5) **NEW BUSINESS:**

A. An amendment to a grant contract between Lancaster County and Voices of Hope, under County Contract No. C-07-0111, for funding of the community-driven initiatives to address violence against women among diverse and traditionally under served populations. The amendment increases the amount of the grant contract from \$66,781 to \$128,941. The increase is due to Voices of Hope assuming the Family Violence Council Program. Of the increased amount, \$44,116 provides for a coordinator to oversee the projects of the Family Violence Council and \$18,044 is for the Family Violence Council's indirect costs in providing grant management. (C-08-0199)

MOTION: Stevens moved and Hudkins seconded approval of an amendment to a grant contract between Lancaster County and Voices of Hope, under County Contract No. C-07-0111, for funding of the community-driven initiatives to address violence against women among diverse and traditionally under served populations. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

B. An agreement with Dean R. Forgey, M.D. 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 Dean R. Forgey, M.D. 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-08-0200)

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of an agreement with Dean R. Forgey, M.D. 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. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

C. An interlocal agreement between Lancaster County and twenty-three rural fire districts and villages in which the County will assist the 'districts' with the distribution and receipt of bid proposals for emergency ambulance services within the 'districts'. The County will also assist with contract preparation and review for the emergency ambulance services. Term of the agreement is from the date of execution through August 31, 2008. (C-08-0201)

Participating Rural Fire Districts

Alvo Rural Fire District	Hallam Rural Fire District
Ashland Rural Fire District	Hickman Rural Fire District
Bennet Rural Fire District	Malcolm Rural Fire District
Ceresco Rural Fire District	Palmyra Rural Fire District
Clatonia Rural Fire District	Pleasant Dale Rural Fire District
Cortland Rural Fire District	Raymond Rural Fire District
Crete Rural Fire District	Southeast Rural Fire District
Douglas Rural Fire District	Southwest Rural Fire District
Eagle Rural Fire District	Valparaiso Rural Fire District
Firth Rural Fire District	Waverly Rural Fire District
Greenwood Rural Fire District	Village of Douglas
	Village of Palmyra

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement between Lancaster County and twenty-three rural fire districts and villages in which the County will assist the 'districts' with the distribution and receipt of bid proposals for emergency ambulance services within the 'districts'.

Heier stated that although it would appear that some of the fire districts are outside of Lancaster County the district does fall within the boundaries of Lancaster County.

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

5) **NEW BUSINESS CONTINUED:**

D. An interlocal agreement with the City of Lincoln for the widening and reconstruction of South 70th Street from a point 600 feet south of Country View Lane to Yankee Hill Road. 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 South 70th Street. (C-08-0202)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with the City of Lincoln for the widening and reconstruction of South 70th Street from a point 600 feet south of Country View Lane to Yankee Hill Road. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. An addendum to an agreement between Lancaster County and Roberts Dairy, found at County Contact No. C-07-0175, for dairy products provided to Lancaster Manor. The addendum renews the agreement for an additional term beginning May 7, 2008 and ending October 31, 2008. (C-08-0203)

MOTION: Hudkins moved and Stevens seconded approval of an addendum to an agreement between Lancaster County and Roberts Dairy, found at County Contact No. C-07-0175, for dairy products provided to Lancaster Manor. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. A notice and acknowledgment of assignment given by G.E. Government Finance, Inc. for the assignment of lease payments to SAGE Capital Corporation, a G.E. business. Such lease payments are provided by Plastic Companies Enterprises, Inc.. (C-08-0204)

MOTION: Stevens moved and Hudkins seconded approval of a notice and acknowledgment of assignment given by G.E. Government Finance, Inc. for the assignment of lease payments to SAGE Capital Corporation, a G.E. business. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- G. An agreement between Lancaster County and Thompson, Dreesen & Dorner, Inc. for soil borings along Yankee Hill Road between South 56th and South 84th Streets. There will be no cost to the County. (C-08-0215)**

MOTION: Heier moved and Hudkins seconded approval of an agreement between Lancaster County and Thompson, Dreesen & Dorner, Inc. for soil borings along Yankee Hill Road between South 56th and South 84th Streets. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

- H. Utility Permit No. 928 for Level 3 Communications L.L.C. to install underground fiber optic cables parallel to Highway 6 from Lincoln northeast to the County line. There will be no cost to Lancaster County. (C-08-0216)**

MOTION: Hudkins moved and Heier seconded approval of Utility Permit No. 928 for Level 3 Communications L.L.C. to install underground fiber optic cables parallel to Highway 6 from Lincoln northeast to the County line. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

- I. An agreement between Lancaster County and Sampson Construction Co., Inc. for construction management at risk services for the Lancaster County Adult Detention Facility Building Project. Sampson Construction will be paid a flat fee of \$179,900 for preconstruction phase service. For construction phase service, Sampson Construction will be paid a construction manager's fee which will be an amount totaling 3.25 percent of the cost of the work of the building project. (C-08-0217)**

MOTION: Heier moved and Stevens seconded approval of an agreement between Lancaster County and Sampson Construction Co., Inc. for construction management at risk services for the Lancaster County Adult Detention Facility Building Project. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

- J. A license agreement between Lancaster County and Dillon Tire Inc. authorizing Dillon Tire to utilize Lancaster County property located at 230 Southwest 40th Street, Lincoln, Nebraska for overflow parking for their guests and distributors on Saturday, May 10, 2008 between 7 a.m. and 8 p.m.. (C-08-0218)**

5) **NEW BUSINESS CONTINUED:**

Tom Fox, Deputy County Attorney, stated the agreement should be corrected to reflect the correct address of 230 Southwest 40th Street.

MOTION: Hudkins moved and Stevens seconded approval of a license agreement between Lancaster County and Dillon Tire Inc. authorizing Dillon Tire to utilize Lancaster County property located at 230 Southwest 40th Street, Lincoln, Nebraska for overflow parking for their guests and distributors on Saturday, May 10, 2008 between 7 a.m. and 8 p.m. subject to the address correction as outlined by the Deputy County Attorney. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to award a bid to Contech Construction Products, in the amount of \$27,280.20, for culvert pipe. (B-08-0027)

MOTION: Stevens moved and Hudkins seconded approval to award a bid to Contech Construction Products, in the amount of \$27,280.20, for culvert pipe as recommended by the Purchasing Agent and the Lancaster County Engineering Department. Schorr, Hudkins, Stevens, Heier 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 April, 2008.**
2. **County Assessor/Register of Deeds Monthly Report for April, 2008.**
3. **County Engineer's Quarterly Report for January, February and March, 2008.**
4. **County Engineer's Quarterly Report for January, February and March, 2008 for the Geographic Information System (GIS) Division.**
5. **Records and Information Management's Monthly Report for April, 2008.**

6) CONSENT ITEMS CONTINUED:

- B. Setting of a public hearing for Tuesday, May 27, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding amending the Lancaster County General Assistance Guidelines. (A copy of the revised Guidelines is on file in the County Clerk's Office for public inspection.)**
- C. A leasehold contract relating to a road project between the Lancaster County Engineering Department and Jeff Maahs, in the amount of \$10, at 16100 Van Dorn Street; Project BR-3304(7). (C-08-0205)**
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:**
- * **Kevin Christensen, in the total amount of \$9,575.52, at North 14th Street and Waverly Road; Project C55-F-417(3) (2 contracts) (C-08-0206) (C-08-0207)**
 - * **Marvin and Marie Hitz, in the total amount of \$20,124.50, on South 98th Street from Old Cheney Road to "A" Street; Project No. C55-KP412(1) (2 contracts) (C-08-0208) (C-08-0209)**
 - * **Jeff Maahs, in the total amount of \$2,823.50, at North 176th Street and Fletcher Road; Project BR-3340(7) (2 contracts) (C-08-0210) (C-08-0211)**
 - * **Roger and Sharon Graff, Co-Trustees, in the total amount of \$151,147.25, on South 98th Street from Old Cheney Road to "A" Street; Project C55-KP-412(1) (3 contracts) (C-08-0212) (C-08-0213) (C-08-0214)**

Kerry Eagan, Chief Administrative Officer, indicated Don Thomas, County Engineer, requested that the right-of-way contract with Roger and Sharon Graff, Contract Number C-08-0214, be held until the contract can be amended to remove the estimated crop loss.

MOTION: Stevens moved and Schorr seconded approval of the Consent Items with the exception of Right-of-Way Contract No. C-08-0214 which was held. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 9:55 a.m.. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 13, 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 Assessor/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:55 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 6, 2008.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated May 6, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 7 additions and deductions to the tax assessment rolls per Attachment "A".

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 EXEMPTION APPLICATIONS:**

**First United Methodist Church
St. Mark's United Methodist Church Preschool/Kid Zone
Southeast Nebraska Mobile Diagnostic Services, Inc.
Union College**

MOTION: Hudkins moved and Schorr seconded approval of motor vehicle tax exemptions for First United Methodist Church, St. Mark's United Methodist Church Preschool/Kid Zone, Southeast Nebraska Mobile Diagnostic Services, Inc. and Union College. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 9:56 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk