

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 12, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Bernie Heier, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bob Workman, Chair
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, 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, August 5, 2008.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on August 5, 2008. Hudkins, Stevens and Heier voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, August 12, 2008.**

MOTION: Hudkins moved and Stevens seconded approval of all claims processed through August 12, 2008. Hudkins, Stevens and Heier voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

- A. Recognition of Lancaster County Records and Information Management for outstanding community service through participation in the 'Work and Gain Experience in the Summer Program' of the Nebraska Commission for the Blind and Visually Impaired - Carlos Servan, Deputy Director of Vocational Rehabilitation, Nebraska Commission for the Blind and Visually Impaired; Brian Pillard, County Records and Information Management Director**

Brian Pillard, Records and Information Management Director, gave an overview of his department's participation in the 'Work and Gain Experience in the Summer Program' and introduced Carlos Servan, Deputy Director of Vocational Rehabilitation, Nebraska Commission for the Blind and Visually Impaired.

Servan spoke about the program and thanked the County for their participation in the program.

A certificate of appreciation was presented by Commissioner Hudkins to Pillard for his participation in the program.

4) **OLD BUSINESS:**

- A. A contract between Kerford Limestone Co. and Lancaster County for the annual supply of rock or gravel for road surfacing and ice control material on an as-needed basis by the County Engineering Department. Term of the contract is one year from the date of execution. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-08-0383)**

MOTION: Stevens moved and Hudkins seconded approval of a contract between Kerford Limestone Co. and Lancaster County for the annual supply of rock or gravel for road surfacing and ice control material on an as-needed basis by the County Engineering Department. Stevens, Hudkins and Heier voted aye. Motion carried.

4) **OLD BUSINESS CONTINUED:**

- B. A contract between Western Sand and Gravel Co. and Lancaster County for the annual supply of rock or gravel for road surfacing and ice control material on an as-needed basis by the County Engineering Department. Term of the contract is one year from the date of execution. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-08-0384)**

MOTION: Stevens moved and Hudkins seconded approval of a contract between Western Sand and Gravel Co. and Lancaster County for the annual supply of rock or gravel for road surfacing and ice control material on an as-needed basis by the County Engineering Department. Stevens, Heier and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. A resolution authorizing the installation of traffic signs at the intersections of South 82nd Street and Wagontrain Road; South 82nd Street and Panama Road and South 82nd Street and Hickman Road. (R-08-0056)**

MOTION: Hudkins moved and Stevens seconded approval of Resolution R-08-0056 authorizing the installation of traffic signs at the intersections of South 82nd Street and Wagontrain Road; South 82nd Street and Panama Road and South 82nd Street and Hickman Road. Hudkins, Stevens and Heier voted aye. Motion carried.

- B. A resolution in the matter of authorizing the installation of flashing beacons with "School Speed Limit 35 When Flashing" signs and "End of School Zone" signs on South 68th Street and Princeton Road in the vicinity of Norris School. (R-08-0057)**

MOTION: Stevens moved and Hudkins seconded approval of Resolution No. 08-0057 in the matter of authorizing the installation of flashing beacons with "School Speed Limit 35 When Flashing" signs and "End of School Zone" signs on South 68th Street and Princeton Road in the vicinity of Norris School. Hudkins, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. Applications for Special Designated Licenses from Meier's Cork 'N Bottle to provide liquor beverage service for the following events at Country Pines located at 6305 W. Adams Street, Lincoln, Lancaster County, Nebraska:

- * **A wedding reception on Saturday, August 30, 2008 from 3 p.m. to 1 a.m.**
- * **A reception on Sunday, August 31, 2008 from 4 p.m. to 1 a.m.**

MOTION: Stevens moved and Hudkins seconded approval of applications for Special Designated Licenses from Meier's Cork 'N Bottle to provide liquor beverage service for the following events at Country Pines located at 6305 W. Adams Street, Lincoln, Lancaster County, Nebraska: (a) A wedding reception on August 30, 2008 from 3 p.m. to 1 a.m. and (b) A reception on August 31, 2008 from 4 p.m. to 1 a.m.. Stevens, Hudkins and Heier voted aye. Motion carried.

D. An agreement with Robert Byington, M.D. OB/GYN 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 Robert Byington, M.D. OB/GYN 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-08-0409)

MOTION: Stevens moved and Hudkins seconded approval of an agreement with Robert Byington, M.D. OB/GYN 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, Hudkins and Heier voted aye. Motion carried.

E. A grant contract with the Voices of Hope for funding for two full-time advocates who supply enhanced 24-hour advocacy to domestic violence victims in person or by phone, in the amount of \$58,446, and advocate cell phone support, in the amount of \$1,200. Total amount of the grant contract is \$57,833. The Grantee will contribute \$15,350 in matching funds. Term of the grant contract is June 1, 2008 to May 31, 2009. (C-08-0410)

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with the Voices of Hope for funding for two full-time advocates who supply enhanced 24-hour advocacy to domestic violence victims in person or by phone, in the amount of \$58,446, and advocate cell phone support, in the amount of \$1,200. Stevens, Hudkins and Heier voted aye. Motion carried.

F. An agreement with the University of Nebraska, Board of Regents and the Lincoln Housing Authority for operation of the Nutrition Education Program in order to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. Term of the agreement is September 1, 2008 to August 31, 2009. The County will pay \$19,085 for the services which will be provided by the University. The Housing Authority will also pay \$10,519 for the services, combined with \$9,492 from the United States Department of Agriculture (USDA) Food Stamp Nutrition Education grant for a total of \$39,096. (C-08-0411)

MOTION: Stevens moved and Hudkins seconded approval of an agreement with the University of Nebraska, Board of Regents and the Lincoln Housing Authority for operation of the Nutrition Education Program in order to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. Hudkins, Stevens and Heier voted aye. Motion carried.

G. Utility Permit No. 932 for the City of Lincoln to install a 16-inch water main on the north side of Pioneers Boulevard between South 86th Street and Thorn Court to improve water pressure to the Firethorn area. There will be no cost to Lancaster County. (C-08-0412)

MOTION: Hudkins moved and Stevens seconded approval of Utility Permit No. 932 for the City of Lincoln to install a 16-inch water main on the north side of Pioneers Boulevard between South 86th Street and Thorn Court to improve water pressure to the Firethorn area. Hudkins, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

H. An agreement between Lancaster County and Lorena Pulgarin for project coordinator services for the Medical Translation and Interpretation Project. Term of the contract is July 1, 2008 to June 30, 2009. The County's payment for such services will not exceed \$20,000. (C-08-0413)

MOTION: Stevens moved and Hudkins seconded approval of an agreement between Lancaster County and Lorena Pulgarin for project coordinator services for the Medical Translation and Interpretation Project. Hudkins, Stevens and Heier voted aye. Motion carried.

I. A contract with MilkWorks to provide, maintain and schedule the use of one breast pump to County employees at no cost to the employee. The County will give ownership of the County owned pump to MilkWorks as compensation for the services. Term of the contract is for the working life of the pump provided by the County as compensation for the services. (C-08-0424)

MOTION: Hudkins moved and Stevens seconded approval of a contract with MilkWorks to provide, maintain and schedule the use of one breast pump to County employees at no cost to the employee. Hudkins, Stevens and Heier voted aye. Motion carried.

J. A grant contract with the Family Violence Council for the management of the project and funding to ensure the implementation and monitoring of the Coordinated Community Response Program, in the amount \$15,000. The Family Violence Council will contribute \$5,000 in matching funds. Term of the grant contract is from June 1, 2008 to May 31, 2009. (C-08-0425)

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with the Family Violence Council for the management of the project and funding to ensure the implementation and monitoring of the Coordinated Community Response Program, in the amount \$15,000. Hudkins, Stevens and Heier voted aye. Motion carried.

K. A grant contract with the Family Violence Council to provide project management of sex offender management efforts, in the amount of \$16,372. Term of the grant contract is from July 1, 2008 to June 30, 2009. (C-08-0426)

5) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of a grant contract with the Family Violence Council to provide project management of sex offender management efforts, in the amount of \$16,372. Stevens, Hudkins and Heier voted aye. Motion carried.

L. Request from the Lancaster County Personnel Policy Board for the following:

- * **Create the classification of Community Corrections Drug Screening Technician at a proposed pay grade of \$22,809.28 to \$29,215.68 (A11)**
- * **Change the pay grade for an Accountant from \$46,671.04 to \$59,781.28 to \$53,763.84 to \$68,866.72.**

MOTION: Stevens moved and Hudkins seconded approval of the creation of the Community Corrections Drug Screening Technician classification and pay grade change for an Accountant as recommended by the Lancaster County Personnel Policy Board. Stevens, Hudkins and Heier voted aye. Motion carried.

M. Reappointment of Bernie Heier to the Nebraska Association of County Officials for a two-year term beginning January 1, 2009 and ending December 31, 2010.

MOTION: Hudkins moved and Stevens seconded approval of the reappointment of Bernie Heier to the Nebraska Association of County Officials for a two-year term beginning January 1, 2009 and ending December 31, 2010. Stevens, Hudkins and Heier 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. **County Assessor/Register of Deeds Monthly Report for July, 2008.**
2. **County Clerk's Monthly Report for July, 2008.**
3. **Records and Information Management's Monthly Report for July, 2008.**

6) **CONSENT ITEMS CONTINUED:**

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

- * **Bonnie Lemke, in the total amount of \$31,538.50, on Pine Lake Road from South 112th to South 148th Streets; Project C55-Q-409(1). (3 contracts) (C-08-0414) (C-08-0415) (C-08-0416)**
- * **Mark Lemke, in the total amount of \$97,255, on Pine Lake Road from South 112th to South 148th Streets; Project C55-Q-409(1). (2 contracts) (C-08-0417) (C-08-0418)**
- * **John Benes, in the amount of \$647, on Northwest 84th Street 30 feet north of West Davey Road; Project CP-D-189. (C-08-0419)**
- * **Kevin Cramer 498 feet north of Olive Creek Road; Project CP-X89. This is a donation. (C-08-0420)**
- * **Kevin Cramer on South 96th Street 30 feet north of Olive Creek Road; Project CP-X-90. This is a donation. (C-08-0421)**
- * **Emma Wismer, in the amount of \$82, on South 96th Street 30 feet north of Olive Creek Road; Project CP-X-90. (C-08-0422)**
- * **Emma Wismer, in the amount of \$109, on South 96th Street 498 feet north of Olive Creek Road; Project CP-X-89. (C-08-0423)**

MOTION: Stevens moved and Hudkins seconded approval of the Consent Items.

Hudkins extended his thanks to Mr. Cramer for the donations.

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

7) **ADJOURNMENT:**

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

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 12, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bob Workman, Chair
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, 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 9:56 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 5, 2008.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting held on August 5, 2008. Hudkins, Stevens and Heier voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 24 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

3) **APPEAL OF PENALTY ON 2008 PERSONAL PROPERTY TAX FOR THE FOLLOWING:**

**M K Enterprises
Golddiggers, Inc.**

Scott Gaines, Deputy County Assessor/Register of Deeds, explained there are no provisions in the statute to waiver the penalty.

Hudkins asked Gaines how they make new business owners aware of the filing requirement on personal property, for example, articles in the *Strictly Business* magazine, LIBA (Lincoln Independent Business Association) newsletter or the newsletter published by the Chamber of Commerce.

Gaines stated they use whatever tools they have available to make their office aware of new businesses. Once they become aware of the new business, they create an account so they are able to provide them courtesy reminders that they provide other taxpayers who have filed the previous year.

Golddiggers, Inc.

A representative from Golddiggers, Inc. appeared and gave a brief explanation regarding the reason for their appeal.

Gaines stated the approximate penalty would be \$78.

M K Enterprises

Krystal Dinslage, M K Enterprises, appeared and requested abatement of the ten percent penalty.

Gaines indicated the approximate would be \$53.

MOTION: Stevens moved and Hudkins seconded to deny the appeals and assess a ten percent penalty on 2008 personal property tax for M K Enterprises and Golddiggers, Inc.. Stevens, Hudkins and Heier voted aye. Motion carried.

4) **APPEALS FILED ON LATE FILED HOMESTEAD EXEMPTIONS FOR THE FOLLOWING INDIVIDUALS:**

Charles and Jean Smith
Emma Lou Mettlen
Cheryl J. Hejl
Floyd and Wanda Friend
Alberta M. Connerley
Stanley Ray Smith
Louis and Peggy Fedler
Don and Betty Collamore
Vivian L. Teaters
Gladys Knadle
Julia L. Melichar
John and Alberta Engel
Robert and Doris King
Ethel Sovereign
Kirk and Connie Langer
Michael and Pamela Connelly

Vivian L. Jones
Gordon and Deloris Long
Lucy Hummel
Beverly A. Nelsen
Melody Batten
Nancy J. Nun
Florence A. Reddish
Lois Beals
Mary Grendahl
Garnet Ward
Daniel Lee and Darla Anne Collins
Albert Dale and Peggy Lucille Lewis
Marlene Hoskovel
Thomas and Amanda Latzel
Alberta Reed

Gaines explained that Neb. Rev. Stat. § 77-3513 allows the County Board to extend the filing deadline for homestead exemptions to on or before July 20th. All individuals, he said, filed prior to July 20th and were not late in filing the previous year. Recommendation was to extend the filing deadline and grant the homestead exemptions.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the County Assessor/Register of Deeds Office to extend the filing deadline for homestead exemptions to July 20, 2008 and grant homestead exemptions for Charles and Jean Smith, Emma Lou Mettlen, Cheryl J. Hejl, Floyd and Wanda Friend, Alberta M. Connerley, Stanley Ray Smith, Louis and Peggy Fedler, Don and Betty Collamore, Vivian L. Teaters, Gladys Knadle, Julia L. Melichar, John and Alberta Engel, Robert and Doris King, Ethel Sovereign, Kirk and Connie Langer, Michael and Pamela Connelly, Vivian L. Jones, Gordon and Deloris Long, Lucy Hummel, Beverly A. Nelsen, Melody Batten, Nancy J. Nun, Florence A. Reddish, Lois Beals, Mary Grendahl, Garnet Ward, Daniel Lee and Darla Anne Collins, Albert Dale and Peggy Lucille Lewis, Marlene Hoskovel, Thomas and Amanda Latzel and Alberta Reed. Stevens, Hudkins and Heier voted aye. Motion carried.

5) **2008 451 TAX EXEMPTION APPLICATIONS FOR THE FOLLOWING:**

Charlie M. Wilson Replacement Care Home, Inc.
Eastridge Presbyterian Church
Harris Fraley VFW Post 131
Healing Circle Recovery Community, Inc. (4 applications)
KS-NE Association of Seventh-day Adventists
The Light of the Gospel
Lighthouse
The Smith Collection
Westminster Presbyterian Church Foundation

Gaines explained that the exemption applications are properties that have been acquired by the organization or converted to exempt use between January 1 and August 1. Recommendation was to approve exemption applications for Eastridge Presbyterian Church, Harris Fraley VFW Post 131, The Light of the Gospel, Lighthouse, The Smith Collection and Westminster Presbyterian Church Foundation.

Recommendation was to deny the exemption application on Charlie M. Wilson Replacement Care Home, Inc., Healing Circle Recovery Community, Inc. (4 applications) and Kansas-Nebraska Association of Seventh-day Adventists.

Gaines stated denial was recommended for Charlie M. Wilson Replacement Care Home, Inc. because the primary use of the property appears to be a residence for three adults rather than a charitable use.

Gaines stated the Healing Circle Recovery Community, Inc. recently acquired four houses and those tenants are still living in the units, therefore, denial of the four exemptions was recommended.

The exemption application for KS-NE Association of Seventh-day Adventists, Gaines said, was recommended for denial because the 20-acre parcel is used for agricultural purposes. He added that they do have greenbelt.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the County Assessor/Register of Deeds Office and approve 2008 451 tax exemption applications for Eastridge Presbyterian Church, Harris Fraley VFW Post 131, The Light of the Gospel, Lighthouse, The Smith Collection and Westminster Presbyterian Church Foundation and deny 2008 451 tax exemption applications for Charlie M. Wilson Replacement Care Home, Inc., Healing Circle Recovery Community, Inc. (4 applications) and Kansas-Nebraska Association of Seventh-day Adventists. Stevens, Hudkins and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 10:20 a.m.. Hudkins, Stevens and Heier voted aye. Motion carried.

Dan Nolte
County Clerk