

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 26, 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, minutes of the public hearing regarding Keno Fund Projects and minutes of the public hearing regarding Lancaster County's Proposed Budget for Fiscal Year 2008-2009 held on Tuesday, August 19, 2008.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting, minutes of the public hearing regarding Keno Fund Projects and minutes of the public hearing regarding Lancaster County's Proposed Budget for Fiscal Year 2008-2009 held on Tuesday, August 19, 2008. Hudkins, Stevens, Schorr and Workman voted aye. Heier abstained from voting. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, August 26, 2008.**

MOTION: Heier moved and Stevens seconded approval of all claims processed through August 26, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Region V Regional Prevention Center Annual Report - Sandy Morrissey, Director of Region V Prevention Coalition.

Item to be rescheduled.

4) **PUBLIC HEARINGS:**

A. Corporate Manager application for Linda Wunderlich and an application for a Class Y (Farm Winery) liquor license for Wunderrosa L.L.C. d/b/a Wunderrosa, located at 2361 Wittstruck Road, Roca, Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify.

No one appeared.

The Chair recessed the hearing for one week and asked that the applicant be re-notified.

5) **NEW BUSINESS:**

A. A resolution in the matter of adopting the Fiscal Year 2008-2009 Lancaster County Budget. (R-08-0059)

Dennis Meyer, Budget and Fiscal Officer, reviewed the resolution and indicated a change was made in the first paragraph on page one: Neb. Rev. Stat. §§ 13-501 to 13-522 (Reissue 1997 & 2000 Cum. Supp.) was changed to Neb. Rev. Stat. §§ 13-501 to 13-522 (Reissue 1997 & 2006 Cum. Supp.). He referred to Attachment A of the resolution noting that it reflects the following changes from the proposed budget to set the tax rate at 26.83 cents per \$100 of valuation:

- a) Reduce Debt Service Fund Expenditures Budget (5,057,483)
- b) Reduce Deb Service Fund Revenues Budget (1,454,000)
- c) Reduce Property Tax (3,603,483)
- d) Reduce two percent Reserve for Delinquent Taxes (72,069) (5,129,552)

MOTION: Stevens moved and Hudkins seconded approval of Resolution No. R-08-0059 in the matter of adopting the Fiscal Year 2008-2009 Lancaster County Budget. Stevens, Heier, Schorr, Budget and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

B. A resolution in the matter of exceeding the budgeted restricted funds limit for the 2007-2008 fiscal year by an additional one percent. (R-08-0060)

Meyer gave a brief overview of the resolution and recommended the County Board approve the resolution.

MOTION: Schorr moved and Stevens seconded approval of Resolution No. R-08-0060 in the matter of exceeding the budgeted restricted funds limit for the 2007-2008 fiscal year by an additional one percent. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

C. A resolution in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority. (R-08-0061)

MOTION: Stevens moved and Hudkins seconded approval of Resolution No. R-08-0061 in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

D. Applications for Special Designated Licenses from Ken's Liquor, Inc. to provide liquor beverage service for the following events to be held at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska:

- * **A reception for University of Nebraska-Lincoln dental students and alumni on Friday, September 12, 2008 from 4 p.m. to 1 a.m..**
- * **A wedding reception on Friday, September 26, 2008 from 4 p.m. to 1 a.m..**

MOTION: Stevens moved and Heier seconded approval of applications for Special Designated Licenses from Ken's Liquor, Inc. to provide liquor beverage service for the following events to be held at Country Pines: a) A reception for University of Nebraska-Lincoln dental students and alumni on September 12, 2008 from 4 p.m. to 1 a.m. and b) A wedding reception on September 26, 2008 from 4 p.m. to 1 a.m.. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

E. An amendment to an agreement between Lancaster County and L.A. Young, under County Contract No. C-08-0371, for the services of a nurse practitioner at the Lancaster County Community Mental Health Center. The amendment corrects the rate paid and total hours worked per week. The new rate will be \$65 per hour up to a total of 32 hours per week. (C-08-0442)

MOTION: Heier moved and Hudkins seconded approval of an amendment to an agreement between Lancaster County and L.A. Young, under County Contract No. C-08-0371, for the services of a nurse practitioner at the Lancaster County Community Mental Health Center. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. An agreement between Lancaster County and the Child Advocacy Center to conduct interviews and medical examinations of child abuse victims to aid law enforcement and prosecutors in their investigations of child abuse crimes. Term of the agreement is October 1, 2008 through September 30, 2009 and the County will pay \$20,000 for the services. (C-08-0443)

MOTION: Heier moved and Hudkins seconded approval of an agreement between Lancaster County and the Child Advocacy Center to conduct interviews and medical examinations of child abuse victims to aid law enforcement and prosecutors in their investigations of child abuse crimes. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. An addendum to an agreement with Magellan Behavioral Health Inc., under County Contract No. C-05-0442, for the provision of mental health services to members of the Nebraska Medicaid Managed Care Program (NMMCP). The addendum contains language required by changes to applicable Nebraska Division of Medicaid and Long Term Care requirements and amends the contract to account for NMMCP's recent increase in reimbursement rates for medically necessary mental health services. Magellan will reimburse the County as provided in the new Exhibit B-1, effective July 1, 2008. (C-08-0444)

5) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of an addendum to an agreement with Magellan Behavioral Health Inc., under County Contract No. C-05-0442, for the provision of mental health services to members of the Nebraska Medicaid Managed Care Program (NMMCP). Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

H. An interlocal agreement between Gage County, Nemaha Township, and Lancaster County for grading, culvert and rock/gravel surfacing work on Gage Road between South 96th and South 110th Streets, and for the maintenance responsibilities after such work is completed. (C-08-0445)

MOTION: Schorr moved and Hudkins seconded approval of an interlocal agreement between Gage County, Nemaha Township, and Lancaster County for grading, culvert and rock/gravel surfacing work on Gage Road between South 96th and South 110th Streets, and for the maintenance responsibilities after such work is completed. Schorr, Stevens, Hudkins, 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 County Treasurer's Report on Distress Warrants for 2006, in the amount of \$7,980.98.

B. Setting of a public hearing on Tuesday, September 9, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit No. 08030, Sagebrook Estates Community Unit Plan, requested by Jonathan Felts on behalf of F.R. Holdings, L.L.C., for authority to develop nine residential acreage units, with requests to waive sidewalks, cul-de-sac length and block length, on property generally located at North 176th and Holdrege Streets, Lancaster County, Nebraska.

6) **CONSENT ITEMS CONTINUED:**

C. A leasehold contract relating to a road project between the Lancaster County Engineering Department and Rick Schmulte, in the amount of \$50, on South 82nd Street from Hickman Road to Roca Road.

(C-08-0446)

D. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Leoma Winch, in the amount of \$496, on Van Dorn Street west of South 162nd Street.

(C-08-0447)

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

7) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:05 a.m.. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 26, 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 10:05 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 19, 2008.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on August 19, 2008. Hudkins, Stevens, Schorr and Workman voted aye. Heier abstained from voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 3 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. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Christ Lutheran Church and Schools
Developmental Services of Nebraska Inc.
Grace Lutheran Church
Heartland Bible Church
Lincoln Action Program, Inc.
Seventh Day Adventist Schools of Lincoln**

MOTION: Schorr moved and Stevens seconded approval of motor vehicle tax exemptions for Christ Lutheran Church and Schools, Developmental Services of Nebraska, Inc., Grace Lutheran Church, Heartland Bible Church, Lincoln Action Program, Inc. and Seventh Day Adventist Schools of Lincoln. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

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

Alternative Tan, Inc.

Scott Gaines, Deputy County Assessor/Register of Deeds, explained that there is no authority within the statute to waive the penalty, unless it was incorrectly calculated or wrongly imposed. He said neither was applicable and recommended denial of the appeal.

MOTION: Schorr moved and Stevens seconded to accept the recommendation of the Deputy County Assessor/Register of Deeds and deny the appeal of penalty on 2008 personal property tax for Alternative Tan, Inc.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:07 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk