

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 31, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Ray Stevens, Vice Chair
Bob Workman
Larry Hudkins
Deb Schorr

Commissioners Absent: Bernie Heier, Chair

Others present: Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Tom Fox, Deputy County Attorney
Sue Glynn, County Clerk's Office
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator

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, March 24, 2009.

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

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 31, 2009.

MOTION: Schorr moved and Hudkins seconded approval of all claims. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- 3) **SPECIAL PRESENTATION:**

- A. **Presentation of the Annual Commissioners Award of Excellence Honorable Mention for 2008 to Adam Powers with the Corrections Department; and Lila Emmons with Lancaster Manor.**
- B. **Presentation of the Annual Commissioners Award of Excellence for 2008 to Mary Crable with Lancaster Manor.**

SPECIAL PRESENTATIONS CONTINUED:

Stevens noted these awards recognize employees who consistently provide outstanding service and work that demonstrates exemplary personal commitment to Lancaster County. Nominations are based on the following criteria: safety, productivity, loss prevention, customer relations or valor. The following employees were honored: Adam Powers, Corrections Department; Lila Emmons, Lancaster Manor; and Mary Crable, Lancaster Manor.

- C. A resolution in the matter of Recognizing April 4, 2009, as "Central Plains Severe Weather Symposium" and Storm Spotter Appreciation Day - Doug Ahlberg, Emergency Management Director (R-09-0015)**

This item was held pending the arrival of Doug Ahlberg.

4) **NEW BUSINESS:**

- A. An agreement with Jacks Lawn Care for weed control services for the Lancaster County Noxious Weed Control Authority at rates as specified in the bid; Specification No. 09-013. (C-09-0143)**

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

- B. A Change Order Supplemental Agreement with T.J. Osborn Construction, Inc., for culvert replacement and maintenance, in the amount of \$17,215; Project No. 09-029. (C-09-0144)**

MOTION: Schorr moved and Hudkins seconded approval of the supplemental agreement. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- C. A contract with Brandt Excavating, Inc., for erosion control at drainage structures A-74, A-101, B-74, C-192, C-284, E-108, R-139 and R-156, in the amount of \$201,740.79; Project No. 09-026. (C-09-0145)**

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

- D. A Change Order Supplemental Agreement with Pavers, Inc. for Alvo Road grading and paving, in the amount of \$1,050; Project No. C55-F-406(1). (C-09-0146)**

MOTION: Hudkins moved and Workman seconded approval of the supplemental agreement. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

NEW BUSINESS CONTINUED:

- E. Utility Permit No. 948 allowing the City of Hickman to occupy County road right-of-way for the relocation and construction of a 10" water transmission line along each side of So. 68th Street from Stagecoach Road to Wagon Train Road; Project No. 2006-0445. (C-09-0147)**

MOTION: Schorr moved and Workman seconded approval of Utility Permit No. 948. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- F. An easement with the City of Hickman to construct and maintain a sanitary sewer line across the south portion of County owned lots located at So. 68th Street and Wagon Train Road. This easement is part of the Hickman Utility Relocation Project on So. 68th Street from Stagecoach Road to Wagon Train Road. There is no cost to Lancaster County. (C-09-0148)**

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

- G. Recommendation from the Purchasing Agent to rescind the award for up to 5,500 drug testing kits from American Bio Medical Corporation under the State of Minnesota Contract #427866.**

Bob Walla, Assistant Purchasing Agent, appeared and said after conferring with other departments who use drug testing kits, there would be a significant savings by purchasing these kits from Inverness, a company who has a contract with the State of Arkansas.

MOTION: Hudkins moved and Schorr seconded to approve the recommendation of the Purchasing Department and rescind the award with American Bio Medical Corporation. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

- H. Request from Daniel (Guy) Lossing for a refund of real property taxes for 1995 through 2008.**

Guy Lossing appeared and said he recently discovered that since 1995 he was taxed on a new air conditioner, additional plumbing fixtures and an additional bathroom which are not present in the home. He requested an adjustment be made to his property valuation reflecting the appropriate information and that he receive a tax refund, to include interest, on the additional amount paid between 1995 and the present.

Lossing also noted that he and others witnessed an unmarked car slowly driving through his neighborhood which is near an elementary school. He later found out that the person in the vehicle was with the Assessor's Office. He felt strongly that an official government vehicle should be marked.

NEW BUSINESS CONTINUED:

Norm Agena, Lancaster County Assessor, appeared and recommended denial of the refund request as the State Statute governing clerical errors no longer pertains to such situations. Additionally, he noted Lancaster County uses a market basis approach, versus a cost approach, when valuing property. He explained that with the market basis approach there is no difference in the value due to the number of plumbing fixtures or the number of bedrooms. It was noted the correct property information is now on record in the Assessor's Office.

With regard to the Assessor's unmarked cars, Agena noted magnetic signs were previously used but were frequently stolen. Workman requested this issue be further discussed at a Thursday staff meeting.

MOTION: Workman moved and Schorr seconded denial of the refund request. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- I. A political subdivision tort claim filed against Lancaster County Corrections by Laurie J. Mothershed for damaged property in the amount of \$100.**

MOTION: Schorr moved and Hudkins seconded to deny the tort claim based on the recommendation of the Corrections Director. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- J. A political subdivision tort claim filed against Lancaster County Corrections by Brinda K. Workman for lost property in the amount of \$1,500.**

MOTION: Schorr moved and Hudkins seconded to deny the tort claim based on the recommendation of the Corrections Director. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

RETURNING TO ITEM 3C (SPECIAL PRESENTATIONS):

- C. A resolution in the matter of Recognizing April 4, 2009, as "Central Plains Severe Weather Symposium" and Storm Spotter Appreciation Day - Doug Ahlberg, Emergency Management Director (R-09-0015)**

Doug Ahlberg appeared and gave a brief overview of the symposium. The resolution was read into the record by the County Clerk.

MOTION: Hudkins moved and Schorr seconded approval of the resolution. Workman, Schorr, Hudkins and Stevens 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. **Setting of a public hearing for Tuesday, April 28, 2009, at 9:30 a.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request from Davey Tavern, Inc., d/b/a Davey Tavern for an addition to licensed premise located at 17740 N. 2nd Street, Davey, Lancaster County, Nebraska. This request is for a one story building approximately 42' x 74' including a beer garden approximately 18' x 20'.**
 - B. **A leasehold contract for a road project between the County Engineer and Fredric Oltjenbruns, located at No. 27th Street and Agnew Road; Project No. CP-B-74. (C-09-0149)**
 - C. **A right-of-way contract for a road project between the County Engineer and Coral Blomstrom, in the amount of \$1,135, located 745 feet south of Rock Creek Road on No. 134th Street; Project No. CP-A-74. (C-09-0150)**

The County Clerk noted Item 5A has been withdrawn.

MOTION: Workman moved and Hudkins seconded approval of the consent items. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

- 6) **PENDING:**
- A. **A resolution in the matter of County Change of Zone No. 08050, requested by Michael and Judith Rosecrans, to change the zoning on 8.84 acres, more or less, from AG Agricultural to B Business on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 in Lancaster County, Nebraska. (R-08-0093) (Item placed on pending on November 4, 2008.)**

No action was taken on this item.

- 7) **EMERGENCY ITEMS AND OTHER BUSINESS:**

Becky Simerly, Vice President of the American Federation of State, County and Municipal Employees (AFSCME), appeared and provided comments regarding Lancaster Manor.

EMERGENCY ITEMS AND OTHER BUSINESS CONTINUED:

Mike Morosin appeared and provided comments regarding his recent home purchase and the mechanism used to calculate property value and taxes.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, April 2, 2009, beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m. on Tuesdays and rebroadcast at 1:30 p.m. and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.**

9) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded to adjourn the Board of Commissioners meeting at 10:27 a.m. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 31, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING**

IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

Commissioners present: Ray Stevens, Vice Chair
Bob Workman
Larry Hudkins
Deb Schorr

Commissioner Absent Bernie Heier, Chair

Others present: Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Norm Agena, County Assessor
Tom Fox, Deputy County Attorney
Sue Glynn, County Clerk's Office
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:28 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 24, 2009.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting held on March 24, 2009. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 43 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Workman moved and Hudkins seconded approval of the additions and deductions. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

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

**Capital Humane Society
Cornhusker Council, Boy Scouts of America
First Baptist Church**

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

MOTION: Schorr moved and Hudkins seconded to approve the motor vehicle exemption applications. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Workman moved and Schorr seconded to adjourn the Board of Equalization meeting at 10:29 a.m. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk