

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, AUGUST 31, 2010**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

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

Others present: Kerry Eagan, Chief Administrative Officer  
Tom Fox, Deputy County Attorney  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Angela Zocholl, County Clerk's Office

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 24, 2010.**

**MOTION:** Stevens moved and Workman seconded approval of the minutes. Hudkins, Stevens, Schorr and Workman voted aye. Heier abstained. Motion carried 4-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, August 31, 2010.**

**MOTION:** Workman moved and Stevens seconded approval of the claims. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

3) **SPECIAL PRESENTATION:**

A. **Presentation of the Commissioners' Award of Excellence for August, 2010, to Kari Wiegert, Risk Management.**

Sue Eckley, Risk Manager, introduced Kari Wiegert. She explained how Wiegert saved the County money in worker's compensation claims by using Medical the Diagnostics Network. The Clerk read the nomination for the record. Stevens presented a plaque to Wiegert. Wiegert thanked Eckley and the Board.

4) **NEW BUSINESS:**

A. **A resolution authorizing the installation of two traffic signs, one "School Bus Stop Ahead" sign (S3-1) on W. Waverly Road 500 feet in advance of 7800 W. Waverly Road for westbound traffic, and one "Stop Ahead" sign (W3-1A) on NW 98<sup>th</sup> Street 600 feet north of Highway 6 for southbound traffic. (R-10-0074)**

4) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Hudkins seconded approval of the resolution. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- B. A resolution in the matter of exceeding the budgeted restricted funds limit for the 2009-2010 fiscal year by an additional one percent. (R-10-0075)**

**MOTION:** Hudkins moved and Stevens seconded approval of the resolution. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

- C. A resolution in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority. (R-10-0076)**

**MOTION:** Schorr moved and Hudkins seconded approval of the resolution.

**AMENDMENT:** Stevens moved to strike the Capital Fund request for the Lancaster County Agricultural Society. Amendment failed due to a lack of a second.

**ROLL CALL:** Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

- D. A resolution in the matter of directing the County Engineer to conduct a study regarding the vacation of W. Waggoner Drive as platted in Waggoner Subdivision in the NW ¼ of Section 27, Township 10 North, Range 5 East of the Principle Meridian, Lancaster County, Nebraska, more particularly described as follows: That portion of W. Waggoner Drive which abuts Lots, 1, 2 and 3, Block 1, of said Waggoner Subdivision. (R-10-0077)**

**MOTION:** Stevens moved and Workman seconded approval of the resolution.

Mike DeKalb, County Planner, explained that W. Waggoner Drive falls within the three mile zoning jurisdiction of the City of Lincoln; thus, the vacation process will take longer as changes will need to be approved by the County Board and the City Council. He noted the Planning Commission originally recommended denial of the Waggoner Subdivision but it was approved by the County Board in 1979-80. DeKalb said the road creates three lots and it cannot be vacated as it would land-lock the back two lots. He mentioned two options: (1) vacate part of the plat to remove the back two parcels; or (2) merge the back two parcels with the abutting land owned by the same person. In response to Hudkins' inquiry, DeKalb noted the land is about 1/8 of a mile inside the City's jurisdiction. He confirmed the process surrounding this issue will be managed by the Planning Department with input from the County Engineer.

**ROLL CALL:** Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

- E. Amendment of the Lancaster County Visitors Promotion Committee (VPC) by-laws to provide for the appointment of an ex-officio member of the VPC by the Lincoln City Council who is not a member of the City Council and is designated by the Council as their representative.**

**MOTION:** Schorr moved and Stevens seconded approval of the amendment.

4) **NEW BUSINESS CONTINUED:**

Hudkins questioned why a member of the City Council would be excluded. Kerry Eagan, Chief Administrative Officer, explained the VPC meetings are held on Monday as are the City Council meetings. Due to the conflict, City Council attendance has been sporadic at the VPC meetings. He said the appointee could be a member of the Council or their designee. Stevens noted the by-laws read as "one person who is a member of the Lincoln City Council or a person designated by the City Council as their representative."

**ROLL CALL:** Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- F. **An amendment to a contract between the City of Lincoln, Lancaster County and Central States Tactical, Inc., found at County Contract No. C-09-0354, for the annual supply of ammunition. The amendment renews the contract for an additional term from June 1, 2010, to May 31, 2011. (C-10-0435)**

**MOTION:** Hudkins moved and Stevens seconded approval of the amendment. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- G. **An agreement with the Lincoln Council on Alcoholism and Drugs, Inc., to provide substance use evaluation services for persons placed in the Adult Drug Program, from July 1, 2010, to June 30, 2011. The County will pay up to \$125 per participant should the participant not pay within 30 days. (C-10-0436)**

**MOTION:** Workman moved and Stevens seconded approval of the agreement. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

- H. **An agreement with Valerie Jones, d/b/a Red Rover Media, in the amount of \$7,620, for curriculum development services for the Odds Are/Gambler's Assistance Program project. Term of the agreement is June 1, 2010, to October 31, 2010. (C-10-0437)**

Item was held per request of the County Attorney.

- I. **A subcontract between the Feinstein Institute for Medical Research and Lancaster County, on behalf of the Community Mental Health Center, in the amount of \$174,212.23, for products and services provided for the "Recovery After the Initial Schizophrenia Episode (RAISE)" project. Term of the agreement is March 1, 2010, to July 12, 2011. (C-10-0438)**

**MOTION:** Stevens moved and Workman seconded approval of the subcontract.

Heier noted these funds are not from County tax dollars.

**ROLL CALL:** Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- J. **A political subdivision tort claim filed against Lancaster County Corrections by Carly Momohara for lost property in the amount of \$5.**

4) **NEW BUSINESS CONTINUED:**

**MOTION:** Schorr moved and Stevens seconded denial of the tort claim based on the department director's recommendation. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

- K. **A political subdivision tort claim filed against Lancaster County Corrections by Wayne H. Free for lost property in the amount of \$20.**

**MOTION:** Schorr moved and Stevens seconded denial of the tort claim based on the department director's recommendation. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

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 the Final Project Statement regarding the financing of the Jamaica North Trail through the Federal Surface Transportation Program; Project No. STPB 55J(150).**
- B. **Right-of-way contracts between the County Engineer and Constructors, Inc., in the total amount of \$5,149.93, located at S. 54<sup>th</sup> Street from Hickman Road to Roca Road; Project No. C55-S-405(3). (C-10-0439) (C-10-0440)**

**MOTION:** Stevens moved and Hudkins seconded approval of the consent items. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

6) **PUBLIC COMMENT:**

John Austin discussed a variety of topics, including the use of asphalt coating on roads, staff meeting procedures, a possible future water shortage, the Lancaster Manor sale and the City's three mile jurisdiction. Hudkins explained the State legislature originally gave the City a three mile jurisdiction so they could control zoning.

7) **ANNOUNCEMENTS:**

- A. **A public hearing will be held on Tuesday, August 31, 2010, at 7:00 p.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding the following:**
1. **Keno Fund Projects (on file with the County Budget and Fiscal office).**
  2. **Lancaster County's Proposed Budget for Fiscal Year 2010-2011.**
- B. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 2, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**

7) **ANNOUNCEMENTS CONTINUED:**

C. 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 [www.lancaster.ne.gov](http://www.lancaster.ne.gov). Click on 5 City-TV Video on Demand.

8) **ADJOURNMENT:**

**MOTION:** Stevens moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 9:54 a.m. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

/s/Dan Nolte

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Dan Nolte  
Lancaster County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, AUGUST 31, 2010  
COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY  
BOARD OF COMMISSIONERS MEETING**

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

Others present: Norm Agena, County Assessor/Register of Deeds  
Scott Gaines, Deputy County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Tom Fox, Deputy County Attorney  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:54 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 24, 2010.**

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

2) **ADDITIONS AND DEDUCTIONS: Approval of ten additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

**MOTION:** Stevens moved and Schorr seconded approval of the additions and deductions.

Hudkins questioned the decrease in value for Ron Talbert. Scott Gaines, Deputy County Assessor/Register of Deeds, noted this was the value reduction approved last week.

**ROLL CALL:** Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

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

**Benedictine Sisters of Sacred Heart Monastery  
Lincoln Christian School  
Lincoln Lutheran School Association  
Sisters of Mary, Queen of Mercy  
St. Peter's Catholic Church of Lincoln  
Union College**

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

**Women in Community Service**

**MOTION:** Stevens moved and Schorr seconded approval of the motor vehicle tax exemptions. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried 5-0.

4) **ADJOURNMENT:**

**MOTION:** Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 9:57 a.m. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

/s/Dan Nolte

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**Dan Nolte**  
**Lancaster County Clerk**