

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 20, 2007
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: Kristy Bauer, Deputy County Attorney
Kerry Eagan, Chief Administrative Officer
John Glynn, Chief Deputy County Clerk
Dan Nolte, County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The location announcement of the Nebraska Open Meetings Act was given and the meeting of the Board of Commissioners was called to order at 9:30 a.m..

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 13, 2007.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on February 13, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, February 20, 2007.**

MOTION: Heier moved and Hudkins seconded approval of all claims processed through February 20, 2007. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. John Glynn, Deputy County Clerk, was introduced to the County Board by Dan Nolte, County Clerk.

3) **SPECIAL PRESENTATIONS CONTINUED:**

B. Appointment of Lisa Tupper and Joel Schosow to the Visitors Promotion Committee - Jeff Maul with the Convention & Visitors Bureau Executive Director

Jeff Maul, Executive Director of the Convention & Visitors Bureau, introduced Lisa Tupper, with the Hampton Inn, and Joel Schosow, with the Holiday Inn Downtown.

Kerry Eagan, Chief Administrative Officer, clarified that Joel Schosow would be fulfilling Lynn Green's unexpired term through June, 2007 and then continuing for an additional three years. Lisa Tupper's term will be for three years beginning in June, 2007.

MOTION: Stevens moved and Hudkins seconded approval of the appointment of Lisa Tupper, for a three year term beginning June, 2007 and Joel Schosow, to fulfill the unexpired term of Lynn Green through June, 2007 and then continuing for an additional three years to the Visitors Promotion Committee. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

A. Applications for Special Events Permit from Nebraska Sports Council to hold the following events:

1. **Link Urban Adventure Race on Sunday, April 1, 2007 beginning at 9:00 a.m.. The race will be held within the city limits of Lincoln with the exception of a portion which will be from South 84th and Van Dorn Streets to South 112th and Van Dorn Streets, turning north on South 112th Street to the MoPac Trail.**
2. **The Lancaster County Sheriff's Fraternal Order of Police (FOP) Lodge 29 Adventure Race on Saturday, April 21, 2007 beginning at 8 a.m.. NOTE: A majority of the race will be held at Wagon Train Lake. The race will begin at South 110th Street and Hickman Road, proceeding east to South 120th Street where it will turn south and proceed to Wagon Train Road. The route will then turn west onto Wagon Train Road and proceed to South 110th Street turning south to Hedgefield Lake and return by proceeding north on South 110th Street To Wagon Train Lake.**

Jim Craig, applicant, and Capt. Ben Houchin, Deputy County Sheriff, appeared to answer any questions.

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Hudkins seconded approval of applications for Special Events Permit from Nebraska Sports Council to hold the Link Urban Adventure Race on April 1, 2007 and the Lancaster County Sheriff's Fraternal Order of Police, Lodge 29 Adventure Race on April 21, 2007 subject to conditions as outlined by the Sheriff's Office. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

B. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. to provide funding for the project management of the Federal Drug Free Communities Grant, in the amount of \$72,950. The Grantee will contribute \$122,537 in matching funds which may include cash or in-kind services. Term of the grant contract is October 1, 2006 through September 30, 2007. (C-07-0062)

MOTION: Stevens moved and Heier seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. to provide funding for the project management of the Federal Drug Free Communities Grant, in the amount of \$72,950. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

C. An interlocal agreement with Cass County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day. The agreement is effective upon execution and has a 30-day termination provision. (C-07-0063)

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement with Cass County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day.

AMENDMENT TO MOTION: Heier moved and Schorr seconded to amend the amount to \$240 per youth, per day.

ROLL CALL ON AMENDMENT: Heier and Schorr voted aye. Hudkins, Stevens and Workman voted no. Amendment failed two to three.

ROLL CALL ON ORIGINAL MOTION: Hudkins, Stevens and Workman voted aye. Schorr and Heier voted no. Motion carried.

4) **NEW BUSINESS CONTINUED:**

D. An addendum to an agreement with Great Plains Appraisal, Inc., under County Contract No. C-03-0596, for services of qualified professional appraisers to assist the Lancaster County Assessor's Office in performing the appraisal functions necessary to process the Tax Equalization and Review Commission (TERC) appeals for the 2003 tax year. The addendum authorizes Great Plains Appraisal to also process the TERC appeals for the 2006 tax year. (C-07-0067)

MOTION: Stevens moved and Heier seconded approval of an addendum to an agreement with Great Plains Appraisal, Inc., under County Contract No. C-03-0596, for services of qualified professional appraisers to assist the Lancaster County Assessor's Office in performing the appraisal functions necessary to process the Tax Equalization and Review Commission (TERC) appeals for the 2003 tax year. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

E. A program agreement between the Lancaster County Engineering Department and the State of Nebraska, Department of Roads for replacement of County Bridge No. T-108; Project No. BR-3280(4), Sprague East. The County's share of the project cost is estimated to be \$110,200. (C-07-0065)

MOTION: Stevens moved and Schorr seconded approval of a program agreement between the Lancaster County Engineering Department and the State of Nebraska, Department of Roads for replacement of County Bridge No. T-108; Project No. BR-3280(4), Sprague East. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. An interlocal agreement with the City of Lincoln for the widening and reconstruction of Folsom Street, more particularly described as South Folsom Street from West Denton Road to a point 1,439 feet south of West Old Cheney Road. There will be no cost to Lancaster County and the City will be responsible for maintenance of the new section. The agreement is effective upon execution until completion which is estimated to be the fall of 2007. (C-07-0066)

MOTION: Heier moved and Hudkins seconded approval of an interlocal agreement with the City of Lincoln for the widening and reconstruction of Folsom Street, more particularly described as South Folsom Street from West Denton Road to a point 1,439 feet south of West Old Cheney Road. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

G. A contract with Buller Fixture Company for a Hobart conveyor dishwasher, in the amount of \$21,746, for the Lancaster County Corrections Department. (The County Board awarded the bid on January 30, 2007.) (C-07-0067)

MOTION: Heier moved and Hudkins seconded approval of a contract with Buller Fixture Company for a Hobart conveyor dishwasher, in the amount of \$21,746, for the Lancaster County Corrections Department. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

H. Release of a personal guarantee of Ron and Linda Meyer on the Project Financing agreement of RRJ, L.L.C. d/b/a Legacy Dairy and Creamery, under County Contract No. C-06-0121. (C-07-0068)

MOTION: Stevens moved and Hudkins seconded approval of a release of a personal guarantee of Ron and Linda Meyer on the Project Financing agreement of RRJ, L.L.C. d/b/a Legacy Dairy and Creamery, under County Contract No. C-06-0121. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

I. An agreement between the City of Lincoln, on behalf of the Urban Development Department and Lancaster County for professional services and administration of the Lancaster County Community Development Block Grant (CDBG) Loan Program. The agreement will commence upon execution of both parties and continue through August 31, 2007. The County will pay up to \$12,000 for such services. (C-07-0069)

MOTION: Schorr moved and Stevens seconded approval of an agreement between the City of Lincoln, on behalf of the Urban Development Department and Lancaster County for professional services and administration of the Lancaster County Community Development Block Grant (CDBG) Loan Program. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

J. A salary increase for Sue Eckley, Lancaster County Risk Manager, from \$69,001.92 to \$71,416.99, effective February 15, 2007, pursuant to a six month review.

MOTION: Schorr moved and Hudkins seconded approval of a salary increase for Sue Eckley, Lancaster County Risk Manager, from \$69,001.92 to \$71,416.99, effective February 15, 2007, pursuant to a six month review. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

K. Request for a two-step pay increase for Richard Lutz, an employee with Community Corrections, due to exceptional circumstances.

MOTION: Stevens moved and Heier seconded approval of a request for a two-step pay increase for Richard Lutz, an employee with Community Corrections, due to exceptional circumstances. Schorr, Hudkins, Stevens, Heier and Workman 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. Receive and Place on File:

- 1. County Assessor/Register of Deeds Monthly Report for January, 2007.**
- 2. Nebraska Department of Roads Annual Report for 2006.**

B. Setting of public hearings for Tuesday, March 13, 2007 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

- 1. County Miscellaneous No. 06016,** requested by the Director of Planning, for a text amendment to the Lancaster County Land Subdivision Regulations as follows:
 - a. Set a one-year time period within which applications that have been deferred at the applicants' request are presented to the Planning Commission or County Board for final action or they automatically expire.

5) **CONSENT ITEMS CONTINUED:**

- b. Delete the filing deadline before a preliminary plat may be scheduled on the Planning Commission agenda.
- c. Delete the provision that a preliminary plat shall be effective for only ten years and authorize the Planning Director to determine if a new preliminary plat may be required after five years rather than the County Board.
- d. Reword procedures regarding filing the Planning Commission's findings within seven days with the County Clerk.
- e. Change public hearing notice dates when signs are posted and notices appear in the newspaper to be consistent with the City's notification requirements.

2. **County Change of Zone No. 06070**, requested by the Director of Planning, for a text amendment to the Lancaster County Zoning Resolution as follows:

- a. Set a one-year period within which applications that have been deferred at the applicants' request are presented to the Planning Commission or County Board for final action or they automatically expire.
- b. Change public hearing notice dates when signs are posted and notices appear in the newspaper to be consistent with the City's notification procedures.
- c. Clarify the procedures for special permits and community unit plans and correct typing errors.
- d. Clarify that no buildings or uses may be permitted in a yard via an administrative amendment by the Planning Director.
- e. Relocate the provisions for pre-existing special permits.

C. Setting of a public hearing for Tuesday, March 13, 2007 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, pursuant to Resolution No. R-00-0148, adopted December 12, 2000 for which the county clerk has received no protests.

D. Request from James J. Kohmetscher, an employee with Property Management, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

5) **CONSENT ITEMS CONTINUED:**

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

6) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the meeting of the Board of Commissioners at 10:01 a.m.. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 20, 2007
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: Norm Agena, County Assessor/Register of Deeds
Kristy Bauer, Deputy County Attorney
Kerry Eagan, Chief Administrative Officer
John Glynn, Chief Deputy County Clerk
Dan Nolte, County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 13, 2007.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on February 13, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 94 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

MOTION: Schorr moved and Stevens 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 EXEMPTIONS:**

**Immaculate Heart of Mary Church
Lincoln Action Program, Inc.
Nebraska Conference of the United Church of Christ
Nebraska United Methodist Foundation
NET Foundation for Television**

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

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the meeting of the Board of Equalization at 10:02 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk