

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 24, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office
Sue Glynn, County Clerk's Office
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, February 17, 2009.**

MOTION: Schorr moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 17, 2009. Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, February 24, 2009.**

MOTION: Workman moved and Schorr seconded approval of all claims processed through Tuesday, February 24, 2009. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

3) **NEW BUSINESS:**

- A. Applications for Special Designated Licenses from Ken's Liquor, Inc., to provide liquor beverage service for wedding receptions at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska on the following dates: April 24, 2009 from 4:00 p.m. to 1:00 a.m.; May 2, 2009 from 3:00 p.m. to 1:00 a.m.; and May 16, 2009 from 3:00 p.m. to 1:00 a.m.**

MOTION: Workman moved and Schorr seconded approval of the Special Designated Licences. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

- B. A resolution in the matter of County Miscellaneous No. 08065, a text amendment to the Lancaster County Zoning Resolution, amending various sections of Articles 4 and 5 by changing the provisions for wind energy conversion systems (WECS), also known as wind turbines and windmills, to allow for WECS over the district height as a conditional use in the AG Agricultural and AGR Agricultural Residential districts. The amendments are as provided in Attachment A. (R-09-0008)**

Mike DeKalb, Planning Department, appeared and explained that this corrective language was previously omitted. It allows WECS to go over the Primitive District Height of 35' as long as they meet the preset conditions.

MOTION: Workman moved and Schorr seconded approval of the resolution amending provisions for wind energy conversion systems. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

- C. A resolution authorizing the installation of a speed reduction (30 m.p.h.) sign on South 162nd Street, 250 feet north of the Village of Bennet limit for southbound traffic and installation of a 50 m.p.h. speed limit sign on South 162nd Street, just north of the Village of Bennet limit for northbound traffic. (R-09-0010)**

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

3) **NEW BUSINESS CONTINUED:**

- D. An agreement with Joyce Schmeeckle PhD, d/b/a Schmeeckle Research, for program evaluation services for "The Odds Are..." youth gambling prevention grant. Term of the agreement is October 1, 2008 through June 30, 2009. The County shall pay \$5,000 for the services. (C-09-0087)**

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

- E. An agreement with Hospice Preferred Choice, Inc., d/b/a AseraCare Hospice 2, for hospice services for residents of Lancaster Manor. The agreement is effective upon execution by both parties and continues through December 1, 2009. AseraCare will pay the County the current Medicare rate for these services. (C-09-0088)**

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

- F. A Software License Agreement and Business Associate Agreement between HDM Corporation and Lancaster County, on behalf of the Lancaster County Community Mental Health Center, for electronic billing software. The cost to the County is set forth in Schedule A attached to the contract. Term of the agreement is for one year. (C-09-0089)**

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

- G. An agreement between the County and Clark Enersen Partners for providing professional engineering services regarding mitigating the risk of damage to equipment in the event of a water line break at Lancaster Manor. The project shall be completed by April 1, 2009 and will cost the County up to \$3,200, plus expenses not to exceed \$100. (C-09-0090)**

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

3) **NEW BUSINESS CONTINUED:**

H. An agreement between the Capital Humane Society (Contractor) and Lancaster County (County) for the performance of animal control related services in Lancaster County. The Contractor shall perform services related to the treatment and control of rabies, control of dogs running at large as the designated County Poundmaster, removal of the remains of certain animals from County roads, and other related services. The County will reimburse the Contractor in accordance with Appendix A to the agreement. (C-09-0091)

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

I. A program agreement between the County and the Nebraska Department of Roads, for bridge replacement, Project No. RUR-3290(2), Hickman Northeast. The cost to the County is 20% of the estimated project cost or \$152,000. (C-09-0092)

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

J. Recommendation from the Purchasing Agent and the County Engineer to award a bid for the grading and paving of Alvo Road to Pavers, Inc., in the amount of \$1,100,853.73. (B-09-0011)

MOTION: Hudkins moved and Workman seconded approval of the bid based upon the recommendation from the Purchasing Agent and the County Engineer. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

K. Recommendation from the County Engineer and the Purchasing Agent to award a bid for a spreader/plow truck to Cornhusker International Trucks, Inc., in the amount of \$309,885. (B-09-0012)

MOTION: Hudkins moved and Workman seconded approval of the bid based upon the recommendation from the County Engineer and the Purchasing Agent. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

- L. **A deed of reconveyance, regarding property located at 135 South Harrison Street, Hallam, Nebraska, and a release of all claims the County may have against RRJ, L.L.C., d/b/a Legacy Dairy and Creamery arising under the Project Financing Agreement dated April 11, 2006, including a Community Development Block Grant award of \$300,000 loaned to RRJ, L.L.C.**

This item was held at the request of the County Attorney's Office.

4) **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.)**

5) **EMERGENCY ITEMS AND OTHER BUSINESS:**

No emergency items or other business were brought before the County Board.

6) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, February 26, 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.**

6) **ANNOUNCEMENTS CONTINUED:**

C. The County Board of Commissioners will hold a public hearing on Tuesday, March 3, 2009 at 9:30 a.m. in the County Commissioners Hearing Room, Room 113, on the first floor of the County-City Building regarding County Change of Zone No. 08071, requested by the Director of Planning, to amend the Lancaster County Zoning Resolution to allow excavation and stone milling to be approved by special permit in the AG Agricultural and AGR Agricultural Residential zoning districts; to provide conditions governing said use; and to add a section relating to enforcement and revocation of special permits.

No action taken.

7) **ADJOURNMENT:**

MOTION: Workman moved and Schorr seconded adjournment of the Lancaster County Board of Commissioners meeting at 9:46 a.m. Hudkins, Schorr, Workman and Heier voted aye. Motion carried.



Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 24, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Kerry Eagan, Chief Administrator Officer
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office
Sue Glynn, County Clerk's Office
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 9:47 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 17, 2009.**

MOTION: Hudkins moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on Tuesday, February 17, 2009. Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 23 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

MOTION: Hudkins moved and Schorr seconded approval of 23 additions and deductions to the tax assessment rolls. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

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

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

MOTION: Schorr moved and Hudkins seconded approval of the Motor Vehicle Tax Exemption applications. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Lancaster County Board of Equalization meeting at 9:55 a.m. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.



Dan Nolte
County Clerk