

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 18, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Larry Hudkins

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
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 11, 2009.**

MOTION: Workman moved and Stevens seconded approval of the minutes. Stevens, Workman and Heier voted aye. Schorr abstained. Motion carried 3-0.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, August 18, 2009.**

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

- 3) **NEW BUSINESS:**

- A. **An application for a Special Designated License from Ken's Liquor, to provide liquor beverage service for a wedding reception at Country Pines, located at 6305 W. Adams Street, Lincoln, Lancaster County, Nebraska, from 4:00 p.m. to 1:00 a.m. on Saturday, September 12, 2009.**

MOTION: Stevens moved and Workman seconded approval of the Special Designated License application. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

3) **NEW BUSINESS CONTINUED:**

- B. **An application for a Special Events Permit from Flatwater Cycling, to have a bicycle race at Branched Oak Lake, Lancaster County, Nebraska, on Saturday, September 19, 2009, from 7:00 a.m. to 2:00 p.m.**

MOTION: Schorr moved and Stevens seconded approval of the Special Events Permit.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to incorporate the recommendations of the County Engineer and the County Sheriff.

The maker of the motion and the seconder accepted the friendly amendment.

ROLL CALL ON THE AMENDED MOTION: Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- C. **Recommendation from the County Engineer to award a bid for \$22,981.50 to Straight-Line Striping, Inc., for pavement striping (Project NO. 10-03). (B-09-0036)**

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

- D. **Appointment of Jeanelle Lust and re-appointment of Michael Cornelius and Lynn Sunderman to the Lincoln-Lancaster County Planning Commission for six-year terms, expiring August 24, 2015.**

Jeanelle Lust, Michael Cornelius and Lynn Sunderman introduced themselves.

Schorr asked about upcoming issues. Sunderman said the comprehensive plan review is a big topic.

Stevens asked about changes to special permits to allow home-based businesses in the County. Sunderman said this issue was scheduled for their next meeting.

MOTION: Stevens moved and Workman seconded approval of the appointment/re-appointments.

Heier thanked the committee members for their service.

ROLL CALL: Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

- E. **Setting the salary of Christopher Turner, Deputy County Attorney, in the amount of \$56,000 per year, effective September 15, 2009.**

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

3) **NEW BUSINESS CONTINUED:**

- F. **A resolution in the matter of amending Rule 11.2(f) of the Lancaster County Personnel Rules and Personnel Policy Bulletin 98-1, Loss of Driving Privileges Policy, as provided in attachments "A" and "B". (R-09-0058)**

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

- G. **A network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain behavioral mental health services at the Community Mental Health Center. The term of the agreement is from July 1, 2009, to June 30, 2010, and the County shall be reimbursed up to \$3,185,637 for the services. (C-09-0432)**

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

- H. **Nebraska Tax Application, Form 20, for the Lancaster County Youth Services Center for sales and use tax.**

MOTION: Schorr moved and Workman seconded approval to submit the application. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- I. **An agreement regarding the calculation and voluntary reporting of sales tax liability for the Lancaster County Youth Service Center sale of phone cards. The amount of liability is \$3,690. (C-09-0433)**

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

- J. **A joint agreement between Mail Sort Professionals and the County, the City of Lincoln, and the Public Building Commission for flat mail preparation using cooperative purchasing with the State of Nebraska. Term of the contract is from July 15, 2009, to September 30, 2011. Pricing for services shall be pursuant to the State of Nebraska Contract No. 35624 04, except as provided in Attachment B of the contract. (C-09-0434)**

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

3) **NEW BUSINESS CONTINUED:**

- K. **An agreement with the University of Nebraska, Board of Regents and the Lincoln Housing Authority for operation of the Nutrition Education Program to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. Term of the agreement is September 1, 2009, to August 31, 2010. The County will pay \$22,087 for the services which will be provided by the University. The Housing Authority will also pay \$10,519 for the services, combined with \$10,176 from the United States Department of Agriculture (USDA) Food Stamp Nutrition Education grant for a total of \$42,782. (C-09-0435)**

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

- L. **An amendment to a contract between General Fire and Safety and Lancaster County for fire systems inspection services at the Youth Service Center, found at County Contract No. C-08-0432. The amendment renews the agreement for an additional one-year term beginning August 19, 2009. (C-09-0436)**

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

- M. **An amendment to a contract with the Department of Veterans Affairs for the provision of nursing home services for veterans at Lancaster Manor. The amendment extends the agreement from August 1, 2009, through July 31, 2010, and amends and replaces the price schedule with the updated Medicaid rates which are attached. The new rates become effective July 1, 2009. All other terms and conditions of the contract remain unchanged. (C-09-0437)**

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

- N. **An amendment to a joint agreement between First Choice Vending and the County, the City of Lincoln, and the Public Building Commission for snack food vending services at various locations found at County Contract No. C-08-0257. The amendment changes the name of the Contractor from LinPepCo Snacks to First Choice Vending, adds the Youth Services Center to the locations served, and renews the contract for an additional term from June 1, 2009, to May 31, 2010. (C-09-0438)**

MOTION: Workman moved and Stevens seconded approval of the amendment.

Stevens asked if this was a name change and not a change of ownership. Tom Fox, Deputy County Attorney, confirmed it was only a name change.

3) **NEW BUSINESS CONTINUED:**

ROLL CALL: Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- O. **An addendum to the contract between Lancaster County and Alamar Uniforms, found at County Contract No. C-07-0296, for the purchase of body armor second chance vests by the Sheriff's Office. The addendum renews the agreement for an additional one-year term beginning August 15, 2009, and ending August 14, 2010. (C-09-0439)**

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

- P. **An addendum to a contract between Lancaster County and Bob Barker Company, found at County Contract No. C-07-0367, for the purchase of Corrections staff clothing, inmate clothing and accessories on an as needed basis by the Lancaster County Corrections Department, Youth Services Center and the Community Mental Health Center. The addendum renews the contract for an additional one-year term beginning September 18, 2009. (C-09-0440)**

MOTION: Stevens moved and Workman seconded approval of the addendum.

Heier said, as of this morning, there were 499 inmates in the County Jail and 78 youths in the Youth Services Center. He added the Youth Services Center contracts with other counties, allowing their youth to come into the Center, for which the County is reimbursed.

ROLL CALL: Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- Q. **An addendum to a contract between Lancaster County and Shoe Corporation of Birmingham, Inc., found at County Contract No. C-07-0369, for the purchase of Corrections staff clothing, inmate clothing and accessories on an as needed basis by the Lancaster County Corrections Department, Youth Services Center and the Community Mental Health Center. The addendum renews the contract for an additional one-year term beginning September 18, 2009. (C-09-0441)**

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

- R. **An amendment to an agreement with Mike's 66 and Towing for towing and storage of towed vehicles for the Lancaster County Sheriff's Office, found at County Contract No. C-05-0418. The amendment extends the term of the agreement for an additional 30 days beginning September 1, 2009, and ending September 30, 2009. (C-09-0448)**

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

4) **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 Clerk of the District Court monthly report for July, 2009**
- B. **Right-of-way contracts between the Lancaster County Engineering Department and the following:**
 - 1. **Sharon Layman, located at 13301 Pine Lake Road, Walton; Project No. C55-Q-409(1), Tract 24. Cost is \$26,201.01. (two contracts) (C-09-0442, C-09-0443)**
 - 2. **Robert and Cheryl Orosco, located at 11600 Pine Lake Road, Walton; Project No. C55-Q-409(1), Tract 3. Cost is \$6,925. (C-09-0444)**
 - 3. **Timothy and Kyla Jurgena, located at 22535 S. 96th Street, Hickman; Project No. CP-X-87, Tract 1. Cost is \$91. (C-09-0445)**
- C. **Leasehold contracts between the Lancaster County Engineering Department and the following:**
 - 1. **Mark Benes, located at 2400 W. Alvo Road, Lincoln; Project NO. C55-G-408(3), Tract 4. Cost is \$10. (C-09-0446)**
 - 2. **Tim Pritschau, located at 12421 Pella Road, Firth; Project No. CP-X-87, Tract 2. Cost is \$10. (C-09-0447)**

MOTION: Stevens moved and Workman seconded approval of the consent items. Stevens, Workman, Schorr and Heier voted aye. Motion carried 4-0.

5) **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.)**

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

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will not hold a Staff Meeting on Thursday, August 20, 2009. Instead a Staff Meeting will be held on Tuesday, August 18, 2009, immediately following the County Board of Commissioners Meeting, in Room 113, on the first floor of the County City Building.**

7) **ANNOUNCEMENTS CONTINUED:**

- B. A public hearing will be held on Tuesday, August 25, 2009, 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 (A list of the projects may be obtained from the County Budget and Fiscal office.)
 2. Lancaster County's Proposed Budget for Fiscal Year 2009-2010
- C. A public hearing will be held on Tuesday, August 25, 2009, 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. Amend Sections VI, IX, XV and XXIX of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees
 2. Amend Section XIII of County Resolution No. 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees
 3. Amend Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees
 4. Amend Resolution No. 5069, the Lancaster County Air Pollution Control Resolution, to increase the fee for open burning permits charged to business and industry
 5. Amend Article 1, Section 6 and Article 2, Section 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards, to increase the fees associated with air quality construction permits and for notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects
- D. 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. Click on 5 City-TV Video On Demand.

8) **ADJOURNMENT**

MOTION: Stevens moved and Workman seconded to adjourn the Board of Commissioners meeting at 9:52 a.m. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 18, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Larry Hudkins

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
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 9:52 a.m.

- 1) **MINUTES: Approval of the Minutes of the Board of Equalization meeting held on Tuesday, August 11, 2009.**

MOTION: Workman moved and Stevens seconded approval of the minutes. Stevens, Workman and Heier voted aye. Schorr abstained. Motion carried 3-0.

- 2) **ADDITIONS AND DEDUCTIONS: Approval of 14 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

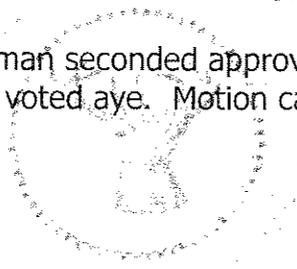
MOTION: Stevens moved and Schorr seconded approval of the additions and deductions. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

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

**The Arc of Nebraska
Cedars Youth Services**

**Benedictine Sisters of Sacred Heart
Sisters of Mary, Queen of Mercy**

MOTION: Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.



4) **APPEAL OF 2009 ASSESSED VALUATION:**

John Arnold

Scott Gaines, Deputy County Assessor/Register of Deeds, said Arnold protested his assessed valuation before the Board of Equalization through the referee process, and at the same time, applied for Greenbelt Status. He said the Assessor's recommendation is to set the value at \$278,400 to reflect the referee's reduction in the building values of roughly \$20,000 and apply it to the value established for Greenbelt Status.

MOTION: Workman moved and Stevens seconded to set the valuation at \$278,400. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**

**Brad & Mary Moser
Harlan & Glenys Tabor**

**David & Amy Krogman
John Arnold**

Gaines recommended removing John Arnold's notice from consideration since his valuation was addressed previously. (See Item 4.)

MOTION: Stevens moved and Schorr seconded approval to send the notices to Mosers, Tabors, and Krogmans. Stevens, Workman, Schorr and Heier voted aye. Motion carried 4-0.

6) **APPEAL FILED ON DENIAL OF GREENBELT STATUS:**

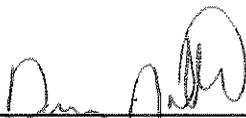
Ann Kemper

Gaines said the appeal indicated horse breeding, training and selling was done on the property, but he saw no evidence of agricultural use of the property. He recommended denial of Greenbelt Status.

MOTION: Schorr moved and Stevens seconded denial of the appeal based on the County Assessor's recommendation. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

7) **ADJOURNMENT**

MOTION: Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 9:58 a.m. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

