I. MAYOR
*1. NEWS RELEASE. Nebraska Task Force One Deploys to Fort Worth.
*2. NEWS RELEASE. City Asks Residents for Help to Clear Fallen Tree Limbs.
*3. NEWS RELEASE. Public Invited to Open House on Lincoln’s Public Transit-Human Services Transportation Plan.
*4. NEWS RELEASE. Clarifications to Release from August 21 (City Asks Residents for Help to Clear Fallen Tree Limbs).

RECEIVED WEEK OF SEPTEMBER 3, 2007
** 1. NEWS ADVISORY. Mayor Beutler’s News Conference on Thursday, August 30, at Pentzer Park at 10:00 am.
** 2. NEWS RELEASE. Housing Projects Awarded Nearly $900,000 in Grants.
** 3. NEWS RELEASE. 911 Center’s Training Program Receives National Certification.

RECEIVED WEEK OF SEPTEMBER 10, 2007
1. NEWS RELEASE. Mayor Outlines Vision in State of the City.
4. NEWS RELEASE. Public Invited to Annual Patriot Day Program. Tuesday, September 11, 2007 at the Veterans Memorial Garden in Antelope Park at 11:00 a.m.
5. NEWS RELEASE. Nominations Sought for Human Rights Award.

II. DIRECTORS

FINANCE/BUDGET
*1. August Sales Tax Reports:
   a. Actual Compared to Projected Sales Tax Collections;
   c. Sales Tax Refunds 2002-2003 Through 2007-2008; and

FINANCE/TREASURER (RECEIVED WEEK OF SEPTEMBER 3, 2007)
HEALTH DEPARTMENT
*1. NEWS RELEASE. Bat Tests Positive for Rabies in Lincoln.

RECEIVED WEEK OF SEPTEMBER 3, 2007
**1. NEWS RELEASE. Limiting Hazards in the Home Equals Fewer Family Health Risks.
**2. NEWS RELEASE. Flu Shot Availability for 2007.

PLANNING COMMISSION FINAL ACTION

RECEIVED WEEK OF SEPTEMBER 3, 2007

PLANNING

PLANNING (RECEIVED WEEK OF SEPTEMBER 10, 2007)

PUBLIC WORKS (WEEK OF SEPTEMBER 10, 2007)
1. ADVISORY. Water Main Replacement Project #700295. Glade Street; 56th - 58th Street.
   a. Map of Project #700295.

III. CITY CLERK (WEEK OF SEPTEMBER 10, 2007)
1. Letter and Ordinance Request for “The Safe Placement of Newborns and Infants in the City of Lincoln”, Plus Newspaper Article and “Blog” Comments.

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN
**1. Correspondence from Dave Landis, Urban Development. Concerns Regarding 48th and “O” Streets.
**2. Housing Starts the First Half of 2007. Single Family Permits

RECEIVED WEEK OF SEPTEMBER 10, 2007
1. Letter with Attachment of Newspaper Article from Anna Regarding Senior Service Cuts.

V. MISCELLANEOUS
*1. Email from Russell Miller. Lincoln Neighborhood Alliance thanks City Council for Prioritizing Budget Dollars Towards Public Safety Over Funding Roads.
*2. Email from Joe Beebe Commenting on Councilman Cook’s Behavior at Meeting.
*3. Letter from People First of Lincoln Regarding Public Transportation and Handi-Van Services, Signed by People First of Lincoln Members. (Each Council Member Received Letter on 08/23/07)
MISCELLANEOUS RECEIVED WEEK OF SEPTEMBER 3, 2007

**1. Correspondence from Jaime Thomas with Suggestions for Safety on City Trails.
**2. Letter from Lancaster County Substance Abuse Action Coalition (SAAC). Lincoln City Parks Should Be a Safe (and Alcohol-Free Place) for All Citizens, At All Times.

MISCELLANEOUS RECEIVED WEEK OF SEPTEMBER 10, 2007

1. Email from William J. Gewain Questioning the AgeMark Lincoln Proposal.
2. Email with Photos from Sharon Gewain Outlining Alltel Building and Traffic Versus Agemark Proposal.
3. Email from Carol Lechner. Opposition to Special Permit Allowing Agemark to Build at 25th and Cindy Drive.
4. Email from Susan Bohling. Oppose Special Permit Allowing Agemark to Build Commercial Business.
5. Faxed Correspondence Received from Unknown Constituent on Voting.

VI. ADJOURNMENT

* Held over from August 27, 2007
** Held over from September 3, 2007
In his first State of the City address today, Mayor Chris Beutler said there is a new attitude at City Hall and challenged citizens to join him in creating a vision of Lincoln as a “world class” city. He thanked the members of the City Council for their partnership during his first few months as Mayor.

“We are working together as a team, and it is clear they share a great love of this City and a great faith in its possibilities,” said Beutler. “With those things in common, we have no need to dwell on our differences. We can work together. We have worked together. We will work together in the future. And Lincoln will be better off for it.”

Beutler said the State of the City is strong and growing stronger. “Our finances are fundamentally sound. Our neighborhoods are vibrant. Our economy is gaining momentum. Optimism is around every corner. But I still start every day asking, ‘How can we be even better?’” Beutler said he is making good on all the promises he made during his campaign and when he took the oath of office:

- He worked with the Council and City staff to balance the City budget with no property tax increase.
- The Mayor and Council are implementing a plan for an independent audit board to conduct performance audits of City departments.
- His administration has taken the first steps to create a centralized development permitting process for business. “The people who use the system every day know best what needs to change,” he said. “We look forward to continuing to work with the Chamber, LIBA, the Realtors and the Home Builders to make Lincoln the most business friendly City in the State.”
- Beutler hired a “top-quality” Fire Chief, Niles Ford, who attended the address with his wife, Carrie. Ford will begin his new job October 1.
- He has taken steps to battle meth crimes by replacing federal and state funds lost to the local drug task force and adding a financial investigator to put more pressure on drug dealers.
- He has strengthened the City’s partnership with Lincoln Public Schools, preserving School Resource Officers and creating a community-use gym for the future Arnold Elementary.
- Beutler created a Mayor’s Opportunities for a Vibrant Economy or MOVE Council, which has already developed a more useful policy on tax increment financing.
- To address the need for funds to build roads, the administration is reviewing ways to build roads more cost effectively and examining modern financing tools and State law to determine how we dedicate more money to road building.
Beutler thanked City employees for increasing their productivity and for responding to the changing culture in local governments. “We are asking the hard questions. We are insisting on accountability. We are demanding more,” Beutler said.

Beutler said the Lincoln can only achieve its vision with community consensus, and he asked for help in leading the City to “a higher and better place.”

“In the past, our visions of the future seemed fuzzy and unattainable for most people, because the challenges of the present obscured our vision of what we could become,” he said. “As a result, Lincoln has been defined by its limitations, rather than its tremendous strengths. The voices of obstruction have been louder than the voices of cooperation. We have been forced to accept too little, and not demanded enough. It made a hopeful vision of the future difficult to see and nearly impossible to reach.

“Those days are over. A new optimism is growing in the heart of Lincoln. People are starting to embrace a new, powerful vision of what we can become. They are beginning to understand that now can be our time.”

In his vision of the future, Mayor Beutler said he sees a City where all neighborhoods are safe, where entrepreneurs can prosper, where young people stay after college, and “where new roads speed passengers to good jobs.” He said his vision includes beautiful parks and trails, a thriving downtown, a new arena and sports triangle and a strong arts community.

“In short, I envision a world class city that backs down from no challenge, where we tell every potential new business and every potential new family, ‘We are Lincoln, Nebraska, and we are on the move.’”

Mayor Beutler’s entire speech is available on the City Web site at lincoln.ne.gov. Click on the 5 CITY-TV icon for video on demand.
Date: August 31, 2007
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of September 1 - 7, 2007
Schedule subject to change

Monday, September 3 - Labor Day Holiday, City offices closed

No public appearances scheduled.
August 30, 2007

Susan Epps, Chair
StarTran Advisory Board
710 J Street
Lincoln, NE 68508

Dear Susan,

Thank you for your letter of earlier this summer regarding proposed changes to the Transit Development Plan. I appreciate the opportunity to offer my comments.

You note on page 2 of your letter that “the process for approval of the implementation of these near-term changes is not yet determined and your consideration of this issue will be appreciated.” There does appear to be some ambiguity as to how the Council intended significant route changes to be processed before the September 1, 2007, effective date of the new ordinances in Chapter 2.38 of the Municipal Code. However, given that we are now less than one week away from that effective date, I suggest that you follow the process set forth in the amended ordinance. I do not plan to initiate any action with the Council with respect to the route changes presented with your letter of June 22.

As you know, the new language in section 2.38.100 of the Code provides that final action by the Board with respect to substantial route changes will not take effect until 45 days after such action was taken. This presumably allows time for the appeals process, which may be initiated by the StarTran General Manager, the Director of Public Works and Utilities, or any City Council member. See Lincoln Municipal Code § 2.38.127 (allowing these individuals to appeal to the City Council “any action of the StarTran Advisory Board” by filing a notice of appeal with the City Clerk within 14 days of the action). If the Board elects to proceed with the proposed route changes included in its June 22, 2007, letter, it should, at a minimum, take some sort of formal action after September 1 to ensure that “final action” has occurred, thereby triggering the appeals time clock. I say “at a minimum” because I recommend that the Board also consult with (1) the City Law Department as to whether the prior public hearing is sufficient to satisfy the “public hearing” language in the new version of section 2.38.100 of the Code, and (2) Dan Marvin, Chair of the City Council, as to the Council’s expectations regarding this particular “package” of route changes.
As we move ahead, I do plan to re-open the discussion regarding major route changes and the process by which such changes are initiated and implemented. This is an issue in which I am very interested, and I look forward to the Board’s input as we continue this conversation.

Thank you, again, for keeping me informed. Please pass my appreciation on to the entire Board.

Sincerely,

Chris Beutler
Mayor of Lincoln

Cc:  Mayor Council members
     Larry Worth
     Rick Peo
The Veterans Memorial Garden in Antelope Park will again be the site of “Patriot Day – Lincoln Remembers,” a free community memorial to observe the sixth anniversary of the terrorist attacks on America.

The event is at 11 a.m. Tuesday, September 11. It is sponsored by the City of Lincoln and the Mayor’s Advisory Council for the Veterans Memorial Garden.

The keynote speaker will be John Hilgert, Director of the Nebraska Department of Veterans Affairs. Other speakers include Keith Fickenscher, Chairman of the Mayor’s Advisory Council for the Veterans Memorial Garden, and a representative of the families who lost loved ones in the 9-11 attacks. “The National Anthem” and “The Battle Hymn of the Republic” will be sung by Zuri, and Edwin Mukusha will play “Amazing Grace” on the bagpipes. The program also includes a duet by Aaron Fickenscher and Brian Kohel.

The public is encouraged to arrive early to tour the Garden and its memorials. Bench seating will be available, but those attending are encouraged to bring lawn chairs. Parking is available north and south of the Auld Recreation Center. Handicapped parking is available south of Auld. In case of rain the event will move inside the Auld Recreation Center.

For more information, contact Fickenscher at 486-8570.
OFFICE OF THE MAYOR
Lincoln Comm. on Human Rights, 440 S. 8th St., Lincoln, NE 68508, 441-7625, fax 441-6937

FOR IMMEDIATE RELEASE: September 5, 2007
FOR MORE INFORMATION: Margie Kniep, LCHR, 441-7625, TDD 441-8398

NOMINATIONS SOUGHT FOR HUMAN RIGHTS AWARD

The Lincoln Commission on Human Rights (LCHR) is now accepting nominations for the 2007 Gerald Henderson Human Rights Award. The award was established in 2000 to recognize outstanding achievements in furthering human rights and relations in the City of Lincoln. In 2003, the award was renamed to honor and remember Mr. Henderson, first director of the LCHR and a long-time civil rights activist. The award will be presented in November.

Nominations are due by 4:30 p.m., Friday, October 12. Individuals can get the nomination forms four ways:
- Call the Commission at 441-7625 or 441-8398 (TDD).
- Send an e-mail to mkniep@lincoln.ne.gov.
- Print a form from the City Web site, lincoln.ne.gov (keyword: rights).
- Visit LCHR during regular business hours at 440 S. 8th St.

Completed forms can be dropped off at LCHR, faxed to 441-6937 or mailed to LCHR, 440 S. 8th St., Lincoln, NE 68508. Those who submitted nominations in past years are encouraged to re-submit the entries.

Nominees will be judged on their achievements in improving human rights based on activities implemented, services performed or programs operated in the City of Lincoln. Previous winners have been Dan Williams; Cecilia Olivarez Huerta; José Soto and the Division of Affirmative Action, Equity and Diversity at Southeast Community College; Milo Mumgaard and the Nebraska Appleseed Center for Law in the Public Interest, Inc.; Judi M. gaiashkibos, Nebraska Indian Commission; and Florine Joseph.

The Human Rights Commission is the primary City agency responsible for the remediation of discrimination complaints brought by individuals. LCHR serves as the civil rights law enforcement agency for Lincoln. The Commission also provides community education and technical assistance in order for people to know and understand their rights and responsibilities under law.
CITY OPENS NEW RECYCLING SITE
NEAR NORTH STAR HIGH SCHOOL

The City Recycling Office today announced that a new recycling drop-off site has opened south of North Star High School, 5801 N. 33rd St., to serve residents in north-central Lincoln.

The recycling site accepts newspaper; residential mixed paper such as junk mail, magazines and telephone directories; cardboard; aluminum and tin cans; clear, green and brown glass bottles and jars; and plastic #1 and #2 containers.

The new site will be open from 6 a.m. to 8 p.m. Monday through Saturday. It will be closed on Sunday. “We’re pleased that Lincoln Public Schools has agreed to host the recycling site,” said Gene Hanlon, City Recycling Coordinator. “This location will give area residents and the families of students attending the high school a convenient location to drop-off their recyclables.”

With the opening of the North Star facility, the City now operates a network of 26 recycling drop-off sites in the City and County. The City also operates five recycling sites for newspaper only.

In the 2006-2007 fiscal year, the City received 7,075 tons of recyclables through its network of recycling drop-off sites. For a listing of the sites and the types of material they accept, contact the recycling hotline at 441-8215; visit the City Web site, lincoln.ne.gov (keyword: recycle); or see pages 51 through 53 in the blue pages of the Windstream phone directory.

- 30 -

In the past we have also distributed a paper copy to City Council Members. In the interest of conserving resources, we are only doing this if requested. If you would prefer a hard copy of the CIP, please let Sara Hartzell (441-6372) or Michele Abendroth (441-6372) in the Planning Department know and we will get one to you as quickly as possible.

The CIP can be easily accessed by following the directions below:

Once you have logged onto the City’s InterLinc site (<www.lincoln.ne.gov>), follow these easy steps to view the portion of CIP document you are looking for:

- type the keyword “cip” into the Search box in the center of the page
- select “Final Edition FY 2007/08 - 2012/13” under Current Program heading
- from there you are able to link directly to the summary tables and departmental programs by clicking the appropriate link.

Each file has been created in a “pdf” format, which means that you and your staff will be able to print copies of the CIP as you need them.

If you have any questions concerning how to view and print the document, or if you have questions concerning the content of the CIP, please feel free to call Sara Hartzell at 441-6372 or email at shartzell@lincoln.ne.gov. Thank you.
WATER MAIN REPLACEMENT PROJECT #700295
Glade Street; 56th - 58th Street

The week of September 10, 2007, K2 Construction of Lincoln will be starting construction of a replacement water main for the Engineering Services Division of the Public Works and Utilities Department.

The limits are in Glade Street from 56th to 58th Street, 58th Street to Normal Boulevard, and west and east of 58th in Normal Boulevard. This construction should be completed approximately late October 2007 barring weather or unforeseen conditions (see map on back).

K2 Construction will be required to maintain two-way traffic on 56th Street and Normal Boulevard. However, there will be disruption to vehicular and pedestrian access during construction on Glade and 58th Streets. They will have very limited access. Temporary “no-parking” signs will be installed ahead of time to permit the contractor working room. The work areas themselves will be barricaded. Caution should be used when using the areas under construction.

The City of Lincoln realizes this project may temporarily inconvenience you for parking and possibly loss of services (utility/water, etc.). Please be patient and we will rectify the situation as quickly as possible.

As a general reminder, if you have landscaping in the City right-of-way which you would like to save, please plan to relocate them as soon as practical to avoid damages. The contractor will not be responsible for items that are within the right-of-way once work starts.

If you have any problems or questions during the construction period, please contact the K2 Construction Superintendent, Tom Rogge at (402) 770-5728 or the City of Lincoln Project Manager listed below.

Charlie Wilcox, Senior Engineering Specialist
Engineering Services, Public Works and Utilities
Project Manager
Cell: 440-6067
Email: cwilcox@lincoln.ne.gov

K2 Construction
Tom Rogge, Superintendent
Phone: (402) 770-5728

700295 Adv CDW tdq.wpd
361 Prestwick Rd.
Lincoln, Ne 68505

August 28, 2007

City of Lincoln
City Council
555 S 10th St, Room 111
Lincoln, NE 68508

Dear Honorable Members of the Lincoln City Council,

We are writing to request to file a communication item for the docket for the next meeting, September 10, 2007, of the City Council of the City of Lincoln.

Enclosed is a request for the City Council of the City of Lincoln to file for a city ordinance for “Safe Placement for Newborns and Infants,” also known as a Baby Safe Haven law.

48 states have passed and enacted a Baby Safe Haven, covering 99.5% of the US population. Some of these states had to first vote on the Baby Safe Haven local ordinances prior to passage of a statewide Baby Safe Haven law. These local ordinances were passed in communities such as New York, Mobile, and Boston.

Tragically the State of Nebraska is lingering far behind 99.5% of the United States population, we are yet to see passage of a Baby Safe Haven law, and lawmakers have candidly told us that passage and implementation could be at least three to six years. In the last several years there have been numerous abandonments of newborns by Nebraska women. It is clear from information received from the oversight agencies in many states with Baby Safe Haven laws that these statutes have done exactly what they were passed and enacted to do, curtail the unsafe abandonment of newborns.

In 2004 the City of Boston, and the Boston City Council spearheaded by Councilor John Tobin, passed the first in their state home rule petition, to file with the legislature the first Baby Safe Haven city ordinance. We respectfully request that the City of Lincoln join with the many other cities we are contacting, and pass a local ordinance, just as Boston did, to begin the process for Nebraska to have a Baby Safe Haven law. Utilizing Boston’s well crafted home rule petition as a blueprint Lincoln can follow Boston, and the many other cities that passed local ordinances, in establishing another pilot program and possibly save the life of a newborn who may be in jeopardy of an unsafe or deadly abandonment.

We are requesting filing of this communication item for the docket of the next meeting of the City Council of the City of Lincoln to follow 48 states with 99.5% of the nation to help insure the safety of newborns who might become victims of an unsafe or deadly abandonment in the first few hours of their lives. Here are some added reasons for the communication item to be included on the docket of the next City Council of the City of Lincoln meeting.
A) History has shown that a newborn abandonment can take place in any community in the State of Nebraska.

B) Under the proposed legislation a newborn can be surrendered at a Police or Fire station, Lincoln has several in key locations across the city, as well as a local hospital.

C) Lincoln also has nearby college campuses in locations close enough to these facilities that could mean a life saving difference to a newborn who might otherwise by found in a trash receptacle, or other potentially deadly location.

D) Lincoln has its own media to bring the information to the key demographic, newspaper, local radio, and cable access.

We appreciate your consideration of this very important legislation to be placed before the City Council of Lincoln to hopefully be added to an upcoming City Council meeting. We will make ourselves available at your convenience to answer any questions, bring about key testimony before a hearing, and supply the needed statistics and background information that you and the City Council will request. We have a video presentation that we will play before the City Council of the City of Lincoln meeting.

Thank you for your time and consideration.

Kind regards,

[Signature]

Deanna Weeks

Deanna Weeks
361 Prestwick Rd.
Lincoln, Ne. 68505
(402) 261-3439
CITY OF LINCOLN
ORDINANCE REQUESTED BY AMENDMENT OF THE LINCOLN MUNICIPAL CODE:

PETITION FOR A SPECIAL ACT RE:
THE SAFE PLACEMENT OF NEWBORNS AND INFANTS IN THE CITY OF LINCOLN

Whereas, the City of Lincoln finds and declares that a serious public emergency exists with respect to the safety and health of newborns and infants in the City of Lincoln due to parents that abandon them; and

Whereas, unless parents of newborns or infants are not protected from prosecution for their abandonment of a newborn or infant then the incidents of newborns discarded into trash receptacles or abandoned in public places will continue to occur; and

Whereas, the serious public emergency should be met by the State of Nebraska immediately, with due regard for the rights and responsibilities of the City of Lincoln.

Therefore this act is declared to be in the public interest.

Section 1. Acceptance of Newborns and Infants Placed by Parents or Lawful Agents of Parents with Authorized Employees of Designated Facilities,

Notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good, the Nebraska department of social services ("department") shall accept for placement into foster care any newborn or infant child seven (7) days of age or younger ("newborn or infant" or "child") that is voluntarily placed with a hospital emergency room licensed under general laws chapter 111, section 51 in the City of Lincoln ("designated facility"), or left at a police station in the City of Lincoln, or at a fire station in the City of Lincoln for transport to such hospital emergency room (by activating the EMS system) by a parent of a newborn or infant or by a legal agent of said parent. A voluntary placement under these provisions shall not constitute an automatic termination of parental rights or an abrogation of parental rights or responsibilities but shall, for purposes of authorizing the department to initiate a petition to terminate parental rights under general laws chapter 210, be presumed to be an abandonment of the newborn or infant that has been so placed. A hospital emergency room receiving a newborn or infant shall immediately notify the department of the placement of a newborn or infant ("notice"). Upon receiving a notice the department shall take physical custody of the newborn or infant immediately and shall initiate all actions authorized by law to achieve the safety and permanency of the newborn or infant in a manner that is consistent with the best interests of the child; provided however, that if the newborn or infant is in need of emergency or other medical care, the
department shall not take immediate physical custody of the child until such care has been fully administered and completed to the hospital emergency room's satisfaction. The department shall develop and implement a protocol of communication and procedure to facilitate the placement of and provide for the custody and care of a newborn or infant. If a person claiming to be a parent or lawful agent of a parent of a newborn or infant left with a designated facility submits a request to the department for reunification with the newborn or infant, the department shall institute the procedures currently authorized by law to identify, contact, and investigate such person or agent in order to determine, pursuant to the applicable provisions of law, if reunification is in the best interests of the child, or if it is in the best interests of the child to terminate the parental rights of the parent.

Each hospital emergency room in the City of Lincoln shall designate members of the emergency room staff authorized ("authorized employee") to take physical custody of a newborn or infant under these sections, and one (1) such nurse shall be on duty during regular business hours. Each hospital emergency room shall designate an area in the emergency room where physical custody of a newborn or infant may be taken. Each police station in the City of Lincoln and fire station in the City of Lincoln shall, to the greatest practical extent that does not interfere with the primary functions of the police station or fire station, shall be authorized to activate the EMS system for the purpose of transfer to the hospital emergency room on receipt of physical custody of a newborn or infant under these sections.

Authorized employees at the designated facility or the EMS system shall make every effort to solicit the following information from the parent or lawful agent who is placing the newborn or infant: (1) the name of the child, (2) the name and address of the parent placing the child, (3) name and address of the parent absent from the placement of the child for the purposes of notification and protecting the absent parent's constitutional rights with regard to parenting, (4) name and address of the person leaving the child, if not a parent, (5) the location of the child’s birthplace, (6) the medical histories of the child and parents including, but not limited to, birth and medical records, if available, and (7) any other information that might reasonably assist the department or the courts of the state in current and future determinations of the best interests of the child, including whether or not the parent plans to seek future custody of the child. The authorized employee receiving the newborn or infant shall encourage the parent or lawful agent of the parent to provide the requested information in order to ensure that the child's best interests are served, but the parent or lawful agent is not required to provide such information. The department and the designated facility shall maintain copies of forms and records, if any, collected or created as a result of placements made under these sections, and shall adhere to all applicable laws, rules, and regulations regarding the confidentiality of such forms and records provided; however, that all information pertaining to the medical history of the newborn or lawful agent shall be forwarded by the designated facilities to the department in order to facilitate the safe and permanent placement of a child by the department.

These authorized employees shall provide the parent or lawful agent with a numbered identification bracelet. The bracelet shall be used to link the parent to the child for identification purposes only and shall not be construed to authorize the person in possession of the bracelet to take custody of the child on demand. If parental rights have not been terminated, possession of a
bracelet linking the parent or agent to a newborn or infant left with an authorized employee shall create a presumption that the parent or lawful agent has standing to participate in a custody hearing for the child but shall not create a presumption of maternity, paternity or custody.

Envelopes containing the above information (pamphlet, medical history form, and identification bracelet) should be provided to all fire and police stations for distribution as needed.

Section 2. Placement of Newborns and Infants by Parents or Lawful Agents of Parents with Authorized Employees of Designated Facilities.

The act of leaving an unharmed newborn or infant with an authorized employee of a designated facility does not, by itself, constitute a basis for a finding of abuse or neglect of the child pursuant to the laws of the State of Nebraska, nor does it, by itself, constitute a violation of criminal statutes for child abuse and neglect or for abandonment under General Laws when there is additional evidence that the person who left the child intended that the child be safe from physical injury or harm. If there is suspected child abuse or neglect that is not based solely on the newborn or infant having been left with an authorized employee of a designated facility in compliance with these sections, the personnel of the designated facilities who are mandated reporters must report the abuse or neglect.

Section 3. Information Program.

There shall be a public information program regarding the procedures stated in these sections including, but not limited to, the development of a pamphlet describing these aforesaid procedures, the rights and responsibilities of the parent(s) and extended family members, the legal consequences of placement of a newborn or infant into foster care, the relevant telephone numbers of the department or its agents and family preservation services.

Section 4. Harmonious Construction.

This act shall be construed harmoniously to the extent practicable with any other general or special law such that all such legislation effectively provides the greatest level of safety for newborns and infants and the greatest level of equity and fairness to parents and lawful agents.

Section 5. Severability.

If any provision of these sections or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of these sections and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Section 6. Effective Date.

The provisions of these sections shall be effective immediately upon passage.
Police seek to identify woman who left newborn at hospital

A newborn baby who appeared to be less than 24 hours old was abandoned Monday at Bergan Mercy Hospital, Omaha police said.

Officers were requesting the public's assistance in identifying a woman who entered the hospital about 2:40 p.m. carrying a basket, said Police Department spokesman Officer David Spizzirri. The woman was seen carrying the basket into a restroom and later leaving the restroom without the basket.

Inside the basket was a baby boy weighing about 8 pounds.

The woman was described as white, in her late teens to early 20s, with shoulder-length brown hair. She was wearing a short-sleeved white T-shirt and blue pants.

Police urge anyone with information to call 444-5818.

The incident is the third baby abandonment in Nebraska this year and comes as the Legislature revisits a seven-year-old debate over a safe haven law.

In May, a newborn less than 24 hours old was abandoned near a trash bin of an apartment complex near 66th Street and Fowler Avenue. In July, a 21-year-old woman was ticketed for abandoning her 11-hour-old baby in a Lincoln hospital.

The bill in the Legislature would give parents three days to voluntarily surrender a child. Hospitals would be designated as the only safe havens. The bill's sponsor, State Sen. Arnie Stuthman of Platte Center, plans to bring it up again in January.

Proponents say the bill is aimed primarily at teenagers who have hidden their pregnancies and given birth in secret and who, in panic and desperation, might harm their newborns or leave them somewhere to die.

If Alaska were to pass a similar bill first, Nebraska would be the last state in the nation without a law spelling out how a woman can safely and legally abandon a newborn. Forty-eight states have adopted such safe haven laws since 1999. Alaska appears close to enacting one.

The baby abandoned Monday was safe, but further information was unavailable, Spizzirri said.

Contact the Omaha World-Herald newsroom

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COMMENTS:

Mercy wrote on September 4, 2007 9:44 am:
" Leave the poor woman alone. At least she put the baby where it would be found and taken care of. She could have put in a dumpster or worse. Even though she did the right thing in not hurting or killing the baby lets find her and persicute her anyway. What happened to the good old USA."

confused wrote on September 4, 2007 9:55 am:
" isn't what she did better than throwing him in a dumpster?? I don't understand.....obvisouly we need the "safe haven" law. why aren't we happy that she dropped him off in a safe place rather than in the dumpster?? this is why girls are discouraged to drop an unwanted child off at a safe place, because they will be hunted down and prosecuted for what? saving the child's life instead of disposing of it??"

Scott wrote on September 4, 2007 10:00 am:
" Colorado has a law on the books that allows a mother to leave a newborn, less than 72 hours old, at either a hospital or fire station with no threat of prosecution. The baby is safe and is put up for adoption. This sure beats finding a dead baby in a dumpster and then have the scum (lawyers) going after a troubled mother."

anon. wrote on September 4, 2007 10:13 am:
" Why is it that Nebraska is one of the last states to have a safe haven law, where women such as this won't be prosecuted for doing the right thing in this situation? And how is it that having such a law will encourage women to do this more? And that's a bad thing because...? At least the child will be given a chance and the mother a choice."

Sylvia wrote on September 4, 2007 10:27 am:
" This is legal in most other states. If it were legal here, she could hand the baby over to a living person in an emergency room or a fire station without fear of repercussion. If the state is going to put up so many roadblocks to legal abortion, they need to deal with scenarios like this one. Stop trying to criminalize forced motherhood."

Marla wrote on September 4, 2007 10:28 am:
" Are they going to track her down for illegal home birth also?"

Do the Right Thing wrote on September 4, 2007 10:43 am:
" Nebraska needs to step up and pass a Safe Havens bill designating safe places where newborns can be left without the threat of prosecuting the parent. Maybe this woman thought that NE had this law in place, as hospitals are safe havens in other states. She did the right thing, just leave her alone."

Shannon wrote on September 4, 2007 10:52 am:
" I agree with the first poster. She did the right thing, at least she left the baby in a safe place, she could have easily abandoned it and left it to die like so many others. This is why I believe Nebraska should have safe haven laws. This women made what I am sure will probably be the toughest decision of her life, but one that she felt was best for her baby. Just leave her alone."

Buzzy wrote on September 4, 2007 11:05 am:
" Another example why Nebraska needs the Safe Haven Law."

a mother wrote on September 4, 2007 11:23 am:
" Some states have laws that protect the mother, as long as she leaves the baby at a hospital or fire station...."

Here we go again... wrote on September 4, 2007 11:28 am:
" Let's villify this woman for abandoning her baby. I agree that it is not the most responsible action to take, but give her some credit. At least this baby will be able to live a healthy life, and bring joy to the lives of those who may adopt him. Doesn't that count for something? Or would you so-called Christians prefer to read the headline: BODY OF INFANT FOUND IN DUMPSTER - POLICE HAVE NO LEADS. Put it in perspective, folks."

Bill wrote on September 4, 2007 11:37 am:
" Why is Nebraska the only state that does not have a Safe Haven law?"

09/05/2007
Lincoln wrote on September 4, 2007 11:39 am:
"I can't believe Nebraska is one of the only states that doesn't protect mothers in situations like this. We should be ashamed of ourselves. It's better than leaving the baby in a dumpster. Leaving a newborn baby that you can't take care of in a safe place should not be a crime."

Guy wrote on September 4, 2007 12:00 pm:
"What about Dad?"

SafeHaven wrote on September 4, 2007 12:09 pm:
"At least she didn't try to flush it down the toilet like the woman in KC tried last week with her newborn. We need a safe haven law!!!"

Floppy wrote on September 4, 2007 12:24 pm:
"Why are they looking for this woman? To give the baby back to a mother that doesn't want it? Something needs to give here."

Nina wrote on September 4, 2007 12:31 pm:
"The woman's crime is superceded by her gift of life to the baby, and by leaving it in a safe place where measures are in place so someone who will treasure the little boy for life can adopt him. I've not walked in her shoes, but given the difficult circumstances she must have been in, she may have done the best she could. I hope the child has a happy life and that his birth mother finds peace with her action."

Another example wrote on September 4, 2007 12:52 pm:
"of Nebraska needing to establish safe haven laws."

Julie wrote on September 4, 2007 12:53 pm:
"Once again...another reason we NEED to have the law allowing this! Mr. Chambers...WAKE UP!!!"

re: mercy wrote on September 4, 2007 1:25 pm:
"Not killing your baby is not the same as doing the right thing. Just because someone could have done something worse, doesn't make their actions right."

Safe Haven Please!!! wrote on September 4, 2007 1:46 pm:
"This is the second case of a baby being abandoned in a NE hospital in the past month and yet another example of why NE should adopt a safe haven law. NE is only 1 of 2 states left in the US who has not yet adopted this policy. When are our senators going to get a clue and make this a priority? I know that it has been brought up before but continues to get shoved aside for more "important" issues. In whose eyes and opinion is an innocent baby's life, safety, and well-being not a priority?"

I agree wrote on September 4, 2007 2:11 pm:
"with Mercy. This state needs a safe haven law."

I agree... wrote on September 4, 2007 2:16 pm:
"Leave her alone, otherwise you will only push women to do what we don't want them to do...... Turn this into a happy moment for a couple who wants children but can't have them. See the good in things once in a while. LET IT GO!!"

Gary wrote on September 4, 2007 2:22 pm:
"Just wait until they overturn Roe V Wade, this will only be mild......."

Mercy? wrote on September 4, 2007 2:24 pm:
"How about accountability, responsibility? It's good to know that now I may promiscuous sex, have a baby...and just leave the baby - along with the responsibility in a hospital bathroom. You're right it could be WORSE, and she could have left the baby in a dumpster. Then again, those actions would just be even more appalling. Stop defending the actions of these people."

Sarah wrote on September 4, 2007 2:46 pm:
"I'm glad the baby was left where it would be found and taken care of, however, it is still wrong that a person has to lower themselves to this level. We need to change our laws so that a woman does have the choice to leave their child at a safe haven and not be prosecuted for that act. We don't know why she didn't want the
child, but it's obvious that she cared enough to make sure it was safe. Give her credit for that."

Oh Yeah.... wrote on September 4, 2007 2:57 pm:
" Does Nebraska have a law that allows you to abandon your newborn this way? They should. Many states do. The woman should at least be able to report who she is and the particulars of the birth so that a more complete birth certificate can be issued."

Amy wrote on September 4, 2007 3:11 pm:
" This is why we need the safe haven law in Nebraska. Why are we one of the last two states to get this logical law on the books?"

Hope wrote on September 4, 2007 3:39 pm:
" I don't know why Nebraska won't adopt the law that would make this incident and ones like it legal. Otherwise to avoid charges like this woman will recieve, the women throw the babies away in dumpsters and what not. At least the child is alive."

STONE AGE wrote on September 4, 2007 3:42 pm:
" Amy, the reason we don't have a safe haven law is then our state legislature would actually have to do something. What is crazy is that we had the chance to pass a safe-haven law this year and they debated it and debated it and debated it and in the end the only ones who suffer are those little children. Our State Legislature needs to wake up and bring Nebraska out of the Stone Age, so the governor and everyone else who want to bring business and young people back to Nebraska. When we can't do something so simple as a safe haven law, how are they going to do anything that is worth any while. Wake Up Unicameral! "We are the unique Unicameral" Woopy do da, they can't get anything done. Now that is something to be proud of!"

Judi wrote on September 4, 2007 3:46 pm:
" If Nebraska had a Safe Haven Law, this would not even be an issue!!!! Nebraska currently has the unfortunate distinction to be the ONLY state left in the Union without a law on the books for a mother to safely hand over her baby without prosecution. Come on folks - let's begin supporting these mothers with some Positive Options."

Hanging out to dry wrote on September 4, 2007 4:30 pm:
" Why should this Omaha woman come forward? If she saw or knew anything about what happened to the young woman in Lincoln who left her baby behind, do people or law enforcement think that she's motivated to say she did it? Would she want her personal information & picture posted? Would she wanted to have her life analyzed & dissected by people who don't know the whole story? I don't think so. I hope that she's left alone & that both she & the baby can move on."

charges wrote on September 4, 2007 4:32 pm:
" Will she be charged with child neglect or abuse or abandonment if she's found?"

To Mercy wrote on September 4, 2007 4:54 pm:
" No one is saying that the mother should not have to be responsible for the child. It's better that an unprepared mother leave her child somewhere safe rather than putting it in a trashcan or worse, causing its death. Nebraska does need a safe haven law to protect these children and their mothers. These are mothers who aren't perfect, but at least they are trying to make choices that protect their child from harm. Let's face it, we all realize that many young men and women are having sex and not protecting themselves from pregnancy. Realistically, there needs to be a system that protects both the child and parent in extreme situations. These mother's are really trying to do the right thing by their infants, what better way than to leave them somewhere safe and allowing them to be adopted into a loving home."

Judy wrote on September 4, 2007 5:24 pm:
" A person can drop off drugs or illegal weapons at a police station not questions asked, yet a mother cannot leave her child in a safe place without fear of prosecution? Something is wrong in Nebraska!"

sorry wrote on September 4, 2007 5:31 pm:
" ever heard of birth control? yes, you really can keep yourself from having a baby in the first place - end of story."

Sheri wrote on September 4, 2007 5:48 pm:
"I can't believe that I live in one of the two states that doesn't have the safe haven law!! I applaud this women for doing the right thing, but yet here we are trying to prosecute her!! Don't we have more important and more disturbing criminals out there???

Can't wait till 08' wrote on September 4, 2007 6:07 pm:
"Nebraska has state legislators like Ernie Chambers who is more interested in getting death row inmates off death row because the electric chair might hurt them to much instead of helping pass laws that might actually make sense and help people."

jo wrote on September 4, 2007 6:23 pm:
"what about dad/ I'll say it, a "lot" NOT ALL , don't give a bleep. It has always been the womans responsiability,fault,problem! So what do you have to say on that? Society has some serious issues!"

B wrote on September 4, 2007 6:53 pm:
"There's only 2 states in the union that don't have a safe haven law in place for dropping unwanted children: Alaska and Nebraska. Isn't it time we join the rest of the country on this issue? Perhaps the right to lifers should take this on as an issue instead of spinning their wheels on abortion."

don't blame her wrote on September 4, 2007 7:20 pm:
"Look what happened the last time some young girl did the right thing. Looking at jail time. What a bunch of antique thinking people you have in the state. Most states encourage this thing. Tell the old fuddy dudrys to get off their butts and vote something in that could do some good. It's no wonder people make fun of nebraskans."

Julie wrote on September 4, 2007 7:24 pm:
"I agree with Guy. What about the Dad? She didn't get pregnant by herself. Are the police looking for him also?"

wondering wrote on September 4, 2007 8:00 pm:
"Is the media going to plaster her name, and personal information all over the news like they did the with the mother who left her baby at St. Elizabeth? Leave the poor girl alone! Have the state take custody of the baby and put the baby up for adoption, she wouldn't have left it at the hospital if that wasn't her intention!!!
NEBRASKA NEEDS A SAFE HAVEN LAW!!!"

sad wrote on September 4, 2007 8:19 pm:
"JUST LEAVE HER ALONE. Yet another example of our state problems. They couldn't pass the law last year and now this poor woman is being hunted down."

Randy wrote on September 4, 2007 8:48 pm:
"Was this woman surprised by the birth of her baby? I believe she had plenty of time to make arrangements to put the baby up for adoption before the birth. I agree it is good that she left the baby in a situation where it would be taken care of, but that doesn't mean she took responsibility for her actions and did the right thing."

Heather wrote on September 4, 2007 9:27 pm:
"I am so embarassed to live in a state that not only does not support a safe haven law, but consistantly tries to prosecute these mothers that "chose life" for their children and then drag them through the system like they are felons. As all the 'pro-life' protestors demonstrate, just think what this scared woman and the scared woman in Lincoln are going through and what is happening to them when they did chose life for their child, not to mention their childs safety. This is why I am glad that abortion is still legal. I hold nothing but sympathy for these women and commend them for their concern for their children."

anon wrote on September 4, 2007 9:33 pm:
"Re: Randy How many times have you been pregnant, alone, and unstable???? Just curious"

Get a sneak peek of the all-new AOL.com.

09/05/2007
Robin—

I read the enclosed with interest.

I am 73 years old, perhaps I should be clamoring for this program. My take is this: Govt. begins at birth (or before) to provide amenities to citizens. It's give-give-give, people take-take-expect MORE!

Ex: (3) Meal programs to children. I am against this.

Experience: I've volunteered many yrs at Malone Indian Center. I've seen waste, waste. Kid takes bite of apple, banana, sandwich and tosses it, goes to snack machine & spins hand! I doubt Council people realize that!!

Backpack (weekend) meals — so the mom rejoices — "now I won't have to cook!" (TV interview at Belmont). This kind of giving has gone too far. Perhaps my attitude stems from my meager upbringing in the 30s, we always made do — no Welfare, no programs, no taking. But oh, what self-reliance. We learned and shared and made every penny count — and still do.

No, I don't want my toenails clipped, I do it myself, my
Belly doesn't get in the way!!
Bottom Line: Once Govt. starts giving—giving, people expect more, more—
Speak out Robin, the Govt. Needs You!
Anna

To comment an insult

Every once in a while, a politician will say something that truly reveals his/her character (or lack thereof).
In response to testimony opposing cuts in programs for seniors, Councilwoman Robin Eschliman asked: "Does the government owe it to the citizens to raise property taxes to cut toenails?" (LJS, Aug. 7). Cute.

By trivializing the legitimate concerns of seniors, Eschliman tells us all we need to know about her character. But perhaps she's just ignorant (the kindest explanation for her offensive question) and doesn't know that those of us who have been on the planet a few decades longer than Eschliman are also citizens.
We also pay taxes, and we began paying long before she was only a gleam in her father's eye.
We are not stupid, or greedy, or selfish, or, worst of all, liberal. We understand that true conservatives are wise investors, not only in things, but in people. And we know that smart politicians do not insult large voting segments of the population.

Of course, we geezers sometimes have trouble remembering things (preoccupied as we are with our toes and other extremities). To compensate, we might use little tricks to jog our failing memories.
To ensure that we remember Eschliman's insult come election time. I suggest we simply dub her "Ms. Toenail." And then let's make sure she gets clipped.

Charles Thiessen, Lincoln
InteLinc: City Council Feedback for General Council

Name: William J. Gewain
Address: 2601 Cindy Drive
City: Lincoln, NE 68512
Phone: 402-423-3111
Fax: 
Email: south_ridge@hotmail.com

Comment or Question:
I have driven to Grand Island twice in August to observe Country House Residences building. I wanted to see the traffic generated at a 24 person bed facility and to see the appearance of the building compared to the proposed Lincoln facility. Today, Friday, August 31st 2007, I took a tour of the facility with Stacy Glock, Executive Director. I also took many photos of the building layout and the site plan. These photos show a design that is more appropriate than what is in the Lincoln AGEMARK proposal. I would like to share these photos with the city council. If AGEMARK would build a building similar in design and position on the lot as the G.I. building, I feel the neighborhood would be more receptive to the project in our neighborhood. If Mr Hug, COO of AGEMARK would cooperate with the neighborhood and build similar to G.I. building the neighbors would welcome AGEMARK. The G.I. property is built in three attached sections totaling 12,902 sq ft with land size of 72,851 sq ft. The Lincoln property could have four attached sections totaling 16,000 sq ft and keep the residential appearance of the G.I building. AGEMARK has been very secretive about the appearance of the building and never informed the neighbors of the building size until late in the process. Early on at the first meeting the neighbors were mislead by Mr. Hug. The majority of the neighborhood learned of the AGEMARK proposal from the Lincoln Journal Star. So AGEMARK did not inform from the beginning and mislead those neighbors who attended the first meeting. We were only told there would be a lot of green space and a 10,000 sf building.

The G.I building has adequate green space. Can the neighbors have a say in the appearance of the building and the amount of green space seen outside of the fence? These factors directly affect our enjoyment in living in the neighborhood. If the Lincoln AGEMARK building were built to the design of G.I., there would be 60 feet of lawn between the sidewalk and the building on the South (Cindy Dr) (see photos of G.I.). The West (25th Street) would be the front entrance and there is no fence and is nicely landscaped. The North is Old Cheney Rd and this where the parking lot is. The East is adjacent to the Alltel (Windstream) property and here is where the fenced in area, walking path, pond, gazebo and putting green would be. In this way the fence would not hide the green space or the residential looking building. This design of building would please the neighborhood. I have a county assessor drawing of the G.I. building layout and numerous photos of the appropriate residential looking G.I. building.

Our neighborhood group would like the opportunity to share this information before September 10th City Council Meeting with Jonathan Cook, the General Council and Mr. Hug in hopes of making the best of this. William J. Gewain, DDS
Dear Council Members:

At the last City Council meeting, some of my neighbors were asked why we don’t object to the Alltel “business” being in our neighborhood. I feel that my proximity to it gives me a perspective on this. The Alltel switching station is directly in front of my house as it has been for the 17 years I have lived here and for many, many years prior to that.

First of all, this is a switching station. What traffic there is enters and leaves from 27th Street. Little of it goes along Cindy Drive and 25th Street to get out of the neighborhood just like we all have to do in order to go North, East or West as the median on 27th prevents any direction other than South.

They have essentially no “come and go” traffic other than the garbage truck and a few workers. After 5 p.m. I don’t observe traffic from Alltel other than a sporadic security vehicle during the night hours that drives in and checks on the facility. I have not observed a delivery vehicle on Cindy Drive coming to Alltel for many weeks.

Back in 2002, Alltel learned that it was to everyone’s benefit to communicate in a positive way and work with the neighbors. They were proposing enlarging their parking lot, tearing down the large trees and brick wall and placing a large, unscreened parking lot directly in front of my house with their sole entry and exit being directly across from my driveway.

Eventually, it was the neighbors on 25th and Cindy who drew up the plans that Alltel used for their development of an enlarged parking lot that did not impact our neighborhood. They kept the trees, they kept the brick wall and they kept the entrance and exit on 27th Street.

There is no comparison to Alltel’s switching station and the proposed 19,000 square foot commercial business with three shifts of workers each day, their moving vans, deliveries, visitors and their only entrance and exit being at the front doorsteps of the folks on 25th Street and most of the traffic having to come and go up and down either Cindy Drive or South 25th Street. You cannot begin to compare the two.

Alltel has been a good neighbor, in all. While it is preferable we keep our neighborhood as single family dwellings, we at least need to keep the size of any business that might locate here to a smaller size and no traffic coming up and down the streets all hours of the day and night. Having Agemark’s 19,000 square foot business here is not a good fit.

Please see the enclosed photos and the copy of my letter written October 2002 to the Planning Commission.

Sincerely,

[Signature]

Sharon Gewain
2601 Cindy Drive
Lincoln, Nebraska
Photos of 25\textsuperscript{th} and Cindy neighborhood.

Looking west along Cindy Drive toward 25\textsuperscript{th} Street. Traffic would have to travel up and down to access Aegmark building from north, south and east.

Windstream lot along Cindy Drive looking toward Old Cheney Road. No entry on Cindy Dr.
Photos of Windstream switching station at 27th and Old Cheney Road.

All traffic enters and exits Windstream from 27th Street only.

Layout of Windstream building and parking lot.
Planning Commission

Oct. 30, 2002

I am Sharon Gewain. My husband, Bill, and I live at 2601 Cindy Drive.

First, I want to thank the Planning Commission for allowing the neighbors the opportunity to have some input in this parking lot revision. Together, with Alltel, we have been able to come up with a compromise that best fits everyone’s needs.

I also want to thank the members of Alltel who did reach out to the neighborhood at the Planning Commission’s recommendation, and got to know us.

Today, I want to give my support to this proposal as it best preserves the look of our neighborhood. Although I am opposed to Alltel increasing their parking lot by more than doubling its size, I support this plan because it accomplishes this with the least impact on the neighborhood. This plan maintains the present mature trees, the brick retaining wall and most importantly, keeps the drive on 27th Street only.

Thank you.
It seems to me that home-owners who help develop a neighborhood and are confident in their protective covenant should not have to worry about businesses cropping up around them. Much to our dismay, that is exactly what has happened in my own neighborhood in College View. I want to express my opposition to a special permit to allow Agemark to build a commercial business at 25th and Cindy Drive. I understand Agemark's desire to build a "home atmosphere" for their clients, but I believe it would be best to build in an area that is not yet as developed for private residences.

Carol Lechner
4716 Hillside St.
Lincoln, NE  68506
I oppose a special permit to allow Agemark to build a commercial business in the 25th and Cindy Drive neighborhood with their only entry and exit directly in front of the 25th Streethomes.
Group Says Voting Systems Companies May Have Engaged in Commercial Fraud

Voter Action today released the following statement calling for a full congressional investigation into the new evidence revealed by Dan Rather Reports - "The Trouble with Touch Screens", which aired last night on HDNet and can now be accessed via this link.

This investigation should include a focus on the following revelations emerging from "The Trouble with Touch Screens":

- The report quotes an employee of a contractor for the ES&S voting machine company who was sent to overhaul operations at a factory in the Philippines as saying that 15,000 or more potentially defective voting machines were shipped from that factory to the United States. Did the ES&S voting machine company knowingly market defective voting machines to jurisdictions throughout the United States? Did the company's subcontractors unknowingly market defective parts in the manufacturing of those machines? Have any of the other voting machine manufacturers or their subcontractors knowingly marketed defective products for conducting our elections?

- The report cites the 2006 election for Florida's 13th congressional district as an example of the problems with electronic voting machines. Where did the potentially defective voting machines assembled at the Manila factory get used and for which elections? Are there previously unknown discrepancies in the election outcomes? Are those machines still in use?

- The report cites seven former employees of Sequoia, the company that made punch card ballots used in the 2000 election in Florida, as saying that in 2000, the company began printing ballots on cheaper and possibly defective paper. Did the Sequoia company knowingly market defective paper for the printing of ballots in the 2000 election in Florida? Have any of the other voting systems companies knowingly marketed defective paper for the printing of ballots and, if so, in which other US elections have voters cast their votes on such ballots?

- The report demonstrates that election officials in this country increasingly rely on private vendors to carry out key functions of our democracy - from the printing of ballots to the counting and recording of our votes. This outsourcing extends to other critical aspects of the way we conduct our elections, including the maintenance of voter registration databases, the use of electronic poll books, and the means by which we recount and audit our elections. What is the relationship between election officials and vendors? How prevalent is the pattern of election officials becoming employees of the private vendors after leaving their public positions or becoming otherwise compromised? What standards, if any, are in place in the nation to avoid actual conflicts or the appearance of conflicts between the public and private interests at stake in this arena?

The American public deserves answers to these questions and others emerging from this report.
The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic state itself. That, in its essence, is fascism - ownership of government by an individual, by a group, or any controlling private power.

Franklin D. Roosevelt

Related Authors:
- Abraham Lincoln
- Dwight D. Eisenhower
- George W. Bush
- John F. Kennedy
- Lyndon B. Johnson
- Richard M. Nixon
- Ronald Reagan
- Thomas Jefferson

More Franklin D. Roosevelt Quotations:
- "The only sure bulwark of..."
- "The only thing we have..."
- "The only thing we have..."
- "The overwhelming majority of..."
- "The point in history at..."
- "The school is the last..."
- "The test of our progress..."
- "The test of our progress..."
- "The truth is found when..."
- "The United States Constitution..."
- "The virtues are lost..."
- "There are as many opinions..."
- "There are many ways of..."


8/30/2007
Did To

Lynette

All staff "Erinawy

EXPERIENCE: The voting system companies listed below seem to be in a constant state of change, with names and ownerships changing. Editor welcomes leads. Send to Lynette@beardink.net.

ES&S - ELECTION SYSTEMS AND SOFTWARE

133-01,.ntn

ES&S - ELECTION SYSTEMS AND SOFTWARE

Win the vote against the vote. Send to Lynette@beardink.net.

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133-01,ntn

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Win the vote against the vote. Send to Lynette@beardink.net.
VOTESCAM: THE STEALING OF AMERICA

Votescam is the culmination of a groundbreaking 25 year investigation into computerized vote fraud. A must read for anyone seeking to answer the question:

"Why can't we vote the bastards out?"

The answer is:

"Because we didn’t even vote the bastards in!"

"One of the most mysterious, low-profile, covert, shadowy, questionable mechanisms of American democracy is the American vote count." – Votescam

After uncovering a massive vote scam in Dade County, Florida in 1970, independent journalists James and Kenneth Collier spent the next quarter century investigating America's multi-billion dollar vote rigging industry – and confronting the corporate government and media officials who control it.

The Colliers now challenge every American to answer a new question:

**Who counts your vote?**

The truth is, there is no way for you to know. In fact, you are not allowed to know.

"Votescam" offers a wealth of FBI documented evidence proving that, for the past forty years, elections in the United States have come under the domination of a handful of powerful and corrupt people: Secretaries of State, Election Supervisors, Judges, owners and editors of the major media outlets, voting equipment corporations (like Diebold, ES&S and Sequoia), and assorted key members of the elections establishment, including the League of Women Voters.

These groups have assured the dominance of the two party system, unfettered corporate control over government, and media censorship of issues most important to the American people, including the cover-up of vote fraud evidence.
August 29, 2007

Dear Jack

Enclosed is a good report on efforts by Common Cause.

There is no assurance of the integrity and transparency of election results in Nebraska because a manual recount audit of ballots is not allowed by enacted statute 32-1119(6).

A bill needs to be introduced again in 2008 to enact some form of manual recounts:

a. requirement that all recounts be done manually (LB 284 of 2007)

b. provision for candidate to pay for a manual recount (LB 1013 in 2006).

c. random manual audits of percentage of precincts as is done in several states and as called for by HR 611 now in Congress

The obstacle to achieving integrity and transparency of election results in Nebraska is the opposition of the governor appointed election commissioners of Douglas and Lancaster counties backed by Secretary of State John Gale.

The below copy of the framed paragraph in a Lincoln Journal Star letter well describes the predicament of Nebraska's 1.2 million registered voters when the words 'private power' are replaced with 'an electronic voting device company'. One that operates with proprietary software under a single-source no-bid contract with the state election official without official election audit.

Under separate cover I will send you a copy of my report to Nebraska Democratic Party Personnel on treatment of LB 284 which you testified for as a proponent.

Sincerely

Don Eret

---

Authority being abused

There seems to be a blatant hypocrisy in the rules that govern use of the state e-mail system by our state administrators. The most recent example was to inform state employees via e-mail that our cost-of-living increase was being delayed because of NAPE/AFSCME, which is the union that represents state employees.

The truth of the matter is, NAPE proved that state employees are underpaid during a lengthy arbitration process. Gov Dave Heineman protested the decision by a special arbitrator, which is the true reason that the cost-of-living wage increase was delayed.

Why do we allow someone to use the state e-mail system to spread propaganda and half-truths about the union, but the union is prevented from responding because they are not allowed to send e-mail on that system? Everyone's taxes have paid for that computer system.

Franklin D. Roosevelt wrote,
"The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic state itself. That, in its essence, is fascism — ownership of government by an individual, by a group or by any controlling power."

When an individual's politics cause him or her to use authority to make rules that have the intended outcome of persuading people to vote against their own best interest, as we have seen for the last seven years in Washington and here at home when it comes to supporting the union, that is abuse of that authority and it should not and cannot be tolerated.

Ronald C. George, Lincoln
Charlie Matulka

Charlie is currently a nationally recognized freelance reporter on the hidden perils of Proprietary Optical Scan Software Recording Devices that secretly privatize the public vote counting in Nebraska. It's a shell game where we are the victim! Charlie is a former Nebraska United States Senate Nominee in 2002.

He attended the University of Nebraska. In high school he worked for the Soil Conservation Services and in college he worked for Pioneer Seed Company.

In Charlie's spare time he is an avid hunter/fisherman & outdoorsman.

January 18, 2006

Legislature of Nebraska
Ninety-Ninth Legislature
Second Session

LB 1013: Government, Military and Veterans Affairs Committee:

Dear Committee Members:

On behalf the Nebraska Democratic Party, please accept this letter as our official support of LB 1013. We believe that it is of paramount importance that every person is extended the unfettered right to vote, and for that vote to be counted. LB 1013 would impose no additional cost to state government, and would ensure that all candidates get a fair recount under the circumstances described in the legislation.

Over the past several election cycles we have witnessed a nationwide outbreak of voting irregularities. We have witnessed voting irregularities in our own state, as well. We applaud your Committee and the Vote Nebraska Initiative for your work to address these issues in Nebraska. LB 1013 is an important step in the process of restoring and sustaining the public trust in our election process.

Thank you for your serious consideration of this important measure.

Steven E. Achelpohl
State Chair
AD D E N D U M
TO
D I R E C T O R S’  A G E N D A
MONDAY, SEPTEMBER 10, 2007

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of September 8 through 14, 2007 - Schedule subject to change.

2. NEWS RELEASE - RE: Mayor To Introduce Ordinance Creating Audit Board.

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE -

ROBIN ESCHLIMAN

1. E-Mail from Jodi Delozier - RE: Item #12, 07R-160 - Special Permit #07026.

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Brad Sipp - RE: Item #12, 07R-160 - Proposal for the Zone Change at 25th & Old Cheney.

2. E-Mail from Jennifer Rawlinson, President, Pine Lake Association - RE: Item #39, 07-132 Vacation #05008-Delay requested on SAV#05008.

3. E-Mail from Russell Miller, Lincoln Neighborhood Alliance Chairman - RE: Item #7, 07-142 - Conditional Support of Change of Zone #07046 sale of alcohol.

4. E-Mail from Craig & Cathy Smith - RE: Item #12, 07R-160 - Special Permit #07026.

5. E-Mail from Jana Langemach - RE: Item #12, 07R-160 - Special Permit #07026.

6. Faxed Letters from Vicki Shank - RE: Item #12, 07R-160 - Letters she received from Agemark at 35th & Old Cheney Road.

Date: September 7, 2007  
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule  
Week of September 8 through 14, 2007  
Schedule subject to change

Thursday, September 13  
• Neighborhood Roundtable - 5:30 p.m., Mayor’s Conference Room, County-City Building, 555 S. 10th St.

Friday, September 14  
• Child Advocacy Center open house - 4:30 p.m., 3200 Sumner Street
Mayor Chris Beutler will submit an ordinance creating a City Audit Advisory Board to the City Clerk Monday, Sept. 10. The Board would be empowered to contract for internal, financial, operational and performance audits of City government.

“City government must have the trust and faith of its citizens in order to balance the budget, build the roads and set the conditions for job creation,” said Beutler. “My proposal for a City Audit Advisory Board assures the public that their tax dollars are being spent wisely and efficiently.” The ordinance is expected to be on the Council agenda for its September 24 meeting, and the public hearing is expected to be October 1.

An internal auditor position has been included in the City budget for two years, but the search was hampered by a lack of qualified applicants. Mayor Beutler proposed the alternative of establishing an audit committee under the general direction of the Council. This year’s City budget includes $100,000 to conduct audits.

Beutler said Council members were included in developing the ordinance, and he anticipates their continued support. “Council members and I have worked together. We have compromised. Now, we have an ordinance that will serve us all well,” Beutler said.

Under the proposed ordinance, the six-member Board would include three Mayoral appointees and three appointed by the Council. At least two must be certified public accountants or internal auditors or have specialized knowledge in the conducting of performance audits. Any action would require four votes. The City Council would recommend audits. The Board would determine if an audit is needed and its scope. The City would then contract with either the State Auditor or a private auditor with expertise in the issue area being examined. The Board would report the audit results to the Mayor and Council within 60 days of the final report.

“We cannot let political considerations dictate our public process,” Beutler said. “An independent Board ensures that the City’s financial agenda is more important than any political agenda. Performance audits initiated by our Council offer a meaningful look at what City departments do and how they do it. The Council and I share the same goal – creating a City government that operates with greater efficiency and provides better service. I am confident that the Council will pass this ordinance and create an even stronger budget future for Lincoln.”
Ms. Eschliman,

I want to make a comment on the proposed building of an Alzheimer's home at the corner of 27th and Old Cheney. Although I do not live in that neighborhood I do NOT support this proposal. I may not have the exact legal wording of their homeowner's covenants, but if this area is zoned for single family housing, it should remain as such. I do not think the city or planning commission should be rezoning neighborhood areas into business districts. Ms. Eschliman, put yourself in the homeowners' shoes. These families bought their homes because they wanted to live in a neighborhood and not across from a business. I realize that Alltel has a building there, but it does not generate much traffic and if one adds on the potential existence of an Alzheimer's home, it will double the traffic if not more. This business is definitely going to generate more traffic and congestion than five single family homes (not the nine which Hunzeker suggested). There will be delivery trucks, ambulance arrivals, visitor and employee cars. I know that you are smart enough to realize the difference in impact. I urge you not to support this plan and to allow the homeowners' covenants to remain in effect. It's not always about tax dollars. Thank-you.

Jodi Delozier
Lincoln, NE
InterLinc: City Council Feedback for General Council

Name: Brad Sipp
Address: 2441 Bretigne Drive
City: Lincoln, NE, 68512
Phone: 613-5150
Fax: 
Email: bsipp1@bigred.unl.edu

Comment or Question:
A PROPOSAL FOR THE ZONING CHANGE AT 25th AND OLD CHENEY
Perhaps a compromise could be made that would alleviate the fears of the immediate neighbors. If the facility were to only have access from Old Cheney and/or 27th Street then the additional traffic from large delivery trucks, ambulances, personnel, etc. would be alleviated. By structuring the traffic to the facility on streets that are already main traffic arteries, there would not be an additional traffic burden placed on the surrounding residential streets. This is an extremely quiet neighborhood with children riding bikes, families walking together and a general level of closeness among neighbors. Without a limitation on where entrances to the facility can be placed, an undue burden will certainly be placed on those living on streets that would provide access to the facility. While the owners of the facility may not like restrictions being placed on the access to their property; their feelings should be balanced with the safety concerns of those who live in the surrounding neighborhood. Many of whom may have bought their properties with the belief that the property could only be used for residential housing.

Sincerely,

Brad Sipp
Please delay action regarding SAV#05008, the petition to vacate the portion of Pine Lake Road between Westshore Drive and Eastshore Drive, until the September 17th City Council meeting.

The City Council would like clarification on Pine Lake Association's intent to purchase the property if the value is not adjusted and the Pine Lake Association board of directors will discuss the matter at their September 13th board meeting. I will communicate the Association's decision to the Council on September 14th, allowing for a vote on the 17th.

Please confirm this agenda item has been moved to the 17th. Thank you for your assistance.

Jennifer Rawlinson
President, Pine Lake Association
(402) 474-3353
341 S. 52nd Street  
Lincoln, NE 68510  

September 10, 2007  

Lincoln City Council  
555 South 10th Street  
Lincoln, NE 68508  

RE: Conditional Support of Change of Zone #07046  

Dear City Council Members: 

The Lincoln Neighborhood Alliance (LNA) would like to offer its support for Change of Zone #07046 defining a restaurant and establishing conditions for the sale of alcohol at such establishments as amended at the August 15, 2007 Planning Commission public hearing.  

LNA’s support is contingent upon the 60/40 split between food and alcohol sales, with no more than 40% of sales originating from alcohol. This would ensure that the facility was in fact operating as a restaurant and not as a bar.  

LNA would like to thank Mark Hunzeker and the Planning Commission staff for their diligence in notifying the neighborhoods of this proposed change. We sincerely appreciate the opportunity to work together to make Lincoln a better city to live, work and play.  

Regards, 

Russell Miller  
Lincoln Neighborhood Alliance Chairman  

cc: Mayor Chris Beutler
Lincoln City Council
Lincoln Ne

Dear Council Members

Item 44 07R-160 Reference: Special Permit 07026

Opus X plans to construct a 31 unit domiciliary care facility for 33 residents on approximately 1.84 acres generally located S.25th Street and Old Cheney Road. Lot 2 Chez Ami Knolls 9th Addition, Lincoln.

In observing testimony from the September 3rd 2007, City Council Meeting concerning the proposed Domiciliary Care facility, there were several inaccuracies and concerns that came to my attention.

I was surprised to hear that this facility would be serviced only by UPS styled van bodied vendor trucks. I think if you review any similar type facilities and/or nursing homes, this is not the case. Suppliers such as Pegler Sysco, Cash-Wa and others vendors are using only Semi-truck and pup trailer combos and generally refrigerated full size semi trailers.

In regards to the site plan and access, this development should be providing adequate loading areas, site circulation and turning radius to handle such truck traffic on the site. If not, how do they plan to address problems of these trucks blocking access, visitor and employee parking, double parking when unloading, backing in the drives off the city street. These circulation design elements, screening and setback requirements are expensive, however, they are required for other semi-truck deliveries to hospitals and schools. With this proposed development affecting an existing neighborhood, these concerns should be increasing scrutinized. Specific design guidelines would be available from traffic engineering and/or building and safety departments – they would outline these 24’ to 53’ tractor trailer combinations requirements. The square footage of the structure would need to be adjusted to accommodate adequate circulation.

In review of the revised site plan, what provisions does the developer have to provide truly adequate parking on the site? Are 16 stalls +2 handicapped stalls for employees, doctors, visitors along with sales reps adequate? What is the employee ratios required by law for the patients? Is there a permanent parking easement attached to property owned by the insurance company the developers plan to use across Old Cheney? What about employee’s convenience and distance requirements in parking across Old Cheney. What if this endeavor fails? What is the developer’s solution for parking and access in that case? Parking design standards for any type of commercial reuse of this facility would be significantly insignificant. In years to come, we all don’t want to see some blighted building or forced non conforming use, just because of inadequate site design on the front end. Please consider these site limitations and easements in approving this special permit.

As an owner at 5930 Norman Road, I am very familiar with truck deliveries of this type. Every weekday morning,
suppliers such as Pegler and Cash Wa along with other vendors make their deliveries to the Knolls Restaurant. They unload and then travel east past my house up Norman Road to The Knolls and back north to Old Cheney.

The original Knolls neighborhood is unique in the fact that much of the area does not have pedestrian sidewalks. You walk in the street. On The Knolls and Norman Road you’ll see people jogging, walking, pushing strollers, kids riding their bikes and people walking their dogs in the street from early morning to late evening. Adding to these numbers are the small children walking or riding bikes to the Knolls County Club. They are attending summer morning lessons or off to the pool throughout the day. You can see these children carrying towels, tennis rackets and golf clubs. Yes, walking in the street. What is the city’s responsibility for providing pedestrian safety and does this not compound the issue.

The Knolls and Norman Road has also become the major connector between Hill Elementary and Scott Middle school neighborhoods. Daily, you see children walking or biking, either direction to their perspective schools. Norman Road, with it’s updated stoplight at Old Cheney, has seen a dramatic increased of traffic over the past years. Functioning as the shortcut access from the Ridge and south neighborhoods, Norman Road is the only signaled access to go west on Old Cheney road from 14th to 27th street. A steady stream of vehicles in the morning, afternoon and evening has rushing commuters and parents delivering their children using Norman Road to access Old Cheney.

Council review should insure proper design for realistic expectation of deliveries and site internal truck circulation at this facility. Other measures, such as limiting truck access through the neighborhood south on 25th to Heidi Lane and west bound traffic down The Knolls road and Norman Road should be examined. Posting specific signs on 25th at Cindy Drive limiting access to NO TRUCKS OVER 10-20 TONS could also be a consideration for this situation. Enforcement of these postings should be discussed with the police, the developer and neighborhood groups.

Development of this property has been extremely overdue. It is a prime site for such a medical type of project. Please consider requesting further study on the site plan to meet city standards in addressing truck deliveries and parking. Simply granting approval will limit any control the council has to affect a long term impact on the adjacent property owners.

Thank you for your consideration in this matter.

Sincerely

Craig A. and Cathy Smith

5930 Norman Road  Lincoln NE  68512

Any Questions please call or respond to: Craig A. Smith  540-3112 C  438-2424 HOME

Email: CASMITH@SPEEDWAYMOTORS.COM

In discussing this matter with D.William (Bill) and Joyce Smith of 5901 The Knolls, they concur with me on this matter and would like to express their concerns for safety and additional truck traffic down The Knolls road. Their house is located 4th from Old Cheney on The Knolls road. They have grandchildren walking in the street to their house from Norman road and Rolling Hills. Thank you for the consideration.
5920 The Knolls  
Lincoln, Nebraska 68512  
September 7, 2007  

Members of the City Council  
City of Lincoln  
County-City Building  
555 South 10th Street  
Lincoln, Nebraska  

Dear Members of the City Council of Lincoln:  

Our quality of life and the integrity of our residential neighborhoods have long been regarded as important values to promote and preserve in Nebraska’s capital city. As leaders of our city, you have long sought to preserve existing neighborhoods and protect those unique features that set each apart and give our city character and beauty. 

Some of our neighborhoods derive their uniqueness from the historic nature of their houses and architecture; other neighborhoods are unique and worth preserving because of their diversity and variety. Still others are attractive because they offer convenience to the city core and promote an active, vibrant downtown. I propose to you that the neighborhood known as The Knolls and its surrounding streets, too, is both unique and worthy of preservation. 

Built 40-plus years ago on what once was farmland, The Knolls has maintained as best it can - despite two main arterials and a thriving retail center to the south - a more rural flavor. Its lots are large and private; its trees fully grown and in their prime; its streets generally reserved for residential purposes; many of its families being long-time residents who pay taxes and who raised their children here. While busy traffic on both Old Cheney Road and South 27th Street has created challenges, much of that country-like feel remains. 

I am sure you agree with me that The Knolls is one of Lincoln’s attractive neighborhoods, not necessarily one with the newest, most expensive, or largest homes, but one in which middle-class homeowners work to maintain their houses and raise their families and appreciate the space and privacy. For these reasons, I strongly believe that a proposed residential Alzheimer’s care facility is not an appropriate addition to the neighborhood. I understand the concept that public good and public need may outweigh individual homeowners’ desires; however, in this instance, I am not convinced that a public need exists or that the public need is great enough to disrupt families who have enjoyed their homes and their neighborhood for many years. I am also not convinced that the proposed facility represents the best use of the land. 

In what seems like yesterday, but actually has been more than 20 years ago, health care institutions planning to build or expand were required to go before a government review
process and obtain, what was then called, a certificate of need to proceed with their plans. The process was designed to review the need for such a facility and the appropriateness of it in the location being considered. That federal-state process, which was intended to curb spiraling health care costs, has since been abandoned. Absent that process, we no longer know if a residential health care facility, like the one being proposed for 25th and Old Cheney Road, is even needed in our community or if it intends to deliver care that is reasonable in cost and consistent with the latest, best research in the field.

In my limited research into the subject of Alzheimer’s care because I am power-of-attorney for a family member who is need of care, I have found that some experts believe Alzheimer’s patients are best cared for in a small environment of 15 or fewer residents. These settings provide a family-type atmosphere in which activities are planned throughout the day to help delay progression of the disease. The residents live in private rooms. The facilities are small. While my relative lives in another state, I have found that she could move into an existing Alzheimer’s care facility here in Lincoln with little or no waiting time for a room to become available.

Keeping in mind the desired goal to treasure and preserve unique neighborhoods in our city and the lack of documented need for such a facility as is being proposed, I urge you to deny the special use permit for the proposed Alzheimer’s care facility at 25th Street and Old Cheney Road. This proposed facility seems to be too large for this tract of land and possibly too large to deliver the best possible care that Alzheimer’s patients need and deserve. Once the peace and quiet of this neighborhood has been disrupted, it can never be returned. I know of no other neighborhood quite like it in the city of Lincoln.

Thank you for making it possible for residents to make their views known and for listening.

Sincerely,

Jana Langemach
Attention: All Members

Subject: Agemark at 25th & Old Cheney Road

Here are the letters that I received from Agemark. There were 3 total.

On the first one dated May 24, 2007 note in the second paragraph—The Project we are considering is a small, residential-style assisted living home we call Country House.—(Small to me is not 19,000 sq ft)

Hope this helps clear up some questions.

Vicki Shank
430-1016
233 North Hastings  
Hastings, NE 68901

May 24, 2007

Dear Neighbors,

Agemark is a small national company that has operated assistant living residences in locations across the United States for the past twenty years. Three of them are in Nebraska, though none in Lincoln.

Because Lincoln is an exceptional and growing community, we are currently gathering information about a property in your neighborhood. The project we are considering is a small, residential-style assisted living home we call CountryHouse.

CountryHouse residences are designed to blend into a residential area, so it’s important that we establish positive neighborhood relationships from the beginning. You may have met one of our associates on May 5 when she visited all the houses bordering this property at 25th and Old Cheney.

Our next step is to invite you to attend a neighborhood meeting, scheduled for next Wednesday, May 30. It will be held at 7:00 pm, in a community meeting room at LifePointe, 7501 S. 27th Street in Lincoln.

This will be an opportunity for me to introduce myself, share information and photos, and answer your questions. In the meantime, you may learn more by visiting the CountryHouse website, www.chresidences.com. I look forward to meeting you.

Cordially,

[Signature]

Martin L. Hug  
Chief Operating Officer  
Agemark
July 10, 2007

Dear Neighbor,

We are inviting you to attend another meeting to review and give comments concerning CountryHouse. We now have a preliminary site plan as well as art boards to give you an idea of what the building will look like, as well as how it might lay out on the Old Cheney site. Your insight and thoughts are important to us, so I hope you can attend.

The meeting will take place on July 17th at 7:00 pm at Life Pointe, which is the same location as our last meeting.

Please contact me with any questions you may have, and again, I hope to see you there.

Sincerely,

Martin L Hug C.O.O.
Agemark Corp.
July 25, 2007

Dear Neighbors,

We’ve scheduled a third meeting to answer questions regarding our proposed project to build a CountryHouse Residence on the corner of 25th and Old Cheney, expanding the invitation to those who live beyond the properties adjacent to this lot.

Many of you attended our first two meetings and have shared your opinions. Thank you for your feedback. In response to your comments, we have added more parking spaces and made other changes to the plan.

Should you have additional questions or concerns, you’re invited to attend our next neighborhood meeting at 7:00 p.m. on Tuesday, July 31, at LifePointe, 7501 S. 27th Street in Lincoln.

If you prefer to visit with me personally, please give me a call or send an email to the address below.

Cordially,

Martin L. Hug
Chief Operating Officer
Agemark

233 North Hastings
Hastings, NE 68901
mhug@agemark.com
402.461.3183
Fax Cover Sheet

Home Real Estate
COTNER Office
225 No. Cotner Blvd., Suite 101
Lincoln, NE 68505

Fax Number: (402) 436-3399
Office Number: (402) 436-3332

Date: 9-9-7

To: City Council & Mayor

Fax Number: 402 441 6533

From: Ric Moseman

Number Of Pages Including Cover Sheet: 6

Comments:

___________________________________________________________________________
___________________________________________________________________________
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CONFIDENTIALITY NOTICE: The documents accompanying this transmission may contain confidential information. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately at (402) 436-3332. Thanks!
Dear Mayor and City Council,

Throughout the years, my relationship with the Lincoln Electric System has been pleasant and business-like. However, recently I feel this company has overstated its authority and charging of fees.

I have numerous accounts with LES. To name a few: 3011 N. 87, 6602-0406, 6326 N. 6, 6600 Ballard, 2617 S. 53, 2776 N., 760 Gregory Rd., and others that come in and out of my name between vacancies. Last month I paid around $360. to LES, and consistently pay $300-450 monthly year-round on these accounts and others. Because of the timing (billing cycle) of each of these accounts, it is almost impossible to pay all payments within 2-3 weeks. I have moved my monthly payment cycle to the 10th of each month. Even though I usually don't receive all bills by then, the companies that come later within that week are estimated I send that amount to satisfy and adjust.
The fourth month to set the payments right. I realize there are other ways to handle my bookkeeping, but doing this once a month is reasonable for all, and works best for me.

I pay my bills online through a local bank and everybody's payment is received timely. With 18 rental units and about 50 different bills to take care of and get out each month, I think I do an acceptable job to keep all creditors happy. Unfortunately, tending to my properties is about all I get done in a day. This "one man army" sometimes gets tired and disgusted with many things within my business. I certainly don't need the linear electric system, lying to my tenants (per conversation with Tommy and Amanda)(9-6-7), that I have not paid my bill for July and August. It's hard enough to get good tenants to stay and pay with out C.E.S. leaving termination notices on my tenants door, and telling them I have not paid
My Bills. My tenant calls me, but all bills have been paid. Your
orange slips say to call Les. to
"Obtain information or action available."
The advice was to call me, which
is nothing but an endless circle
for my tenants.
My "e mail" to blaine went unanswered
on thursday. then after being on
how many minutes are being passed
above, I left my phone number
full someone to call me back. blaine
did call back friday and continued to
threaten to shut off my service.
Why has the electric company become
so stubborn to work with a good
customer for all these years? (I
feel I am a good customer). The
has the tendency to call the
police and file bogus changes against
me. again wasting a lot of hand
workng city people's time and tax
payers money (I pay a lot of property
taxes by the way).
I am requesting an account of all
money I have paid L.E.S. in the
past 12 months. dates and amounts.
I am also requesting a copy of the "late" policy that L.E.S. has adopted. Hopefully it is 30-45 days before late fees are applied. I feel this is fair for all.

I am also requesting all accrued late fees on my accounts be waived and a more reasonable, flexible and understanding policy be adopted.

I also need and explanation as to why L.E.S. would send 3 thugs to my house dressed as policemen. I would like to use the police in this fashion to extract rent from my tenants. Is that why they came? To collect debts for the city? My neighbors are now concerned for no reason that there is a problem at their neighbors' house. These policemen stood at my back door, on my deck, pounding on my door for many minutes, before that, they were at my front door harassing me. I was threatened by a phone message from the police.
DEPARTMENT THAT "I was going to jail," WHY? BECAUSE A
BILING MISTAKE.
THIS SITUATION HAS ESCALATED TO A
REDICULOUS LEVEL, I WILL CONTINUE
TO PROTECT MY RIGHTS AND MY
PROPERTIES AS I SEE FIT. LET'S
DEFUSE THIS SITUATION NOW, SO
WE CAN ALL GET BACK TO
MORE PRODUCTIVE ISSUES.
THANK YOU FOR YOUR TIME AND
UNDERSTANDING. I CAN BE REACHED
AT 402 470 8227. I LIVE AT
3211 NW 7 LANE.

Respectfully Submitted

Rick Mooreman