

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 4, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 28, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)**

MOTION: Campbell moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated May 28, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. A resolution proclaiming the week of June 3 through June 7, 2002 as Management Week. (R-02-0058)

Bill Kostner, past president of Leadership Link, introduced Cindy Lugan, president elect of Leadership Link. He said they appreciate the County Board's support of the program, the employees who are members of the chapter and the designation of June 3rd through June 7th as Management Week.

Lugan reported that membership has increased over the past year. She said they are glad to have the increased employee memberships, as well as the support of the County Board.

2) **SPECIAL PRESENTATIONS CONTINUED:**

The Clerk read Resolution 02-0058 declaring June 3 through June 7, 2002 as Management Week.

MOTION: Campbell moved and Heier seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **CLAIMS:** **Approval of all claims processed through Tuesday, May 28, 2002.**

MOTION: Hudkins moved and Stevens seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. An application for a Corporate Manager and a Class M (Bottle Club) liquor license for Hotdam, Inc. d/b/a Pawnee Marina located at 3805 Northwest 105th Street in Lancaster County, Nebraska. (This would be in addition to an existing Class E (Beer Off Sale Only) liquor license.)

The Chair opened the public hearing.

The Clerk administered the oath to Cory Adams and James Sullivan, applicants.

Sullivan explained when he and Adams purchased the marina in 2001 one-half of the property was a bait shop and the remaining portion was a restaurant. He added that the restaurant was leased to another individual and was in operation from July to December, 2001, however, it is now their desire to take over the operation.

Adams stated the restaurant side of the marina was a small café, however, they have remodeled it and added a 50 foot by 20 foot deck.

In response to a question asked by Campbell regarding calls for service, Lancaster County Sheriff, Terry Wagner, stated they have had no calls for service relating to the existing Class E liquor license.

David Johnson, Deputy County Attorney, requested that the application for the liquor license be made a part of the record. Also requested by Johnson was submittal of a diagram and description of the area to be licensed.

4) **PUBLIC HEARINGS CONTINUED:**

Workman noted that the hearing would be recessed for one week to allow for the additional information requested by Johnson.

Workman asked the applicants if they had taken the hospitality course offered by the Responsible Hospitality Council.

Adams responded that they had inquired about the course, but the establishment is located outside of the city limits and they are not required to enroll.

Workman asked if anyone else wished to testify.

No one appeared and the hearing was recessed for one week.

B. An application for a Corporate Manager for Mary E. Benes submitted by Raymono's Pizza Plus Inc. d/b/a Raymono's Pizza Plus, located at 5580 West Mill Road, Suite D relating to a Class M (Bottle Club) liquor license.

The Chair opened the public hearing and asked if anyone wished to testify in favor of the application, in opposition or in a neutral position.

No one appeared.

Campbell suggested that the hearing be recessed for one week and requested that the County Clerk's Office call Mrs. Benes to appear next week.

Hudkins concurred with the suggestion and added that he feels the County Board should encourage liquor license applicants to enroll in the hospitality course offered through the Responsible Hospitality Council.

The Chair recessed the hearing for one week.

5) **NEW BUSINESS:**

A. An application for a Special Designated License from Ken's Liquor, Inc. to hold a wedding reception on Saturday, June 22, 2002 from 2 p.m. to Midnight at Country Pines located at 6305 West Adams Street in Lancaster County, Nebraska.

5) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Stevens seconded approval of an application for a Special Designated License from Ken's Liquor Inc. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

B. An application for a Special Designated License from The Kramer Bar to hold a street dance and other activities on Saturday, June 22, 2002 from 12 p.m. to 1 a.m. at the intersection of 1st Street and Southwest 114th Street in Kramer, Lancaster County, Nebraska. (This is in connection with a public hearing to be held on June 11, 2002 regarding an application for an amusement license from Todd Hoyer.)

Todd Hoyer, owner of The Kramer Bar, appeared and gave a brief report on the street dance which was held last year.

Stevens stated an individual had telephoned him with a complaint relating to the parking at last year's event.

Hoyer explained that last year 114th was closed from approximately 5 p.m to 1 a.m., however, several detour routes were marked. He stated they did have a problem with parking at last year's event because there was only one person directing traffic. Hoyer indicated there would be two individuals directing traffic and parking vehicles for the event.

In response to a question asked by Campbell regarding the Sheriff's report, Hoyer indicated he had no problem with the conditions as set forth in the report.

Sheriff Wagner appeared and stated that after speaking with Hoyer the condition relating to no sale of alcohol outside until 5 p.m. could be withdrawn.

Stevens inquired about the type of fencing to be used and restroom facilities.

Hoyer stated they would be using snow fence and orange netting fence. Regarding restroom facilities, Hoyer indicated they would have four port-a-potties available.

MOTION: Campbell moved and Hudkins seconded approval of an application for a Special Designated License from The Kramer Bar with the conditions as outlined in the Sheriff's report, excluding the condition that no alcohol be sold outside until 5 p.m. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

- C. Ratify a contract amendment with Maximus, Inc., to remove section 24 of the contract for "FACTS/plus" inventory and appraisal software for Lancaster County. This will remove the requirement for the Source Code of the software to be placed in escrow. (C-02-0221)**

MOTION: Campbell moved and Stevens seconded approval of a contract amendment with Maximus, Inc. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- D. Agreement with the City of Waverly for the services of two Sheriff's deputies for law enforcement services within the corporate limits of the City. The City shall pay \$105,364.86 for the services. The term of the agreement is July 1, 2002 to June 30, 2003. (C-02-0226)**

MOTION: Heier moved and Campbell seconded approval of an agreement with the City of Waverly for law enforcement services. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

- E. Amendment to lease agreement with Arnold E. Bentzinger to extend the term of the lease for property located at S.W. 14th Street between Hwy 33 and Martell Road. The lease will be extended to June 30, 2007 and the County will continue to pay \$650 per year for the property. (C-02-0230)**

MOTION: Hudkins moved and Campbell seconded approval of an amendment to a lease agreement with Arnold E. Bentzinger.

Johnson noted that there was also an increase in rent from \$400 per year to \$650 per year.

ROLL CALL: Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

- F. Consideration of a Resolution adopting an Amendment to The Hartford Deferred Compensation Plan to conform with the technical corrections to the Economic Growth and Tax Relief Reconciliation Act of 2001 contained in the Job Creation and Worker Assistance Act of 2002. (R-02-0059)**

MOTION: Campbell moved and Stevens seconded approval of a resolution adopting an amendment to The Hartford Deferred Compensation Plan. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

G. Recommendation from the County Engineer and the Purchasing Agent to award a bid to Metal Culverts, Inc. to furnish Corrugated Culvert Pipe for the County Engineer, in the amount of \$21,258.91. (B-02-0024)

MOTION: Heier moved and Campbell seconded approval to award a bid for corrugated culvert pipe to Metal Culverts, Inc. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

H. Authorization and approval for Kent Griffith, LCF Administrator, to submit a grant application to the Lincoln-Lancaster Health Department for clean-up of 50 miles of County roadside. The County will receive a grant award in the amount of \$1,000.

MOTION: Hudkins moved and Campbell seconded approval of authorization and approval for Kent Griffith, Lancaster Correctional Facility Administrator, to submit a grant application to the Lincoln-Lancaster Health Department for clean-up of 50 miles of County roadside. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

I. A political subdivision tort claim filed against Lancaster County by Farmers Insurance Group, on behalf of David Neff, for damage to vehicle.

MOTION: Campbell moved and Hudkins seconded denial of a tort claim filed against Lancaster County by Farmers Insurance Group, on behalf of David Neff. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

J. A political subdivision tort claim filed against Lancaster County by Mohamed A. El-Tabech.

MOTION: Campbell moved and Heier seconded denial of a tort claim filed against Lancaster County by Mohamed A. El-Tabech. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- K. A request from Citicorp Vendor Finance for a refund of personal property taxes for 2000, in the approximate amount of \$395.77 and for 2001, in the approximate amount of \$266.40.**

Norm Agena, County Assessor, recommended the refund be denied. He explained that the request for refund of personal property tax was for equipment being leased to Tabitha. He stated that the lease agreement indicates that the lessee is to pay any taxes.

MOTION: Heier moved and Campbell seconded denial of a request from Citicorp Vendor Finance for a refund of personal property taxes. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. A user's agreement with Investors Title of Nebraska for remote access to Lancaster County Records. The agreement allows for Oasis access and Special Assessments access at a rate of \$.12 per transaction. The County may terminate the agreement upon giving 60 days written notice. (C-02-0217)**

- B. A resolution in the matter of an application for a Class B (Beer Off Sale Only) and a Class K (Wine Off Sale Only) liquor license for Jacox, Inc. d/b/a Emerald Mini Mart and a Corporate Manager Liquor License Application for Mary E Jacox, in connection with the Class B and Class K liquor license for Jacox, Inc. d/b/a Emerald Mini Mart located at 8401 West "O" Street, Lincoln, Lancaster County, Nebraska. (R-02-0057)**

6) CONSENT ITEMS CONTINUED:

C. Right-of-way contracts relating to road improvements between the County Engineer and the following:

- * John D. and Ferne C. Furrer, on So 162nd Street 307' S of Van Dorn Street; Project C.P.Q-185. This is a land donation. (C-02-0218)
- * Eleanor L. Francke, in the total amount of \$90.07, on So. 162nd Street 29' N of Pioneers Blvd; Project C.P.Q-189. (C-02-0219 & C-02-0220)
- * Jerry and Martha Minchow, in the total amount of \$84.33, on Davey Road 1358' W of North 84th Street; Project C.P.B-32. (C-02-0222 & C-02-0223)
- * Anita Severe, Merle Severe, James Stewart and Michael Stewart, in the total amount of \$22,542.50, on Saltillo Road between S. 84th and S. 98th Street; Project C55-PQ-406(1). (C-02-0224 & C-02-0225)
- * Charles and Julie Willnerd, in the total amount of \$25,560.70, at 12600 So. 82nd Street; Project C55-X-402(5). (C-02-0227, C-02-0228 & C-02-0229)

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

7) ADJOURNMENT:

MOTION: At 2:15 p.m. Campbell moved and Heier seconded adjournment of the Board of Commissioners meeting. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 28, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 2:16 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 28, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Heier moved and Campbell seconded approval of the minutes of the Board of Equalization meeting dated May 28, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 11 additions and deductions to the tax assessment rolls per Exhibit A.

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

3) **MOTOR VEHICLE TAX EXEMPTIONS FOR THE FOLLOWING:**

School Sisters of Christ the King

MOTION: Heier moved and Stevens seconded approval of a motor vehicle tax exemption for School Sisters of Christ the King subject to the applicant titling and registering the vehicle(s). Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

4) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Elizabeth I. Gifford

Norm Agena, County Assessor, explained that his office was notified that the mobile home was being moved to Seward County in 1999. He said the tax was accelerated for 1999, however, the unit was never moved. Agena stated the value should be \$7,357.

MOTION: Campbell moved and Heier seconded approval of the notice of valuation change for omitted or undervalued property for Elizabeth I. Gifford. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: At 2:18 p.m. Heier moved and Campbell seconded adjournment of the Board of Equalization meeting. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk