

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 8, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

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

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

The Board of Commissioners meeting was called to order at 1:30 p.m..

A moment of silence was observed in memory of former President Ronald W. Reagan.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 1, 2004.**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated June 1, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

The Clerk noted that New Business Item 6P should be moved forward on the agenda under Special Presentations.

NEW BUSINESS ITEM 6P:

Appointment of Linnie Green to the Visitors Promotion Committee to complete the unexpired term of Jerry Barnes, ending June 30, 2004.

MOTION: Heier moved and Workman seconded approval of the appointment of Linnie Green to the Visitors Promotion Committee to complete the unexpired term of Jerry Barnes, ending June 30, 2004. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

2) **SPECIAL PRESENTATIONS CONTINUED:**

- A. The Commissioners Award of Excellence for April, 2004 was presented to Carley Boettcher, an employee with Lancaster Manor.
- B. The Commissioners Award of Excellence for May, 2004 was presented to Vicki Geisler, an employee with Lancaster Manor.
- C. A resolution proclaiming the week of June 6 through June 12, 2004 as Management Week (R-04-0062) - E. J. Schumaker, President of Leadership Link and Julie Peters, President Elect of Leadership Link

The Clerk read the resolution into the record.

E. J. Schumaker, President of Leadership Link, and Julie Peters, President Elect of Leadership Link, extended an invitation to the County Board to attend one of the meetings.

MOTION: Workman moved and Schorr seconded approval of Resolution 04-0062 proclaiming the week of June 6 through June 12, 2004 as "Management Week". Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS:** Approval of all claims processed through Tuesday, June 8, 2004.

MOTION: Workman moved and Hudkins seconded approval of all claims processed through June 8, 2004. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

- A. County Special Permit 207, Oak Prairie Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Lee and Judy Vieselmeyer, for nine residential acreage units, and associated waiver requests, on property generally located southeast of the intersection of Northwest 140th and West Holdrege Streets (Northwest 140th Street is the County line), Lancaster County, Nebraska. (See New Business Item 6A for corresponding resolution.)

5) **PUBLIC HEARINGS CONTINUED:**

B. County Preliminary Plat 03010, Oak Prairie, requested by Brian D. Carstens and Associates on behalf of Lee and Judy Vieselmeyer, for nine residential acreage lots, and associated waiver requests, on property generally located southeast of the intersection of Northwest 140th and West Holdrege Streets (Northwest 140th Street is the County line), Lancaster County, Nebraska. (See New Business Item 6B for corresponding resolution.)

Public hearing items 5A and 5B were heard together.

The Chair opened the public hearings and asked if anyone wished to testify.

The Clerk administered the oath to Brian Carstens who appeared on behalf of Lee and Judy Vieselmeyer, applicants.

Carstens stated the request was for nine single family acreage lots which would have individual waste and water systems. He added that Planning Commission had unanimously approved both proposals.

Stevens asked if the County Engineer concurred with the five different roads extending from County roads.

Carstens responded yes.

The Chair asked if anyone else wished to testify.

No one appeared and the hearings were closed.

C. Comprehensive Plan Amendment 04001, requested by the Urban Development Department and the Public Works and Utilities Department, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, by adopting the "North 48th Street/University Place Plan: Neighborhood Revitalization and Transportation Analysis, 2004" as an approved subarea plan, and to amend the land use plan accordingly, on property generally located between North 46th and North 56th Streets from Francis Street north to Adams Street. (See New Business Item 6C for corresponding resolution.)

The Chair opened the public hearing and asked if anyone wished to testify.

The Clerk administered the oath to Wynn Hjermsstad, Manager of Community Development in the Urban Development Department, and Kelly Sieckmeyer, Senior Engineering Specialist with the Public Works and Utilities Department.

5) **PUBLIC HEARINGS CONTINUED:**

Hjermstad explained that the "North 48th Street/University Place Plan" was a partnership between the University Place Community Organization (UPCO), the North 48th Street Business Association, Nebraska Wesleyan University and the City of Lincoln. She stated the proposal reviewed two areas: community revitalization and traffic.

Hjermstad added that the Planning Commission found the proposal consistent with the Comprehensive Plan and that City Council approved the proposal on June 7, 2004.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

New Business Items 6A and 6B were heard together.

- A. **A resolution in the matter of County Special Permit 207, Oak Prairie Community Unit Plan, consisting of nine residential acreage lots on property generally located southeast of the intersection of Northwest 140th and West Holdrege Streets, Lancaster County, Nebraska. (R-04-0057)**
- B. **A resolution in the matter of County Preliminary Plat 03010, Oak Prairie, to create nine residential acreage lots on property generally located southeast of the intersection of Northwest 140th and West Holdrege Streets, Lancaster County, Nebraska. (R-04-0058)**

MOTION: Hudkins moved and Schorr seconded approval of Resolution 04-0057 and Resolution 04-0058 in the matter of County Special Permit 207, Oak Prairie Community Unit Plan, and County Preliminary Plat 03010, Oak Prairie, to create nine residential acreage lots on property generally located southeast of the intersection of Northwest 140th and West Holdrege Streets, Lancaster County, Nebraska. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

- C. **A resolution in the matter of Comprehensive Plan Amendment 03007, by the Director of Planning, at the request of the Urban Development Department and the Public Works and Utilities Department, to adopt the "North 48th Street/University Place Plan: Neighborhood Revitalization and Transportation Analysis 2004" as an approved subarea plan as provided in Exhibit "A". (R-04-0060)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Schorr seconded approval of Resolution 04-0060 in the matter of Comprehensive Plan Amendment 03007, by the Director of Planning, at the request of the Urban Development Department and the Public Works and Utilities Department, to adopt the "North 48th Street/University Place Plan: Neighborhood Revitalization and Transportation Analysis 2004" as an approved subarea plan as provided in Exhibit "A". Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

D. An agreement with Time Warner Cable for cable service to each of the individual rooms at Lancaster Manor. The County will pay \$9 per room. Term of the agreement is for a period of three years and shall automatically renew for successive one year periods. (C-04-0240)

MOTION: Heier moved and Hudkins seconded approval of an agreement with Time Warner Cable for cable service to each of the individual rooms at Lancaster Manor. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

E. A seasonal power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at Lancaster Manor during the summer months of June to September, 2004. Term of the agreement is June 1, 2004 to September 30, 2004. (C-04-0241)

MOTION: Hudkins moved and Workman seconded approval of a seasonal power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at Lancaster Manor during the summer months of June to September, 2004. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

F. A contract with Ameritas Life Insurance Corporation for vision care benefits to Lancaster County employees, effective January 1, 2005. (C-04-0242)

MOTION: Hudkins moved and Workman seconded approval of a contract with Ameritas Life Insurance Corporation for vision care benefits to Lancaster County employees, effective January 1, 2005. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

G. An agreement with Families Inspiring Families for the administration of the Wraparound Fidelity Instrument Index 3.0 to caregivers, youth and care coordinators working with children and families in the System of Care. Term of the agreement is May 3, 2004 though June 30, 2004. The County will pay \$10,492 for the services. (C-04-0243)

Reneé Dozier, Office of Juvenile Mental Health, gave an overview the contract.

MOTION: Schorr moved and Hudkins seconded approval of an agreement with Families Inspiring Families for the administration of the Wraparound Fidelity Instrument Index 3.0 to caregivers, youth and care coordinators working with children and families in the System of Care. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

H. An agreement with Families Inspiring Families for the administration of the Wraparound Fidelity Instrument Index 3.0 to caregivers, youth and care coordinators working with children and families in the System of Care. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay \$65,100 for the services. (C-04-0244)

MOTION: Heier moved and Workman seconded approval of an agreement with Families Inspiring Families for the administration of the Wraparound Fidelity Instrument Index 3.0 to caregivers, youth and care coordinators working with children and families in the System of Care. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

I. Amendment Number 1 to a network provider contract with Region V Human Services and the Lancaster County Community Mental Health Center. The amendment incorporates a revised reimbursement schedule as of April 12, 2004. (C-04-0239)

MOTION: Heier moved and Workman seconded approval of Amendment Number 1 to a network provider contract with Region V Human Services and the Lancaster County Community Mental Health Center. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

J. Receive and place on file a seasonal power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at the Lancaster County Youth Services Center during the summer months of June to September, 2004. Term of the agreement is June 1, 2004 to September 30, 2004. (C-04-0245)

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Schorr seconded to receive and place on file a seasonal power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at the Lancaster County Youth Services Center during the summer months of June to September, 2004. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

K. Execution of contracts for removal of debris from Lancaster County rights-of-way resulting from tornado and storm damage caused May 22, 2004.

MOTION: Heier moved approval of the execution of contracts for removal of debris from Lancaster County rights-of-way resulting from tornado and storm damage caused May 22, 2004.

Motion died for lack of a second.

Eagan disseminated documentation regarding the removal and disposal of debris from County rights-of-way (Exhibit 1).

Kathy Smith, Assistant Purchasing Agent, appeared and explained there were several options with regard to the pricing on debris removal. Originally, she said, they received a time and material bid from General Excavating for removal of debris, however, after meeting with the Federal Emergency Management Agency (FEMA) they went back and requested Hofeling Enterprises to submit a per cubic yard price and General Excavating to submit a per ton fee. Smith stated they feel the most cost effective way to deal with the debris would be to go back to the 70 hours of time and material which would mean that General Excavating would manage the entire project. The only change to the fees would relate to the landfill fee and a few additional pieces of equipment.

Board consensus was to place the contract with the final amendment on the agenda for the Thursday staff meeting.

Kerry Eagan, Chief Administrative Officer, indicated the start date for the contract would be Tuesday, June 15, 2004, which would allow individuals to place debris in the rights-of-way through the weekend. He added that a press release should be drafted immediately.

Stevens indicated the contract would begin on Tuesday, June 15th and asked if it concluded on Monday, June 21st.

Eagan indicated that was correct.

6) **NEW BUSINESS CONTINUED:**

L. A resolution in the matter of setting the election boundaries of the Nealrene Acres Special Paving Improvement District, Lancaster County, Nebraska. (R-04-0056)

MOTION: Heier moved and Hudkins seconded approval of Resolution 04-0056 in the matter of setting the election boundaries of the Nealrene Acres Special Paving Improvement District, Lancaster County, Nebraska.

Stevens noted the special election would be held on August 10, 2004.

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

M. A resolution in the matter of ratifying a contract between Lancaster County and Burlington Northern and Sante Fe Railway Company previously approved by the County Board of Commissioners on April 20, 2004 under County Contract C-04-0183. (R-04-0061)

MOTION: Workman moved and Heier seconded approval of Resolution 04-0061 in the matter of ratifying a contract between Lancaster County and Burlington Northern and Sante Fe Railway Company previously approved by the County Board of Commissioners on April 20, 2004 under County Contract C-04-0183. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

N. Recommendation from the Purchasing Agent and the County Engineer to award a bid for address signs to Cornhusker State Industries, in the amount of \$56,413.55. (B-04-0026)

MOTION: Heier moved and Hudkins seconded approval to award a bid for address signs to Cornhusker State Industries, in the amount of \$56,413.55, for the County Engineering Department. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

O. Recommendation from the Purchasing Agent and the County Engineer to award a bid for metal culvert pipe to Metal Culverts, Inc., in the amount of \$25,779.46. (B-04-0027)

MOTION: Hudkins moved and Workman seconded approval to award a bid for metal culvert pipe to Metal Culverts, Inc., in the amount of \$25,779.46, for the County Engineering Department. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

P. Appointment of Linnie Green to the Visitors Promotion Committee to complete the unexpired term of Jerry Barnes, ending June 30, 2004.

This item was moved forward on the agenda.

Q. Lancaster County Personnel Policy Bulletin: Natural Disaster Leave Donation Policy for County employees.

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

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

A. Receive and Place on File:

1. County Clerk's Monthly Report for May, 2004.

B. Setting of a public hearing for Tuesday, June 15, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to increase appropriations, in the amount of \$70,000, for the County Property Management Fund.

C. Setting of a public hearing for Tuesday, June 22, 2004 at 1:30 p.m. in the County Commissioners Hearing, Room 112, on the first floor of the County-City Building regarding an application for an amusement license from Greg Votava and Mark Kelley to hold a fundraiser benefit concert for the Hallam area affected by the storms on May 22, and May 23, 2004. The fundraiser will be held on Sunday, June 27, 2004 from 2 p.m. to 9 p.m. at 27101 Southwest 29th Street, Hallam, Lancaster County, Nebraska.

D. Setting of a public hearing for Tuesday, June 29, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Joseph Kent McDermott in connection with a Class C (Retail) liquor license for the Nebraska State Board of Agriculture located at 1800 State Fair Park Drive, Lincoln, Lancaster County, Nebraska.

MOTION: Heier moved and Hudkins seconded approval of the Consent Items.

7) **CONSENT ITEMS CONTINUED:**

Schorr expressed concern regarding Consent Item 7C relating to an application for an amusement license.

Eagan stated he visited with Trish Owen, Chief Deputy County Clerk, who indicated the applicants were withdrawing the request. He stated it was his understanding the event may be moved to Pinewood Bowl located in Pioneers Park.

Stevens stated he visited with Greg Votava, applicant, last week who had also indicated to him that the request through the County was his alternate plan and the primary plan would be to hold the event at Pinewood Bowl.

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

8) **OTHER BUSINESS:**

Discussion took place regarding the closure of County offices on Friday, June 11, 2004 in observance of former President Reagan's funeral.

Board consensus was for County offices to remain open on Friday, June 11, 2004.

8) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:20 p.m.. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 8, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Scott Gaines, Chief Administrative Deputy County
Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:20 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 1, 2004.**

MOTION: Workman moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated June 1, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 27 additions and deductions to the tax assessment rolls per Exhibit "A".

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Lincoln Lancaster County Child Guidance Center
Saint Paul United Methodist Church**

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

5) **DENIAL OF 2004 451 TAX EXEMPTION ON REAL PROPERTY FOR LA SOCIETE DE 40 HOMMES ET 8 CHEVAUX:**

Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, recommended the item be held until June 22, 2004 to allow renotification of the hearing to the taxpayer. He explained the notice mailed to the taxpayer was received back in the Clerk's Office on June 8th because they have changed to a post office box.

By direction of the Chair, the item was held.

6) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:24 p.m.. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk