

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 4, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

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

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
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..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 21, 2004.**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated December 21, 2004. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Nancy Intermill for her services with the Lincoln Lancaster Women's Commission.

B. The Commissioners Award of Excellence for December, 2004 was presented to Mark Slechta, an employee with Lancaster Manor.

- 3) **PUBLIC COMMENT:**

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

- 4) **CLAIMS:** Approval of all claims processed through Tuesday, January 4, 2005.

MOTION: Workman moved and Heier seconded approval of all claims processed through January 4, 2005. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

- 5) **PUBLIC HEARINGS:**

A. City-County Final Plat 04121, Timberline Estates 2nd Addition, requested by Daryl Bryer, consisting of two lots on property generally located at Southwest 56th Street and Pine Knot Drive. (See New Business Items 6A and 6B for correlating documentation.)

The Chair opened the public hearing and asked if anyone wished to provide testimony in favor of the proposal.

The Chief Deputy Clerk administered the oath to Daryl Bryer, applicant.

Bryer explained they built their present home at 5630 Pine Knot Drive, however, they would now like to build a different home. Because they like the location of their current home they decided to subdivide their present lot and build on the parcel which does not have a residence located on it. Bryer indicated there is a man made pond located on the parcel where they would like to establish a new home.

Bryer added that he has not received any complaints from immediate neighbors regarding the proposal.

Schorr inquired whether access to the new residence would be off of Pine Knot Drive.

Bryer stated the driveway for the new residence is in place and would be off of Pine Knot Drive.

The Chair asked if anyone else wished to testify, either in favor or opposition to the proposal.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

- A. A resolution in the matter of City-County Final Plat 04121, Timberline Estates 2nd Addition, requested by Daryl Bryer, consisting of two lots on property generally located at Southwest 56th Street and Pine Knot Drive, Lancaster County, Nebraska. (R-05-0001)**

MOTION: Schorr moved and Workman seconded approval of Resolution 05-0001, City-County Final Plat 04121, Timberline Estates 2nd Addition, requested by Daryl Bryer, consisting of two lots on property generally located at Southwest 56th Street and Pine Knot Drive, Lancaster County, Nebraska. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

- B. A subdivision agreement with Daryl Bryer for City-County Final Plat 04121, Timberline Estates 2nd Addition, on property generally located at Southwest 56th Street and Pine Knot Drive, Lancaster County, Nebraska. (C-05-0010)**

MOTION: Heier moved and Workman seconded approval of a subdivision agreement with Daryl Bryer for City-County Final Plat 04121, Timberline Estates 2nd Addition, on property generally located at Southwest 56th Street and Pine Knot Drive, Lancaster County, Nebraska. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

- C. A grant contract with the Asian Community and Cultural Center for on-site English as a Second Language (ESL) classes to qualified Asian refugee clients, in the amount of \$3,000. Term of the grant contract is October 1, 2004 to September 30, 2005. (C-05-0001)**

MOTION: Workman moved and Schorr seconded approval of a grant contract with the Asian Community and Cultural Center for on-site English as a Second Language (ESL) classes to qualified Asian refugee clients, in the amount of \$3,000. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- D. A grant contract with Lincoln Action Program for computer classes and various other programs to non-English speaking refuge families, in the amount of \$32,400. Term of the grant contract is October 1, 2004 through September 30, 2005. (C-05-0002)**

MOTION: Heier moved and Workman seconded approval of a grant contract with Lincoln Action Program for computer classes and various other programs to non-English speaking refuge families, in the amount of \$32,400. Heier, Schorr, Workman and Hudkins voted aye. Motion carried.

- E. A coordination agreement with the State of Nebraska, acting through the Department of Administrative Services, Division of Communications, for the administration of the 2004 Homeland Security Grant, accepted by the County on July 6, 2004. The agreement provides the State with access to new communications towers constructed by the County with 2004 Homeland Security Grant funds. The agreement is effective upon execution and continues for a five year term. (C-05-0003)**

Doug Ahlberg, Emergency Management Director, gave a brief explanation of the agreement.

MOTION: Heier moved and Workman seconded approval of a coordination agreement with the State of Nebraska, acting through the Department of Administrative Services, Division of Communications, for the administration of the 2004 Homeland Security Grant, accepted by the County on July 6, 2004. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

- F. A service agreement with Standard Register for an electric signing machine for the County Assessor/Register of Deeds, in the total amount of \$212.64. Term of the agreement is for a one year period beginning January 1, 2005 through December 31, 2005. (C-05-0004)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Workman seconded approval of a service agreement with Standard Register for an electric signing machine for the County Assessor/Register of Deeds, in the total amount of \$212.64. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

G. A service agreement with Stericycle for collection, removal and disposal of biomedical waste generated by Lancaster County Corrections. The agreement is effective January 1, 2005 for a three year term and includes a 60 day termination provision. The County will pay a \$50 per box disposal fee for the services. (C-05-0005)

MOTION: Heier moved and Schorr seconded approval of a service agreement with Stericycle for collection, removal and disposal of biomedical waste generated by Lancaster County Corrections. Schorr, Hudkins, Heier and Workman voted aye. Motion carried.

H. An interlocal agreement with Saline County for the safekeeping, care and sustenance of juveniles while at the Juvenile Detention Center. Lancaster County will be reimbursed \$234 per youth, per day. The agreement is effective upon execution and has a 30 day termination provision. (C-05-0006)

MOTION: Heier moved and Workman seconded approval of an interlocal agreement with Saline County for the safekeeping, care and sustenance of juveniles while at the Juvenile Detention Center. Lancaster County will be reimbursed \$234 per youth, per day. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

I. An interlocal agreement with Seward County for the safekeeping, care and sustenance of juveniles while at the Juvenile Detention Center. Lancaster County will be reimbursed \$234 per youth, per day. The agreement is effective upon execution and has a 30 day termination provision. (C-05-0007)

MOTION: Heier moved and Workman seconded approval of an interlocal agreement with Seward County for the safekeeping, care and sustenance of juveniles while at the Juvenile Detention Center. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- J. A contract with The Ambassador d/b/a Spectrum Rehab for physical, occupational and speech therapy services for Lancaster Manor. The term of the contract is three years with one, three year renewal with mutual consent. All services provided will be billed by the provider direct to residents' Medicare, Medicaid and/or personal insurance company. No County funds will be paid for services rendered. (C-05-0008)

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

- K. An agreement with the State of Nebraska, Department of Health and Human Services for comprehensive community mental health services for children and their families. The County agrees to act as fiscal and administrative agent for the continuation of the initiative entitled Families First and Foremost. Term of the agreement is September 1, 2004 through August 31, 2005. The department will pay the County up to \$1,071,426.25. (C-05-0009)

MOTION: Schorr moved and Workman seconded approval of an agreement with the State of Nebraska, Department of Health and Human Services for comprehensive community mental health services for children and their families. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

- L. A resolution in the matter of Chief Deputy annual salary increases for the 2005 calendar year, effective December 23, 2004. (R-05-0002)

MOTION: Schorr moved and Workman seconded approval of Resolution 05-0002 in the matter of Chief Deputy annual salary increases for the 2005 calendar year, effective December 23, 2004. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

M. A resolution in the matter of the County accepting maintenance of roads in Golden Pond Estates. (R-05-0003)

In response to a question asked by Schorr, Larry Worrell, County Surveyor, stated Golden Pond Estates is approximately one-half mile east of 98th Street and Gage Road.

MOTION: Schorr moved and Workman seconded approval of Resolution 05-0003 in the matter of the County accepting maintenance of roads in Golden Pond Estates. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

N. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid to Schmader Electric Construction Co., in the approximate amount of \$97,384, to provide and install outdoor warning systems on an as-needed basis for 2005, with two additional one year renewal options with the mutual consent. (B-05-0001)

MOTION: Heier moved and Workman seconded approval to award a bid to Shader Electric Construction Co., in the approximate amount of \$97,384, to provide and install outdoor warning systems on an as-needed basis for 2005, with two additional one year renewal options with the mutual consent. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

O. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees:

- ▶ Metroplex Control Systems, in the amount of \$80,730, for the first payment for the new security system for the Lancaster County Corrections Department.
- ▶ Cheever Construction, in the amount of \$30,336.30, for the third payment for the remodel of the old Attention Center for CenterPointe.
- ▶ Don McKinney, in the amount of \$3,015, for the first application on the vehicle storage building the County Sheriff's Office.
- ▶ Sinclair Hille Architects, in the amount of \$3,106.09, for architectural services for the County Sheriff's vehicle garage.
- ▶ Midwest Door and Hardware, in the amount of \$193, for hardware for the CenterPointe project.

Total payment request is \$117,380.39.

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Schorr seconded approval of the authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund, in the total amount of \$117,380.39. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

P. Adoption of by-laws for the City-County Common.

MOTION: Schorr moved and Workman seconded approval of the adoption of by-laws for the City-County Common. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

Q. A political subdivision tort claim filed against Lancaster County by Joey Kramer, in the amount of \$75, for damage to a tire.

MOTION: Heier moved and Schorr seconded approval of a political subdivision tort claim filed against Lancaster County by Joey Kramer, in the amount of \$75, for damage to a tire subject to obtaining the signature of the claimant on a release as drafted by the County Attorney. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

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. Setting of a public hearing for Tuesday, January 11, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Final Plat 04111, Finigan 2nd Addition, requested by Lyle Loth of ESP on behalf of Pearle F. Finigan, consisting of four lots and two outlots, on property generally located at North 84th Street and Waverly Road in Lancaster County, Nebraska.

7) CONSENT ITEMS CONTINUED:

B. Setting of public hearings for Tuesday, January 25, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. Application for an amusement license from Cara Carney and Brad Bray to hold a country music festival on Saturday, August 13, and Sunday, August 14, 2005 at 115305 Van Dorn Street, Walton, Lancaster County, Nebraska. Hours for the festival will be 10 a.m. to 1 a.m. on Saturday and 12 p.m. (Noon) to 8 p.m. on Sunday.

2. **County Special Permit 04059**, requested by Trent Sidders on behalf of David Benes, for the commercial storage and sale of farm chemicals, on property generally located at the northwest corner of North 56th Street (Highway 77) and Mill Road in Lancaster County, Nebraska.

3. **County comprehensive Plan Conformance 04012**, requested by Bradley E. Barrows on behalf of Prairie Solitude, L.L.C., to transfer a conservation easement for preservation of native prairie to the Nebraska Land Trust, on property generally located southeast of the intersection of West Van Dorn street and Southwest 126th Street in Lancaster County, Nebraska.

4. **Comprehensive Plan Amendment 04021**, by the Director of Planning, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, by adopting the proposed "Airport West Subarea Plan" for the area generally from Northwest 27th to Northwest 70th Streets, from U.S. Highway 34 to U.S. Highway 6 (West "O" Street), including associated amendments to the Community Form; Business and Commerce; Mobility and Transportation; Community Facilities; and Parks, Recreation and Open Space sections of the Comprehensive Plan.

5. An application for Corporate Manager for Douglas Allen Joe in connection with an application for a Class B (Beer Off sale Only) liquor license for Raymond Rock, Inc. d/b/a Toni's Corner, located at 5700 West Raymond Road, Raymond, Lancaster County, Nebraska.

C. A request from Hilary K. Johnson, an employee with Lancaster Manor, to voluntarily participate in the County's retirement plan having met the requirements.

D. A request from Grant Hesel, an employee with the Lancaster County Engineering Department, to voluntarily participate in the County's retirement plan having met the requirements.

7) **CONSENT ITEMS CONTINUED:**

- E. Leasehold contracts relating to road construction between the Lancaster County Engineering Department and Tom Peterson, in the amount of \$20, at Rock Creek Road and North 141st Street; Project BRO-7055(1). (2 contracts) (C-05-0011 and C-05-0012)
- F. Right-of-way contracts relating to road construction between the Lancaster County Engineering Department and the following:
- ▶ Brett Quinn and Jennifer Hansen Quinn, in the total amount of \$180, at 3200 West Denton Road; Project STPE-3305(9). (C-05-0013)
 - ▶ Coral Blomstrom, in the total amount of \$3,030, at Rock Creek Road and North 141st Street; Project BRO-7055(101). (3 contracts) (C-05-0015 through C-05-0017)
 - ▶ Marjorie A. Waddell, in the total amount of \$3,938.50, on Old Cheney Road from South 148th to South 190th Streets; Project C55-Q-408(2). (2 contracts) (C-05-0018 and C-05-0019)

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

8) **ADJOURNMENT:**

MOTION: Schorr moved and Heier seconded adjournment of the Board of Commissioners meeting at 2:17 p.m.. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

Patricia Owen
Chief Deputy County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 4, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Commissioners Absent: Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
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 2:17 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 21, 2004.**

MOTION: Workman moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated December 21, 2004.
Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

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

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 159 additions and deductions to the tax assessment rolls per Exhibit A.

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Christian Heritage Children's Homes (2 exemptions)
Nebraska annual Conference of the United Methodist Church
St. Joseph Catholic Church and School (2 exemptions)
Sesostris Shrine (3 exemptions)**

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

5) **ADJOURNMENT:**

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

Patricia Owen
Chief Deputy County Clerk