

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 16, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Kristy Bauer, Deputy County Attorney

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 9, 2008.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on September 9, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, September 16, 2008.**

MOTION: Heier moved and Hudkins seconded approval of all claims processed through September 16, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

- A. **The Commissioners' Award of Excellence was presented to Mary Crable, an employee at Lancaster Manor, for August, 2008.**
- B. **One-time cash awards due to exceptional circumstances for Melissa Koci, in the amount of \$500; Earleen Ladd, in the amount of \$250; Ann Taylor, in the amount of \$250; and Susan Starcher, in the amount of \$250, staff members of the Lancaster County Clerk's Office.**

MOTION: Stevens moved and Hudkins seconded approval of one-time cash awards due to exceptional circumstances for Melissa Koci, in the amount of \$500; Earleen Ladd, in the amount of \$250; Ann Taylor, in the amount of \$250; and Susan Starcher, in the amount of \$250, staff members of the Lancaster County Clerk's Office. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

- A. **Comprehensive Plan Amendment No. 08015, by the Director of Planning, to amend the "Community Facilities" chapter of the 2030 Lincoln-Lancaster County Comprehensive Plan to reflect the need and intent of Lancaster County to construct a new adult corrections facility in the area of Southwest 40th Street and West O Street. (See New Business Item 6A for correlating documentation.)**

The Chair opened the public hearing.

The oath was administered to Mike DeKalb, Planning Department.

DeKalb gave an overview regarding the amendment indicating that the Planning Commission unanimously recommended approval.

The Chair asked if anyone else wished to testify.

The oath was administered to Nancy Intermill, 4010 B Street, Lincoln, Nebraska.

4) **PUBLIC HEARINGS CONTINUED:**

Intermill appeared in opposition and referred to the 'Analysis' section of the Planning Factsheet (Page 2) which states: "*The 2006 Pre-Architectural Jail Study identified the need to replace the existing jail and construct a new jail to consolidate operations in one location and create a more efficient and economical facility.*" She stated that the estimate of future need for jail beds contained in the Pre-Architectural Jail Study is questionable. Intermill referred to four items contained in the Chinn Report which she feels led to a mis-estimate of need for the jail:

- a) Intermill stated she feels the study over-estimated population growth. The Chinn Report indicates the County's population will grow at a rate of two percent annually when the County has been growing at a rate 1.2 percent since 2000.
- b) The study, Intermill said, failed to take into consideration the makeup of population growth over 20 years in the County. The Chinn Report assumes the need for the new jail beds will grow at the same rate as the population growth, but it failed to take into account that most of the population growth will be in the 65 plus age population. The incarceration rate for people over 65 is very low.
- c) The Chinn Report, Intermill noted, misinterpreted data about the reasons for the growth of the jail. The report states that the growth in jail population is primarily due to increased arrests, however, the data in the report clearly indicates that increased length of stay is driving the increased jail population.
- d) Intermill commented that the Chinn Report mentioned Community Corrections, however, it didn't account for its impact on the jail population. Since the report was released Community Corrections has had a significant impact on lowering the County's jail population.

Intermill added that if the decision to construct a new jail is based on the 2006 Pre-Architectural Needs study, it is a questionable decision. She stated the project represents a significant investment by the citizens of Lancaster County, particularly the property taxpayers within the City of Lincoln. Intermill recommended that the County Board reject the resolution and begin a new process which accurately determines the need for a new jail, seek public approval for its financing and avoid the need for convoluted financing mechanisms.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

A. A resolution in the matter of Comprehensive Plan Amendment No. 08015, by the Director of Planning, to amend the 'Community Facilities' chapter of the 2030 Lincoln-Lancaster County Comprehensive Plan to reflect the need and intent of Lancaster County to construct a new adult corrections facility in the area of Southwest 40th and West 'O' Streets. (R-08-0076)

MOTION: Stevens moved and Schorr seconded approval of Resolution R-08-0076 in the matter of Comprehensive Plan Amendment No. 08015, by the Director of Planning, to amend the 'Community Facilities' chapter of the 2030 Lincoln-Lancaster County Comprehensive Plan to reflect the need and intent of Lancaster County to construct a new adult corrections facility in the area of Southwest 40th and West 'O' Streets.

Heier stated the jail is overpopulated and will remain overpopulated based on state law and based on the number of individuals the judges are placing in jail. He stated there are currently 50 individuals in out-of-county facilities, with the possibility of losing one of the jails. Heier stated if the County does lose the facility, they will have to contract with another jail which will cost an additional fifteen dollars per individual.

Schorr commented on the overpopulation at the jail and the need for Community Corrections and the various programs they offer.

Hudkins stated they reviewed three different financing mechanisms, however, the Joint Public Agency (JPA) was the best financing tool. The JPA allows them to spread the bond issue over twenty years and allows for the best financing rate. He stated they did decrease the number of beds from 650 to 600 because of the additional expense, however, additional pods can be added as needed, and as the County can afford them.

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

RETURN TO PUBLIC HEARING ITEM 4B:

B. Amending Section X of County Resolution No. R-06-0005, procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment A. (See New Business Item 6B for correlating documentation.)

The Chair opened the public hearing.

The oath was administered to John Chess, Environmental Health Supervisor with the Lincoln-Lancaster County Health Department.

Chess gave an overview regarding the amendment stating that it will incrementally increase fees by three percent or approximately ten dollars.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing closed.

6) NEW BUSINESS:

B. A resolution amending Section X of County Resolution No. 06-0005, Procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment A. (R-08-0069)

MOTION: Hudkins moved and Stevens seconded approval of Resolution R-08-0069 amending Section X of County Resolution No. 06-0005, Procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment A. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

5) **OLD BUSINESS:**

- A. A grant contract with The Hub, Inc. to assist in the general operation of Project H.I.R.E., a sixteen week program designed for young people who are in need of employment skills, in the amount of \$34,711. Term of the grant contract is July 1, 2008 through June 30, 2009. (C-08-0449)**

MOTION: Stevens moved and Schorr seconded approval of a grant contract with The Hub, Inc. to assist in the general operation of Project H.I.R.E., a sixteen week program designed for young people who are in need of employment skills, in the amount of \$34,711. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

- B. Reconsideration of Resolution No. R-08-0067 regarding the replacement of Attachment "A" which amends Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. Attachment "A" amends Article 1, Section 6 by increasing the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects. The current Attachment "A" was provided in error and does not list the correct fee change. It is requested that the correct Attachment "A", listing the intended and accurate fee change, replace the incorrect version of Attachment "A".**

MOTION: Stevens moved and Hudkins seconded to reconsider Resolution No. R-08-0067 regarding the replacement of Attachment "A" which amends Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. Attachment "A" amends Article 1, Section 6 by increasing the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

MOTION: Stevens moved and Hudkins seconded to approve Attachment "A" which amends Article 1, Section 6 by increasing the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. A resolution in the matter of Comprehensive Plan Amendment No. 08015, by the Director of Planning, to amend the 'Community Facilities' chapter of the 2030 Lincoln-Lancaster County Comprehensive Plan to reflect the need and intent of Lancaster County to construct a new adult corrections facility in the area of Southwest 40th and West 'O' Streets. (R-08-0076)**

Item moved forward on the agenda.

- B. A resolution amending Section X of County Resolution No. 06-0005, Procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment A. (R-08-0069)**

Item moved forward on the agenda.

- C. A resolution amending Resolution No. R-08-0074 regarding County Special Permit No. 08030: Sagebrook Estates Community Unity Plan, on property located at North 176th Street and Holdrege Street, Lancaster County, Nebraska. The amendment replaces the language of one 'Site Specific Condition' with more specific language. The new language requires providing purchasers of lots within 330 feet of the pipelines with notification of the location of the pipelines and with educational material regarding pipeline safety. (R-08-0077)**

MOTION: Stevens moved and Heier seconded approval of a Resolution No. R-08-0077 amending Resolution No. R-08-0074 regarding County Special Permit No. 08030: Sagebrook Estates Community Unity Plan, on property located at North 176th Street and Holdrege Street, Lancaster County, Nebraska. The amendment replaces the language of one 'Site Specific Condition' with more specific language. The new language requires providing purchasers of lots within 330 feet of the pipelines with notification of the location of the pipelines and with educational material regarding pipeline safety. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

D. An interlocal agreement with the City of Hickman for one sheriff's deputy for law enforcement services within the corporate limits of the City of Hickman. Term of the agreement is from September 1, 2008 to August 31, 2009 and the County will be reimbursed up to \$75,033.86. (C-08-0475)

Terry Wagner, Lancaster County Sheriff, stated the contract with Hickman has been in place since the early 1980's. He stated the second agreement (New Business Item 6E) provides for additional law enforcement services for special events, such as Hickman Hey Days.

MOTION: Heier moved and Schorr seconded approval of an interlocal agreement with the City of Hickman for one sheriff's deputy for law enforcement services within the corporate limits of the City of Hickman. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

E. An interlocal agreement with the City of Hickman for law enforcement services within the City, as needed by the City. The sheriff will assign one deputy for duty and provide one sheriff's cruiser. Term of the agreement is from November 1, 2008 to October 31, 2009. The County will be reimbursed at the deputy's overtime rate for the services provided and will be reimbursed 58.5 cents per mile for the cruiser maintenance. (C-08-0476)

MOTION: Hudkins moved and Stevens seconded approval of interlocal agreement with the City of Hickman for law enforcement services within the City, as needed by the City. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

F. A network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain behavioral mental health services at the Community Mental Health Center. Term of the agreement is from July 1, 2008 to June 30, 2009 and the County will be reimbursed up to \$3,072,072 for the services. (C-08-0477)

MOTION: Schorr moved and Stevens seconded approval of a network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain behavioral mental health services at the Community Mental Health Center. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

G. An interlocal agreement with the State of Nebraska, Office of Probation Administration for electronic monitoring services as part of the operation of the Lancaster County Juvenile Drug Court. Term of the agreement is July 1, 2008 through June 30, 2009 and the County will pay \$8,000 for the services. (C-08-0478)

MOTION: Stevens moved and Heier seconded approval of an interlocal agreement with the State of Nebraska, Office of Probation Administration for electronic monitoring services as part of the operation of the Lancaster County Juvenile Drug Court. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

H. A contract amendment to the subscriber agreement and order form between Lancaster County, the City of Lincoln and Thompson - West for Westlaw computerized legal research found at County Contract No. C-08-0286. The amendment increases the number of users from 60 to 65 and expands the services provided to include Municipal Law and Legal Research Library modules. The monthly charge for the services will increase from \$1,148.25 to \$1,319.75 and will bring the overall total monthly charge for the West agreement to \$2,930.50. The monthly charge is divided proportionally between the City and the County. (C-08-0479)

The Clerk read a corrected monthly charge of \$1,391.75 into the record. The Deputy County Attorney concurred with the corrected charge.

MOTION: Hudkins moved and Schorr seconded approval of a contract amendment to the subscriber agreement and order form between Lancaster County, the City of Lincoln and Thompson - West for Westlaw computerized legal research found at County Contract No. C-08-0286, for a monthly charge of \$1,391.75. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

I. A utility relocation agreement between the Lancaster County Engineering Department and Lancaster Rural Water District No. 1, Project No C55-S-405(3), located on South 82nd Street from Hickman Road to Roca Road. The total amount of the project is estimated to be \$98,839. (C-08-0480)

6) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of a utility relocation agreement between the Lancaster County Engineering Department and Lancaster Rural Water District No. 1, Project No C55-S-405(3), located on South 82nd Street from Hickman Road to Roca Road. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

J. A change order/supplemental agreement, relating to Project No. 08-27, between the Lancaster County Engineering Department and Hartmann Construction Company to modify headwall construction due to poor soil conditions on West Superior Street between Northwest 70th and Northwest 56th Streets. (C-08-0481)

MOTION: Heier moved and Hudkins seconded approval of a change order/supplemental agreement, relating to Project No. 08-27, between the Lancaster County Engineering Department and Hartmann Construction Company to modify headwall construction due to poor soil conditions on West Superior Street between Northwest 70th and Northwest 56th Streets. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

K. A unit price construction contract with Johnson Controls Inc. for miscellaneous mechanical (HVAC) services (under \$25,000). Term of the contract is from July 1, 2008 through June 30, 2009 with an option to renew the contract for three additional one-year terms. (C-08-0482)

MOTION: Stevens moved and Heier seconded approval of a unit price construction contract with Johnson Controls Inc. for miscellaneous mechanical (HVAC) services (under \$25,000). Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

L. Recommendation from the Lancaster County Engineer and the Purchasing Agent to award a bid for rock hauling, in the total amount of \$589,936.95, to County stockpiles as follows: (B-08-0047)

Project 09-04H - 2,250 Tons - Davey Stockpile

Western Sand (Hauler)	\$4.50/Ton	\$ 10,125
Western Sand (Producer)	\$9.40/Ton	<u>\$ 21,150</u>
		\$ 31,275

Project 09-05H - 7,200 Tons - Raymond Maintenance Station Stockpile

Gana (Hauler)	\$4.96/Ton	\$ 35,712
Western Sand (Producer)	\$9.40/Ton	<u>\$ 67,680</u>
		\$103,392

Project 09-06H - 6,750 Tons - Roca Maintenance Station Stockpile

Gana (Hauler)	\$6.00/Ton	\$ 40,500
Western Sand (Producer)	\$9.40/Ton	<u>\$ 63,450</u>
		\$103,950

Project 09-07H - 3,600 Tons - So. 68th Street Stockpile

Western Sand (Hauler)	\$6.68/Ton	\$ 24,048
Western Sand (Producer)	\$9.40/Ton	<u>\$ 33,840</u>
		\$ 57,888

Project 09-08H - 4,275 Tons - SW 12th & Saltillo Road Stockpile

Western Sand (Hauler)	\$5.67/Ton	\$ 24,239.25
Western Sand (Producer)	\$9.40/Ton	<u>\$ 40,185.00</u>
		\$ 64,424.25

Project 09-09H - 2,700 Tons - Walton Maintenance Station Stockpile

Western Sand (Hauler)	\$4.10/Ton	\$ 11,070
Western Sand (Producer)	\$9.40/Ton	<u>\$ 25,380</u>
		\$ 36,450

Project 09-10H - 7,650 Tons - Waverly Maintenance Station Stockpile

Western Sand (Hauler)	\$3.04/Ton	\$ 23,256
Western Sand (Producer)	\$9.40/Ton	<u>\$ 71,910</u>
		\$ 95,166

6) **NEW BUSINESS CONTINUED:**

<u>Project 09-11H - 1,080 Tons - Emerald Maintenance Station Stockpile</u>		
Western Sand (Hauler)	\$5.27/Ton	\$ 5,691.60
Western Sand (Producer)	\$9.40/Ton	<u>\$ 10,152.00</u>
		\$ 15,843.60

<u>Project 09-12H - 3,645 Tons - SW 98th & Saltillo Road Stockpile</u>		
Western Sand (Hauler)	\$6.68/Ton	\$ 24,348.60
Western Sand (Producer)	\$9.40/Ton	<u>\$ 34,263.00</u>
		\$ 58,611.60

<u>Project 09-13H - 1,350 Tons - SW 100th & Hallam Road Stockpile</u>		
Western Sand (Hauler)	\$7.59/Ton	\$ 10,246.50
Western Sand (Producer)	\$9.40/Ton	<u>\$ 12,590.00</u>
		\$ 22,936.50

MOTION: Heier moved and Hudkins seconded to award a bid for rock hauling, in the total amount of \$589,936.95, to County stockpiles as recommended by the County Engineer and the Purchasing Agent. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

M. Recommendation from the Purchasing Agent, Midtown Center and Lancaster Manor to award a bid for a contract for food and related services to Pegler-Sysco Food Service. The project cost to the County will \$403,452. (B-08-0048)

MOTION: Hudkins moved and Stevens seconded to award a bid for a contract for food and related services to Pegler-Sysco Food Service as recommended by the Purchasing Agent, Midtown Center and Lancaster Manor. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

N. Notifications to Nationwide Retirement Solutions (NRS) regarding termination of the service agreements for the Lancaster County 401(a) and 457 retirement plans, and transfer of all assets in those plans to Prudential Retirement, effective January 2, 2009.

6) **NEW BUSINESS CONTINUED:**

Kerry Eagan, Chief Administrative Officer, reported contract negotiations with Prudential are moving forward. In addition, he stated he would like to include an insert with payroll checks on September 18, 2008 notifying employees the County is moving the retirement plan to Prudential and to also include general information along with the name of a contact person and/or a telephone number for those employees who may have questions.

MOTION: Stevens moved and Schorr seconded to authorize the Chair to sign the letters to Nationwide Retirement Services regarding the Lancaster County 401(a) retirement plan and the 457 retirement plan and to authorize a payroll insert for Thursday, September 18, 2008 relating to the change in providers. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

O. Sub-Recipient 2005 Grant Adjustment Notice from the Nebraska Emergency Management Agency for Lancaster County, adding \$21,734.86 to the 2005 Citizens Corps Program, Federal Grant Award Number 2005-GE-T5-0020.

Doug Ahlberg, Emergency Management Director, gave an overview regarding the supplement to a 2005 grant. He stated the grant would be used to offset the costs of conducting community emergency response team training.

MOTION: Hudkins moved and Schorr seconded approval of a Sub-Recipient 2005 Grant Adjustment Notice from the Nebraska Emergency Management Agency for Lancaster County, adding \$21,734.86 to the 2005 Citizens Corps Program, Federal Grant Award Number 2005-GE-T5-0020. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Frank Schaben for lost property. No amount of loss was alleged.

MOTION: Heier moved and Stevens seconded to deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Frank Schaben for lost property based on the recommendation of the Corrections Director. Hudkins, Stevens, Schorr, Heier and Workman 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. Receive and Place on File:

- 1. Records and Information Management's Monthly Report for August, 2008.**
- 2. Sheriff's Report of Fees for August, 2008.**
- 3. Railroad Transportation Safety District's financial statements, supplementary information and management's discussion and analysis for years ended June 30, 2008 and 2007.**

B. Setting of a public hearing for Tuesday, September 23, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to set the final tax request at a different amount than the prior year tax request. The request is for both Lancaster County and the Rural Library for Lancaster County.

C. Setting of public hearings for Tuesday, September 30, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building for the following:

- 1. County Change of Zone No. 08044, requested by the Director of Planning, for a text amendment to Article 23 of the Lancaster County Zoning Resolution to amend and increase the filing fee for zoning applications in the County's jurisdiction.**
- 2. County Miscellaneous No. 8010, requested by the Director of Planning, for a text amendment to Chapter 10 of the Lancaster County Land Subdivision Regulations to amend and increase the filing fee for land subdivision applications in the County's jurisdiction.**

7) **CONSENT ITEMS CONTINUED:**

D. Leasehold contracts relating to road projects between the Lancaster County Engineering Department and the following:

- * Jeff Maahs, in the amount of \$10, at 16100 Van Dorn Street; Project CP-J-27. (C-08-0483)
- * Rick Schmulte, in the amount of \$10, at 10505 Roca Road; Project C55-S-404(3). (C-08-0484)

E. Right-of-way contracting relating to road improvements between the Lancaster County Engineering Department and the following:

- * Maahs, Ltd. on Van Dorn Street 709 feet west of South 162nd Street; Project CP-J-27. This is a donation. (C-08-0485)
- * Cynthia and Douglas Parrott, in the total amount of \$78,152, on Alvo Road from North 1st Street to North 14th Street; Project C55-F-406(1). (3 contracts) (C-08-0486) (C-08-0487) (C-08-0488)
- * Victor and Irene Schmutte, in the total amount of \$28,191, on South 82nd Street from Hickman Road to Roca Road; Project C55-S-404(3). (3 contracts) (C-08-0489) (C-08-0490) (C-08-0491)

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

8) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:22 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 16, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Kristy Bauer, Deputy County Attorney
Norm Agena, County Assessor/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:22 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 9, 2008 and the minutes of the greenbelt disqualification hearings held on August 12, August 14, August 19, August 26, September 2, and September 4, 2008.**

MOTION: Schorr moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting held on September 9, 2008 and the minutes of the greenbelt disqualification hearings held on August 12, August 14, August 19, August 26, September 2 and September 4, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 5 additions and deductions to the tax assessment rolls per Attachment "A".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Developmental Services of Nebraska Inc.
Faith Lutheran Church & School
Gentle Shepherd Baptist Church
Lincoln Lancaster Child Guidance Center**

MOTION: Heier moved and Stevens seconded approval of motor vehicle tax exemptions for Developmental Services of Nebraska Inc., Faith Lutheran Church & School, Gentle Shepherd Baptist Church and Lincoln Lancaster Child Guidance Center. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

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

Teresa Truksa Skretta

Teresa Truksa Skretta appeared and gave an overview regarding the use of the parcel.

MOTION: Heier moved and Schorr seconded to reinstate greenbelt status on Parcel I.D. No. 20-32-300-008-000 for Teresa Truksa Skretta. Schorr, Hudkins, Heier and Workman voted aye. Stevens voted no. Motion carried.

CLERK'S NOTE: Additional documentation was submitted for the record and a copy was placed into the protest packet.

Norm Agena, County Assessor/Register of Deeds, appeared and stated there were 309 disqualification notices mailed by his office. He added of the 234 protests filed with the County Clerk's Office he appealed 212 of them to the Tax Equalization and Review Commission (TERC).

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization at 10:34 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk