

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 5, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr

Commissioners Absent: Bernie Heier, Chair
Bob Workman

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

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, December 22, 2009.

MOTION: Hudkins moved and Schorr seconded approval of the minutes. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, January 5, 2010.

MOTION: Schorr moved and Hudkins seconded approval of the claims. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- 3) **SPECIAL PRESENTATION:**

- A. **Winter Storm Update – Doug Ahlberg, Emergency Management Director.**
(See Item 6A for correlating document.)

Doug Ahlberg gave an overview of the winter storm, stating the County went to Level 3 activation around 4:00 a.m. on Christmas day. He said Emergency Management vehicles, as well as vehicles from the Lincoln Amateur Radio Club and the Pioneer 4-Wheel Drive Club, were used to transport medical staff, home healthcare workers, 911 dispatchers and others, driving around 1700 miles in a 72-hour period. Ahlberg said two Humvee ambulances from the International Guard Base were requested; the Humvees went on 22 service calls during a 48-hour period. He also noted his contact with the American Red Cross regarding public shelters for stranded motorists.

3) **SPECIAL PRESENTATION:**

Ahlberg said Bernie Heier, Chair of the County Board, signed a Disaster Declaration on December 28, which was given to the State. He said the threshold for federal assistance is at \$800,000, and the County's actual operating costs for that particular storm is around \$806,000.

Ahlberg thanked the Lincoln Amateur Radio Club and the Pioneer 4-Wheel Drive Club for their assistance and Al Berndt of the Nebraska Emergency Management Agency (NEMA) for approving use of the Humvee equipment. He also complimented the Public Works Department and the County Engineer's Office for being instrumental in opening streets for emergency service.

The Board commended Ahlberg for a job well done.

Ahlberg noted a joint field office with the Federal Emergency Management Agency (FEMA) was opened in Lincoln.

4) **PUBLIC HEARING:**

- A. **County Special Permit No. 09024 for expanded home occupation at Highway 77 & Hickman Road. (See Item 6B for correlating document.)**

The Vice Chair opened the public hearing.

Michael Rosecrans was administered the oath. He said he was in agreement with the conditions of the permit.

Schorr inquired about interest in the business, how many spaces were available and when Rosecrans would begin advertising. Rosecrans said nothing would be done until spring, but there was already interest. He said the number of spaces would depend on the size of vehicles parked in the spaces.

The Board expressed their appreciation for Rosecrans being patient through the process.

The Vice Chair closed the public hearing.

5) **OLD BUSINESS:**

- A. **A grant contract with United Methodist Ministries of the Lincoln District – Center for Legal Immigration Assistance, in the amount of \$53,591, to provide funding to enhance Lancaster County's coordinated community response to Latina, African American and refugee women who have been experiencing domestic violence, dating violence, sexual assault or stalking, and provide assistance to such victims in immigration matters. Term of the grant contract is January 31, 2009, to December 31, 2010. (C-09-0279)**

MOTION: Schorr moved and Hudkins seconded approval of the contract. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

6) **NEW BUSINESS:**

- A. **Ratification of Disaster Declaration for Lancaster County executed by Lancaster County Board Chair Bernie Heier, pursuant to Nebraska Revised Statute 81-829.50 (Reissue 2008), relating to the winter storm starting December 24, 2009.**

MOTION: Hudkins moved and Schorr seconded approval of the ratification. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- B. **A resolution in the matter of County Special Permit No. 09024, requested by Michael and Judith Rosecrans, for the expansion of a home occupation for the purpose of outdoor storage of boats, recreational vehicles, mini storage, garage storage and retail sales of trailers on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77, Lancaster County, Nebraska. (R-10-0001)**

MOTION: Hudkins moved and Schorr seconded approval of the resolution. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- C. **A resolution in the matter of Chief Deputy annual salary increases for the 2010 calendar year. (R-10-0002)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- D. **A resolution in the matter of designating an additional bank as a depository for Lancaster County for 2010. (R-10-0003)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- E. **A resolution instituting eminent domain proceedings against Wolfe Farms, L.L.C., and all persons having or claiming any interest in said property, real names unknown, Project C55-G-408(3), Tract No. 2 (Arbor Road between N. 70th Street and N. 76th Street) and replacing and rescinding County Resolution No. C-09-0100. (R-10-0004)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution.

Hudkins encouraged the County Attorney's office and the County Engineer's office to make a fair offer. He expressed his concern with eminent domain proceedings.

ROLL CALL: Schorr and Stevens voted aye. Hudkins voted nay. Motion carried 2-1.

6) **NEW BUSINESS CONTINUED:**

- F. **A recommendation from the Purchasing Agent and the County Engineer to award a bid for HVAC controls to Intelligent Buildings, L.L.C., in the amount of \$18,782. (B-10-0001)**

MOTION: Schorr moved and Hudkins seconded approval of the bid.

Hudkins said he spoke with Don Thomas, County Engineer, about the ongoing problem. He felt the purchase was necessary.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- G. **An amendment to a contract between Lancaster County and Schmader Electric, found at County Contract No. C-08-0042, for unit price maintenance and repair of Emergency Management sirens, Specification 07-342. The amendment renews the agreement for an additional one-year term beginning February 10, 2010, and ending February 9, 2011. (C-10-0001)**

MOTION: Hudkins moved and Schorr seconded approval of the amendment. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- H. **A contract with CVR for the annual supply of printer cartridges, Bid No. 09-243. The County will pay for services according to the pricing as provided in the contractor's accepted proposal. Term of the contract is one year from the date of execution by both parties. (C-10-0002)**

MOTION: Hudkins moved and Schorr seconded approval of the contract. Stevens, Schorr and Hudkins voted aye. Motion carried 3-0.

- I. **A licensure renewal application to operate a mental health center with the Nebraska Department of Health and Human Services in connection with the Community Mental Health Center (CMHC). The County will pay \$250 for the renewal license. (C-10-0003)**

MOTION: Hudkins moved and Schorr seconded approval of the application. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- J. **A grant contract between Lancaster County and Lincoln Council on Alcoholism and Drugs, Inc., to provide funding for the project management of the Federal Drug Free Communities Support Program (grant number 5H79SP012199-08). Lancaster County shall make a grant of \$86,353 from Federal grant funds distributed through the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration. Lincoln Council on Alcoholism and Drugs, Inc., will contribute \$124,111 in matching funds. The contract shall run from September 30, 2009, to September 29, 2010. (C-10-0004)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Hudkins seconded approval of the contract.

Hudkins thanked the Lincoln Council on Alcoholism and Drugs for the funds. He noted the Sheriff previously told him that around 80% of their service calls are alcohol and drug related.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- K. **A contract between Hofeling Enterprises, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual requirements for tree trimming, Bid No. 09-268. The County will pay for products and services according to the pricing as provided in the contractor's proposal. Term of the contract is one year from the date of execution. (C-10-0005)**

MOTION: Hudkins moved and Schorr seconded approval of the contract. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- L. **A contract between New Heights Tree Service, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual requirements for tree trimming, Bid No. 09-268. The County will pay for products and services according to the pricing as provided in the contractor's proposal. Term of the contract is one year from the date of execution. (C-10-0006)**

MOTION: Schorr moved and Hudkins seconded approval of the contract. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- M. **A contract with David Wood Construction for the remodel of Courtroom 38. The County shall pay \$42,223 for the services and the construction shall be complete within 62 days of the execution of the contract. (C-10-0007)**

MOTION: Hudkins moved and Schorr seconded approval of the contract.

Bob Walla, Purchasing Agent, said Courtroom 38 was a District Courtroom. He noted this was an additional project and was bid after the initial project was put in place. The current company had a higher bid, so the work would be split between the two companies.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- N. **Authorization of the Lancaster County Board to hire a surveyor to establish parking lot lines between Trabert Hall and Lancaster Manor.**

MOTION: Schorr moved and Hudkins seconded approval to hire a surveyor.

6) **NEW BUSINESS CONTINUED:**

Tom Fox, Deputy County Attorney, said use of a surveyor was discussed in October, but the surveyor's contract has not been received yet. He stated there was no need for action at this time.

Hudkins questioned if the exact lines of the parking lot would be established in the contract. He requested an outline of what was asked of the surveyor.

The maker withdrew the motion. The seconder concurred.

- O. **A political subdivision tort claim filed against Lancaster County Corrections by Armani C. Flood for lost property in the amount of \$125.**

MOTION: Schorr moved and Hudkins seconded denial of the tort claim based upon the department director's recommendation.

Stevens noted the Corrections department tried to contact Flood about picking up his possessions.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- P. **A political subdivision tort claim filed against Lancaster County Corrections by Penny D. Volentine for lost property in the amount of \$212.50.**

MOTION: Schorr moved and Hudkins seconded denial of the tort claim based upon the department director's recommendation. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- 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 the following:**
1. **County Sheriff monthly report for November, 2009.**
 2. **County Engineer quarterly report for July, August and September, 2009.**

MOTION: Hudkins moved and Schorr seconded approval of the consent items. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

8) **PUBLIC COMMENT:**

No comments from the public were offered.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 7, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, January 19, 2010, at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request to vacate a portion of North 98th Street from Ashland Road to a point approximately 1600 feet south of Ashland Road lying in the Northeast Quarter of Section 2, Township 12 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.
- C. The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m., on Tuesdays and rebroadcast at 1:30 p.m., and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.

10) **ADJOURNMENT**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:02 a.m. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk





**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 5, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING**

Commissioners Present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr

Commissioners Absent: Bernie Heier, Chair
Bob Workman

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:02 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 22, 2009.**

MOTION: Schorr moved and Hudkins seconded approval of the minutes. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

- 2) **ADDITIONS AND DEDUCTIONS: Approval of seven additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

MOTION: Hudkins moved and Schorr seconded approval of the additions and deductions.

Stevens noted there were nine additions and deductions.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.


- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

**Lincoln Christian School
Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary**

MOTION: Schorr moved and Hudkins seconded approval of the motor vehicle tax exemptions. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

4) **ADJOURNMENT**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Equalization meeting at 10:04 a.m. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk

