

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 4, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

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

Commissioners Absent: Bernie Heier, Chair

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..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 28, 2003.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated October 28, 2003. Hudkins, Workman and Stevens voted aye. Schorr abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Mary Howard, Activities Assistant, at Lancaster Manor for October, 2003.

2) **SPECIAL PRESENTATIONS CONTINUED:**

B. Lancaster County Sheriff's Office Employee Awards.

Terry Wagner, County Sheriff, presented the following awards:

- ▶ Tracy Kontos-Vetter - Retirement from commissioned status
- ▶ Harry Stewart - Retirement from commissioned status
- ▶ Bill "Woody" Woodruff - 1997 Deputy Sheriff of the Year
- ▶ Jeff Bliemeister - 2002 Deputy Sheriff of the Year
- ▶ Judy Lewis-Cairns - 2002 Civilian Employee of the Year
- ▶ Steve Eppens - 2003 Deputy Sheriff of the Year

3) **PUBLIC COMMENT:**

Bill Meier, A & D Technical Supply, appeared and addressed his concerns regarding the bidding process in relation to New Business Items 6H and 6I. He stated he felt the process was not as fair as it could have been and should be re-bid. Meier added that his company was never asked to give the General Services Administration (GSA) pricing, which is what the Purchasing Department recommended.

Consensus of the County Board to move New Business Items 6H and 6I forward on the agenda.

The Clerk read the following items into the record:

- H. Recommendation from the Purchasing Agent and the County Engineer to reject all bids received for one large format print/copy/scan system and to purchase the equipment from a General Services Administration (GSA) contract. (B-03-0031)**
- I. Recommendation from the Purchasing Agent and the County Engineer to award an order for one large format print/copy/scan system using General Services Administration (GSA) contract (GS-25F-0062L) mirror pricing. Prices have been established by the Federal government and products will be ordered from Xerox Corporation. Total purchase using the GSA prices is \$27,102. (B-03-0032)**

3) **PUBLIC COMMENT CONTINUED:**

Kathy Smith, Purchasing Agent, and Jim Langtry, Geographic Information Systems (GIS) Manager for the County Engineering Department, appeared and gave a brief overview of the bidding process.

Discussion followed regarding the bidding process, GSA pricing and product quality.

NEW BUSINESS ITEM 6H:

MOTION: Hudkins moved and Workman seconded to accept the recommendation from the Purchasing Agent and the County Engineer and reject all bids received for one large format print/copy/scan system and to purchase the equipment from a General Services Administration (GSA) contract. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

NEW BUSINESS ITEM 6I:

MOTION: Workman moved and Hudkins seconded to request the interested vendors to submit proposals for one large format print/copy/scan system for the County Engineering Department including GSA pricing and final document quality to be used as an additional determining factor. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

4) **CLAIMS:** Approval of all claims processed through Tuesday, November 4, 2003.

MOTION: Hudkins moved and Workman seconded approval of all claims processed through November 4, 2003. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

A. Revisions to Lancaster County's Amusement License and Special Designated License Guidelines and Procedures.

Stevens asked if anyone wished to testify.

5) **PUBLIC HEARINGS CONTINUED:**

Trish Owen, Chief Deputy County Clerk, requested the Board continue the hearing for one to two weeks. She explained that the County Attorney's Office has requested a review of the insurance requirements, as well as minor text changes.

Stevens asked if anyone else wished to testify.

No one appeared and the hearing was recessed.

B. A public hearing will be held on Tuesday, November 4, 2003 at 7:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2004 through June 30, 2009, as proposed by the Lancaster County Engineer.

The Clerk announced that the public hearing regarding the One and Six-Year Road and Bridge Improvement Program would begin at 7:30 p.m. on November 4, 2003.

6) **NEW BUSINESS:**

A. An agreement between the Lancaster County Youth Services Center and the State of Nebraska, Department of Health and Human Services for detention services for youth committed to, or placed with the State's Office of Juvenile Services. The County will be paid \$180 per youth per day. Term of the agreement is July 1, 2003 to June 30, 2004. (C-03-0575)

MOTION: Schorr moved and Hudkins seconded approval of an agreement between the Lancaster County Youth Services Center and the State of Nebraska, Department of Health and Human Services for detention services for youth committed to, or placed with the State's Office of Juvenile Services.

Kristy Mundt, Deputy County Attorney, requested that the agreement be held so that language can be included regarding a hold harmless clause.

The maker of the motion and the seconder agreed to withdraw the previous motion.

Board consensus to hold the agreement.

6) NEW BUSINESS CONTINUED:

- B. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Alternatives with Accountability project. The County will receive \$230,708 in funds and there is a required match of \$134,198. The grant period is September 1, 2003 to August 31, 2004. (C-03-0576)**

MOTION: Workman moved and Hudkins seconded acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Alternatives with Accountability project. Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

- C. Recommendation from the Purchasing Agent and the Snow Removal Committee to award bids and approve contracts as follows:**

- ▶ **Barnett Construction, Inc., in the amount of \$85 per hour for pushing snow with a vehicle-mounted snow plow, \$65 per hour for hauling snow to snow dumps, \$70 per hour for spreading gravel on parking lots and drives and \$60 per hour for sidewalk removal and ice melting compound. The contract will begin upon execution and end May 1, 2004. (C-03-0577)**
- ▶ **LeGrande Excavating, Inc., in the amount of \$62 per hour, for plowing hauling and spreading gravel on parking lots and drives. The contract will begin upon execution and end on May 1, 2004. (C-03-0578)**

MOTION: Schorr moved and Hudkins seconded to accept the recommendation from the Purchasing Agent and the Snow Removal Committee to award bids and approve contracts with Barnett Construction, Inc., in the amount of \$85 per hour for pushing snow with a vehicle-mounted snow plow, \$65 per hour for hauling snow to snow dumps, \$70 per hour for spreading gravel on parking lots and drives and \$60 per hour for sidewalk removal and ice melting compound and with LeGrande Excavating, Inc., in the amount of \$62 per hour, for plowing hauling and spreading gravel on parking lots and drives. Stevens, Hudkins, Schorr and Workman voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

D. A resolution authorizing the installation of the following traffic signs in Lancaster County: (R-03-0115)

- ▶ A "Stop" sign for eastbound and westbound traffic at the Burlington Northern Sante Fe railroad crossing located on West Pioneers Boulevard west of Southwest 56th Street.
- ▶ A temporary 5-ton weight limit sign on County Bridge M-110D located on Northwest 84th Street north of Highway 6 until repairs can be made.
- ▶ "Engine Braking Prohibited" signs on North 148th Street on either side of the unincorporated village of Prairie Home for northbound and southbound traffic.
- ▶ "Engine Braking Prohibited" signs on South 148th Street north of Highway 2 for southbound traffic.

MOTION: Hudkins moved and Workman seconded approval of Resolution 03-0115 in the matter of authorizing the installation of traffic signs at various locations within Lancaster County. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

E. A resolution in the matter of modifying the scope of work for County Project STPE-3265(6)-South 68th Street beginning at Roca Road and ending south of Saltillo Road, to include necessary utility relocation costs estimated at \$347,000. (R-03-0 116)

MOTION: Hudkins moved and Workman seconded approval of Resolution 03-0116 in the matter of modifying the scope of work for County Project STPE-3265(6)-South 68th Street beginning at Roca Road and ending south of Saltillo Road, to include necessary utility relocation costs estimated at \$347,000. Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

F. Notice of termination of County Contract C-03-0127 with The Recovery Center for services of a Certified Substance Abuse Counselor. The termination is effective December 10, 2003.

MOTION: Workman moved and Hudkins seconded approval of a notice of termination of County Contract C-03-0127 with The Recovery Center for services of a Certified Substance Abuse Counselor. The termination is effective December 10, 2003.

6) **NEW BUSINESS CONTINUED:**

In response to a question asked by Schorr regarding the termination, Mundt explained that the contractor is not Medicaid certified.

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

G. Notice of rejection of terrorism insurance coverage to Continental Western Insurance Company and Union Insurance Company.

MOTION: Hudkins moved and Workman seconded approval of a notice of rejection of terrorism insurance coverage to Continental Western Insurance Company and Union Insurance Company. Hudkins, Schorr, Stevens and Workman voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the County Engineer to reject all bids received for one large format print/copy/scan system and to purchase the equipment from a General Services Administration (GSA) contract. (B-03-0031)

This item was moved forward on the agenda.

I. Recommendation from the Purchasing Agent and the County Engineer to award an order for one large format print/copy/scan system using General Services Administration (GSA) contract (GS-25F-0062L) mirror pricing. Prices have been established by the Federal government and products will be ordered from Xerox Corporation. Total purchase using the GSA prices is \$27,102. (B-03-0032)

This item was moved forward on the agenda.

J. Recommendation from the Purchasing Agent, the County Engineer and City Public Works to award a bid for annual requirements for grader and snow plow blades to Nebraska Machinery Company for Items 1 and 3 and to Presco Sales and Service, Inc. for Item 2. This is an annual award estimate of \$40,000 to \$50,000 for the County and City combined needs for the first 12 month term, with an option to renew with mutual consent for two additional one-year periods. (B-03-0033)

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Hudkins seconded to accept the recommendation from the Purchasing Agent, the County Engineer and City Public Works to award a bid for annual requirements for grader and snow plow blades to Nebraska Machinery Company for Items 1 and 3 and to Presco Sales and Service, Inc. for Item 2. This is an annual award estimate of \$40,000 to \$50,000 for the County and City combined needs for the first 12 month term, with an option to renew with mutual consent for two additional one-year periods.

Stevens noted an error regarding the bid and indicated it should be awarded to Nebraska Machinery Company for Item 2 and to Presco Sales and Service, Inc. for Items 1 and 3.

Smith stated that was correct.

The Clerk read the corrected item into the record noting that the award should be to Nebraska Machinery Company for Item 2 and to Presco Sales and Service, Inc. for Items 1 and 3.

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

K. Recommendation from the Purchasing Agent and the County Engineer to award a bid to purchase five, 2004 Chevrolet Silverado 1500 4x4 pickups including options and one service manual, to Husker Auto Group. Total award is in the amount of \$95,440. (B-03-0034)

MOTION: Workman moved and Hudkins seconded to accept the recommendation from the Purchasing Agent and the County Engineer to award a bid to purchase five, 2004 Chevrolet Silverado 1500 4x4 pickups including options and one service manual, to Husker Auto Group. Total award is in the amount of \$95,440.

Hudkins asked if the County Engineer had money budgeted for the vehicles.

Dave Kroeker, Budget and Fiscal Officer, appeared and indicated the vehicles are in the County Engineer's budget.

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

6) **NEW BUSINESS CONTINUED:**

L. Award of bid for preparation of title searches for tax foreclosures to ATI Title Company, in the amount of \$40 per title certificate. (B-03-0035)

MOTION: Hudkins moved and Workman seconded to award a bid for preparation of title searches for tax foreclosures to ATI Title Company, in the amount of \$40 per title certificate. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

M. A political subdivision tort claim filed against the Lancaster County Corrections Department by Brett McArthur, on behalf of Penny Threats, in the amount of \$500,000, for medical expenses and damages.

MOTION: Workman moved and Hudkins seconded to deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Brett McArthur, on behalf of Penny Threats, in the amount of \$500,000, for medical expenses and damages. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

N. A grant contract with St. Monica's for the Project Mother and Child Expansion in the amount of \$500,000. Term of the grant is June 1, 2003 to May 30, 2004. (C-03-0584)

MOTION: Schorr moved and Workman seconded approval of a grant contract with St. Monica's for the Project Mother and Child Expansion in the amount of \$500,000, subject to receipt of a current certificate of insurance. Workman, Hudkins, Schorr and Stevens 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:

7) CONSENT ITEMS CONTINUED:

A. Receive and Place on File:

1. County Treasurer's Distress Warrants for Fiscal Year 2002.
2. Financial Statements and Independent Auditor's Report for the year ended June 30, 2003 for the Lancaster County Community Mental Center.

B. Setting of a public hearing for Tuesday, November 18, 2003 in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Christopher Thomson Miller in connection with a Class M (Bottle Club) liquor license for Yankee Hill Development L.L.C. d/b/a Yankee Hill Country Club located at 7600 San Mateo Lane in Lincoln, Lancaster County, Nebraska.

C. Request from Brooke Duple, an employee with the Community Mental Health Center, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

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

- ▶ Brian and Beth Tekolste, in the amount of \$630.58, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (C-03-0579)
- ▶ Stephen and Eleanor Benes, in the amount of \$65.80, on Northwest 84th Street north of West Davey Road; Project C.P.-D-189. (C-03-0580)
- ▶ John T. Benes, in the total amount of \$792.80, on Northwest 84th street north of West Davey Road; Project C.P.-D-189. (2 contracts) (C-03-0582 and C-03-0583)
- ▶ James Mitchell, in the amount of \$383.40, west of Northwest 112th Street; Project C.P.-D-61. (C-03-0581)

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

8) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:44 p.m.. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 4, 2003
COUNTY COMMISSIONERS CHAMBERS, 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
Bob Workman

Commissioners Absent: Bernie Heier, Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
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 Equalization meeting was called to order at 2:44 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 28, 2003.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated October 28, 2003. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Developmental Services of Nebraska, Inc.
Goodwill Industries Serving Southeast Nebraska, Inc.
Messiah Lutheran Church
St. Monica's
Women in Community Service, Inc.

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

4) **ADJOURNMENT:**

MOTION: Workman moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:45 p.m.. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk