

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JANUARY 18, 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  
Ray Stevens  
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 convened at 1:31 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 11, 2005.**

**MOTION:** Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated January 11, 2005. Schorr, Stevens and Heier voted aye. Workman and Hudkins were absent from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

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

- 3) **CLAIMS: Approval of all claims processed through Tuesday, January 18, 2005.**

**MOTION:** Stevens moved and Heier seconded approval of all claims processed through January 18, 2005. Heier, Stevens and Schorr voted aye. Workman and Hudkins were absent from voting. Motion carried.

The Vice Chair requested the Board to proceed to New Business.

5) **NEW BUSINESS:**

- A. **An interlocal agreement with the State of Nebraska Probation Administration to facilitate the administration of the Drug Treatment Court for the District Court of Lancaster County through the provision of two drug treatment court probation officers and a part-time drug technician. Term of the agreement is from March 1, 2005 through June 30, 2005. The County will pay up to \$28,343 for the services. (C-05-0035)**

**MOTION:** Stevens moved and Heier seconded approval of an interlocal agreement with the State of Nebraska Probation Administration to facilitate the administration of the Drug Treatment Court for the District Court of Lancaster County through the provision of two drug treatment court probation officers and a part-time drug technician.

(Commissioners Workman and Hudkins entered the Hearing Room at 1:35 p.m..)

**ROLL CALL:** Schorr, Heier, Stevens and Hudkins voted aye. Workman abstained from voting. Motion carried.

(Returning to Public Hearings.)

4) **PUBLIC HEARINGS:**

- A. **County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska.**

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

The oath was administered to Robert Lookabaugh, applicant.

Lookabaugh requested the change of zone be placed on pending for future action because there has been some activity which may simplify the request and also meet the goals of preserving the ecological environment.

The Chair asked if anyone else wished to provide testimony.

4) **PUBLIC HEARINGS CONTINUED:**

No one appeared and the hearing was closed.

Discussion took place regarding the placement of the proposals on pending.

**MOTION:** Heier moved and Schorr seconded to place County Change of Zone 04074 (Public Hearing Item 4A); County Special Permit 04058, Lakewood Hills Community Unit Plan (Public Hearing Item 4B); County Preliminary Plat 04028, Lakewood Hills (Public Hearing Item 4C) and County Final Plat 04126, Lakewood Hills (Public Hearing Item 4D) on pending no longer than December 31, 2005.

Heier clarified that if no decisions were made by December 31<sup>st</sup>, Mr. Lookabaugh would have to come back to the Board and request the items be placed on pending for the following year.

Lookabaugh indicated that was acceptable.

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

**B. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska.**

**C. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska.**

**D. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska.**

Public Hearing Items 4B, 4C and 4D, as well as 4A, were placed on pending (see motion under Public Hearing Item 4A).

5) **NEW BUSINESS:**

- A. **An interlocal agreement with the State of Nebraska Probation Administration to facilitate the administration of the Drug Treatment Court for the District Court of Lancaster County through the provision of two drug treatment court probation officers and a part-time drug technician. Term of the agreement is from March 1, 2005 through June 30, 2005. The County will pay up to \$28,343 for the services. (C-05-0035)**

This item was moved forward on the agenda.

- B. **A business associate agreement between the Lancaster County Medical Society and Lancaster County, on behalf of the Community Mental Health Center. The agreement addresses the privacy regulations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) with respect to business associates as that term is defined by the HIPAA Privacy Rules. (C-05-0037)**

**MOTION:** Schorr moved and Stevens seconded approval of a business associate agreement between the Lancaster County Medical Society and Lancaster County, on behalf of the Community Mental Health Center. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

- C. **A maintenance agreement between the Lancaster County Clerk of the District Court and Performance Document Solutions d/b/a Professional Office Systems, Inc., in the amount of \$2,625, for three power files. Term of the agreement is February 1, 2005 through January 31, 2006. (C-05-0038)**

**MOTION:** Stevens moved and Workman seconded approval of a maintenance agreement between the Lancaster County Clerk of the District Court and Performance Document Solutions d/b/a Professional Office Systems, Inc., in the amount of \$2,625, for three power files. Heier, Stevens, Schorr, Workman and Hudkins voted aye. Motion carried.

- D. **A contract between the Lancaster Emergency Management Office and Schmader Electric Construction Company, in the estimated amount of \$97,384, to provide and install outdoor warning systems on an as-needed basis for 2005. (C-05-0039)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Stevens seconded approval of a contract between the Lancaster Emergency Management Office and Schmader Electric Construction Company, in the estimated amount of \$97,384, to provide and install outdoor warning systems on an as-needed basis for 2005. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

**E. An amendment to an agreement between Mary Hewitt Jones, Attorney at Law, and Norman Langemach, Attorney at Law, and Lancaster County, under County Contract C-04-0356, for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. § 43-247 (1), (2), (3)(a), (4), (5), (6) and (8) in the Separate Juvenile Court of Lancaster County. The amendment authorizes Marcia Little to act as substitute counsel under the agreement. (C-05-0036)**

**MOTION:** Schorr moved and Heier seconded approval of an amendment to an agreement between Mary Hewitt Jones, Attorney at Law, and Norman Langemach, Attorney at Law, and Lancaster County, under County Contract C-04-0356, for legal representation to indigent parties in the Separate Juvenile Court of Lancaster County. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

**F. Recommendation from the Purchasing Agent and the mat and linen services analysis committee to award a request for proposal (RFP) for annual requirements for mat and linen rental services to Paramount Linen & Uniform, in the estimated amount of \$44,801.88, for the combined annual requirements of Lancaster County and the City of Lincoln. (B-05-0002)**

**MOTION:** Stevens moved and Schorr seconded approval to award a request for proposal (RFP) for annual requirements for mat and linen rental services to Paramount Linen & Uniform, in the estimated amount of \$44,801.88, for the combined annual requirements of Lancaster County and the City of Lincoln.

Heier asked if the \$44,801.88 was the County's share or if it is a combined total.

5) **NEW BUSINESS CONTINUED:**

Kathy Smith, Assistant Purchasing Agent, appeared and stated the amount indicated was a total amount. She explained it is difficult to break down the amount between the County and the City because it is figured on an item by item basis.

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

**G. Recommendation from the Purchasing Agent and the Emergency Management Director to award an order from State of Nebraska Contract 11198 OC to Anderson Ford, in the amount of \$26,485, for one, 2005 Ford Explorer XLT with options as listed in the specifications. (B-05-0003)**

**MOTION:** Heier moved and Stevens seconded approval to award an order from State of Nebraska Contract 11198 OC to Anderson Ford, in the amount of \$26,485, for one, 2005 Ford Explorer XLT with options as listed in the specifications. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

**H. Notice to proceed to Olsson Associates under County Contract C-04-0628 between Lancaster County and Olsson Associates for preliminary engineering on the Jamaica North Trail, effective January 18, 2005.**

**MOTION:** Stevens moved and Workman seconded approval to authorize the Chair to sign a notice to proceed to Olsson Associates under County Contract C-04-0628 between Lancaster County and Olsson Associates for preliminary engineering on the Jamaica North Trail, effective January 18, 2005. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

**I. Approval of sale and quitclaim deed of County property to Todd Rivers, in the amount of \$185,000. The property is generally located at 3830 Adams Street, legally described as Wesleyan Heights, Lots 94 through 98, Lincoln, Lancaster County, Nebraska.**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Schorr seconded approval of the sale and quitclaim deed of County property to Todd Rivers, in the amount of \$185,000, generally located at 3830 Adams Street. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

**J. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Sprague Roofing Company, in the amount of \$61,400, for the re-roofing of Midtown Center.**

**MOTION:** Heier moved and Stevens 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 to Sprague Roofing Company, in the amount of \$61,400, for the re-roofing of Midtown Center. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

**K. A political subdivision tort claim filed against Lancaster County by Julie Buckhanon, in the amount of \$260, for damage to her vehicle.**

**MOTION:** Stevens moved and Workman seconded approval of a political subdivision tort claim filed against Lancaster County by Julie Buckhanon, in the amount of \$230.27, for damage to her vehicle subject to obtaining the claimant's signature on a release as drafted by the County Attorney.

Heier noted that the County will seek reimbursement from the Nebraska State Patrol.

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

**L. A political subdivision tort claim filed against the Lancaster County Corrections Department by Glenda Rogers, in the amount of \$500, for lost property.**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Schorr seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Glenda Rogers, in the amount of \$500, for lost property. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

6) **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 Assessor/Register of Deed's Monthly Report for December, 2004.**
2. **Clerk of the District Court's Monthly Report for December, 2004.**
3. **Records and Information Management's Monthly Report for December, 2004.**

**B. Setting of public hearings for Tuesday, February 15, 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. Establishing of a County Visitors' Improvement Fund pursuant to Neb. Rev. Stat. § 81-1255 (Supp.2003).
2. An application for an amusement license from David Samani to hold an off-road vehicle (motocross) demonstration at 8800 Kolbrook Road in connection with the National Kawasaki Plant Regional Distributor Convention. The event will begin on Sunday, June 12, 2005 and run through Thursday, June 16, 2005. Hours of operation will be 9 a.m. to 6 p.m. each day.

**C. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan having met the requirements:**

- ▶ Kimberly J. Gernert, an employee with the County Attorney's Office.
- ▶ Raquel Sabio, an employee with Lancaster Manor.

6) **CONSENT ITEMS CONTINUED:**

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

7) **ADJOURNMENT:**

**MOTION:** Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2:01 p.m.. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 18, 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  
Ray Stevens  
Bob Workman

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 was convened at 2:01 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 11, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated January 11, 2005. Schorr, Stevens, 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 269 additions and deductions to the tax assessment rolls per Exhibit A.**

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**BryanLGH Medical Center  
Capitol City Christian Church  
CenterPointe, Inc.  
Christian Record Services, Inc.  
Developmental Services of Nebraska  
Evangelical United Lutheran Church  
Madonna Rehabilitation Hospital  
Nebraska Annual Conference of the United  
Methodist Church (7 exemptions)  
Nebraska Wesleyan University  
Our Lady of Guadalupe Seminary,  
division of Priestly Fraternity of St. Peter  
Salvation Army Adult Rehabilitation Center  
Sisters of Mary Queen of Mercy  
United Methodist Ministries - Lincoln District**

**MOTION:** Stevens moved and Workman seconded approval of motor vehicle tax exemptions for BryanLGH Medical Center, Capitol City Christian Church, CenterPointe, Inc., Christian Record Services, Inc., Developmental Services of Nebraska, Evangelical United Lutheran Church, Madonna Rehabilitation Hospital, Nebraska Annual Conference of the United Methodist Church (6 exemptions), Nebraska Wesleyan University, Our Lady of Guadalupe Seminary, division of Priestly Fraternity of St. Peter, Salvation Army Adult Rehabilitation Center and Sisters of Mary Queen of Mercy and to also approve a motor vehicle tax exemption for Nebraska Annual Conference of the United Methodist Church (1999 Oldsmobile Integra GX) subject to the signature of the County Treasurer and for United Methodist Ministries - Lincoln District subject to the vehicle being titled and registered to the applicant. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:05 p.m.. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk