

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, NOVEMBER 7, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

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

Commissioners Absent: Ray Stevens

Others Present: Kristy Bauer, Deputy County Attorney  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Patricia Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The meeting of the Board of Commissioners was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 24, 2006.**

**MOTION:** Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated October 24, 2006. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, November 7, 2006.**

**MOTION:** Workman moved and Heier seconded approval of all claims processed through November 7, 2006. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

**A. The County-City Volunteer of the Month Award was presented to Cindy Fiala for her services at the Cooperative Extension Office.**

3) **SPECIAL PRESENTATIONS CONTINUED:**

**B. The Commissioners' Award of Excellence for October, 2006 was presented to Cynthia Dittmer, an employee in the Property Management Department.**

4) **PUBLIC HEARINGS:**

**A. A catering application in connection with a Class Y liquor license from James Arthur Vineyards LLC d/b/a James Arthur Vineyards located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska.**

Kerry Eagan, Chief Administrative Officer, stated he received a telephone call from Jim Ballard, applicant, indicating he and his wife would be unavailable to attend to the hearing. He stated he did request that another representative attend.

The Chair opened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was recessed.

5) **OLD BUSINESS:**

**A. An agreement between CCS, Inc. and Lancaster County, on behalf of Lancaster Manor, for computer software and hardware consulting, programming, planning, maintenance and resolution management at the rate of \$125 per billable hour, and attached Business Associate agreement assuring compliance with the Health Insurance Portability and Accountability. (C-06-0559)**

**MOTION:** Heier moved and Workman seconded approval of an agreement between CCS, Inc. and Lancaster County, on behalf of Lancaster Manor, for computer software and hardware consulting, programming, planning, maintenance and resolution management. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6) NEW BUSINESS:

- A. A resolution approving a real estate agreement with Mattice Family Revokable Trust for the acquisition of property located at 819 H Street. The money for the acquisition will come from the parking garage bonds. The cost of the acquisition is \$104,500. (R-06-0117)

**MOTION:** Hudkins moved and Workman seconded approval of Resolution 06-0117 approving a real estate agreement with Mattice Family Revokable Trust for the acquisition of property located at 819 H Street. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

- B. A grant contract with the YWCA of Lincoln to provide funding for the following programs: YWCA Parents Center, in the amount of \$28,000, and the Survival Skills Program, in the amount of \$36,000. The total amount of the grant contract is \$64,000. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0585)

**MOTION:** Heier moved and Hudkins seconded approval of a grant contract with the YWCA of Lincoln to provide funding for the YWCA Parents Center and the Survival Skills Program. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

- C. A grant contract with Teammates of Lincoln Public Schools for funding for the Teammates Project MOAST (Mentors Offer a Second Turn), in the amount of \$30,000. Teammates will contribute \$2,733 in matching funds. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0586)

**MOTION:** Hudkins moved and Heier seconded approval of a grant contract with Teammates of Lincoln Public Schools for funding for the Teammates Project MOAST (Mentors Offer a Second Turn), in the amount of \$30,000. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

- D. A grant contract with Madonna Rehabilitation Hospital for funding of the Community Medical Transportation Project, in the amount of \$13,125. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0587)

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Heier seconded approval of a grant contract with Madonna Rehabilitation Hospital for funding of the Community Medical Transportation Project. Heier, Hudkins, Workman and Schorr voted aye. Motion carried.

**E. A grant contract with Lincoln Public Schools for funding for Positive Choices: Lincoln High's Anger Management Program, in the amount of \$12,214. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0588)**

**MOTION:** Heier moved and Hudkins seconded approval of a grant contract with Lincoln Public Schools for funding for Positive Choices: Lincoln High's Anger Management Program, in the amount of \$12,214. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

**F. A grant contract with Friendship Home for funding of the general operation of the Hotel-Motel Project, in the amount of \$3,500. Term of the grant contract is July 1, 2006 to June 30, 2007. (C-06-0589)**

**MOTION:** Workman moved and Heier seconded approval of a grant contract with Friendship Home for funding of the general operation of the Hotel-Motel Project. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

**G. A grant contract with CenterPointe, Inc. to assist in providing salaries and operating expenses for the Evening Reporting Center (ERC) which includes supervision for 60 to 70 youth annually as placed by the Juvenile Court and Probation, in the amount of \$50,000. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0605)**

**MOTION:** Hudkins moved and Workman seconded approval of a grant contract with CenterPointe, Inc. to assist in providing salaries and operating expenses for the Evening Reporting Center (ERC) which includes supervision for 60 to 70 youth annually as placed by the Juvenile Court and Probation. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**H. A grant contract with Lincoln Medical Education Partnership for the data collection and analysis of the School and Community Intervention Program (SCIP), in the amount of \$5,000. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0606)**

**MOTION:** Heier moved and Workman seconded approval of a grant contract with Lincoln Medical Education Partnership for the data collection and analysis of the School and Community Intervention Program (SCIP). Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

**I. A network provider contract with the Regional Behavioral Health Authority (Region V) for certain behavioral mental health services at the Community Mental Health Center. Term of the agreement is from July 1, 2006 to June 30, 2007 and the County will be reimbursed up to \$4,931,057 for the services. (C-06-590)**

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

**J. An agreement with Marcia Little, Attorney at Law, for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Term of the agreement is November 1, 2006 through October 31, 2009. The County will pay \$212,365 for the services over the three year term. (C-06-0591)**

**MOTION:** Hudkins moved and Heier seconded approval of an agreement with Marcia Little, Attorney at Law, for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**K. An interlocal agreement between Lancaster County, the City of Lincoln, and the United Way of Lincoln/Lancaster County to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) Project. The County and the City of Lincoln will each contribute \$40,000, and United Way will contribute \$50,000, for a total contract fee of \$130,000. Term of the agreement is July 1, 2006 to June 30, 2007. (C-06-0592)**

**MOTION:** Heier moved and Hudkins seconded approval of an interlocal agreement between Lancaster County, the City of Lincoln, and the United Way of Lincoln/Lancaster County to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) Project. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

**L. A contract with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$130,000 for the services. Term of the contract is July 1, 2006 through June 30, 2007. (C-06-0593)**

**MOTION:** Heier moved and Workman seconded approval of a contract with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

**M. A contract with Elk Horn Construction, in the amount of \$34,748, for repair of County Bridge H-253 (Waverly Viaduct) relating to County Project No 07-03. The construction is generally located on Canongate Road over the Burlington Northern Santa Fe Railroad and Highway 6. The work will begin on October 27, 2006 and be completed by April 27, 2007. (C-06-0594)**

**MOTION:** Workman moved and Hudkins seconded approval of a contract with Elk Horn Construction, in the amount of \$34,748, for repair of County Bridge H-253 (Waverly Viaduct) relating to County Project No 07-03. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**N. Supplemental Agreement No. 2 with the State of Nebraska, Department of Roads for staking and inspection on Project BR-3380(4), Waverly Northwest, Structure No. A-136. The County entered into the original agreement on January 9, 2001 and Supplemental Agreement No. 1 on July 18, 2006. Supplemental Agreement No. 2 requires the County to provide for supervision and inspection of the construction and staking services. The County will be reimbursed based upon actual costs in accordance with Federal guidelines. The State will pay 85 percent of the actual eligible costs. (C-06-0595)**

**MOTION:** Workman moved and Hudkins seconded approval of Supplemental Agreement No. 2 with the State of Nebraska, Department of Roads for staking and inspection on Project BR-3380(4), Waverly Northwest, Structure No. A-136. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

**O. Approval of the master group application for an administrative service agreement with Blue Cross and Blue Shield of Nebraska, for the provision of claim administration services on behalf of Lancaster County's self-funded group health care program. (C-06-0596)**

**MOTION:** Hudkins moved and Workman seconded approval of a master group application for an administrative service agreement with Blue Cross and Blue Shield of Nebraska, for the provision of claim administration services on behalf of Lancaster County's self-funded group health care program. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

**P. An administration service agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska for the provision of claim administration services for Lancaster County's self-funded group health care program, effective January 1, 2007. (C-06-0597)**

**MOTION:** Heier moved and Workman seconded approval of an administration service agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska for the provision of claim administration services for Lancaster County's self-funded group health care program, effective January 1, 2007. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**Q. A business associate agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska. The agreement assures that Blue Cross and Blue Shield of Nebraska will comply with Health Insurance Portability and Accountability Act (HIPAA) privacy and security rules in the performance of administrative services for Lancaster County's self-funded health care program. (C-06-0598)**

**MOTION:** Heier moved and Workman seconded approval of a business associate agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

**R. Western States Contracting Alliance Participating Addendum for mailing equipment and maintenance between Lancaster County and Hasler, Inc.. On August 29, 2006 the County awarded an order from the Western States Contracting Alliance bid for a new Hasler WJ220 mailing machine, scale and conveyor for Property Management. The terms and conditions of the addendum govern such purchase and any future purchases between Lancaster County and Hasler. (C-06-0599)**

**MOTION:** Hudkins moved and Workman seconded approval of Western States Contracting Alliance Participating Addendum for mailing equipment and maintenance between Lancaster County and Hasler, Inc.. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

**S. Case Level Mass Exchange/Mix Change Forms authorizing Nationwide Retirement Solutions to implement investment changes approved by the Lancaster County Board in County Resolution R-06-0106. (C-06-0608)**

**MOTION:** Workman moved and Hudkins seconded approval of Case Level Mass Exchange/Mix Change Forms authorizing Nationwide Retirement Solutions to implement investment changes approved by the Lancaster County Board in County Resolution R-06-0106. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**T. Addendum No. 4 to an agreement with ARAMARK Correctional Services, Inc., under County Contract C-02-0454, for the management of the food service at the Lancaster County Corrections facility. The amendment increases the price per meal charged as a result of an increase in the Consumer Price Index (CPI). The new prices will be effective on June 1, 2006 and remain firm through June 1, 2007. (C-06-0607)**

**MOTION:** Heier moved and Workman seconded approval of Addendum No. 4 to an agreement with ARAMARK Correctional Services, Inc., under County Contract C-02-0454, for the management of the food service at the Lancaster County Corrections facility. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

**U. Appointment of Duol Rut to the Community Mental Health Advisory Committee to complete the unfulfilled term of David Hauswald.**

**MOTION:** Hudkins moved and Workman seconded approval of the appointment of Duol Rut to the Community Mental Health Advisory Committee to complete the unfulfilled term of David Hauswald. Heier, Hudkins, Workman and Schorr 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. County Attorney's Quarterly Report beginning July 1, 2006 and ending September 30, 2006.
2. Clerk of the District Court's Monthly Report for September, 2006.
3. County Clerk's Monthly Report for October, 2006.
4. Quarterly Report from the Lancaster County Engineering Department beginning on April 1, 2006 and ending June 30, 2006.
5. Quarterly Report from the Lancaster County Engineering Department for the Geographic Information System (GIS) Division beginning on April 1, 2006 and ending June 30, 2006.
6. County Treasurer's Report on 2005 Distress Warrants.

7) CONSENT ITEMS CONTINUED:

7. Annual Report to the Nebraska Board of Road Classifications and Standards (NBCS) for the fiscal year ending June 30, 2006.

B. Setting of public hearings for Tuesday, November 14, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. Issuance of bonds by Hospital Authority No. 1 of Lancaster County, Nebraska to enable the Authority to refund its outstanding Revenue Bonds, Series 2001 (Community Blood Bank of Lancaster County Medical Society Project), in an amount not to exceed \$1,800,000.

2. County Special Permit No. 06057, requested by Tod Stertz, for authority to locate and live in a mobile home while building a permanent residence on property generally located at South 68<sup>th</sup> Street and Princeton Road in Lancaster County, Nebraska.

3. County Special Permit No. 06054, requested by John and Coleen Vosta, for a campground for up to 40 campsites around a lake, on property generally located at Southwest 128<sup>th</sup> Street and West Saltillo Road in Lancaster County, Nebraska.

\*NOTE: The Clerk noted that County Special Permit No. 06054 was withdrawn by the applicant.

C. Replacement of page two (2) of County Resolution R-06-0114 to correct a clerical error.

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

- ▶ Farmers Cooperative Company, in the amount of \$145, located 1,879 feet east of Southwest 29<sup>th</sup> Street; Project CP-T-96. (C-06-0600)
- ▶ Gerald L. and Donna J. Henning, in the amount of \$565, located 840 feet south of West Martell Road; Project CP-U-235. (C-06-0601)
- ▶ Kenneth R. and Charlotte Liggett, in the amount of \$1,322, at Bridge R-139 located on Bennet Road; Project Bridge R-139. (C-06-0602)
- ▶ Lower Platte South Natural Resources District (NRD), in the amount of \$4,915, located one-half mile north of North 98<sup>th</sup> Street and McKelvie Road; Project BR-G-222. (C-06-0603)
- ▶ Dallas D. and Jan R. Svoboda, in the amount of \$1,350, at Bridge R-139 located on Bennet Road; Project Bridge R-139. (C-06-0604)

7) **CONSENT ITEMS CONTINUED:**

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

8) **ADJOURNMENT:**

**MOTION:** Heier moved and Workman seconded adjournment of the meeting of the Board of Commissioners at 10:03 a.m.. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, NOVEMBER 7, 2006  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

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

Commissioners Absent: Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kristy Bauer, Deputy County Attorney  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Patricia Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The meeting of the Board of Equalization was called to order at 10:03 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 24, 2006.**

**MOTION:** Heier moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated October 24, 2006. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 39 additions and deductions to the tax assessment rolls per Attachment "A".**

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Nebraska Crop Improvement Association  
Nebraska Wesleyan University  
Our Lady of Guadalupe Seminary, a division of the Priestly Fraternity of  
St. Peter  
People's City Mission**

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

4) **APPEAL FILED ON A HOMESTEAD EXEMPTION:**

**Albert French**

Norm Agena, County Assessor/Register of Deeds, explained that the application for a homestead exemption was rejected because the total value of the property exceeded the maximum allowed for 2006. He stated the maximum allowable is \$241,650 and Mr. French's is \$243,788.

**MOTION:** Heier moved and Hudkins seconded to accept the County Assessor/Register of Deeds recommendation and deny the appeal filed on a homestead exemption for Albert French. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY:**

**Blue Orchid Thai Restaurant**

Agena stated his office received the schedule on July 31, 2006. Recommendation was to deny the appeal and assess a ten percent late filing penalty.

**MOTION:** Workman moved and Heier seconded to accept the recommendation of the County Assessor/Register of Deeds and deny the appeal and assess a ten percent late filing penalty on personal property for Blue Orchid Thai Restaurant. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

**MOTION:** Heier moved and Hudkins seconded adjournment of the meeting of the Board of Equalization at 10:07 a.m.. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

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Bruce Medcalf  
County Clerk