

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 13, 2007
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
Tom Fox, 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, November 6, 2007.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on November 6, 2007. Stevens, Schorr, Heier and Workman voted aye. Hudkins was absent from voting. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, November 13, 2007.**

MOTION: Stevens moved and Schorr seconded approval of all claims processed through November 13, 2007. Schorr, Heier, Stevens and Workman voted aye. Hudkins was absent from voting. Motion carried.

(Commissioner Hudkins entered the Hearing Room at 9:31 a.m..)

3) **PUBLIC HEARINGS:**

A. A request for an addition to licensed premise from Himark Golf Course, L.L.C., located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska.

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

The oath was administered to Amy Wieseler, applicant.

Wieseler explained that her current license covers the golf course and that she recently had the opportunity to assume the operation of the restaurant and banquet facilities located at 8901 Augusta Drive. She said in order for her to assume those operations, she needs to add those areas to her current license.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was recessed for one week.

4) **OLD BUSINESS:**

A. A resolution authorizing the change of traffic signs at the following locations in Lancaster County: Replacement of the existing 50 mile per hour speed sign with a 40 mile per hour speed sign on "A" Street east of South 112th Street for eastbound traffic and the replacement of the existing 50 mile per hour speed sign with a 40 mile per hour speed sign on South 120th Street north of "A" Street for southbound traffic. (R-07-0100)

MOTION: Heier moved and Stevens seconded approval of Resolution 07-0100 authorizing the change of traffic signs at the following locations in Lancaster County: Replacement of the existing 50 mile per hour speed sign with a 40 mile per hour speed sign on "A" Street east of South 112th Street for eastbound traffic and the replacement of the existing 50 mile per hour speed sign with a 40 mile per hour speed sign on South 120th Street north of "A" Street for southbound traffic. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. A grant contract with Berniklau Educational Solutions Team (BEST) to provide for the management of a Juvenile Day Reporting Center, in the amount of \$97,185. Term of the grant contract is July 1, 2007 to June 30, 2008. (C-07-0489)**

MOTION: Hudkins moved and Stevens seconded approval of a grant contract with Berniklau Educational Solutions Team (BEST) to provide for the management of a Juvenile Day Reporting Center, in the amount of \$97,185. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

- B. A contract between Lancaster County, on behalf of the Community Mental Health Center, and the Board of Regents of the University of Nebraska. The Community Mental Health Center will provide clinical supervision, technical assistance, evaluation referrals, and office space to two Clinical Assessment Technicians provided by the University. The University will pay the County up to \$9,000 for the services. Term of the contract is from June 1, 2007 to April 30, 2008 with the option to renew the contract for two additional one year terms. (C-07-0490)**

MOTION: Stevens moved and Heier seconded approval of a contract between Lancaster County, on behalf of the Community Mental Health Center, and the Board of Regents of the University of Nebraska. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

- C. An agreement with Region V Systems for Emergency Protective Custody services at the Lancaster County Crisis Center. Term of the agreement is from July 1, 2007 to June 30, 2008. Region V will enter into separate agreements with referring counties who will send acutely mentally ill individuals to Lancaster County. The County will be paid \$106 per individual for the County fee and \$52 from the rural pool for each individual. (C-07-0491)**

MOTION: Stevens moved and Schorr seconded approval of an agreement with Region V Systems for Emergency Protective Custody services at the Lancaster County Crisis Center. Term of the agreement is from July 1, 2007 to June 30, 2008. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

D. An agreement with Dr. J. Kemper Campbell, M.D. to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Dr. J. Kemper Campbell, M.D. will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30 day termination provision. (C-07-0492)

MOTION: Schorr moved and Hudkins seconded approval of an agreement with Dr. J. Kemper Campbell, M.D. to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. An amendment to an agreement between Lancaster County and Jacobsen Fire Equipment Company under County Contract No. C-07-0397. The amendment sets a new pricing schedule for new fire extinguisher replacement at County facilities. The new pricing is according to Attachment "G" of the amendment and the pricing will be effective between September 1, 2007 and August 31, 2008. (C-07-0495)

MOTION: Hudkins moved and Stevens seconded approval of an amendment to an agreement between Lancaster County and Jacobsen Fire Equipment Company under County Contract No. C-07-0397. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. An amendment to an agreement with PharMerica, under County Contract No. C-01-0569, for pharmacy and related services at the Lancaster County Community Mental Health Center. The original agreement will be amended to extend the term of the contract to December 15, 2007. (C-07-0496)

5) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Stevens seconded approval of an amendment to an agreement with PharMerica, under County Contract No. C-01-0569, for pharmacy and related services at the Lancaster County Community Mental Health Center. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. An amendment to an agreement with PharMerica, under County Contract No. C-01-0568, for pharmacy and related services at the Lancaster County Corrections. The original agreement will be amended to extend the term of the contract to December 15, 2007. (C-07-0497)

MOTION: Heier moved and Hudkins seconded approval of an amendment to an agreement with PharMerica, under County Contract No. C-01-0568, for pharmacy and related services at the Lancaster County Corrections. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

H. Real estate closing documents for the purchase of 37.41 acres of real estate legally described as Lots 73 and 74 located in the Northwest Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M.. The closing documents to be executed include the Settlement Statement, Real Estate Transfer Statement, Agreement for Tax Credit Proration, Understanding Regarding Tax Credit, Buyers Statement of Understanding and any other documents necessary for closing. The cost to the County is \$2,250,750. (C-07-0498)

Terry Wagner, County Sheriff, reiterated his objection to the purchase of the property. He stated he feels the County Board doesn't have complete information regarding the cost of the facility at the location. He voiced concerns that the 2500 prisoners which the Sheriff's Office transports yearly were not included in the study and stated he feels the cost analysis is based on the premise that video arraignment will occur.

Also discussed were video visitation, video arraignments and a one-level facility versus a multi-level facility.

5) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded to approve real estate closing documents for the purchase of 37.41 acres of real estate legally described as Lots 73 and 74 located in the Northwest Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M.. The closing documents to be executed include the Settlement Statement, Real Estate Transfer Statement, Agreement for Tax Credit Proration, Understanding Regarding Tax Credit, Buyers Statement of Understanding and any other documents necessary for closing. The cost to the County is \$2,250,750. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

I. Approval of the Federal Annual Certification Report for the County Attorney's Office regarding funds received and spent under the federal equitable sharing program for the fiscal year ending June 30, 2007.

MOTION: Heier moved and Schorr seconded approval of the Federal Annual Certification Report for the County Attorney's Office regarding funds received and spent under the federal equitable sharing program for the fiscal year ending June 30, 2007. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

J. Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid for rock hauling, in the total amount of \$500,067, to County stockpiles as follows: (B-07-0062)

Project 08-17H - 8,370 Tons - Waverly Stockpile

Husker Trucking (Hauler)	\$3.50/Ton	\$ 29,295.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 81,607.50</u>

Total Waverly Stockpile \$110,902.50

Project 08-18H - 2,700 Tons - Emerald Maintenance Station Stockpile

Buel Trucking (Hauler)	\$6.00/Ton	\$ 16,200.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 26,325.00</u>

Total Emerald Maintenance Station Stockpile \$ 42,525.00

Project 08-19-H - 4,320 Tons - Raymond Maintenance Station Stockpile

Husker Trucking (Hauler)	\$6.60/Ton	\$ 28,512.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 42,632.00</u>

Total Raymond Maintenance Station Stockpile \$ 70,532.00

5) **NEW BUSINESS CONTINUED:**

<u>Project 08-20H - 4,230 Tons - SW 12th Street & Saltillo Road</u>		
Buel Trucking (Hauler)	\$6.00/Ton	\$ 25,380.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 41,242.50</u>
Total SW 12 th Street & Saltillo Road Stockpile		\$ 66,622.50
<u>Project 08-21H - 3,600 Tons - SW 98th Street & Saltillo Road Stockpile</u>		
Husker Trucking (Hauler)	\$7.75/Ton	\$ 27,900.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 35,100.00</u>
Total SW 98 th Street & Saltillo Road Stockpile		\$ 63,000.00
<u>Project 08-22H - 5,580 Tons - Roca Stockpile</u>		
Husker Trucking (Hauler)	\$6.00/Ton	\$ 33,480.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 54,405.00</u>
Total Roca Stockpile		\$ 87,885.00
<u>Project 08-23H - 4,500 Tons - Walton Stockpile</u>		
Husker Trucking (Hauler)	\$3.25/Ton	\$ 14,625.00
Kerford Limestone (Producer)	\$9.75/Ton	<u>\$ 43,875.00</u>
Total of Walton Stockpile		\$ 58,500.00

MOTION: Hudkins moved and Stevens seconded to award a bid for rock hauling, in the total amount of \$500,067, as recommended by the Purchasing Agent and the County Engineer. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and Records and Information Management to award a bid to Image Access West, Inc., in the amount of \$20,417, for a new Kodak Prostar Image Processor. (B-07-0063)

MOTION: Heier moved and Stevens seconded to award a bid to Image Access West, Inc., in the amount of \$20,417, for a new Kodak Prostar Image Processor as recommended by the Purchasing Agent and Records and Information Management. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

L. Setting the salary for Ken Schroeder, Chief Deputy County Surveyor, at \$62,770, effective November 8, 2007.

MOTION: Schorr moved and Stevens seconded approval of setting the salary for Ken Schroeder, Chief Deputy County Surveyor, at \$62,770, effective November 8, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

M. A political subdivision tort claim filed against Lancaster County Corrections by Jay Ediger, in the amount of \$250, for lost property.

MOTION: Heier moved and Schorr seconded to accept the Director's recommendation and deny the political subdivision tort claim filed against Lancaster County Corrections by Jay Ediger, in the amount of \$250, for lost property. Hudkins, Stevens, Schorr, Heier and Workman 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 Deeds Monthly Report for October, 2007.

B. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and Himark Development, in the total amount of \$554, located at South 98th Street and Old Cheney Road; Project C55-KP-412(1). (2 contracts) (C-07-0493 and C-07-0494)

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

7) **OTHER BUSINESS:**

- A. Tom Fox, Deputy County Attorney, referred to an addendum to a purchase between the County and West O Properties, L.L.C. which was previously approved by the Board on November 6, 2007. He added that they are additional copies which need to be signed.
- B. Coby Mach, Executive Director of the Lincoln Independent Business Association (LIBA), and Andre Mick with the Lincoln Independent Business Association, encouraged the County Board to move forward in support of an audit of Lincoln's EMS service.

Heier clarified that the request was for reconciliation of the figures to be presented.

8) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:13 a.m.. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 13, 2007
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
Tom Fox, 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 10:13 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 6, 2007.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting on November 6, 2007. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Nebraska Crop Improvement Association
School Sisters of Christ the King
Women in Community Service, Inc.**

MOTION: Heier moved and Stevens seconded approval of motor vehicle tax exemptions for Nebraska Crop Improvement Association, School Sisters of Christ the King and Women in Community Service, Inc.. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:14 a.m.. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk