

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 8, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

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

Commissioners Absent: Bernie Heier, Vice Chair

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 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 18, 2007.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on December 18, 2007. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, January 8, 2008.**

MOTION: Stevens moved and Schorr seconded approval of all claims processed through January 8, 2008. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Vurla Holland, an employee with Lancaster Manor, for December, 2007.

3) **SPECIAL PRESENTATIONS CONTINUED:**

B. A one time cash award, in the amount of \$250, for Vicki Geisler, an employee at Lancaster Manor, due to exceptional circumstances.

MOTION: Schorr moved and Hudkins seconded approval of a one time cash award, in the amount of \$250, for Vicki Geisler, an employee at Lancaster Manor, due to exceptional circumstances. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

A. A resolution in the matter of chief deputy annual salary increases for the 2008 calendar year. (R-08-0001)

MOTION: Stevens moved and Schorr seconded approval of Resolution No. R-08-0001 in the matter of chief deputy annual salary increases for the 2008 calendar year. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

B. A resolution in the matter of approving an additional expenditure, in the amount of \$748.60, pursuant to Section 7 of a utility relocation agreement, under County Contract No. C-07-0129, for Project No. C55-M-407(1), NW 70th and W. Superior Streets. (R-08-0002)

MOTION: Hudkins moved and Stevens seconded approval of Resolution No. R-08-0002 in the matter of approving an additional expenditure, in the amount of \$748.60, pursuant to Section 7 of a utility relocation agreement, under County Contract No. C-07-0129, for Project No. C55-M-407(1), NW 70th and W. Superior Streets. Stevens, Schorr, Hudkins and Workman voted aye. Motion carried.

C. A resolution in the matter of amending County Resolution No. R-03-0017 to designate the City-County Information Services Division as a "covered health care component" under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). (R-08-0003)

4) NEW BUSINESS CONTINUED:

MOTION: Stevens moved and Hudkins seconded approval of Resolution No. R-08-0003 in the matter of amending County Resolution No. R-03-0017 to designate the City-County Information Services Division as a "covered health care component" under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

D. An addendum to an agreement with Milliman, Inc., under County Contract No. C-07-0339, for consulting services for the Lancaster County medical and dental employee benefit plans. The addendum authorizes Milliman to perform an actuarial review of the County's Workers' Compensation and General Liability programs. The County will pay \$12,000 for the additional services. (C-08-0001)

MOTION: Hudkins moved and Stevens seconded approval of an addendum to an agreement with Milliman, Inc., under County Contract No. C-07-0339, for consulting services for the Lancaster County medical and dental employee benefit plans. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

E. An addendum to the agreement with Segal Advisors, under County Contract No. C-07-0315. The addendum adds negotiation services to the services to be performed by Segal Advisors during the term of the agreement. The County will pay \$6,000 for the negotiation services provided by Segal Advisors. (C-08-0002)

MOTION: Stevens moved and Hudkins seconded approval of an addendum to the agreement with Segal Advisors, under County Contract No. C-07-0315. The addendum adds negotiation services to the services to be performed by Segal Advisors during the term of the agreement. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

F. Acceptance of a \$5,000 grant award to Lancaster County from the National Association of Counties Research Foundation (NACoRF). The grant commences the date of acceptance and will continue through December 19, 2008. The grant will support the jail diversion project to divert individuals with mental illness from jail and the criminal justice system. (C-08-0003)

4) NEW BUSINESS CONTINUED:

MOTION: Hudkins moved and Stevens seconded approval of the acceptance of a \$5,000 grant award to Lancaster County from the National Association of Counties Research Foundation (NACoRF). The grant commences the date of acceptance and will continue through December 19, 2008. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

G. An interlocal agreement with the City of Lincoln to share the cost of right-of-way acquisitions for the East Beltway. The project will be funded equally by the City and the County. The annual cost to the County will not exceed the County's yearly budgeted amount for right-of-way acquisitions on the East Beltway in its Road and Bridge Improvement Program. The duration of the agreement will be from the date of execution until the completion of the acquisition of right-of-way for the East Beltway. (C-08-0004)

The item was held at the request of the County Attorney's Office.

H. An amendment to an interlocal agreement with the City of Lincoln which provided for the widening and reconstruction of NW 56th Street and is found under County Contract No. C-06-0692. The amendment adds additional work to the project, including the acquisition of right-of-way and maintenance responsibilities. The additional work will occur on W. Adams Street from a point 731 feet west of NW 56th Street to NW 48th Street. (C-08-0005)

MOTION: Hudkins moved and Stevens seconded approval of an amendment to an interlocal agreement with the City of Lincoln which provided for the widening and reconstruction of NW 56th Street and is found under County Contract No. C-06-0692. The amendment adds additional work to the project, including the acquisition of right-of-way and maintenance responsibilities. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

I. A license renewal application through Nebraska Health and Human Services to operate the Lancaster County Community Mental Center, Crisis Center. The County will pay \$250 for the license renewal. (C-08-0006)

4) NEW BUSINESS CONTINUED:

MOTION: Stevens moved and Schorr seconded approval of a license renewal application through Nebraska Health and Human Services to operate the Lancaster County Community Mental Center, Crisis Center. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

J. An agreement between Lancaster County and LanguageLinc Interpretation Services for foreign language translation and interpretation services for the Lancaster County Community Mental Health Center, and attached business associate agreement. The business associate agreement assures that LanguageLinc Interpretation Services will comply with HIPAA Privacy and Security Rules in the performance of foreign language translation and interpretation services for the Lancaster County Community Mental Health Center. (C-08-0007)

This item was held at the request of the County Attorney's Office.

K. A software licensing agreement between defenderData L.L.C. and Lancaster County for case management software. Term of the agreement is from the date of execution and will continue for thirty-six months. The cost to the County will be pursuant to Exhibit "A" of the agreement. (C-08-0008)

MOTION: Hudkins moved and Stevens seconded approval of a software licensing agreement between defenderData L.L.C. and Lancaster County for case management software. Term of the agreement is from the date of execution and will continue for thirty-six months. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

L. An agreement with defenderData L.L.C. to provide and present a test version of defenderData's case management software system for the Public Defender's Office and the County Attorney's Office. The agreement is effective upon execution and expires on May 31, 2008. The County will reimburse defenderData's travel expenses to Lincoln, in an amount not to exceed \$3,500. (C-08-0015)

4) NEW BUSINESS CONTINUED:

MOTION: Hudkins moved and Stevens seconded approval of an agreement with defenderData L.L.C. to provide and present a test version of defenderData's case management software system for the Public Defender's Office and the County Attorney's Office. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

M. A grant contract with the YWCA of Lincoln to provide funding for the Try Another Way program to female offenders ages 14 to 18 who are currently on probation in the amount of \$5,000. Term of the grant contract is July 1, 2007 through June 30, 2008. (C-08-0014)

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with the YWCA of Lincoln to provide funding for the Try Another Way program to female offenders ages 14 to 18 who are currently on probation in the amount of \$5,000. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

N. Notice of Exoneration releasing Travelers Casualty and Surety Company of America from liability regarding performance bond 103698591 and replacing said bond with performance bond 6510154 issued by SAFECO Insurance Company of America. The performance bonds are associated with a wireless tower authorized under Special Permit No. 152 located at 8301 North 162nd Street.

MOTION: Stevens moved and Hudkins seconded to authorize the Chair to execute the Notice of Exoneration releasing Travelers Casualty and Surety Company of America from liability regarding performance bond 103698591 and replacing said bond with performance bond 6510154 issued by SAFECO Insurance Company of America. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

O. Election of Officers for the Lancaster County Board of Commissioners and the Lancaster County Board of Equalization.

By direction of the Chair, the item was held for one week.

P. Request from GE Commercial Finance, on behalf of United Rentals, Inc., for a refund of 2006 personal property tax, in an approximate amount of \$2,272.

4) NEW BUSINESS CONTINUED:

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of the request for refund. He said it was a duplicate reporting of assets which should have been reported in Sarpy and Madison counties.

MOTION: Schorr moved and Hudkins seconded to accept the recommendation of the Deputy County Assessor/Register of Deeds and approve a request from GE Commercial Finance, on behalf of United Rentals, Inc., for a refund of 2006 personal property tax, in an approximate amount of \$2,272. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Q. A political subdivision tort claim filed against the Lancaster County Corrections Department by Janella T. Bell, in the amount of \$700, for lost property.

MOTION: Schorr moved and Stevens seconded to accept the recommendation of the Corrections Director and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Janella T. Bell, in the amount of \$700, for lost property. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

R. A political subdivision tort claim filed against the Lancaster County Corrections Department by Rebecca A. Root, for an amount between \$3,000 and \$4,000, for lost property.

Rebecca Root, claimant, appeared and gave an overview of the claim stating that the lost jewelry was a family heirloom.

Hudkins asked Ms. Root if she had signed the property inventory form upon her release.

Root responded yes. She stated it was her mistake for not checking to see if all of her property was in the bag before leaving the facility.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the Corrections Director and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Rebecca A. Root, for an amount between \$3,000 and \$4,000, for lost property. Stevens, Schorr, Hudkins and Workman voted aye. Motion carried.

4) NEW BUSINESS CONTINUED:

S. Reappointment of Jeffrey Jenkins and Joseph Skopp to the Air Pollution Control Advisory Board for three year terms to expire on November 1, 2010.

MOTION: Stevens moved and Schorr seconded approval of the reappointment of Jeffrey Jenkins and Joseph Skopp to the Air Pollution Control Advisory Board for three year terms to expire on November 1, 2010. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

5) **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 Clerk's Monthly Report for December, 2007.**
- 1. Sheriff's Report of Fees for November, 2007.**

B. Request from Denise R. Taylor, an employee with the Lancaster County Community Mental Health Center, to voluntarily participate in the County's Retirement Plan having met the requirements.

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

- ▶ **Randall Ralph Carlson, in the amount of \$152.50, on North 1st Street north of Rock Creek Road; Project No. CP-C-202. (C-08-0009)**
- ▶ **Linda K Hollman, in the amount of \$91, on W. Wittstruck Road 1,211 feet west of SW 58th Street; Project CP-U-269. (C-08-0010)**
- ▶ **Linda K Hollman, in the amount of \$304, on W. Wittstruck Road west of SW 58th Street; Project CP-U-118. (C-08-0011)**
- ▶ **Thomas Morrow Family Trust and Anne Morrow Revocable Trust, in the total amount of \$9,922.50, on South 98th Street from Old Cheney Road to "A" Street; Project C55-KP-412(1). (2 contracts) (C-08-0012 and C-08-0013)**

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

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 9:59 a.m.. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 8, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Commissioners Absent: Bernie Heier, Vice Chair

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
Scott Gaines, Deputy County Assessor/Register of Deeds

The location of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:59 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 18, 2007.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on December 18, 2007. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 247 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

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

Christian Heritage Children's Home (2 exemption applications)
Goodwill Industries Serving Southeast Nebraska
MOSAIC
Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary
St. Monica's
United Methodist Ministries

MOTION: Stevens moved and Hudkins seconded approval of the motor vehicle tax exemption applications for Christian Heritage Children's Home (2 applications), Goodwill Industries Serving Southeast Nebraska, Mosaic, Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary, St. Monica's and United Methodist Ministries. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**

Tri-State Motor Transit Co.

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended a correction to the value for 2007. He explained the value, historically, has been approximately \$11,400 which was established at TERC (Tax Equalization and Review Commission) for 2006. Gaines stated it was inadvertently increased to the higher value in 2007 and the notice of assessed valuation change would revert it back to the 2006 TERC value of \$11,400.

MOTION: Stevens moved and Schorr seconded to send the notice of assessed valuation change for property taxation purposes to Tri-State Motor Transit Co. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:01 a.m.. Stevens, Schorr, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk