

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 28, 2008
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
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, October 21, 2008.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on October 21, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, October 28, 2008.**

MOTION: Stevens moved and Hudkins seconded approval of all claims processed through October 28, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **NEW BUSINESS:**

- A. Agreements with Physical Therapy Solutions and Pierce Family Practice 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 Physical Therapy Solutions and Pierce Family Practice 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-08-0569) (C-08-0570)**

Cori Beattie, Deputy County Clerk, stated the County Attorney's Office requested the agreement with Pierce Family Practice, Contract No. C-08-0570, be held.

MOTION: Schorr moved and Stevens seconded approval of an agreement with Physical Therapy Solutions for 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. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

- B. A correctional facilities interlocal agreement between Lancaster County, the City of Lincoln and the Lancaster County Correctional Facility Joint Public Agency relating to the transport and housing of City offenders in correctional facilities operated and maintained by the County, and relating to the electronic monitoring and supervision of City offenders that are placed on house arrest, drug court, community service or pre-trial release by the court. Term of the agreement will be from July 1, 2008, and will continue until all of the bonds issued by the Lancaster County Correctional Facility Joint Public Agency, for the purpose of constructing, equipping and furnishing the new Lancaster County Correctional Facility, are no longer deemed to be outstanding and unpaid. (C-08-0571)**

3) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of a correctional facilities interlocal agreement between Lancaster County, the City of Lincoln and the Lancaster County Correctional Facility Joint Public Agency relating to the transport and housing of City offenders in correctional facilities operated and maintained by the County, and relating to the electronic monitoring and supervision of City offenders that are placed on house arrest, drug court, community service or pre-trial release by the court.

Stevens commented that the agreement is a joint agreement between the County and City for the financing of the new correctional facility. He stated bonds will be issued and the County and the City will be paying for the bonds over a 20-year period. During that time, he said, the City will not reimburse the County for any charges for incarceration of City prisoners.

Heier commented that prior to the current status of the economy, it was estimated that approximately \$65,000 per year could be saved through the use of the joint public agency.

In response to a question asked by Hudkins, Stevens stated it is his understanding that at the end of the 20-year period the agreement would be renegotiated between the City Council and the County Board.

Hudkins stated that was his understanding as well.

Heier noted the City Council unanimously approved the interlocal agreement, as well as, the Mayor.

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

C. An amendment to an agreement with the Law Office of Joy Shiffermiller, under County Contract No. C-06-0683, for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County. Joy Shiffermiller has asked that Nancy Shannon be added as an attorney responsible for providing legal services under the original agreement. As a result, the parties wish to amend the agreement to reflect such change. (C-08-0572)

3) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Schorr seconded approval of an amendment to an agreement with the Law Office of Joy Shiffermiller, under County Contract No. C-06-0683, for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County.

Stevens commented that another individual's name is mentioned in the amendment, however, that name is not included in the agenda item.

Tom Fox, Deputy County Attorney, explained the original agreement, C-06-0683, listed the names of Joy Shiffermiller and Laura Lowe. The amendment adds Ms. Shannon's name.

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

D. An agreement with LeGrande Excavating for snow and ice removal services from City, County and Public Building Commission parking lots at a rate of between \$45 per hour and \$150 per hour depending on the type of service performed. Term of the agreement is from the date of execution of the agreement through May 1, 2009. (C-08-0573)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with LeGrande Excavating for snow and ice removal services from City, County and Public Building Commission parking lots at a rate of between \$45 per hour and \$150 per hour depending on the type of service performed. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

E. An agreement with Isecuretrac Corp. for Active GPS (Global Positioning Satellite) Electronic Monitoring Units to be utilized by Lancaster County. Term of the agreement is October 15, 2008 through May 19, 2008. (C-08-0574)

Beattie indicated the term of the agreement should be from October 15, 2008 to May 19, 2009.

3) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Stevens seconded approval of an agreement with Isecuretrac Corp. for Active GPS (Global Positioning Satellite) Electronic Monitoring Units to be utilized by Lancaster County.

Heier stated the cost will range from \$2.50 to \$7.50 per day.

Stevens noted the term of the contract reflects the date of May 14, 2009 instead of May 19, 2009. He also referred to the top of Page 2 of the agreement noting that it refers to the City of Lincoln when it should say Lancaster County, Nebraska.

Fox stated the error could be corrected by interlineation.

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

F. Utility Permit No. 940 allowing the City of Lincoln to construct a 66-inch sanitary sewer trunk line at the crossing of Havelock Avenue approximately one-half mile east of North 84th Street, at no cost to Lancaster County. (C-08-0575)

MOTION: Hudkins moved and Schorr seconded approval of Utility Permit No. 940 allowing the City of Lincoln to construct a 66-inch sanitary sewer trunk line at the crossing of Havelock Avenue approximately one-half mile east of North 84th Street, at no cost to Lancaster County. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

G. Engagement letter with Kutak Rock L.L.P. to provide legal services for Lancaster County's Retirement Plan. (C-08-0579)

MOTION: Hudkins moved and Stevens seconded approval of an engagement letter with Kutak Rock L.L.P. to provide legal services for Lancaster County's Retirement Plan. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

H. An agreement between Lancaster County and Electronic Contracting Company for fire alarm and security system monitoring services at the Lancaster County Motor Vehicle Services building. The agreement is effective from October 16, 2008 through October 15, 2011 and may be renewed for three additional one year periods upon mutual written agreement. The County will compensate the contractor for the services for a fee of \$29 per month. (C-08-0580)

MOTION: Heier moved and Stevens seconded approval of an agreement between Lancaster County and Electronic Contracting Company for fire alarm and security system monitoring services at the Lancaster County Motor Vehicle Services building. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

I. Recommendation from the Purchasing Agent and the Corrections Director to extend the contract with Aramark Correctional Services for correctional food service per County Contract No. C-02-0454. The extension will be for an additional 30 days from November 2, 2008 through December 1, 2008. (C-08-0581)

Bob Walla, Assistant Purchasing Agent, stated the contract extension was to allow the review committee some additional time. He indicated he has not received the signed extension from Aramark and didn't know if the County Board could approve the extension without Aramark's signature.

Fox stated he had no objections to the County Board approving and signing the extension.

MOTION: Heier moved and Hudkins seconded to accept the recommendation of the Purchasing Agent and the Corrections Director to extend the contract with Aramark Correctional Services for correctional food service per County Contract No. C-02-0454, subject to Aramark's signature.

Schorr asked if a new provider could be up and ready to operate by December 1st.

3) **NEW BUSINESS CONTINUED:**

Walla stated one vendor indicated during an interview that they could be operational by December 1st.

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

J. Request for a one-step pay increase for Taryn Tolliver, an employee in the Lancaster County Community Corrections Department, due to exceptional circumstances.

MOTION: Hudkins moved and Stevens seconded to approve the request for a one-step pay increase for Taryn Tolliver, an employee in the Lancaster County Community Corrections Department, due to exceptional circumstances. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **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. **2008 Nebraska Minimum Design Standards.**
2. **Annual Report to the Nebraska Board of Road Classifications and Standards from the Lancaster County Engineering Department for the fiscal year ending June 30, 2008.**

B. A leasehold contract relating to a road project between the Lancaster County Engineering Department and Doug Althouse, in the amount of \$10, on Bluff Road from North 148th to North 190th Streets; Project No. C55-H-402(1). (C-08-0576)

4) **CONSENT ITEMS CONTINUED:**

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

- * **John and Linda Munn, in the amount of \$855, on Bluff Road from North 148th to North 190th Streets; Project No. C55-H-402(1). (C-08-0577)**
- * **Parrott Family Farms, in the amount of \$4,275, on Alvo Road from North 1st to North 14th Streets; Project C55-F-406(1). (C-08-0578)**

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

5) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 9:52 a.m.. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

Cori Beattie
Deputy County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 28, 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
Bernie Heier, Vice Chair
Larry Hudkins
Deb Schorr
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
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 9:52 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 21, 2008.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on October 21, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 25 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Developmental Services of Nebraska, Inc.
Madonna Rehabilitation Hospital
Nebraska Crop Improvement Association
Northern Lighthouse
Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary
Wyuka Funeral Home and Cemetery**

MOTION: Stevens moved and Schorr seconded approval of motor vehicle tax exemptions for Developmental Services of Nebraska, Inc., Madonna Rehabilitation Hospital, Nebraska Crop Improvement Association, Northern Lighthouse, Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary and Wyuka Funeral Home and Cemetery.

In response to a question asked by Workman, Hudkins explained the Nebraska Crop Improvement Association is a non-profit organization that sponsored Nebraska Certified Seeds which brings in foundation seed to prove, test and release to commercial companies for commercial production.

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

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 9:55 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Cori Beattie
Deputy County Clerk