

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 2, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Commissioners Absent: Ray Stevens, Vice Chair

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Angela Zocholl, County Clerk's Office

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, May 26, 2009.**

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

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 2, 2009.**

MOTION: Workman moved and Hudkins seconded approval of all claims. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

- 3) **NEW BUSINESS:**

- A. **An application for a Special Designated License from Meier's Cork 'N Bottle, to provide liquor beverage service for a reception located at Country Pines, 6305 West Adams, Lincoln, Lancaster County, Nebraska, on Saturday, June 20, 2009 from 7:00 p.m. to 12:00 a.m.**

MOTION: Workman moved and Hudkins seconded approval of the Special Designated License. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

- B. **A request from Property Tax Counselors, on behalf of Tenneco Automotive – Walker, for a refund of 2008 personal property taxes in the amount of \$29,292.84.**

Scott Gaines, Deputy Assessor/Register of Deeds, appeared and explained this equipment was reported for 2008 since the intention was to move it to Lancaster County at that time. However, the equipment was not moved, and Gaines was able to verify that these taxes were already paid in Michigan for 2008.

Workman and Hudkins questioned what funds are used for refund money. Gaines said it is paid by the Treasurer's Office, but he is not sure how it is funded.

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

- C. **An agreement with Seim, Johnson, Sestak and Quist LLP, to prepare and deliver the Medicare Form CMS 2540-96 and Medicaid Form FA-66 cost reports for the fiscal year ended June 30, 2009, for Lancaster Manor. The term of the agreement shall be from the date Seim Johnson begins work for the cost report until the cost report has been submitted to the County (by November 30, 2009). The County will pay \$240 per hour for the services. (C-09-0223)**

MOTION: Hudkins moved and Workman seconded approval of the agreement.

Hudkins acknowledged the expense, but he noted the excellent track record of Seim Johnson and the importance of the report.

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

- D. **An addendum to a contract with Industrial Services, Inc., found at County Contract No C-04-0257, for the removal of dead animals from County roadways. The addendum renews the contract for a one-year term beginning July 1, 2009, through June 30, 2010. (C-09-0224)**

MOTION: Schorr moved and Hudkins seconded approval of the contract addendum. Workman, Schorr, Hudkins, and Heier voted aye. Motion carried.

- E. **An affiliation agreement between Lancaster County and Southeast Community College to allow the college to utilize Lancaster Manor for providing clinical experience to the college's RN/LPN Nurse Refresher Course students by working with Lancaster Manor RN preceptors. The term of the agreement is between March 1, 2009, and February 28, 2012. (C-09-0225)**

3) **NEW BUSINESS CONTINUED:**

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

- F. **Amendment #1a to the 2008/2009 Network Provider contract with the Regional Behavioral Health Authority (Region V), found at County Contract No C-08-0447, for certain behavioral mental health services at the Community Mental Health Center. The amendment amends Appendix A, Section VI, Behavioral Health Service Allocations regarding amounts reimbursed for services provided by the Community Mental Health Center. (C-09-0226)**

MOTION: Schorr moved and Hudkins seconded approval of the contract amendment. Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

- G. **Addendum #1 for the cooperative reimbursement agreement with the State of Nebraska Department of Health and Human Services for child support enforcement services provided by the Lancaster County Attorney's Office found at County Contract Number C-08-0587. The addendum allows County Child Support offices to use incentive payments as part of the County's match when obtaining federal reimbursement for child support related activities pursuant to the American Recovery and Reinvestment Act. The change became effective October 1, 2008, and remains in place until September 30, 2010. (C-09-0227)**

MOTION: Workman moved and Schorr seconded approval of the agreement addendum. Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

- H. **Recommendation from the County Engineer and Purchasing Agent to award a bid to Mission Construction Company, Inc., for crack sealing bituminous surfacing in the amount of \$29,950. (B-09-0032)**

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

4) **CONSENT ITEMS:**

- A. **Re-setting of a public hearing for Tuesday, June 9, 2009, at 9:30 a.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding County Special Permit No. 09011, requested by Gipson Properties, LLC, to allow a garden center on approximately 20 acres of a 78.70 acre parcel generally located at South 148th Street and Pine Lake Road.**

4) **CONSENT ITEMS CONTINUED:**

MOTION: Hudkins moved and Workman seconded approval of the consent item. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

5) **PENDING:**

- A. **A resolution in the matter of County Change of Zone No. 08050, requested by Michael and Judith Rosecrans, to change the zoning on 8.84 acres, more or less, from AG Agricultural to B Business on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 in Lancaster County, Nebraska. (R-08-0093) (Item placed on pending on November 4, 2008.)**

Hudkins questioned if a letter could be sent to the property owners to remove this from pending. Schorr said the item was placed on pending due to the Planning Department needing to change some wording. It was agreed the item could be addressed at an upcoming Staff Meeting.

6) **EMERGENCY ITEMS AND OTHER BUSINESS:**

Mark McColley, Business Manager of Steamfitters and Plumbers Local Union 464, appeared and expressed his concern on the bid instructions for the County Jail. McColley felt bids should be open publicly. Vince Mejer, Purchasing Agent, appeared and said the document from which McColley obtained his information was an old document and there will be a public opening of bids on the County's web site.

James Jeffers appeared to discuss the construction at N. 14th Street. He was concerned about the detouring of traffic and the length of time it is taking to complete the project. Hudkins acknowledged his concern and asked Don Thomas, County Engineer, to come forward to address the issue. Thomas said the project is ahead of schedule, and he agreed to check the completion date.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, June 4, 2009, beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m. on Tuesdays and rebroadcast at 1:30 p.m. and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.**

8) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded approval to adjourn the County Board of Commissioners meeting at 9:55 a.m. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 2, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING**

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

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:55 a.m.

- 1) **MINUTES: Approval of the Minutes of the Board of Equalization meeting held on Tuesday, May 26, 2009.**

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

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 13 additions and deductions to the tax assessment rolls per Attachment "A".

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

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

**George & Lori Bristol
Thomas & Amy Suzanne Banderas
Troy & Shari Stonacek
Bradley & Jennifer Sheaff
Lonny & Karen Stevens
Brian & Judith Halstead**

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

4) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Equalization meeting at 9:57 a.m. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

**Dan Nolte
Lancaster County Clerk**