

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

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

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
Cori Beattie, Deputy 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, June 23, 2009.**

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

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 30, 2009.**

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

- 3) **SPECIAL PRESENTATION:**

- A. **Recommendation from the Visitors Promotion Committee to award a \$10,000 grant from the Lancaster County Visitors Improvement fund to the Lincoln Children's Zoo for enhancement of their web site.**

Jeff Maul, Executive Director of Convention and Visitors Bureau, explained how the grant program was established to support a wide range of local projects with funding provided by lodging tax income. The awards are granted twice a year by merit as determined by the Visitors Promotion Committee.

3) **SPECIAL PRESENTATION CONTINUED:**

Steve Hilton, General Manager of Embassy Suites and Chair of Visitors Promotion Committee, said the zoo project was unanimously supported by the committee.

John Chapo, President/CEO of Lincoln Children's Zoo, said the grant would be used to update their web site (www.lincolnzoo.org). The site will feature more animation, web cams, and interactive features.

MOTION: Stevens moved and Hudkins seconded approval of the recommendation to award \$10,000 from the Visitor Improvement Fund to the Lincoln Children's Zoo. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

Stevens asked Maul to update everyone on 4th of July weekend activities. Maul said there will be a City celebration on July 3 and Larry "The Cable Guy" show on July 4. There is also a large convention in town.

Kerry Eagan noted a grant contract would follow.

B. **Appointment of Tony Gallardo to the Lancaster County Veterans Service Committee for a five-year term starting July 1, 2009**

Gary Chalupa, County Veterans Service Officer, gave an overview of the process for selecting a committee member and introduced Tony Gallardo.

Gallardo thanked everyone for the opportunity to be on the committee and discussed his involvement with the veterans.

MOTION: Workman moved and Hudkins seconded to approve the appointment of Tony Gallardo to the Lancaster County Veterans Service Committee.

The Board thanked Gallardo for his service.

Hudkins asked Gallardo for his observations of changes in veteran services. Gallardo felt there should be more information on benefits provided to veterans as they are leaving the service.

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

4) **PUBLIC HEARING:**

A. **Issuance of a Class I liquor license for Kerry's Hog Wild Barbecue, located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska.**

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

4) **PUBLIC HEARING CONTINUED:**

Lisa Johnson, owner of Kerry's Hog Wild Barbecue, was sworn in and explained that Special Designated Licenses were being used until the liquor license can be processed.

The Chair announced the public hearing would be held open for one more week.

- B. **Increase the appropriation for the Weed Control Fund for unanticipated increases in salaries and operational costs and the Property Management Fund for unanticipated increases in salaries and operational costs.**

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

Dennis Meyer, County Budget and Fiscal Director, was sworn in. He stated the Weed Control Fund needed to be amended by \$7,500, and the Property Management Fund needed to be amended by \$70,000. The money would move from cash reserve to expenditures, which would provide authority to spend the money. Meyer said the budget authority was not extended to any other agency.

The Chair closed the public hearing.

5) **OLD BUSINESS:**

- A. **A grant contract with the Center for Legal Immigration Assistance to provide funding to enhance Lancaster County's coordinated community response to Latina, African American and refugee women who have been experiencing domestic violence, dating violence, sexual assault or stalking, and provide assistance to such victims in immigration matters in the amount of \$53,591. Term of the grant contract is January 31, 2009, to December 31, 2010. (C-09-0279)**

The County Attorney asked that this item be held.

6) **NEW BUSINESS:**

- A. **A resolution in the matter of supplementing appropriations from the previously adopted budget for the Weed Control Fund, in the amount of \$7,500, and the Property Management Fund, in the amount of \$70,000. (R-09-0036)**

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

6) **NEW BUSINESS CONTINUED:**

- B. **A resolution specifically authorizing Sampson Construction Co., Inc., to be reimbursed the cost of the building permit, the plan review fee and the fire plan review fee for the New Lancaster County Detention Facility as a part of the cost of the work for the facility. The amount authorized to be reimbursed as part of the cost of the work is \$147,616.68. (R-09-0037)**

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

- C. **Three resolutions for complying with federal guidelines on federal aid transportation projects. (R-09-0038, R-09-0039, R-09-0040)**

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

- D. **Applications for Special Designated Licenses from Kerry's Restaurant and Catering, Inc., to provide liquor beverage service at 10005 West Davey Road, Raymond, Lancaster County, Nebraska, from 8:00 a.m. to 1:00 a.m. on the following dates:**
- **Thursday, July 9, 2009, to Sunday, July 12, 2009**
 - **Thursday, July 16, 2009, to Sunday, July 19, 2009**
 - **Thursday, July 23, 2009, to Sunday, July 26, 2009**
 - **Thursday, July 30, 2009, to Sunday, August 2, 2009**
 - **Thursday, August 6, 2009, to Sunday, August 9, 2009**

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

- E. **A contract with Mission Construction Company, Inc., to crack seal asphalt pavement within the County, Project No. 09-40. The work will be performed in the fall of 2009, and the County will pay \$29,950 for the services. (C-09-0321)**

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

- F. **A contract between Bluff Gravel Company and Lancaster County for the annual supply of production of limestone rock, gravel surface coarse material, and ice control material on an as-needed basis for the County Engineer. Term of the contract is from July 2, 2009, to July 1, 2010. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-09-0322)**

6) **NEW BUSINESS CONTINUED:**

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

Cody and Alec Talbot were introduced and asked to sit with the Board for Alec's scout project.

- G. **A contract between Logan Contractors Supply, Inc., and Lancaster County for the annual supply of rubberized asphalt joint sealant. Term of the contract is one year from the date of execution of the contract. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-09-0323)**

MOTION: Stevens moved and Hudkins moved to approve the contract. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- H. **An agreement with the Lancaster County Medical Society (LCMS) to enroll qualified Lancaster County General Assistance clients in national pharmaceutical discount programs and to provide related services, including medical record development, and the training of General Assistance caseworkers. Term of the agreement is July 1, 2009, through June 30, 2012. The County will reimburse LCMS based upon the established rates for each discount program and \$2,200 per month for related services. (C-09-0324)**

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

Gary Chalupa, Director of General Assistance, noted a few changes in the contract. The rate was increased by \$100, and the contract period was extended to three years.

Schorr asked how much money this agreement has saved the County. Chalupa estimated about an \$80,000 per month in savings.

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

- I. **An agreement with South Lincoln Dermatology 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 South Lincoln Dermatology 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-09-0325)**

6) **NEW BUSINESS CONTINUED:**

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

- J. **An agreement with Dr. Keith Reichmuth 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. Keith Reichmuth 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-09-0326)**

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

- K. **An agreement with Midwest Storage Solutions, Inc., for storage space for the County Court Office addition hall and court office. The agreement shall begin at the time of execution of the contract and the services shall be completed by September 1, 2009. The County shall pay for the services according to the pricing as listed in the contractor's proposal. (C-09-0327)**

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

Bob Walla, Purchasing, explained the agreement is for a storage system in the courtrooms and by a judge's headquarters.

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

- L. **An interlocal agreement with the State of Nebraska Probation Administration for two probation officers to provide additional pre-sentence investigation report services to decrease the time needed to complete pre-sentence investigations of inmates housed by the Lancaster County Corrections Department. Term of the agreement is July 1, 2008, to June 30, 2009. The County will pay \$46,397.64 for the services. (C-09-0328)**

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

6) **NEW BUSINESS CONTINUED:**

- M. **An amendment to an agreement with Nebraska Occupational Health Center, found at County Contract Number C-07-0298, to conduct post offer physical examinations and screenings of potential employees for Lancaster Manor. The amendment renews the contract for an additional one-year term beginning July 1, 2009, and ending June 30, 2010. (C-09-0329)**

MOTION: Schorr moved and Stevens seconded approval of the amendment.

Hudkins asked about the procedure for selecting this company. Bob Walla said this was the first renewal of the contract, and it had been selected through a bid process last year.

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

- N. **A grant contract between the Board of Trustees of the Community Health Endowment and Lancaster County on behalf of the Community Mental Health Center to collect and analyze consumer data related to the behavioral Health Jail Diversion Project. The County shall receive \$5,000 for the services. The term of the contract is from July 1, 2009, to June 30, 2010. (C-09-0330)**

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

- O. **A sub-grant award agreement for 2009 Emergency Management Performance Grant (EMPG) No 2009-EP-E9-0058, with the Nebraska Emergency Management Agency (NEMA) as the grantee and Lancaster County Emergency Management as the sub-grantee. The sub-grant is in the amount of \$65,940 and covers the period from June 1, 2009, through September 30, 2010. (C-09-0331)**

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

- P. **A sub-grant extra award agreement for 2008 Emergency Management Performance Grant (EMPG) No 2008-EM-E8-0032, with the Nebraska Emergency Management Agency (NEMA) as the grantee and Lancaster County Emergency Management as the sub-grantee. The sub-grant is in the amount of \$33,747.53 and covers the period from October 1, 2007, through September 30, 2009. (C-09-0332)**

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

6) **NEW BUSINESS CONTINUED:**

- Q. **Acceptance of a grant award from the Nebraska Crime Commission on Law Enforcement and Criminal Justice for the Talented Tenth Scholar's Program grant. The County will receive \$32,000 of which \$14,750 is the County's match share. Term of the grant award is July 1, 2009, to June 30, 2010.**

MOTION: Stevens moved and Workman seconded approval of the acceptance of the grant award. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried.

- R. **Acceptance of a grant award from the Nebraska Crime Commission on Law Enforcement and Criminal Justice for the BUILD Project grant. The county will receive \$70,000 of which \$20,000 is the County's match share. Term of the grant award is July 1, 2009, to June 30, 2010.**

MOTION: Stevens moved and Schorr seconded approval of the acceptance of the grant award. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried.

- S. **Acceptance of a grant award from the Nebraska Crime Commission on Law Enforcement and Criminal Justice for the Latino Intervention Program grant. The County will receive \$52,713 of which \$15,633 is the County's match share. Term of the grant award is July 1, 2009, to June 30, 2010.**

MOTION: Stevens moved and Hudkins seconded approval of the acceptance of the grant award. Schorr, Hudkins, workman, Stevens and Heier voted aye. Motion carried.

- T. **A political subdivision tort claim filed against Lancaster County Corrections by Keith A. Baxter for lost property. No amount was specified.**

MOTION: Hudkins moved and Schorr seconded to deny the claim per the department director's recommendation.

Stevens noted the property was not located, which could imply responsibility of the County; however, the claimant was unable to be contacted. Stevens asked if a claim could be re-filed by the individual if he was found later. Tom Fox said if the claim was denied, the person has two years from the day of the incident to file a lawsuit. Fox also noted that no amount was specified.

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

- U. **A political subdivision tort claim filed against Lancaster County Corrections by Andrew J. Minzel for lost property in the amount of \$40.00.**

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded to deny the claim per the department director's recommendation. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried.

V. **Labor Negotiations (Executive Session)**

The Chair announced this item would be held until the end of the meeting.

7) **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.)**

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

Marlene Lauer, Lancaster Manor employee, distributed and discussed information on Manor referrals that date back to January 2009 (Exhibit A).

Lauer and the Board discussed the Manor becoming a preferred provider and further categorizing the new entries.

9) **ANNOUNCEMENTS:**

- A. **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 www.lancaster.ne.gov. Click on 5 City-TV Video On Demand.**

The Chair recessed the meeting at 10:30 a.m.

The Chair reconvened the meeting at 10:32 a.m. following the Board of Equalization meeting.

6) **NEW BUSINESS CONTINUED:**

V. **Labor Negotiations (Executive Session)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Hudkins seconded to go into Executive Session for the purpose of Labor Negotiations at 10:32 a.m. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

MOTION: Schorr moved and Workman seconded to exit Executive Session at 10:54 a.m. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

10) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded to adjourn the Board of Commissioners meeting at 10:54 a.m. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 30, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

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

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
Cori Beattie, Deputy 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 10:30 a.m.

- 1) **MINUTES: Approval of the Minutes of the Board of Equalization meeting held on Tuesday, June 23, 2009.**

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

- 2) **ADDITIONS AND DEDUCTIONS: Approval of two additions and deductions to the tax assessment rolls per Attachment "A".**

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

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

Angelic Temple C.O.G.I.C.
Union College
Family Service Association of Lincoln

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

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 10:32 a.m. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk