

JUL 17 2009

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 14, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

LANG. COUNTY CLERK

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

Others present: Kerry Eagan, Chief Administrative Officer
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, July 7, 2009.

MOTION: Stevens moved and Workman seconded approval of the minutes. Stevens, Schorr, Workman and Heier voted aye. Hudkins absent. Motion carried 4-0.

Hudkins arrived.

2) CLAIMS: Approval of all claims processed through Tuesday, July 14, 2009.

MOTION: Workman moved and Stevens seconded approval of the claims. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

3) SPECIAL PRESENTATION:

- A. **A resolution proclaiming July 13-24, 2009, as the annual "Campaign Against Hunger" – Scott Young, Food Bank of Lincoln Director; Minette Genuchi, Lancaster County Administrative Services; Erin Saunders, Lancaster County Human Services; and Rhonda Ryan, Lancaster County Grants Coordinator. (R-09-0044)**

Young thanked everyone involved with the campaign. He said the City-County campaign in 2008 raised 15,242 lb of food and \$10,678.69. Young also noted more food has been distributed through June 30 of this year than in all of 2005, and they are currently feeding around 10,000 people per week. He said the theme for 2009 is "One Can" to represent that one can make a difference (Exhibit A).

3) **SPECIAL PRESENTATION CONTINUED:**

Stevens encouraged everyone to attend the bake sale at the City Finance Department, which benefits the Food Bank.

Genuchi thanked everyone for their help with the picnic. She estimated the picnic raised approximately \$2200 for the Food Bank.

Saunders commended everyone on doing a great job with the picnic.

MOTION: Schorr moved and Stevens seconded approval of the resolution. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried 5-0.

4) **PUBLIC HEARING:**

- A. **A petition nominating Kathy Campbell and James Linderholm to the Board of Trustees of Hospital Authority No. 1 of Lancaster County, Nebraska, terms to expire July 30, 2015. (See New Business 5A for correlating documentation.)**

The Chair opened the public hearing.

Lisa DeBuse, Gilmore & Bell, PC, said the petition to nominate Kathy Campbell and James Linderholm to the Board of Trustees for an additional term was filed, and no objections were made.

DeBuse gave an explanation of the Hospital Authority. She said federal tax laws let 501c3 organizations, such as hospitals, issue tax exempt bonds if a governmental entity issues the bonds. Hospital Authority No. 1 is the authority for the Lancaster County, and the Board of Trustees are appointed by the County Board. The Trustees meet in public session and authorize the issuance of bonds, for which the hospital makes the payments and functions as the issuer of the bonds.

Hudkins asked if there were term limits for the Board members. DeBuse said there is not a statutorily imposed limit.

The Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. **A resolution in the matter of the reappointment of Kathy Campbell and James Linderholm to the Board of Trustees of Hospital Authority No. 1 of Lancaster County, Nebraska, terms to expire July 30, 2015. (R-09-0045)**

MOTION: Hudkins moved and Stevens seconded approval of the resolution. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

5) **NEW BUSINESS CONTINUED:**

- B. **An application for a Special Designated License from Lancaster Event Center, to provide liquor beverage service at 4100 N. 84th Street, Lancaster County, Nebraska, from 6:30 p.m. to 9:30 p.m. on Wednesday, August 5, 2009; Thursday, August 6, 2009; and Friday, August 7, 2009.**

Ron Snover, Lancaster Event Center Manager, gave an overview of the County Fair activities, including tractor pulls, demolition derby, and figure 8 races.

MOTION: Stevens moved and Workman seconded the approval of the Special Designated License application, incorporating the recommendations from the Sheriff. Motion carried 5-0.

- C. **Recommendation of the Purchasing Agent and the Armor Car Review Committee to award a contract to Armor Knights, Inc., for armored car services at an estimated annual cost to the County of \$11,251. (B-09-0034)**

MOTION: Workman moved and Stevens seconded approval of the recommendation. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

- D. **Recommendation from the Purchasing Agent and the Lancaster County Corrections Department to accept the bids attached to the Guaranteed Maximum Price Proposal submitted by Sampson Construction Co., Inc., for the construction of the New Lancaster County Adult Detention Facility. (B-09-0035)**

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

Hudkins commended the Board for their diligence, noting the price of \$59.9 million and the inclusion of an extra 112 beds.

ROLL CALL: Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- E. **A contract between the City of Lincoln, Lancaster County and Precision Delta Corporation for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line items 1 and 2 of the contractor's proposal. (C-09-0353)**

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

Heier and Hudkins commented on the shortage of ammunition in general.

5) **NEW BUSINESS CONTINUED:**

Terry Wagner, County Sheriff, said multiple suppliers were used because his office gets different calibers from different suppliers. He agreed there is a shortage of ammunition. He also noted a price increase.

ROLL CALL: Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- F. **A contract between the City of Lincoln, Lancaster County and Central States Tactical, Inc., for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line items 4, 5, 6, 7, 8, 9 and 20 of the contractor's proposal. (C-09-0354)**

MOTION: Hudkins moved and Stevens seconded approval of the contract. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

- G. **A contract between the City of Lincoln, Lancaster County and Hornady Manufacturing Company for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line items 10, 14, 18, 24 and 25 of the contractor's proposal. (C-09-0355)**

MOTION: Schorr moved and Stevens seconded approval of the contract. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried 5-0.

- H. **A contract between the City of Lincoln, Lancaster County and OMB's Express Police Supply for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line items 11 and 12 of the contractor's proposal. (C-09-0356)**

MOTION: Stevens moved and Workman seconded approval of the contract. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- I. **A contract between the City of Lincoln, Lancaster County and Ray O'Herron Co., Inc., for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line items 14, 16, 21, 22 and 23 of the contractor's proposal. (C-09-0357)**

MOTION: Hudkins moved and Stevens seconded approval of the contract. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

5) **NEW BUSINESS CONTINUED:**

- J. **A contract between the City of Lincoln, Lancaster County and Lawmen's & Shooters' Supply, Inc., for the annual supply of ammunition. The term of the contract shall begin June 1, 2009, and end May 31, 2010. The County will pay for products and services on an as needed basis according to line item 17 of the contractor's proposal. (C-09-0358)**

MOTION: Schorr moved and Stevens seconded approval of the contract. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

- K. **A contract with Total Tool Supply, Inc. for the annual supply of power and hand tools. The County will pay for products and services on an as needed basis pursuant to the pricing listed in the contractor's proposal. Term of the contract is one year from the date of execution. (C-09-0359)**

MOTION: Hudkins moved and Stevens seconded approval of the contract. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

- L. **An interlocal agreement between Lancaster County and Educational Services Unit No. 18 for educational services to youth detained at the Youth Services Center. Term of the agreement is August 1, 2009, through July 31, 2010. The County will reimburse the ESU up to \$998,800 for the services provided. (C-09-0360)**

MOTION: Hudkins moved and Stevens seconded approval of the agreement. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

Heier noted the State would eventually reimburse the County for this contract.

- M. **An amendment to a cooperative purchasing agreement between Lancaster County, the City of Lincoln and Shredding Solutions for document shredding services for County departments. The term amendment will renew the agreement for an additional term beginning August 1, 2009, and ending July 31, 2010. The County will pay \$0.06 per pound of paper that is shredded. (C-09-0361)**

MOTION: Stevens moved and Hudkins seconded approval of the amendment. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- N. **An agreement with Interim Healthcare of Lincoln, L.L.C., for supplemental nursing services at Lancaster Manor. The term of the agreement shall begin July 1, 2009, and end June 30, 2010. The County will pay Interim based upon the rates provided in Attachment A. (C-09-0362)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of the agreement. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

- O. **A subdivision agreement between Lancaster County and Fisherman's Landing, L.L.C., regarding County Final Plat No. 09048, Fisherman's Landing, on property generally located at S. 176th Street and Firth Road. (C-09-0366)**

MOTION: Stevens moved and Schorr seconded approval of the agreement. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

- P. **An interlocal agreement between Lancaster County and Saunders County, Nebraska, to house inmates who are held under Lancaster County's lawful authority at the Saunders County Detention Facility. Lancaster County will pay Saunders County \$45 per inmate for each day the inmate is housed by Saunders County. The agreement is effective upon execution of both parties and will be for a one-year period. (C-09-0367)**

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

Hudkins thanked everyone involved.

Heier noted the agreement also contains transportation.

ROLL CALL: Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- Q. **An affiliation agreement between Lancaster County and Iowa College Acquisition Corp, d/b/a Kaplan University Lincoln Campus, to allow the University to utilize the facilities at Lancaster Manor for providing clinical experience to the college's Practical Nursing Program students. The term of the agreement is between July 15, 2009, and July 14, 2010. (C-09-0368)**

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

Hudkins asked if this agreement had been reviewed by the Manor Advisory Committee. Schorr said this was not reviewed by the Committee because it was not a new contract.

ROLL CALL: Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

- R. **Pending Litigation (Executive Session)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Workman seconded to go into Executive Session for the purpose of Pending Litigation at 9:58 a.m. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 10:06 a.m. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

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 the following:**

1. **County Records & Information Management's monthly report for June, 2009**
2. **County Assessor/Register of Deeds monthly report for June, 2009**
3. **City of Lincoln Annual Operating Budget for 2009-2010**

B. **Right-of-way contracts for road projects between the Lancaster County Engineering Department and the following individuals:**

1. **Edward and Susan Smith, located on N. 1st Street between Yankee Hill & Rokeby Road; Project No CP-O-206, Tract 5. Cost is \$60. (C-09-0363)**
2. **Jacqueline Berniklau, located on N. 1st Street between Yankee Hill & Rokeby Road; Project No CP-O-206, Tract 4. Cost is \$139. (2 contracts) (C-09-0364 & C-09-0365)**

MOTION: Stevens moved and Schorr seconded approval of the consent items.

Heier noted Item B1 should read S. 1st Street instead of N. 1st Street.

ROLL CALL: Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

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.)**

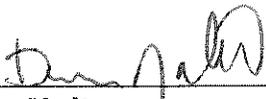
8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **ANNOUNCEMENTS:**

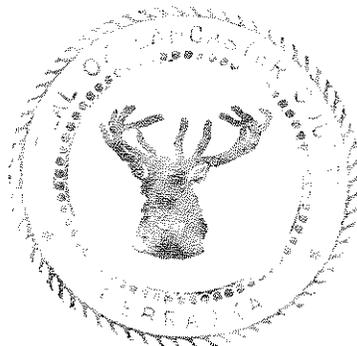
- A. **The groundbreaking for the new Lancaster County Adult Detention Facility will take place on Tuesday, July 14, 2009, at 11:00 a.m. at SW 40th and O Streets.**
- B. **A special joint public hearing of the City Council and County Board will be held on Tuesday, July 14, 2009, at 5:30 p.m., in the City Council/County Board Hearing Room on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska, regarding Comprehensive Plan Amendments No. 09001, 09003, 09004, and 09005.**
- C. **The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, July 16, 2009, beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.**
- D. **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.**

10) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded to adjourn the Board of Commissioners meeting at 10:08 a.m. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 14, 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
Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
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 10:08 a.m.

- 1) **MINUTES: Approval of the Minutes of the Board of Equalization meeting held on Tuesday, July 7, 2009.**

MOTION: Stevens moved and Schorr seconded approval of the minutes. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- 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 5-0.

- 3) **NOTICE OF TAXABLE STATUS FOR 2009:**

Nebraska Power District (two parcels)

Scott Gaines said the notice is for two parcels purchased by Nebraska Power District to prevent development. It will be leased for farming and the farmer will pay the taxes. The notice has 30 days to be challenged.

MOTION: Stevens moved and Schorr seconded to send the notice. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried 5-0.

4) **APPEAL FILED REGARDING THE REJECTION OF A HOMESTEAD EXEMPTION FOR 2009:**

Mike Morosin

Scott Gaines said the Homestead application was received under the disabled category. The qualifications for this category are permanent physical disability and loss of all mobility as to preclude locomotion without regular use of mechanical aid or prosthesis. The Assessor's office received a fax from Morosin's doctor saying Morosin does not need to use a cane continuously, so he does not qualify.

Morosin distributed an updated application and letter from the doctor (Exhibit B). The letter states the need for Morosin to wear a brace.

Gaines said his office has not seen the updated application and letter. He noted the last piece of correspondence received by the Assessor's Office was on June 5. He also did not feel the brace should be considered a mechanical aid, but it was open to interpretation.

MOTION: Workman moved and Hudkins seconded to hold open the appeal for one week so the new information could be reviewed by the Assessor's Office. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 10:18 a.m. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

