

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 12, 2010
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

Commissioners Absent: Larry Hudkins
Bob Workman

Others present: Kerry Eagan, Chief Administrative Officer
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, January 5, 2010.**

MOTION: Stevens moved and Schorr seconded approval of the minutes. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, January 12, 2010.**

MOTION: Stevens moved and Schorr seconded approval of the claims. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- 3) **SPECIAL PRESENTATION:**

A. **Recognition of Paula Garza, Lancaster County Veterans Service Office – Gary Chalupa, Lancaster County Veterans Service Office**

Gary Chalupa recognized Paula Garza for her 42 years of service with the County. He commended her for all her work through the years and acknowledged her receipt of the Commissioners Award of Excellence for January 2002 and the Annual Commissioners Award of Excellence for 2002. Chalupa invited everyone to Room 113 to celebrate Garza's retirement.

Garza spoke about her job in the Veterans Service office and described it as a "small family". She said she worked with three different Veterans Service officers through the years, including Chalupa.

4) **OLD BUSINESS:**

- 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)**

Tom Fox, Deputy County Attorney, explained the resolution had been under Pending on the agenda for a long time. He recommended the Board deny the resolution since Michael and Judith Rosecrans were approved under a new permit and this resolution no longer applied.

MOTION: Stevens moved and Schorr seconded denial of the resolution. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

5) **NEW BUSINESS:**

- A. **An application for a Special Events Permit for the Panama Adventure Race on Sunday, February 14, 2010, at 12:30 p.m.**

Jim Craig, Angry Cow Adventures, appeared on behalf of the Panama Adventure Race. He stated he had quite a few events planned for the year.

MOTION: Schorr moved and Stevens seconded approval of the Special Events Permit application. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- B. **A resolution approving a lease agreement between the Lincoln-Lancaster County Public Building Commission, as lessor, and Lancaster County and the City of Lincoln, jointly as lessee; a lease agreement between Lancaster County and the City of Lincoln, jointly as lessor, and the Lincoln-Lancaster County Public Building Commission, as lessee; and the issuance of not to exceed \$4,750,000 in aggregate principal amount of the Lincoln-Lancaster County Public Building Commission's tax supported lease rental revenue building and refunding bonds. (R-10-0005)**

Lauren Wismer, Gilmore & Bell, P.C., said the proposal is to fund improvements for the building project on the third floor of the County-City Building, including the City Attorney's office, the Mayor's office, and the Development Center.

Scott Keene, Ameritas, said a portion of the financing is allocated to refunding the Series 1998 bonds. At current interest rates, the Building Commission would save approximately \$25,000 per year or around \$192,000 on a present value basis, which represents 8.7% of the outstanding bonds. Keene said he planned to settle the bond issue and refund the outstanding bonds on February 25.

Heier inquired about the bond rate. Keene said the refunding portion of the bond rate is around 3.05% in the current market and has about ten years left on existing financing. The combined financing with the new money piece is amortized over 20 years and would be a combined rate of about 3½%.

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of the resolution. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- C. **An energy services agreement between the County and the District Energy Corporation for heating, cooling and emergency electrical services at the Lancaster County Adult Detention Facility to be constructed at SW 40th Street and "O" Street. (C-10-0008)**

Lauren Wismer said the agreement sets the terms and conditions for District Energy Corporation to provide heating, cooling and emergency electrical service to the County's adult detention facility.

MOTION: Schorr moved and Stevens seconded approval of the agreement. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- D. **A maintenance agreement with Microfilm Imaging Systems, Inc., in the amount of \$895, for a Cannon scanner located in the Clerk of the District Court's office. Term of the agreement is February 1, 2010, through January 31, 2011. (C-10-0009)**

MOTION: Stevens moved and Schorr seconded approval of the agreement. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- E. **A maintenance agreement with OSDI Midwest, Inc., in the amount of \$2,160 (\$720 each), for three power files located in the Clerk of the District Court's office. Term of the agreement is February 1, 2010, through January 31, 2011. (C-10-0010)**

MOTION: Stevens moved and Schorr seconded approval of the agreement. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- F. **A contract between AmSan Nebraska, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for all material and equipment necessary to provide and deliver custodial supplies and hardgoods supplies. The County will pay for products and services according to the pricing as established in University of Nebraska Proposal No. 485554. Term of the contract is November 2, 2009, through November 1, 2012. (C-10-0011)**

MOTION: Stevens moved and Schorr seconded approval of the contract. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

5) **NEW BUSINESS CONTINUED:**

- G. **A contract between NGC Group, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for unit price construction contracts for general construction on projects less than \$10,000 each, Bid No. 09-273. The County will pay for products and services according to the pricing as provided in the contractor's proposal. Term of the contract is two years, effective January 1, 2010, through December 31, 2011. (C-10-0012)**

MOTION: Stevens moved and Schorr seconded approval of the contract. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- H. **A contract between Becker Construction, the City of Lincoln, Lancaster County and the Lincoln-Lancaster Public Building Commission for unit price construction contracts for general construction on projects less than \$10,000 each, Bid No. 09-273. The County will pay for products and services according to the pricing as provided in the contractor's proposal. Term of the contract is two years, effective January 1, 2010, through December 31, 2011. (C-10-0020)**

MOTION: Stevens moved and Schorr seconded approval of the contract. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- I. **An amendment to a grant contract under County Contract No. C-09-0049 between Lancaster County as the sponsor and Spring Creek Prairie Audubon Center as the grantee, extending the end of the grant period from December 1, 2009, to January 30, 2010. (C-10-0013)**

MOTION: Schorr moved and Stevens seconded approval of the amendment. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- J. **A Department of Health and Human Services and Social Security Administration access agreement between the Nebraska Department of Health and Human Services and Lancaster County on behalf of the Lancaster County Attorney's office. The agreement provides the Lancaster County Attorney's office with electronic access to Social Security Administration (SSA) information, records and data through the Nebraska Health and Human Services system. The agreement is effective from date of execution to June 30, 2011. There will be no cost to the County. (C-10-0014)**

MOTION: Schorr moved and Stevens seconded approval of the agreement. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

5) **NEW BUSINESS CONTINUED:**

- K. **An agreement between BI Incorporated and Lancaster County, on behalf of Lancaster County Community Corrections. Under the agreement, BI shall provide Lancaster County access to and use of BI's ExacuTrack Service for demonstration on Lancaster County personnel. The term of the agreement is thirty days, commencing upon confirmation of the first unit installed on an officer or client. (C-10-0015)**

MOTION: Stevens moved and Schorr seconded approval of the agreement. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- L. **A federal equitable sharing agreement and annual certification report for the Lancaster County Attorney's office regarding equitable sharing activity of drug forfeiture funds for the fiscal year ending June 30, 2009. (C-10-0016)**

MOTION: Schorr moved and Stevens seconded approval of the agreement. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- M. **Utility Permit No. 983, allowing the City of Lincoln to occupy County road right-of-way to construct a sewer at Adams Street west of N. 102nd Street and at Holdrege Street west of N. 112th Street . There is no cost to the County. (C-10-0017)**

MOTION: Stevens moved and Schorr seconded approval of the utility permit. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- N. **An amendment to an agreement between Lancaster County and L.A. Young found at County Contract No. C-09-0391 for the service of a nurse practitioner at the Lancaster County Community Mental Health Center. The amendment changes the total hours worked per week from a maximum of 36 hours per week to a maximum of 40 hours per week. (C-10-0019)**

MOTION: Schorr moved and Stevens seconded approval of the amendment. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- O. **A recommendation from the County Engineer and the Purchasing Agent to award a bid for metal culverts and bands to Metal Culvert, Inc. Total cost at delivery is \$27,698.15. (B-10-0004)**

MOTION: Stevens moved and Schorr seconded approval of the recommendation. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

5) **NEW BUSINESS CONTINUED:**

- P. **A recommendation from the County Sheriff and the Purchasing Agent to purchase a Dodge Grand Caravan, in the amount of \$18,603, from Gene Steffy Chrysler Center, Inc., (State of Nebraska Contract 126290C). (B-10-0005)**

MOTION: Stevens moved and Schorr seconded approval of the recommendation. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- Q. **A recommendation from the County Sheriff and the Purchasing Agent to purchase a Jeep Grand Cherokee, in the amount of \$22,698, from Gene Steffy Chrysler Center, Inc., (State of Nebraska Contract 126260C). (B-10-0006)**

MOTION: Stevens moved and Schorr seconded approval of the recommendation. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- R. **Approval of the Lancaster County Noxious Weed Control Plan for 2010 to be submitted to the Nebraska Department of Agriculture.**

MOTION: Schorr moved and Stevens seconded approval of the plan. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- S. **A political subdivision tort claim filed against Lancaster County Corrections by Angelique Ann Bevard for lost property in the amount of \$100.**

MOTION: Schorr moved and Stevens seconded denial of the claim based on the department director's recommendation. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

- 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 Clerk monthly report for December, 2009**
2. **Clerk of the District Court monthly report for December, 2009**
3. **Assessor/Register of Deeds monthly report for December, 2009**
4. **County Records and Information Management monthly report for December, 2009**

- B. **A right-of-way contract between the County Engineer and Anthony Renze, in the amount of \$402.50, located south of Havelock Avenue on N. 162nd Street; Project No. CP-J-155. (C-10-0018)**

6) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of the consent items. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

7) **PUBLIC COMMENT:**

No comments from the public were offered.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 14, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, January 19, 2010, at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request to vacate a portion of North 98th Street from Ashland Road to a point approximately 1600 feet south of Ashland Road lying in the Northeast Quarter of Section 2, Township 12 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.
- C. 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.

9) **ADJOURNMENT**

MOTION: Stevens moved and Schorr seconded to adjourn the Board of Commissioners meeting at 9:59 a.m. Stevens, Schorr and Heier voted aye. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 12, 2010
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

Commissioners Absent: Larry Hudkins
Bob Workman

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
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 9:59 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 5, 2010.**

MOTION: Schorr moved and Stevens seconded approval of the minutes. Stevens, Schorr and Heier voted aye. Motion carried 3-0.

- 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, Stevens and Heier voted aye. Motion carried 3-0.

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

**Allon Chapel SDA Church (Central States Conference of Seventh Day Adventists)
Christian Heritage Children's Museum
Cristo Rey Catholic Church
Madonna Rehabilitation Hospital
Oak Lake Evangelical Free Church
Union College**

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

MOTION: Stevens moved and Schorr seconded approval of the motor vehicle tax exemptions, noting the Christian Heritage Children's Museum should be Christian Heritage Children's Home. Schorr, Stevens and Heier voted aye. Motion carried 3-0.

4) **ADJOURNMENT**

MOTION: Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 10:01 a.m. Schorr, Stevens and Heier voted aye. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk