

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 27, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

Commissioners present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr

Commissioners absent: Bernie Heier, Chair
Bob Workman

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
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, July 20, 2010.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, July 27, 2010.**

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

3) **PUBLIC HEARINGS:**

- A. **A Class CK liquor and catering license application from Jasper's, LLC, d/b/a Jasper's, located at 13940 O Street, Lincoln, Lancaster County, Nebraska. (See Item 4A for correlating documentation.)**

The public hearing was continued from last week.

Matt Ganow, Jasper's, was administered the oath. He said an amendment was filed on the liquor license application, correcting inaccuracies mentioned last week by Commissioner Stevens.

Schorr asked if any of the partners have attended hospitality training. Ganow said Michael Franklin would be attending a course in September.

3) **PUBLIC HEARING CONTINUED:**

Stevens asked how the Jasper's location has been modified. Ganow said they combined the spaces from La Paloma and Ron's Pub for a restaurant, bar and banquet room with the intent of having a family friendly atmosphere. He stated he had 20 years experience in the restaurant business with 10 years experience in catering.

Hudkins discussed hospitality training with Ganow. He questioned the role of Anders Nelson in the business, noting his previous offenses of minor in possession and leaving the scene of an accident. Ganow explained Nelson would take on a management type role. He said Anders' offenses occurred when he was young and he has since taken action to make amends. Ganow gave a background of Anders' work history.

The Vice Chair closed the public hearing.

B. Street Name Change No. 10002 for a new connector from S. 148th Street to Hwy 2 and a portion of the extension of S. 158th Street.

The Vice Chair opened the public hearing.

Brian Will, Lincoln-Lancaster County Planning Department, was administered the oath. He explained the street naming was in conjunction with a State construction project at 158th Street and Hwy 2. The recommendation is to use the name "Hooper Road" for the new connection from Hwy 2 to S. 148th Street and a portion of S. 162nd Street. Stevens asked if this was a State project. Will said it was a cooperative State and County project. Stevens discussed the safety issue of less traffic turning on 148th Street and Hwy 2. Will confirmed that intersection would be closed and would terminate in a cul-de-sac. Hudkins asked why the name was chosen. Will said names are usually chosen due to local significance; in this case, Hooper Creek is in the area.

The Vice Chair closed the public hearing.

MOTION: Schorr moved and Hudkins seconded to direct the County attorney to prepare a resolution approving the street name change for the new connector to "Hooper Road". Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

4) **NEW BUSINESS:**

A. A resolution in the matter of an application for a Class CK (beer, wine & distilled spirits, on & off sale) liquor license and catering license for Jasper's, L.L.C., d/b/a Jasper's, and a corporate manager liquor license application for Michael G. Franklin in connection with the Class CK liquor license and catering license for Jasper's, L.L.C., d/b/a Jasper's, located at 13940 O Street, Suites 7, 8, 9, Lincoln, Lancaster County, Nebraska. (R-10-0058)

MOTION: Schorr moved and Hudkins seconded approval of the resolution.

Hudkins expressed his concerns over management completing hospitality training.

ROLL CALL: Schorr and Stevens voted aye. Hudkins voted nay. Motion carried 2-1.

4) **NEW BUSINESS CONTINUED:**

- B. **A construction contract with Hawkins Construction Company, in the amount of \$4,892,266.53, for the S. 68th Street viaduct over the Burlington Northern Santa-Fe Railway; Project No. C55-S-401(6). (C-10-0371)**

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

- C. **A contract with Dry Clean City for the annual requirements of uniform dry cleaning for the County Sheriff and County Corrections. Cost of the services shall be according to the pricing listed in the contractor's proposal. Services shall be provided on an as needed basis. Term of the contract is four years from the date of execution. (C-10-0377)**

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

- D. **An agreement with the University of Nebraska, Board of Regents and the Lincoln Housing Authority for operation of the Nutrition Education Program to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. The County will pay \$23,372 for the services which will be provided by the University. The Housing Authority will pay \$10,519 for the services, combined with \$5,736 from the United States Department of Agriculture (USDA) Food Stamp Nutrition Education grant, for a total of \$39,627. Term of the agreement is September 1, 2010, to August 31, 2011. (C-10-0376)**

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

Stevens questioned to what extent the service is mandated on the part of the County Board. Hudkins explained the program is delivered through the Lancaster County Extension Service. He said it teaches people how to spend their money more wisely on food.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- E. **An agreement with the State of Nebraska, Department of Education for the National School Lunch Program and related programs at the Lancaster County Youth Services Center. (C-10-0374)**

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

4) **NEW BUSINESS CONTINUED:**

- F. **An amendment to an assistance agreement between the U.S. Department of Energy and Lancaster County, on behalf of the Lancaster County Adult Correctional Facility, found at County Contract No. C-10-0188, for a grant in the amount of \$110,300, which will fund the development of an energy efficiency and conservation strategy. The amendment replaces the terms and conditions, updates the project activity worksheets, replaces the reporting requirements, adds wage determination and approved strategy and provides notification that project activities are approved by the National Environmental Protection Agency (NEPA). (C-10-0375)**

Item was held per request of the County Attorney.

- G. **An agreement with L.A. Young, Inc., for professional services of a nurse practitioner to assist in the provision of psychiatric services at the Community Mental Health Center. The County will pay \$65 per hour for no more than 40 hours per week. Term of the agreement is July 1, 2010, to June 30, 2011. A business associate agreement is attached to the agreement to comply with Health Insurance Portability & Accountability Act (HIPAA) regulations. (C-10-0372)**

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

- H. **Approval of a Medicare enrollment application for the reassignment of Medicare benefits to the Lancaster County Community Mental Health Center and authorization for Commissioner Bob Workman to sign the application. The application allows Mary E. Sullivan to reassign her right to bill the Medicare program and receive Medicare payments to the Community Mental Health Center. (C-10-0373)**

MOTION: Hudkins moved and Schorr seconded approval of the application.

Schorr questioned why Commissioner Workman must sign the application. Tom Fox, Deputy County Attorney, explained his signature was the only one currently accepted by Medicare. Schorr questioned what will happen when Commissioner Workman is no longer on the County Board. Fox said extra paperwork will be needed in the future which will allow someone else to sign.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- I. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the TeamMates Project MOAST. The County will receive \$7,500 in grant funds and TeamMates will provide \$14,574 in matching funds for a total project cost of \$22,074. Term of the grant award is July 1, 2010, to June 30, 2011.**

MOTION: Schorr moved and Hudkins seconded approval of the grant award. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

4) **NEW BUSINESS CONTINUED:**

- J. **Appointment of Andrew Weeks as Deputy Public Defender at an annual salary of \$58,473, effective July 20, 2010.**

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

- K. **Creation of County Rule 21 of the Personnel rules - Furlough.**

MOTION: Schorr moved and Hudkins seconded approval of the rule creation.

Schorr thanked Tom Fox for his work on the proposal. Hudkins noted the County would probably not need to use furloughs this year, but it will be helpful to have the furlough rule in place for the future. Stevens said both voluntary and involuntary components are written into the rules.

ROLL CALL: Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

- L. **Memorandum of agreement between the Lincoln Council on Alcoholism and Drugs, Inc., and Lancaster County, on behalf of the Lancaster County Sheriff's Office, for the purpose of providing a Sheriff Deputy to act as a liaison between the Prevention Leadership Team and the Lancaster County Sheriff's Office to prevent underage drinking and alcohol related automobile accidents in Lancaster County. (C-10-0378)**

Item was held per request of the County Attorney.

- M. **An agreement with Blue Cross and Blue Shield of Nebraska to provide administrative services for the early retiree reinsurance program. Term of the contract is from the date of execution until January 1, 2014. There is no cost to the county. (C-10-0379)**

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

- 5) **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 Nebraska Surface Transportation Program Book for Fiscal Years 2011 - 2016.**

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

6) **PUBLIC COMMENT:**

Kim Kaspar, President of American Federation of County, State & Municipal Employees (AFSCME), discussed the furlough policy, stating AFSCME was not involved in the discussions. Kaspar also discussed her concerns over Hunter Management's purchase of Lancaster Manor. Hudkins verified with Kasper her information sources regarding Hunter Management's business practices.

Melvin Moore discussed honesty.

John Austin addressed miscellaneous items, including nutrition, the Lincoln-Lancaster County Health Department, County and City finances, immigration and constitutional rights.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 29, 2010, 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 www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.**

8) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:17 a.m. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

/s/Cori Beattie

Cori Beattie
Lancaster County Deputy Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 27, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING**

Commissioners present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr

Commissioners absent: Bernie Heier, Chair
Bob Workman

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
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 10:17 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 20, 2010.**

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

2) **ADDITIONS AND DEDUCTIONS: Approval of 11 additions and deductions to the tax assessment rolls per Attachment "A".**

MOTION: Hudkins moved and Schorr seconded approval of the additions and deductions. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

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

**Catholic Bishop of Lincoln
Christ Lutheran Church & Schools
Fellowship Baptist Church
Trinity United Methodist Church**

MOTION: Schorr moved and Hudkins seconded approval of the motor vehicle tax exemption applications. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

4) **NOTICE OF TAXABLE STATUS:**

City of Lincoln

Scott Gaines, Deputy County Assessor/Register of Deeds, said the City acquired this property to tear down the existing building and offer it for redevelopment. Since it is not for public use, the property will be taxable.

MOTION: Hudkins moved and Schorr seconded approval to send the notice. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

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

Leon R. Vermillion

Scott Gaines said his office discovered new construction on this property, which was not previously reported. Stevens questioned the fluctuating valuation history for the property. Gaines said mobile homes were likely on the property at the time of construction and have since moved off the property.

MOTION: Schorr moved and Hudkins seconded approval to send the notice. Schorr, Hudkins and Stevens voted aye. Motion carried 3-0.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Equalization meeting at 10:22 a.m. Hudkins, Schorr and Stevens voted aye. Motion carried 3-0.

/s/Cori Beattie

Cori Beattie
Lancaster County Deputy Clerk